



## **ANNOTATED (\*AMENDED) AGENDA**

### **Antioch City Council REGULAR MEETING**

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

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Date: **Tuesday, March 14, 2023**

Time: 6:30 P.M. – Closed Session  
7:00 P.M. – Regular Meeting

Place: **Council Chambers**  
200 'H' Street  
Antioch, CA 94509

*City Council meetings are televised live on Comcast channel 24, AT&T U-verse channel 99, or live stream (at [www.antiochca.gov](http://www.antiochca.gov)). Please see inside cover for detailed Speaker Rules.*

***PLEASE TURN OFF CELL PHONES BEFORE ENTERING COUNCIL CHAMBERS.***

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

**Ellie Householder**, City Clerk  
**Lauren Posada**, City Treasurer  
**Cornelius Johnson**, City Manager  
**Thomas Lloyd Smith**, City Attorney

**ACCESSIBILITY:** 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](mailto: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. Unless otherwise noted, City Council actions include a determination that the California Environmental Quality Act (CEQA) does not apply. The Council meets regularly on the second and fourth Tuesdays of the month at 7:00 p.m., with Closed Sessions often occurring before or after the regular meeting. 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: [Notifications – City of Antioch, California \(antiochca.gov\)](https://www.antiochca.gov/notifications) and enter your e-mail address to subscribe. To view the agenda information, click on the following link: [City Council – City of Antioch, California \(antiochca.gov\)](https://www.antiochca.gov/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 City Council on each agenda item. To address the Council, fill out a Speaker Request form and place in the Speaker Card Tray near the City Clerk before the meeting begins. This will enable us to call upon you to speak. Comments regarding matters not on this Agenda may be addressed during the "Public Comments" section. No one may speak more than once on an agenda item or during "Public Comments". The Speaker Request forms are located at the entrance of the Council Chambers. Please see the Speaker Rules on the inside cover of this Agenda.

**6:30 P.M.      ROLL CALL – CLOSED SESSION – for Council Members – *Council Members District 2 Barbanica, District 3 Ogorchock, and District 4 Wilson*  
*[Mayor Pro Tem (District 1) Torres-Walker and Mayor Thorpe – Absent]*  
*Council Member Wilson opened and presided over the meeting.***

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

#### **CLOSED SESSION:**

- 1) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION –**  
Significant exposure to litigation pursuant to California Government Code section 54956.9(b): One case.  
*Council voted to place City Manager Con Johnson on Administrative Leave effective immediately, Approved 3/0/2-(Torres-Walker and Thorpe-Absent)*

**6:31 P.M.      ADJOURNED TO CLOSED SESSION**

**7:00 P.M.      ROLL CALL – REGULAR MEETING – for City /City Council Members acting as Housing Successor to the Antioch Development Agency – *Council Members District 2 Barbanica, District 3 Ogorchock, District 4 Wilson, and Mayor Pro Tem (District 1) Torres-Walker*  
*(Mayor Thorpe – Absent)*  
*Council Member Wilson opened and presided over the meeting.***



**ONCE QUORUM WAS ESTABLISHED, COUNCIL MEMBER BARBANICA EXCUSED HIMSELF AND LEFT THE MEETING FOR HEALTH REASONS**

**PLEDGE OF ALLEGIANCE**

**CITY ATTORNEY TO REPORT OUT ON CLOSED SESSION**

**1. INTRODUCTION OF NEW CITY EMPLOYEES**

**2. PROCLAMATION**

- American Red Cross Month, March 2023

***Approved, 3/0/2 (Barbanica and Thorpe-Absent)***

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

**ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS**

**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.*

**CITY COUNCIL COMMITTEE REPORTS/COMMUNICATIONS**

**MAYOR'S COMMENTS**

**3. PRESENTATIONS** – *KOSMONT Presentation on Economic Development Public Financing Mechanisms, presented by Senior Vice President Joseph Dieguez, Kosmont Companies*

***DUE TO TECHNICAL ISSUES, THE PRESENTATION ORDER WAS SWITCHED.***

– *Sales Tax Citizens' Oversight Committee Presentation - Measure W presented by Vice Chairperson Dr. Kate Mundhenk and Committee Member Susana Williams*

**7:46 P.M. MAYOR THORPE ARRIVED DURING THE SALES TAX CITIZENS' OVERSIGHT COMMITTEE PRESENTATION.**

**COUNCIL MEMBER WILSON REQUESTED A MOTION TO SUSPEND THE RULES TO PLACE MAYOR'S COMMENTS BACK ON THE AGENDA; APPROVED 4/0**

**4. CONSENT CALENDAR for City /City Council Members acting as Housing Successor to the Antioch Development Agency**

**A. APPROVAL OF COUNCIL MEETING MINUTES FOR JANUARY 24, 2023**

**Approved, 4/0**

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

**B. APPROVAL OF COUNCIL MEETING MINUTES FOR FEBRUARY 14, 2023**

**Continued, 4/0**

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

**C. APPROVAL OF COUNCIL SPECIAL MEETING MINUTES FOR FEBRUARY 23, 2023**

**Continued, 4/0**

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

**D. APPROVAL OF COUNCIL MEETING MINUTES FOR FEBRUARY 28, 2023**

**Continued, 4/0**

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

**E. APPROVAL OF COUNCIL WARRANTS**

**Approved, 4/0**

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

**F. APPROVAL OF HOUSING SUCCESSOR WARRANTS**

**Approved, 4/0**

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

**G. REJECTION OF CLAIMS: SUBMITTED BY JARROD GARNER, REAGAN DEGUZMAN AND ERICA TIFFANY THOMAS ON BEHALF OF HONESTII LUMSEY**

**Rejected, 4/0**

Recommended Action: It is recommended that the City Council reject the claims submitted by Jarrod Garner, Reagan DeGuzman and Erica Tiffany Thomas on behalf of Honestii Lumsey.

**CONSENT CALENDAR for City /City Council Members acting as Housing Successor to the Antioch Development Agency – Continued**

- H.** EIGHTH AMENDMENT TO THE DESIGN CONSULTANT SERVICES AGREEMENT WITH SWATT MIERS ARCHITECTS FOR IMPROVEMENTS TO CITY HALL COUNCIL CHAMBERS INTERIOR REMODEL/CITY HALL IMPROVEMENTS AND LEO FONTANA FOUNTAIN (P.W. 247-P, P.W. 247-S AND P.W. 247-R)

***Reso No. 2023/35 adopted, 4/0***

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

- 1) Approving the eighth amendment to the Design Consultant Services Agreement with Swatt Miers Architects for improvements to City Hall Council Chambers Interior Remodel/ City Hall Improvements and Leo Fontana Fountain, in the amount of \$16,610.63 for a total contract amount of \$387,193.13; and
- 2) Authorizing and directing the City Manager or designee to execute the eighth amendment to the Design Consultant Services Agreement in a form approved by the City Attorney.

- I.** RESOLUTION ACCEPTING COMPLETED IMPROVEMENTS FOR PARK RIDGE PHASE 2, TRACT NO. 9845 (P.W. 674-2)

***Reso No. 2023/36 adopted, 4/0***

Recommended Action: It is recommended that the City Council adopt a resolution accepting the completed improvements, authorizing the City Manager or designee to file a Notice of Completion for the Park Ridge Phase 2 Project, Tract No. 9845 (P.W. 674-2).

- J.** RESOLUTION ACCEPTING COMPLETED IMPROVEMENTS FOR PARK RIDGE PHASE 3, TRACT NO. 9517 (P.W. 674-3)

***Reso No. 2023/37 adopted, 4/0***

Recommended Action: It is recommended that the City Council adopt a resolution accepting the completed improvements, authorizing the City Manager or designee to file a Notice of Completion for the Park Ridge Phase 3 Project, Tract No. 9517 (P.W. 674-3).

- K.** RESOLUTION ACCEPTING COMPLETED IMPROVEMENTS FOR PARK RIDGE PHASE 4, TRACT NO. 9490 (P.W. 674-4)

***Reso No. 2023/38 adopted, 4/0***

Recommended Action: It is recommended that the City Council adopt a resolution accepting the completed improvements, authorizing the City Manager or designee to file a Notice of Completion for the Park Ridge Phase 4 Project, Tract No. 9490 (P.W. 674-4).

**CONSENT CALENDAR for City /City Council Members acting as Housing Successor to the Antioch Development Agency – Continued**

**L. CONSIDERATION OF BIDS FOR THE ANTIOCH CAPE SEAL 2023 PROJECT (P.W. 328-13)**

***Reso No. 2023/39 adopted, 4/0***

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

- 1) Approving an amendment to the Fiscal Year 2022/23 Capital Improvement and Operating Budget to increase the funding from the Road Maintenance and Rehabilitation Account (RMRA) Fund for the Antioch Cape Seal 2023 Project by \$700,000;
- 2) Awarding the construction agreement to the lowest, responsive, and responsible bidder, American Pavement Systems, Inc.;
- 3) Approving the construction agreement with American Pavement Systems, Inc. in the amount of \$2,161,756.07; and
- 4) Authorizing the City Manager to execute the construction agreement with American Pavement Systems, Inc. for a total amount of \$2,161,756.07.

**M. SECOND AMENDMENT TO THE AGREEMENT WITH TJKM TRANSPORTATION CONSULTANTS FOR DESIGN CONSULTING SERVICES (P.W. 282-20)**

***Reso No. 2023/40 adopted, 3/1 (Torres-Walker)***

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

- 1) Approving an amendment to the Fiscal Year 2022/23 Operating Budget to increase the funding from Gas Tax Funds for the development of three Highway Safety Improvement Program grant applications in the amount of \$45,000;
- 2) Approving the second amendment with TJKM Transportation Consultants in the amount of \$45,000 for a total contract amount of \$116,989.22; and
- 3) Authorizing the City Manager to execute the second amendment to the Agreement with TJKM Transportation Consultants.

**CONSENT CALENDAR for City /City Council Members acting as Housing Successor to the Antioch Development Agency – Continued**

**\*N.** RESOLUTION DESIGNATING AUTHORIZED AGENTS OF THE CITY OF ANTIOCH FOR CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES (CAL-OES) AND FEMA PUBLIC ASSISTANCE GRANTS AND APPROVING CAL OES FORM 130

**Reso No. 2023/41 adopted, 4/0**

*Recommended Action: It is recommended that the City Council adopt a resolution designating the Public Works Director, Finance Director, and City Manager as authorized agents to execute documents and/or agreements on behalf of the City of Antioch for the purpose of obtaining disaster public assistance grants from Cal-OES and FEMA approving the corresponding Cal-OES Form 130.*

**PUBLIC HEARING**

5. APPEAL OF THE PLANNING COMMISSION APPROVAL OF THE SOMERSVILLE LIQUOR STORE USE PERMIT

**Reso No. 2023/42 adopted  
Granting the appeal and denying the use permit,  
3/0/1 (Torres-Walker-Abstained)**

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

- Denying the appeal and **approving the use permit** with Conditions of Approval;

**Or**

- Granting the appeal and **denying the use permit.**

6. APPEAL OF PLANNING COMMISSION APPROVAL OF TREE REMOVAL PERMIT AT 411 WEST 5TH STREET

**Motion to deny the appeal failed, 2/2 (Wilson and Thorpe – NO)  
Planning Commission's decision approving the Tree Removal Permit stands**

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

- Deny the appeal and **approve the Tree Removal Permit;**

**Or**

- Approve the appeal and **deny the Tree Removal Permit.**

## ***PUBLIC HEARING – Continued***

### **7. ORDINANCE FORMING A NEW ENGINEERING DEPARTMENT AND MODIFYING THE PUBLIC WORKS AND COMMUNITY DEVELOPMENT DEPARTMENTS**

***Postponed, 4/0***

Recommended Action: It is recommended that the City Council introduce, read by title only, and waive further reading of the ordinance amending and restating Articles 1, 2, and 9 and adding Article 10 to Chapter 3 Title 2 of the Antioch Municipal Code reorganizing the Public Works and Community Development Departments and creating a new Engineering Department.

## ***COUNCIL REGULAR AGENDA***

***COUNCIL MEMBER WILSON MADE A MOTION TO REMOVE THE NEXT ITEM FROM THE TABLE TO DISCUSS. THE MOTION WAS VOTED ON AND APPROVED BY A MAJORITY VOTE OF 3/1 (OGORCHOCK)***

### **8. RESOLUTION APPROVING AN AMENDMENT TO THE 2022/23 FISCAL YEAR BUDGET TO INCLUDE EXPENDITURES FOR THE JULY 4, 2023, CELEBRATION IN THE AMOUNT OF \$110,000**

***Reso No. 2023/43 adopted, 3/1 (Ogorchock)***

Recommended Action: It is recommended that the City Council adopt the resolution approving an amendment to the 2022/23 Fiscal Year budget to include expenditures for the July 4, 2023, Celebration in the amount of \$110,000.

### **9. FORMATION OF A HUMAN RIGHTS AND RACIAL EQUITY AD HOC COMMITTEE**

***Reso No. 2023/44 adopted appointing Mayor Pro Tem (District 1) Torres-Walker and Council Member Ogorchock for a duration of six months, 4/0***

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

- 1) Determine if the City Council wishes to form a Human Rights and Racial Equity Ad Hoc Committee for the purposes described in the resolution;
- 2) Confirm the appointment of two (2) members for the Human Rights and Racial Equity Ad Hoc Committee;
- 3) Confirm the duration of the Human Rights and Racial Equity Ad Hoc Committee; and
- 4) Adopt the resolution forming the Human Rights and Racial Equity Ad Hoc Committee.



**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 Regular Meeting at 11:34 p.m., 4/0***

CITY OF  
**ANTIOCH**  
CALIFORNIA

**INTRODUCTION OF NEW CITY EMPLOYEES**

**DATE:** Regular Meeting of March 14, 2023

**TO:** Honorable Mayor and Members of the City Council

**SUBMITTED BY:** Ana Cortez, Human Resources Director *AC*

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➤ Interim Public Works Director Scott Buenting would like to introduce:

- Mitchell Loving, Junior Engineer
  - Jason Bonilla, Operations Supervisor
- 

➤ Police Chief Steve Ford would like to introduce:

- Taylor Hubbard, Police Dispatcher
  - Tekari Kelley, Community Services Officer
- 

➤ Finance Director Dawn Merchant would like to introduce:

- Monisha Mala, Payroll Specialist
  - Avangeline Balingit, Accounting Technician
- 

➤ Community Development Director Forrest Ebbs would like to introduce:

- Danielle Wisniewski, Code Enforcement Officer
  - Theodore Romano, Code Enforcement Officer
  - Sequoia Taylor, Code Enforcement Officer
  - Ernesto Avila-Armenta, Code Enforcement Officer
  - Hilary Brown, Administrative Analyst
- 

➤ Economic Development Director Kwame Reed would like to introduce:

- Bret Sweet, Economic Development Program Manager

- 
- City Attorney Thomas Smith would like to introduce:

Rachel Hundley, Assistant City Attorney

- 
- Parks and Recreation Director Brad Helfenberger would like to introduce:

La'Nae Jackson, Recreation Programs Coordinator



**AMERICAN RED CROSS MONTH  
MARCH 2023**

*WHEREAS, during American Red Cross Month in March, we celebrate the humanitarian spirit of Contra Costa and reaffirm our commitment to help ensure no one faces a crisis alone;*

*WHEREAS, caring for one another is at the heart of our community and exemplified by the people of Contra Costa, whose simple acts of kindness through American Red Cross provide help and hope in people's most difficult moments, continuing the lifesaving legacy of Clara Barton, who founded the organization more than 140 years ago to prevent and alleviate human suffering;*

*WHEREAS, every day, these ordinary individuals lend a helping hand to make an extraordinary difference for neighbors in need, whether it's providing emergency shelter, food, and comfort for families displaced by home fires, floods and other disasters. In 2022, the Red Cross assisted 172 families in need;*

*WHEREAS, every day, these ordinary individuals donate lifesaving blood for cancer patients, accident victims, and people with sickle cell disease and other life-threatening conditions. In 2022, there were 568 blood drives held in Contra Costa County, collecting over 16,823 units of blood;*

*WHEREAS, every day, these ordinary individuals support military members and veterans, along with their families and caregivers, through the unique challenges of service. The American Red Cross Service to the Armed Forces opened and assisted 320 cases;*

*WHEREAS, every day, these ordinary individuals use vital skills like first aid and CPR to help others survive medical emergencies. In 2022, they trained over 7,000 people in these skills and they deliver international humanitarian aid and reconnect loved ones separated by crises around the world;*

*WHEREAS, in addition, these ordinary individuals, through the Red Cross Sound the Alarm Program, installed 300 smoke alarms making households safer and trained over 400 youth in preparedness through the Prepare with Pedro and Pillowcase Project; and*

*WHEREAS, support, volunteerism and generous donations by these ordinary individuals and partners are critical to our community's resilience. We hereby recognize this month of March in honor of all those who fulfill Clara Barton's noble words, "You must never think of anything except the need and how to meet it," and ask everyone to join in this commitment.*

*NOW, THEREFORE, I, LAMAR A. THORPE, Mayor of the City of Antioch, by virtue of the authority vested in me, by the laws of Antioch and California, do hereby proclaim March 2023 as "American Red Cross Month" and I encourage all citizens of Contra Costa County to reach out and support its humanitarian mission.*

**MARCH 14, 2023**

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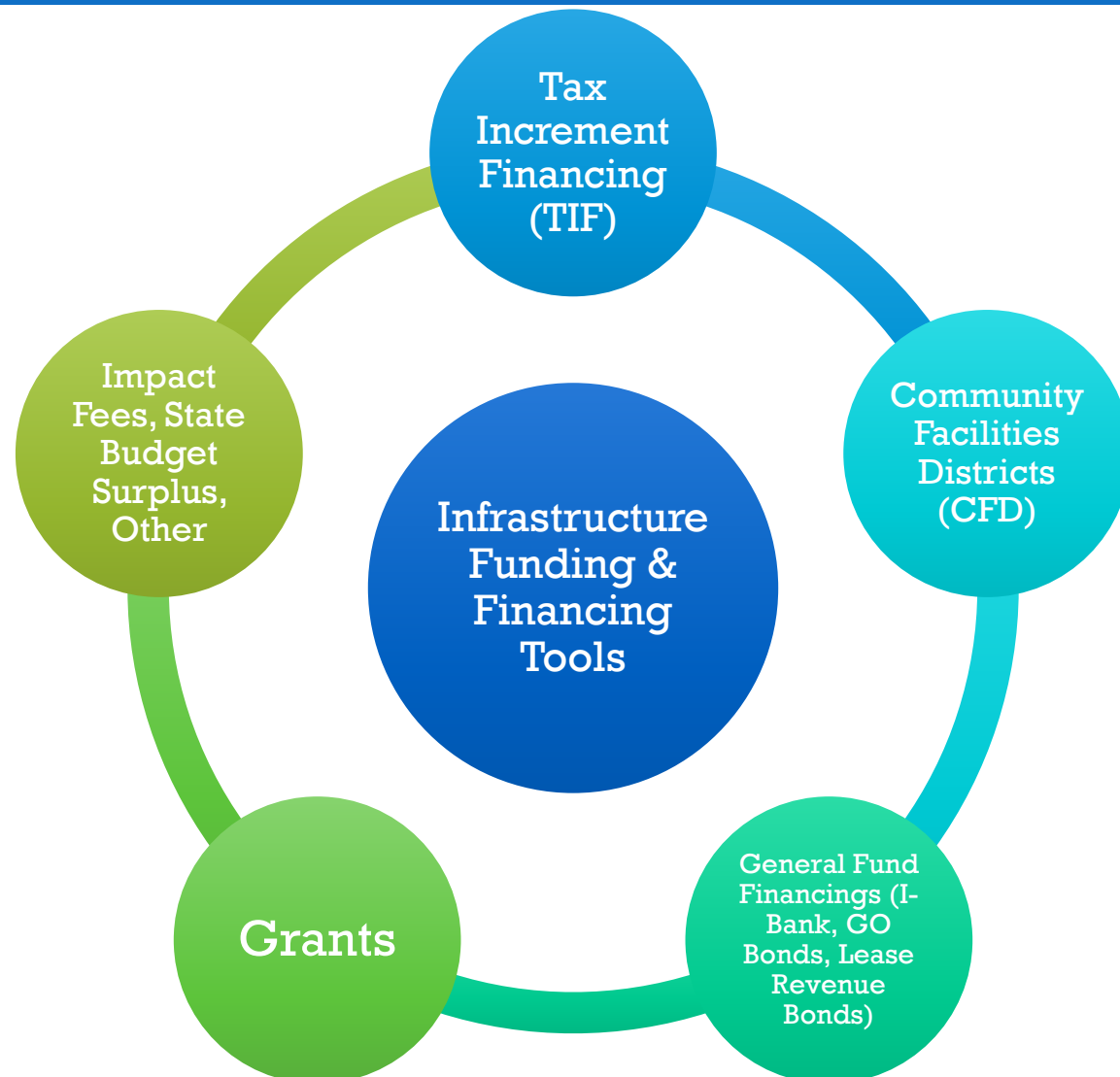
**LAMAR A. THORPE Mayor**



# **Overview of Potential Economic Development Financing Tools**

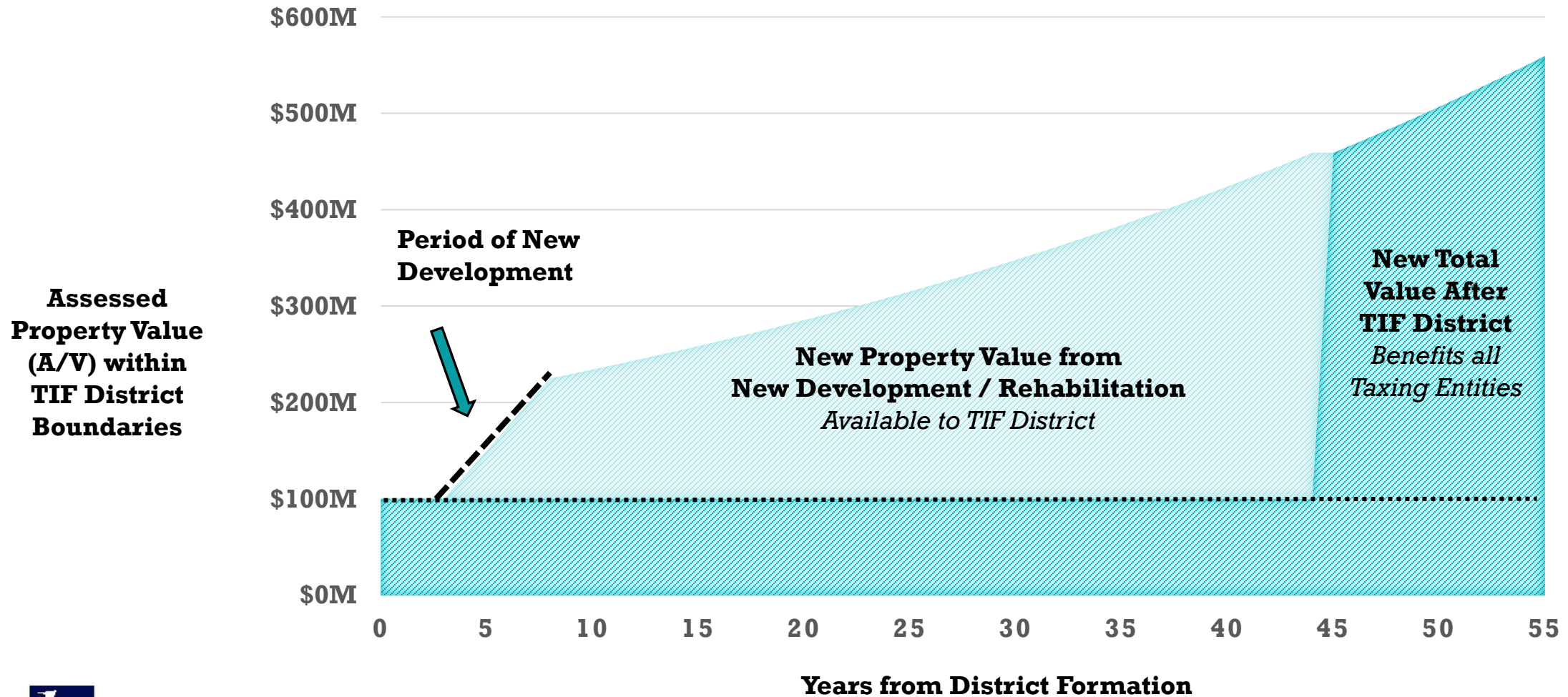
***March 14, 2023***

**Prepared by:  
Kosmont Companies**





# Tax Increment Financing (TIF)





**Private property  
investment or new  
development**



**Increased property  
tax revenue from  
new property value**

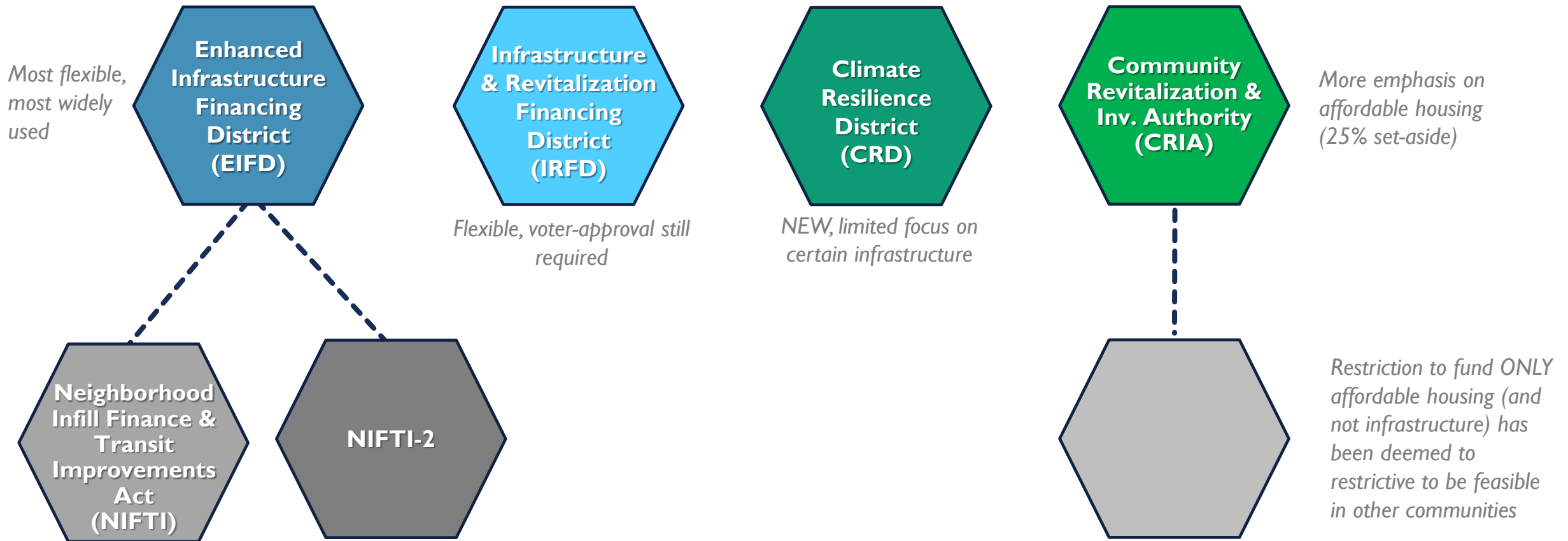


**Deposited in  
separate EIFD  
fund**



**Funds pay for public  
improvements**

# TIF Alternatives in California Today



*Coterminous requirement and other requirements have made NIFTI & NIFTI-2 infeasible in other communities*

# EIFD Fundamentals

Long Term Districts	45 years from first bond issuance; can be formed in 12-18 months
Governance	Public Financing Authority (PFA) implements Infrastructure Financing Plan (IFP)
Approvals	Mandatory public hearings for formation with protest opportunity; no public vote
Non-contiguous Areas	EIFD project areas <u>do not have to be contiguous</u>
Eligible Projects	Any property with useful life of 15+ years & of communitywide significance; purchase, construction, expansion, improvement, seismic retrofit, rehabilitation, and <u>maintenance</u>

# Types of Projects EIFD Can Fund

## *Partial List*



**Water / Sewer / Storm / Flood**



**Parks / Open Space / Recreation**



**Childcare Facilities & Libraries**



**Brownfield Remediation**



**Affordable Housing**



**Broadband**



**Wildfire Prevention / Other  
Climate Change Response**



**Small Business /  
Nonprofit Facilities**

	Former RDAs	EIFDs
<b>Eligible Use of Funds</b>	<ul style="list-style-type: none"> <li>• Infrastructure and affordable housing</li> <li>• Mixed-income housing</li> <li>• Land clearing and parcel assembly</li> <li>• Tax and other private business / developer subsidies</li> </ul>	<ul style="list-style-type: none"> <li>• Public infrastructure (e.g., roads, flood control, open space, utilities)</li> <li>• Public facilities</li> <li>• Affordable housing</li> </ul>
<b>Eminent Domain / Condemnation</b>	<ul style="list-style-type: none"> <li>• Allowed</li> </ul>	<ul style="list-style-type: none"> <li>• Not allowed</li> </ul>
<b>Eligible Areas</b>	<ul style="list-style-type: none"> <li>• Must qualify as “blighted”</li> </ul>	<ul style="list-style-type: none"> <li>• No “blight” finding required</li> </ul>
<b>Governance</b>	<ul style="list-style-type: none"> <li>• City Council or County Board</li> <li>• School entity participation</li> </ul>	<ul style="list-style-type: none"> <li>• Public Financing Authority including Public Members (no school entities)</li> </ul>
<b>Formation</b>	<ul style="list-style-type: none"> <li>• Vote of governing body</li> </ul>	<ul style="list-style-type: none"> <li>• 3 public hearings, majority protest opportunity from landowners and registered voters within EIFD</li> </ul>



# EIFDs as a Component of the Economic Development and Public Financing Toolkit

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**different projects within the same community**

\_\_\_\_\_ **other tools for**

# Comparison of TIF/EIFD and Other Tools

District Type	Description	Revenue Source	Approval Structure	Use of Funds
<b>TIF (e.g., EIFD, CRIA, IFD, IRFD)</b>	Incremental property tax revenues from new development used to fund local infrastructure.  Max term is 45 years from approval to issue debt.	Incremental (new development) property tax revenues (incl. VLF) – does not increase taxes	<i>District formation</i> – No vote, but majority protest opportunity by landowners and registered voters  <i>Bond issuance</i> – None	<ul style="list-style-type: none"> <li>• Infrastructure of regional or communitywide significance</li> <li>• Maintenance</li> <li>• Affordable housing</li> </ul>
<b>Mello-Roos Community Facilities District (CFD) and/or Assessment District</b>	Additional assessment or “special tax” used to fund infrastructure / services that benefit property.  Max term is 40 years from date of debt issuance.	New property assessment or tax – appears as separate line item on tax bill	<i>District formation</i> – 2/3 vote of landowners or registered voters in district*  <i>Bond issuance</i> – vote of elected body (City)	<ul style="list-style-type: none"> <li>• Infrastructure capital expenditures of benefit to landowners</li> <li>• Maintenance</li> <li>• Public services (e.g. safety, programs)</li> </ul>
<b>General Obligation</b>	Voter-approved debt that is repaid with “override” to 1% tax levy; City-wide	Direct property tax levied on all properties at same millage rate	2/3 vote of registered voters in entire City	<ul style="list-style-type: none"> <li>• In accordance with bond plebiscite</li> </ul>
<b>Lease Revenue / COPs</b>	General Fund-supported borrowing, generally utilizing City-owned assets to be leased and leased back	General Fund (or other legally available revenues as determined by City)	Vote of elected body (City)	<ul style="list-style-type: none"> <li>• In accordance with bond authorization</li> </ul>

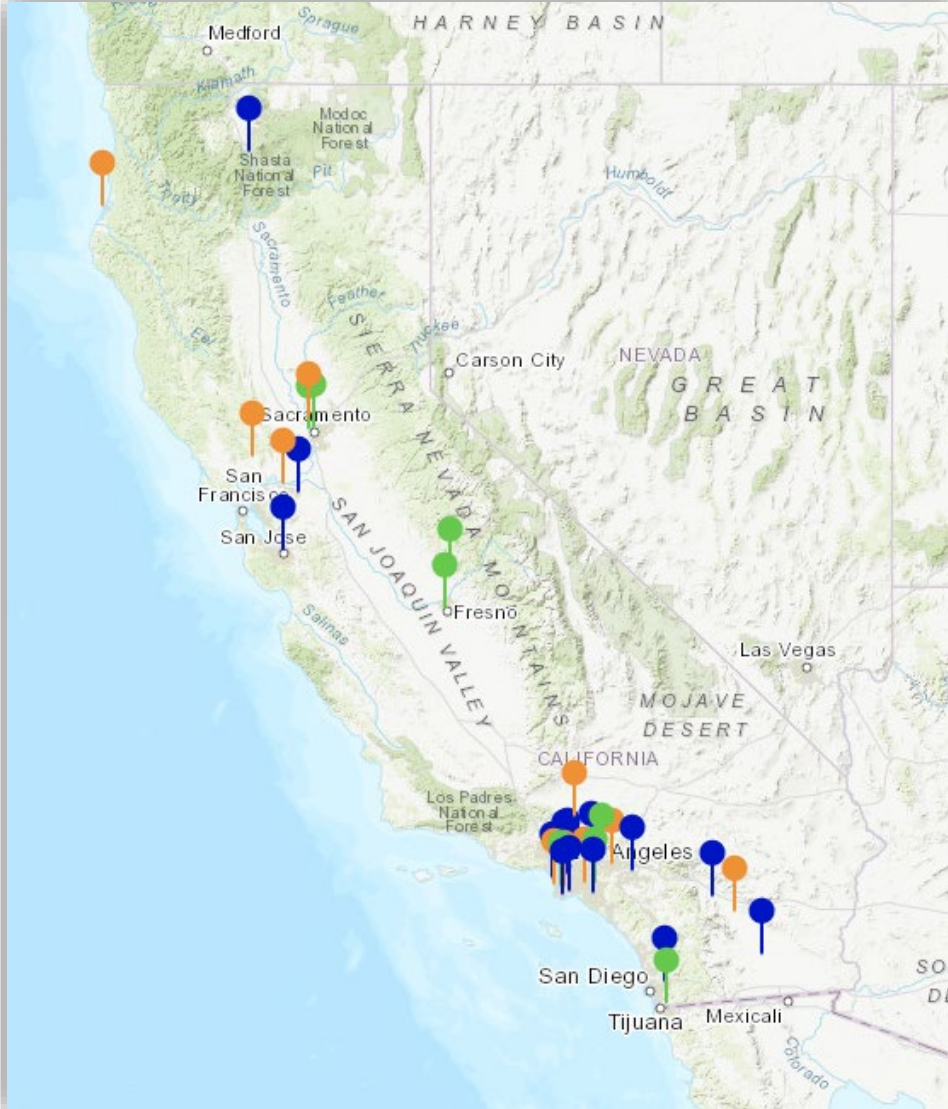
# Why are Public Agencies Authorizing EIFDs?

\_\_\_\_\_: Private sector investment induced by district commitment on a “but for” basis accelerates growth of net fiscal revenues, job creation, housing production, essential infrastructure improvements

\_\_\_\_\_ – tax increment from other entities (county, special districts), federal / state grants / loans (e.g., for TOD, water, housing, parks, remediation)

# Kosmont TIF Districts in Progress Statewide

## (Partial List)



Jurisdiction		Purpose
Azusa		Housing and transit-supportive infrastructure
Banning		Housing and industrial infrastructure
Barstow		Housing and commercial infrastructure
Brentwood		Housing and transit-supportive infrastructure
Buena Park		Mall reimagination, housing-supportive infrastructure
Carson + L.A. County		Remediation, housing infrastructure, recreation
Coachella Valley Association of Govts (CVAG) Cities		Housing and transit-supportive infrastructure
Covina		Housing and transit-supportive infrastructure
El Cajon		Housing and transit-supportive infrastructure
El Segundo + L.A. County		Various infrastructure, regional connectivity
Fairfield		Housing and transit-supportive infrastructure
Fontana		Housing, mixed-use and industrial infrastructure
Fresno		Housing and transit-supportive infrastructure
Fresno County		Industrial and commercial supportive infrastructure
Humboldt County		Coastal mixed-use & energy supportive infrastructure
Indian Wells		Housing and tourism-supportive infrastructure
Imperial County		Housing and greenfield infrastructure
La Verne + L.A. County		Housing and transit-supportive infrastructure
Long Beach (Multiple Areas)		Housing and transit-supportive infrastructure
Los Angeles (Downtown, San Pedro, LACUSC Med Center)		Housing and transit-supportive infrastructure
Los Angeles County Uninc. West Carson		Housing / bio-science / tech infrastructure
Madera County (3 Districts)		Greenfield infrastructure (water / sewer)
Modesto + Stanislaus County		Housing, transit, recreation-supportive infrastructure
Mount Shasta + Siskiyou County		Rural Brownfield site mixed-use infrastructure
Napa		Housing and transit-supportive infrastructure
Oakland		Affordable housing and housing-supportive infrastructure
Ontario		Housing and transit-supportive infrastructure
Palmdale + L.A. County		Housing and transit-supportive infrastructure
Pittsburg		Housing and transit-supportive infrastructure
Placentia + Orange County		Housing and transit-supportive infrastructure
Rancho Cucamonga		Housing and transit-supportive infrastructure
Redlands		Housing and mixed-use supportive infrastructure
Redondo Beach + L.A. County		Parks / open space, recreation infrastructure
Riverside		Housing and transit-supportive infrastructure
Sacramento County (Unincorporated)		Industrial / commercial supportive infrastructure
San Bernardino County (Unincorporated)		Transit-supportive infrastructure
San Jose		Housing and transit-supportive infrastructure
Sanger		Housing and commercial supportive infrastructure
Santa Ana		Housing and transit-supportive infrastructure
South Gate		Housing and transit-supportive infrastructure
Vacaville		Housing and transit-supportive infrastructure
Yucaipa		Housing and transit-supportive infrastructure
Fully Formed		In Formation Process
		Under Evaluation

- Kosmont Transactions Services is in active discussions with public finance underwriters regarding EIFD debt issuances in other jurisdictions
- Underwriters have proposed several approaches for the leverage of EIFD tax increment for accelerated debt issuance (e.g., 2-3 years from EIFD formation), for example:
  - a) EIFD increment only, based on completed (or nearly completed) improvements (no immediate capacity)
  - b) EIFD increment only, based on completed improvements PLUS near-term growth
  - c) Overlapping EIFD and CFD (CFD Backstop) – landowners / developers must be willing to pay CFD special taxes in the short term (e.g., 5-10 years) until EIFD increment reaches a level to cover debt service
  - d) EIFD increment with City or County general fund backstop
- There are advantages and disadvantages with each approach (e.g., upfront proceeds available, public agency risk, cost of capital)
- Additional alternatives are available if private sector partners (e.g., landowners / developers are willing to advance infrastructure funding in exchange for reimbursement from EIFD proceeds)

- Ideal strategy includes City and County partnership
- EIFDs which involve a City / County joint effort are more likely to win state grant funding sources
- EIFDs explicitly increase scoring for CA state housing grants (e.g., IIG, AHSC, TCC)

### **Federal & State Sources**

- *Cap-and-Trade / HCD grant & loan programs (AHSC, IIG, TCC, CERF)*
- *Prop 68 parks & open space grants*
- *Prop 1 water/sewer funds*
- *Caltrans ATP / HSIP grants*
- *Federal EDA / DOT / EPA funding*
- *Federal Infrastructure Grant Program*



### **Other Potential Funding Sources**

- *Development Agreement / impact fees*
- *Benefit assessments (e.g., contribution from CFD)*
- *Private investment*



1. Consider evaluation of one or more of these financing tools (e.g., EIFD, CRIA, CFD, other)
2. Identify opportunity site areas that can attract (or are already attracting) private investment
3. Identify infrastructure requirements, potential affordable housing needs for opportunity areas
4. Generate a preliminary strategic and financial approach for staff and City Council consideration

THANK YOU

Questions?

**Kosmont Companies**

1601 N. Sepulveda Blvd. #382 Manhattan Beach, CA 90266

Ph: (424) 297-1070 | Fax: (424) 286-4632

**[www.kosmont.com](http://www.kosmont.com)**





POLICE

CODE  
ENFORCEMENT



PARKS &  
RECREATION



9TH ANNUAL

# SALES TAX CITIZENS'

Oversight Committee Report

Fiscal Year 2021-22 (FY22)  
March 14th 2023





# ***SALES TAX CITIZENS' OVERSIGHT COMMITTEE***



..."Measure W requires the Committee to provide an oral or written report to Council at a public meeting regarding the review of receipts and expenditures of Measure C and Measure W funds, as well as the annual audit to be completed in conjunction with the City's budget process".

Measure W includes public safety, code enforcement, youth recreation, water quality, and lifestyle programs as outlined in the funding table of Measure W and financial information.

# TODAYS AGENDA

SOURCES OF  
MEASURE W  
FUNDS

01

TOP 25  
BUSINESS  
FUNDING  
MEASURE W

02

1% SALES TAX  
FUNDING  
ALLOCATIONS

03

POLICE  
FUNDING

04

CODE  
ENFORCEMENT  
FUNDING

05

PARKS AND  
RECREATION  
FUNDING

06

OTHER  
ALLOCATION  
FUNDING

07

COMMITTEE  
OBSERVATIONS

08



01

# SOURCES OF MEASURE W FUNDS

ADDITIONAL \$ 1,023,267 IN 2022 VS 2021

GENERAL RETAIL \$7,854,779

FOOD PRODUCTS \$2,481,536

TRANSPORTATION \$4,819,512

CONSTRUCTION \$2,255,942

B2B \$2,481,536

MISCELLANEOUS \$615,257

**TOTAL \$20,508,562**

**Business to Business**  
**12.1%**

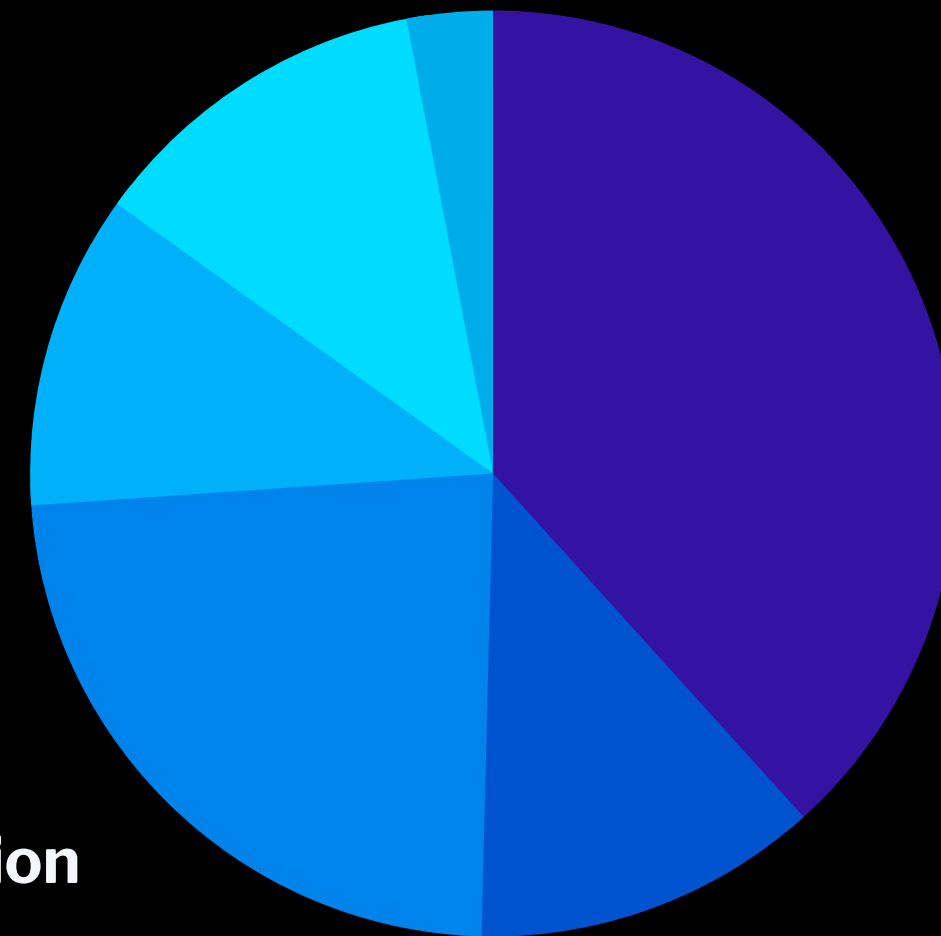
**Construction**  
**11%**

**Transportation**  
**23.5%**

**Miscellaneous**  
**3%**

**General Retail**  
**38.3%**

**Food Products**  
**12.1%**



PERCENTAGES PROVIDED TO THE COMMITTEE BY DAWN MERCHANT FINANCE DIRECTOR



# TOP 25 ANTIOCH BUSINESS FUNDING MEASURE W

\*BUSINESS LISTED ARE IN ALPHABETICAL ORDER AND NOT BY AMOUNT CONTRIBUTED

- 7-ELEVEN FOOD STORES
- AMAZON.COM - EC
- AMAZON.COM SERVICES - EC
- ANTIOCH CHRYSLER-JEEP-DODGE
- ANTIOCH TOYOTA
- ARCO AM/PM MINI MARTS
- BEST BUY STORES
- CARMAX AUTO SUPERSTORES
- CHEVRON SERVICE STATIONS
- COCO FARMS - MMD
- CONSOLIDATED ELECTRICAL DISTRO
- COSTCO WHOLESALE
- DELTA DISPENSARY - MMD
- DEPT OF MOTOR VEHICLES
- ENTERPRISE RENT-A-CAR
- INDEPENDENT ELECTRIC SUPPLY\*
- LOWE'S HOME CENTERS
- MCDONALD'S RESTAURANTS
- SAFEWAY SERVICE STATIONS
- SHELL SERVICE STATIONS
- TARGET STORES
- TESLA\*
- UNION 76 SERVICE STATIONS\*
- WAL MART STORES
- WINTER HONDA

\*NEW TO THE 2022 LIST

LIST PROVIDED TO THE COMMITTEE BY DAWN MERCHANT FINANCE DIRECTOR

# 1% SALES TAX FUNDING ALLOCATIONS

	Actual Received/ Spent FY21	1% Sales Tax Budget Projection	Actual Received/ Spent FY22	% of Total Allocation	YOY Increase /Decrease
Budgeted Funds Allocation:	2021	2022	2022	2022	2022 vs 2021
Police (a)	\$ 15,624,254	\$ 15,414,232	\$ 17,272,446	84.22%	10.55%
Code Enforcement (b)	\$ 1,587,420	\$ 2,485,289	\$ 1,548,828	7.55%	-2.43%
Recreation (c)	\$ 1,547,869	\$ 1,041,922	\$ 501,311	2.44%	-67.61%
Youth Network Services (d)	\$ 135,185	\$ 744,419	\$ 494,459	2.41%	265.76%
Community Development (e)	\$ 168,795	\$ 180,485	\$ 163,900	0.80%	-2.90%
Public Works (f)	\$ 74,999	\$ 604,567	\$ 356,179	1.74%	374.91%
Human Resources (g)	\$ 134,033	\$ 151,355	\$ 46,074	0.22%	-65.62%
Finance (h)	\$ 114,901	\$ 130,069	\$ 125,365	0.61%	9.11%
City Hall Project	\$73,794	\$0	\$0	\$0	-100.00%
Median Island Improvements	\$24,045	\$0	\$0	\$0	-100.00%
Total Allocation	\$ 19,485,295	20,752,338	\$ 20,508,562	Received Less than projected: \$243,776	

DATA PROVIDED TO THE COMMITTEE BY DAWN MERCHANT FINANCE DIRECTOR



**04**

## ***POLICE (A)***



(a) The allocation to the Police Department is calculated based on the remaining funds after other allocations are made.



# POLICE STAFF REPORT FISCAL YEAR 22

	STARTED	GAIN	LOSS	END	NET GAIN/LOSS
RECORDS	9	1	3	7	-2
CSO COMMUNITY SERVICE OFFICER	11	1	5	7	-4
DISPATCH	14	3	2	12	-2
SWORN	115	6	17	98	-11

DATA PROVIDED BY CAPTAIN SCHNITZIUS

# POLICE (A)

## RESIDENTS' CALLS FOR SERVICE\*

CALL TYPE CATEGORY	2021	2022	DIFF	%DIFF
QUALITYOFLIFE	18,957	17,185	-1,772	-9.3%
FIRE/MEDICAL	13,704	15,141	1,437	10.5%
INFORMATION	8,674	9,033	359	4.1%
OTHER CALLS	8,391	7,098	-1,293	-15.4%
PERSON/VEHICLE STOPS	13,206	5,953	-7,253	-54.9%
SUSPICIOUS ACTIVITY	5,868	5,273	-595	-10.1%
ALARM	4,752	4,105	-647	-13.6%
TRAFFIC	3,284	3,027	-257	-7.8%
CITIZEN REQUESTS	2,102	2,185	83	3.9%
ANIMAL	1,394	1,737	343	24.6%
THEFT	1,347	1,315	-32	-2.4%
VEHICLE THEFT/RECOVERY	1,131	1,273	142	12.6%

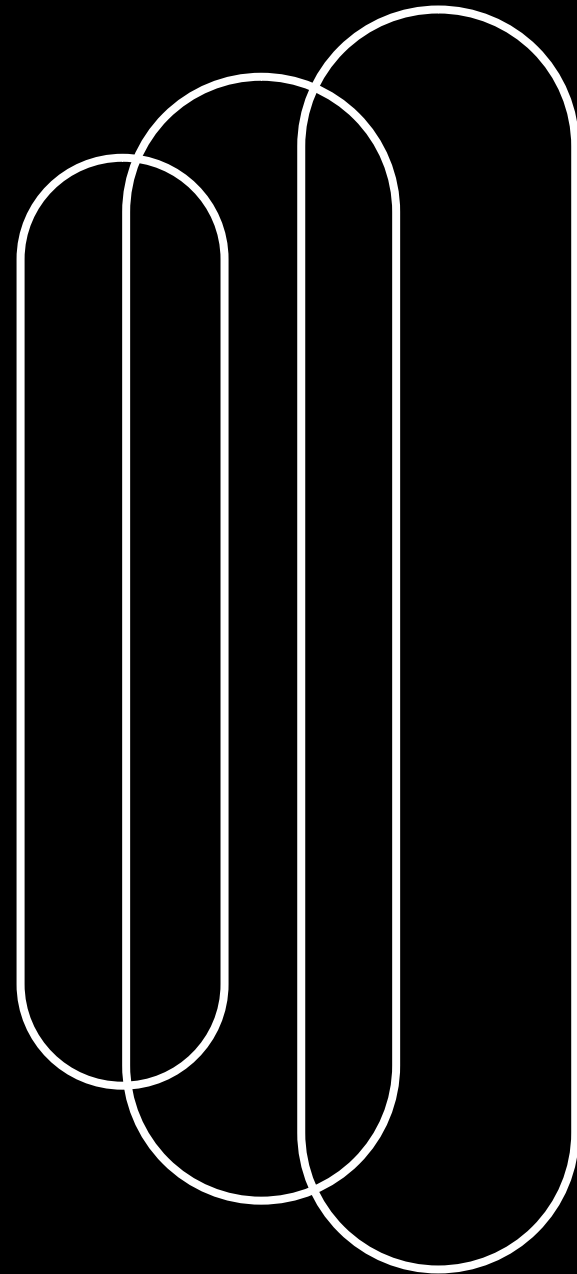
CALL TYPE CATEGORY	2021	2022	DIFF	%DIFF
ASSAULT	934	971	37	4.0%
MENTAL HEALTH (5150)	966	911	-55	-5.7%
BURGLARY	819	847	28	3.4%
DOMESTIC/FAMILY	417	770	353	84.7%
VANDALISM	611	608	-3	-0.5%
SHOOTING	688	542	-146	-21.2%
DEATH/SUICIDE	430	500	70	16.3%
WEAPONS	396	423	27	6.8%
SEX CRIMES	330	358	28	8.5%
FORGERY/FRAUD	329	230	-99	-30.1%
ROBBERY	175	186	11	6.3%
ASSAULT WITH DEADLY WEAPON	111	145	34	30.6%
<b>GRAND TOTAL</b>	<b>82,810</b>	<b>79,816</b>	<b>-2,994</b>	<b>-10.3%</b>

INFORMATION PROVIDED BY CAPTAIN SCHNITZIUS / SUPPORT SERVICES DIVISION / ANTIOCH POLICE DEPARTMENT / VIA CRIME ANALYSIS UNIT



# POLICE (A)

## INDEX CRIME COMPARISON

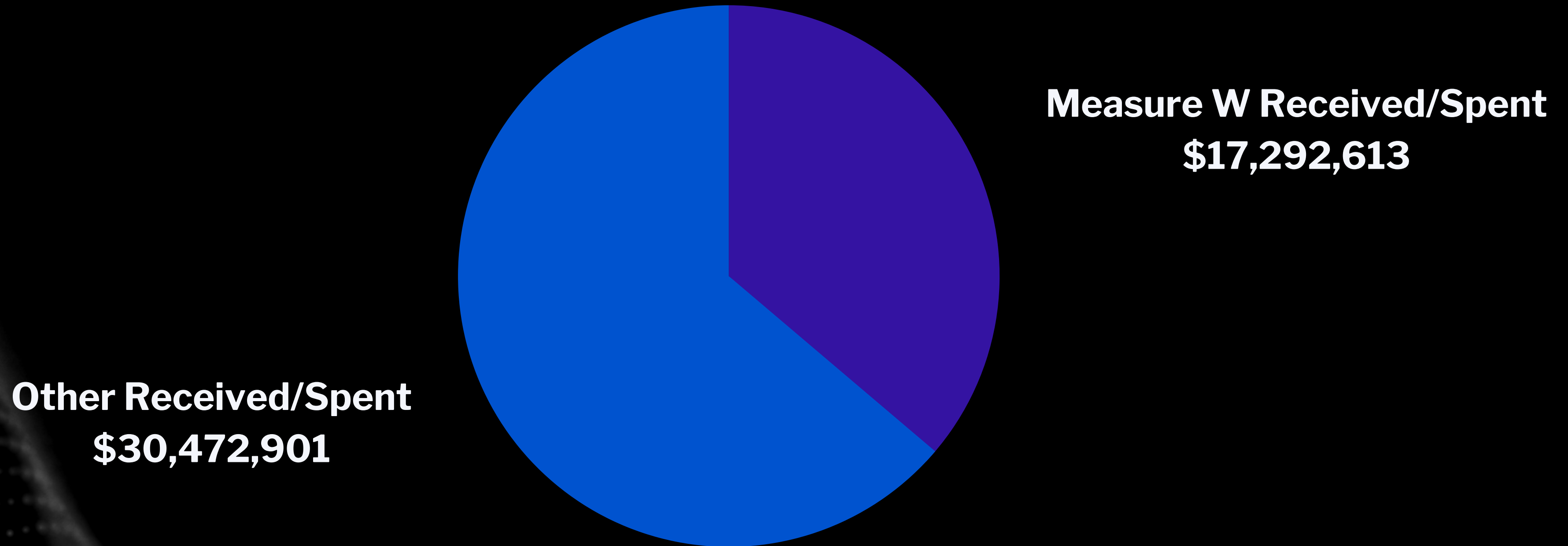


CRIME	2021	2022	TOTAL CHANGE 2021-2022	% CHANGE 2021- 2022
HOMICIDE	12	9	-3	-25.00%
RAPE	40	43	3	7.50%
AGGRAVATED ASSAULT	540	513	-27	-5.00%
<b>TOTAL VIOLENT CRIME</b>	<b>592</b>	<b>565</b>	<b>-27</b>	<b>-4.56%</b>
ROBBERY	95	164	69	72.63%
BURGLARY	334	428	94	28.14%
THEFT	1374	1474	100	7.28%
AUTO THEFT	552	651	99	17.93%
<b>TOTAL PROPERTY CRIME</b>	<b>2355</b>	<b>2717</b>	<b>362</b>	<b>15.37%</b>
<b>TOTAL INDEX CRIME</b>	<b>2947</b>	<b>3282</b>	<b>335</b>	<b>11.37%</b>

\*In December 2021 Antioch Police Department, switched to the NIBRS Crime Reporting format.  
Under this new format, Robbery is classified as a Property Crime.

INFORMATION PROVIDED BY CAPTAIN SCHNITZIUS / SUPPORT SERVICES DIVISION / ANTIOCH POLICE DEPARTMENT / VIA CRIME ANALYSIS UNIT

# ***POLICE FUNDING FISCAL YEAR 22***



**TOTAL ACTUAL RECEIVED/SPENT: \$47,765,514**

\* MEASURE C RECEIPTS ARE INCLUDED IN THE \$17.2 FIGURE



**05**

## ***CODE ENFORCEMENT (B)***



(b) Code Enforcement allocation calculated as the cost of Code Enforcement Division salaries and benefits.

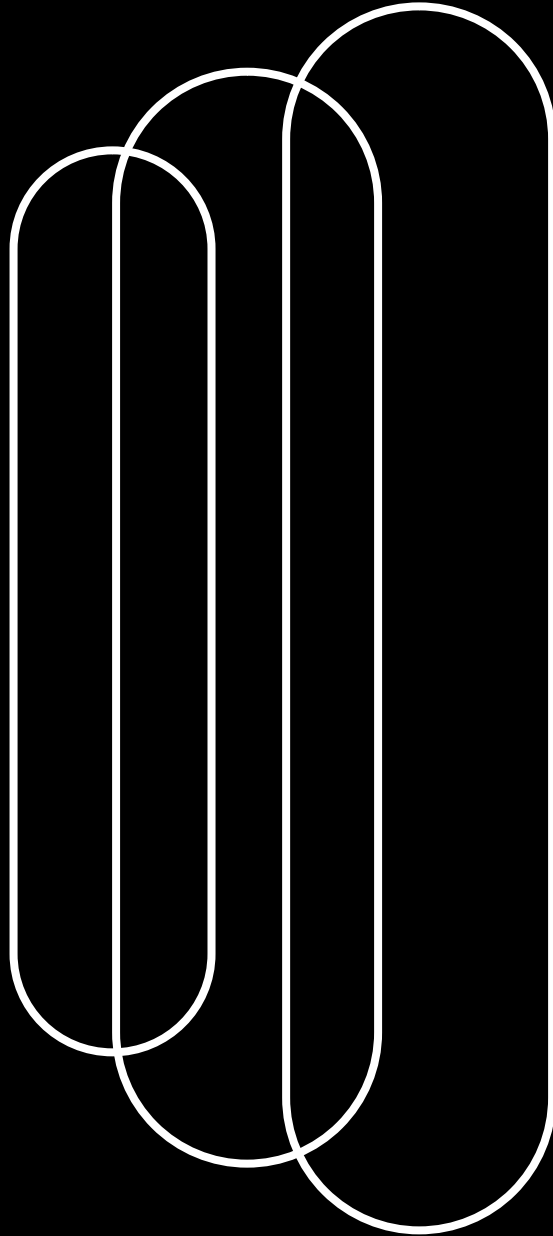


# ***CODE ENFORCEMENT STAFF REPORT FISCAL YEAR 22***

	2021	2022
CODE ENFORCEMENT MGR	1	1
ADMINISTRATIVE STAFF	2	2
CODE ENFORCEMENT OFFICERS	5	5

THESE ARE FILLED POSITIONS. THE DIVISION IS BUDGETED FOR FOURTEEN OFFICERS, THREE ADMINISTRATIVE STAFF, AND ONE MANAGER

# CODE ENFORCEMENT (B) CALLS FOR SERVICE

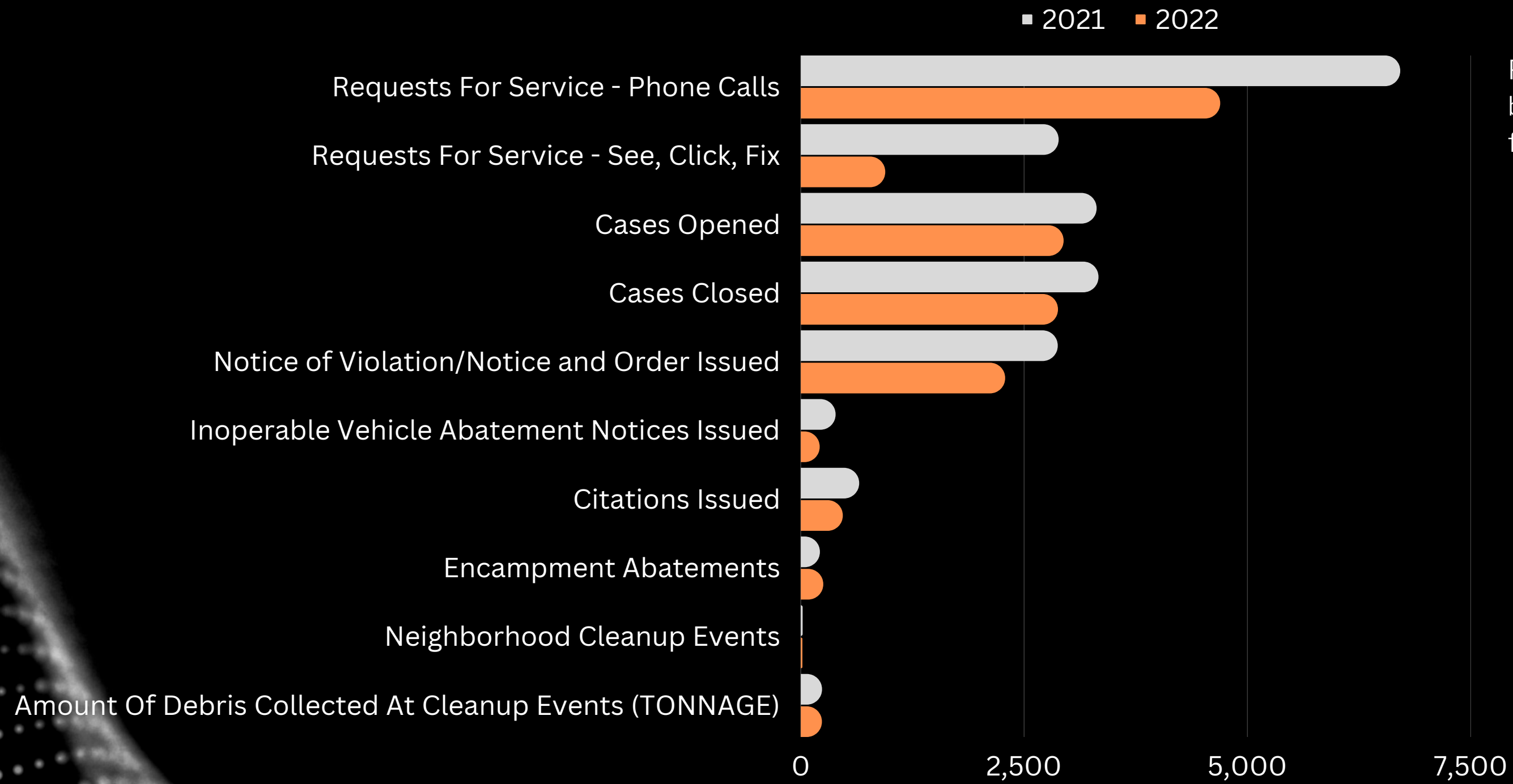


CITY OF ANTIOCH CODE ENFORCEMENT ACTIVITY FY 21/22	2021	2022	DIFF	DIFF %
REQUESTS FOR SERVICE - PHONE CALLS	6,706	4,692	-2,014	-30.03%
REQUESTS FOR SERVICE - SEE, CLICK, FIX	2,882	944	-1,938	-67.24%
CASES OPENED	3,307	2,938	-369	-11.16%
CASES CLOSED	3,328	2,875	-453	-13.61%
NOTICE OF VIOLATION/NOTICE AND ORDER ISSUED	2,872	2,284	-588	-20.47%
INOPERABLE VEHICLE ABATEMENT NOTICES ISSUED	385	209	-176	-45.71%
CITATIONS ISSUED	649	467	-182	-28.04%
ENCAMPMENT ABATEMENTS	210	247	37	17.62%
NEIGHBORHOOD CLEANUP EVENTS	16	14	-2	-12.50%
AMOUNT OF DEBRIS COLLECTED AT CLEANUP EVENTS (TONNAGE)	233.24	231.95	-1.29	-0.55%

DATA PROVIDED TO THE COMMITTEE BY CURT MICHAEL CODE ENFORCEMENT MANAGER



# CODE ENFORCEMENT (B) CALLS FOR SERVICE



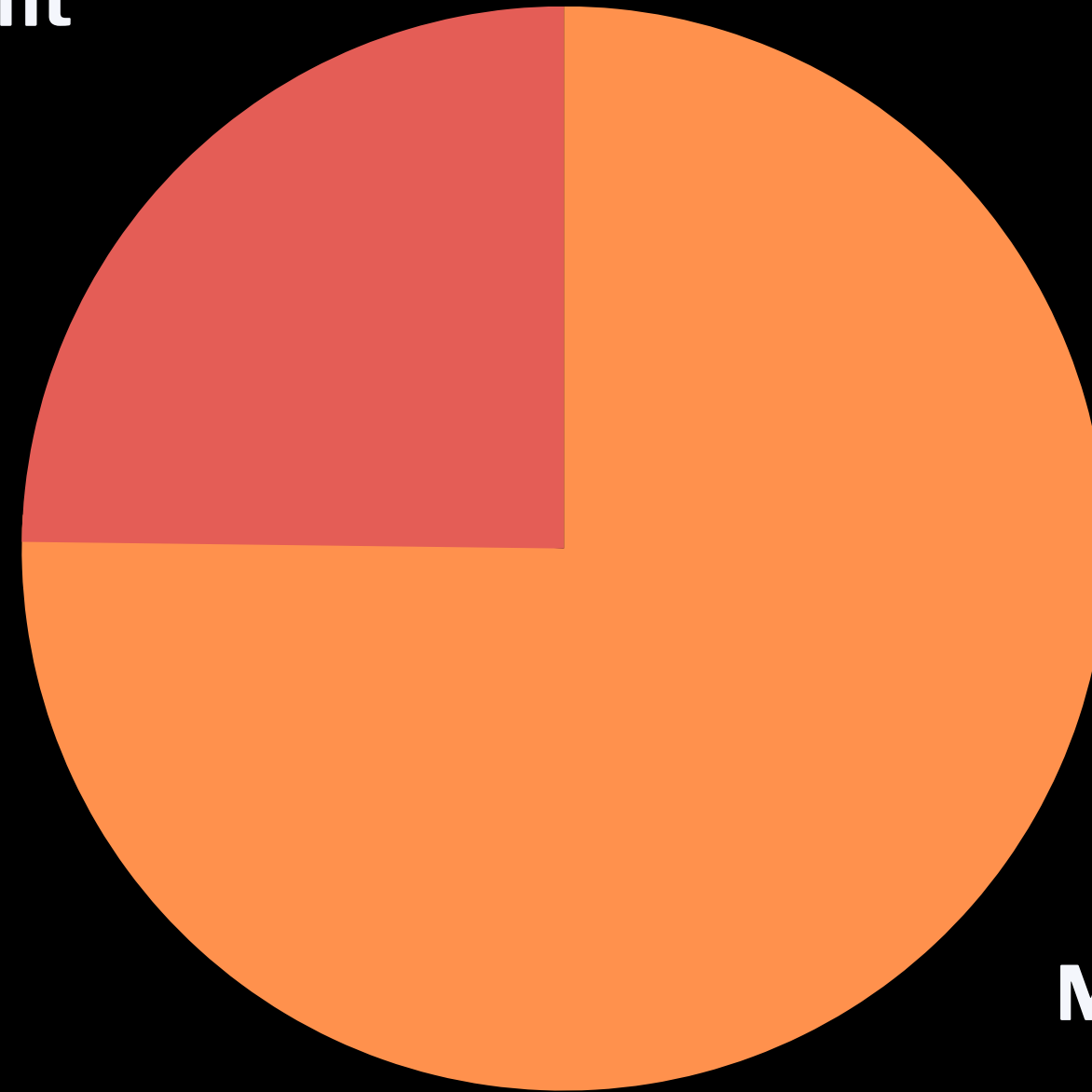
Phone call requests for service are not broken down by type and include the following:

- Citation/Notice of Violation/Notice and Order Inquiries
- Reporting Violations
- Homeless Encampments
- Complaints that Code Enforcement is not doing anything about problems in the City
- Case status update requests
- Responding to SeeClickFix Reports
- Accounts Payable/Payment Inquires including Demand requests and Lien Release questions
- Cleanup event information inquires
- Appeal Requests
- Public Records Act Requests

DATA PROVIDED TO THE COMMITTEE BY CURT MICHAEL CODE ENFORCEMENT MANAGER

# ***CODE ENFORCEMENT FUNDING FISCAL YEAR 22***

**Other Received/Spent  
\$510,935**



**TOTAL ACTUAL  
RECEIVED/SPENT:**

**\$2,059,763**

**Measure W Received/Spent  
\$1,548,828**

**06**

## ***PARKS AND REC (C)***



(c) Recreation allocation calculated in each year as the total amount of the General Fund transfer increase over FY19 budget.





# ***PARKS AND REC (C)*** **KEY PROGRAMS FUNDED**

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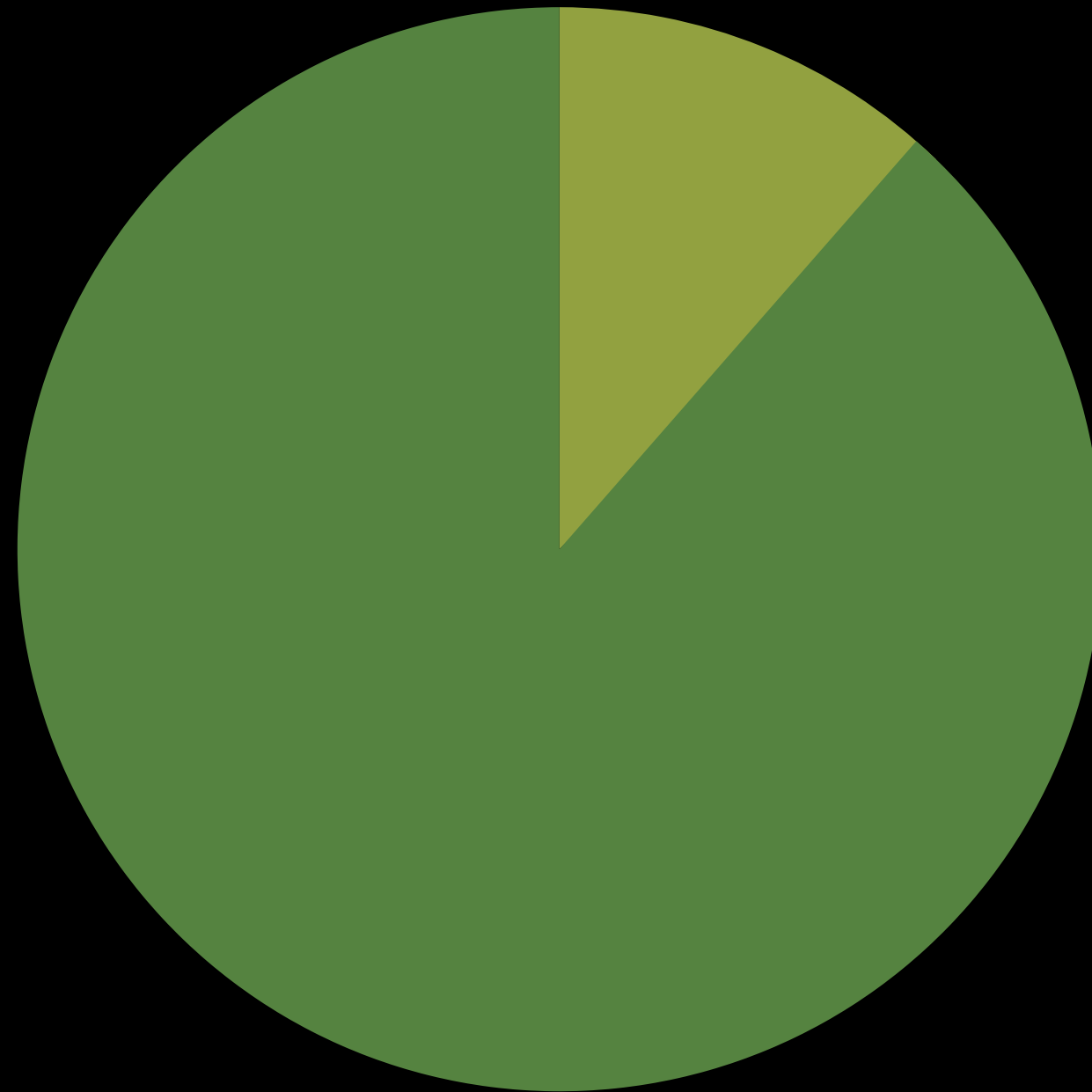
**THE RECREATION DEPARTMENT HAS DRAMATICALLY INCREASED THE NUMBER OF SPECIAL EVENTS OFFERED. NOW OFFERING MORE EVENTS THAN EVER.**

- ROLLING WITH REC BUS
- FAMILY NIGHTS (INCLUDING SUMMER MOVIE NIGHTS, PAW PARADE, GAME NIGHTS, AND PERFORMANCE/CONCERN NIGHT)
- WATER PARK AFTER DARK EVENT SERIES
- POP-UP RECREATION
- DANCE TEAM CLASSES (EXPANDED TO INCLUDE AFRO BEATS AND HIP-HOP CLASSES) DANCE CLASSES CURRENTLY INCLUDE JAZZ, TAP, AND HIP HOP
- CAMPTOBERFEST (EXPANSION OF CAMP FOR THE FALL BREAK)
- ADVENTURES IN FUN AND FITNESS (AGES 6 THROUGH 12)
- TUMBLING PROGRAM (FOR AGES 3 THROUGH 8)
- ANTIOCH SENIOR CENTER - MEMBERSHIP NUMBERS • MARCH 2022 – 350 MEMBERS

INFORMATION PROVIDED TO THE COMMITTEE BRAD HELFENBERGER PARKS AND RECREATION DIRECTOR

# ***PARKS AND REC FUNDING FISCAL YEAR 22***

**Measure W Received/Spent  
\$501,311**



**TOTAL ACTUAL  
RECEIVED/SPENT**

**\$4,383,801**

**Other Received/Spent  
\$3,882,490**

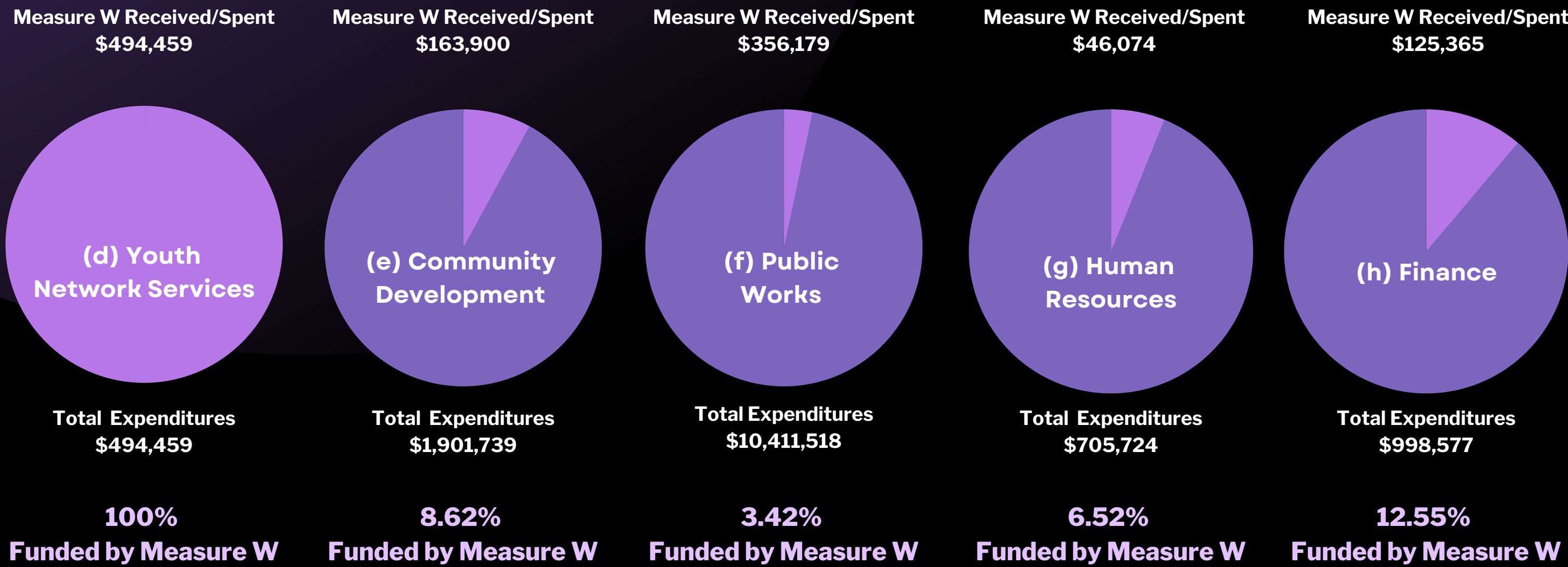
**07**

## ***OTHER ALLOCATIONS (D-H)***





# OTHER ALLOCATIONS FISCAL YEAR 22 (D-H)



(d) Youth Network Services allocation is the total cost of the program for the year.

(e) Community Development allocation calculated as the cost of 1 Planner position.

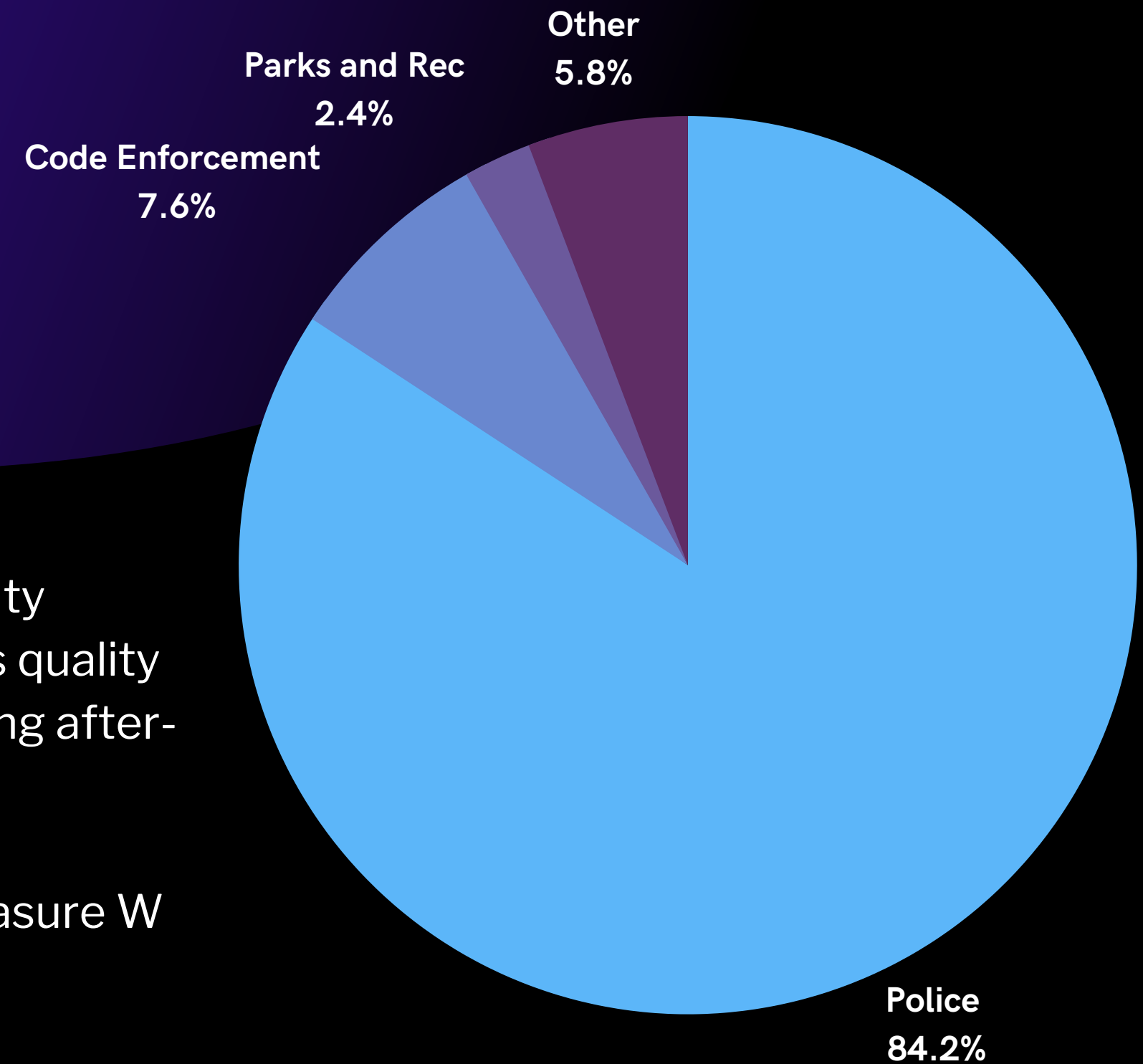
(f) Public Works allocation calculated as the General Fund cost of 1 Engineer, 1 Landscape, Maintenance Worker, 4-person abatement crew and 1 Facility Maintenance Worker position. These positions were partially funded with other funds of the City.

(g) Human Resources allocation calculated as the cost of 1 Human Resources Technician position.

(h) Finance allocation calculated as the cost of 1 Accountant position.

# COMMITTEE OBSERVATIONS

- Priorities Measure W include: Continuing to maintain 911 police response and restore the number of police officers patrolling City streets, ensuring water quality and safety Maintaining Antioch's quality of life and financial stability Cleaning up illegal dumping Restoring after-school and summer programs for youth.
- It should be noted that 11.4% of Recreation is supported by Measure W which is 2.44% of Measure W funds.
- 84.2% of Measure W funds are allocated to Antioch Police Department. An additional 10.55% increase from 2022





## **CITY COUNCIL MEETING**

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

**January 24, 2023**  
**Council Chambers**

### **6:15 P.M. - CLOSED SESSION**

Mayor Thorpe called the meeting to order at 6:15 P.M., and City Clerk Householder called the roll.

Present: Council/Agency Members District 2 Barbanica, District 3 Ogorchock, District 4 Wilson, Mayor Pro Tem (District 1) Torres-Walker and Mayor Thorpe

1. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** – pursuant to Government Code section 54956.9: DAVID L. COOK, Plaintiff, v. MARCOS TORRES, et al., Defendants, United States District Court, Northern District of California, Case 4:19-cv-01270-PJH.
2. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION: CITY MANAGER.** This closed session is authorized pursuant to Government Code section 54957(b)(1).
3. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION: CITY ATTORNEY.** This closed session is authorized pursuant to Government Code section 54957(b)(1).

**PUBLIC COMMENTS** – None

### **ADJOURN TO CLOSED SESSION**

Mayor Thorpe adjourned to closed session at 6:16 P.M.

### **7:00 P.M. REGULAR MEETING**

An interpreter announced in Spanish that translation services were available in person and via zoom this evening.

Mayor Thorpe called the meeting to order at 7:08 P.M., and City Clerk Householder called the roll.

Present: Council/Agency Members District 2 Barbanica, District 3 Ogorchock, District 4 Wilson, Mayor Pro Tem (District 1) Torres-Walker and Mayor Thorpe

### **PLEDGE OF ALLEGIANCE**

Mayor Thorpe led the Pledge of Allegiance.

### **CITY ATTORNEY TO REPORT OUT ON CLOSED SESSION**

City Attorney Smith reported the City Council had been in Closed Session and gave the following report: **#1 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**, City Council approved a settlement in the amount of \$10,000, by a 4-1 vote with Councilmember Torres-Walker voting no, **#2 PUBLIC EMPLOYEE PERFORMANCE EVALUATION: CITY MANAGER**, no reportable action; and, **#3 PUBLIC EMPLOYEE PERFORMANCE EVALUATION: CITY ATTORNEY**, no reportable action.

**ON MOTION BY COUNCILMEMBER OGORCHOCK, SECONDED BY COUNCILMEMBER BARBANICA, THE CITY COUNCIL UNANIMOUSLY SUSPENDED THE RULES AND MOVED COUNCIL REGULAR AGENDA ITEM #10 TO BE HEARD AFTER ITEM #3 PROCLAMATIONS.**

**1. IN HONOR OF MARTIN LUTHER KING, JR., DAY – “I HAVE A DREAM”, REMARKS BY DR. LAMONT FRANCIES, SENIOR PASTOR OF DELTA BAY CHURCH**

Mayor Thorpe apologized for having to cancel the Martin Luther King Jr. Day of Service explaining Public Works supported the event and were not available as they were addressing storm damage. He introduced the “I Have A Dream” video speech in honor of Martin Luther King Jr.

Dr. Pastor Francies thanked Mayor Thorpe for the invitation to speak and reflected on the life of Martin Luther King Jr.

**2. INSPIRATION FOR THE NEW YEAR BY ANTIOCH’S HONORARY POET LAUREATE JOSE CORDON**

Jose Cordon recited a poem “What If” and encouraged people to treat each other with love, respect and dignity. He thanked Council for the work they had accomplished in Antioch.

Mayor Thorpe discussed the importance of working together through conflict and asked for forgiveness if his past actions had embarrassed or disappointed the City. He committed to doing better.

**ON MOTION BY MAYOR THORPE, SECONDED BY COUNCILMEMBER BARBANICA, THE CITY COUNCIL UNANIMOUSLY SUSPENDED THE RULES AND MOVED COUNCIL REGULAR AGENDA ITEMS #7 AND 8 TO BE HEARD AS THE NEXT ORDER OF BUSINESS.**

**COUNCIL REGULAR AGENDA**

**7. BOARD OF ADMINISTRATIVE APPEALS APPOINTMENT FOR ONE VACANCY EXPIRING MARCH 2024**

City Clerk Householder announced Mayor Thorpe nominated Antwon R. Webster, Sr. as a member of the Board of Administrative Appeals for the vacancy expiring March 2024 and read Mr. Webster’s biography.

Mr. Webster thanked Mayor Thorpe for the nomination and Council for considering his appointment to the Board of Administrative Appeals.

**RESOLUTION NO. 2023/09**

On motion by Councilmember Barbanica, seconded by Councilmember Ogorchock the City Council unanimously appointed by resolution Antwon R. Webster, Sr. as a member of the Board of Administrative Appeals for the vacancy expiring March 2024.

City Clerk Householder administered the Oath of Office to Antwon R. Webster Sr.

**8. PARKS AND RECREATION COMMISSION APPOINTMENTS FOR ONE (1) VACANCY EXPIRING APRIL 2026**

City Clerk Householder announced Mayor Thorpe was nominating Dorothy Ellis as a member of the Parks and Recreation Commission for the vacancy expiring April 2026 and read her biography.

Ms. Ellis thanked Council for considering her appointment to the Parks and Recreation Commission.

**RESOLUTION NO. 2023/10**

On motion by Councilmember Barbanica, seconded by Councilmember Ogorchock the City Council unanimously appointed by resolution Dorothy Ellis as a member of the Parks and Recreation Commission for the vacancy expiring April 2026.

City Clerk Householder administered the Oath of Office to Dorothy Ellis.

**3. PROCLAMATIONS**

*In Honor of Autrey James, Antioch's 2022/23 Lifetime Veteran of the Year*  
*In Recognition of Health for Humanity – Yogathon, January 14 – 29, 2023*  
*Proclamation Recognizing Human Trafficking Prevention Month, January 2023*  
*Proclamation Declaring Grace Bible Fellowship of Antioch Day, January 27, 2023*

On motion by Councilmember Ogorchock, seconded by Councilmember Barbanica the City Council unanimously approved the proclamations.

Autrey James accepted the *In Honor of Autrey James, Antioch's 2022/23 Lifetime Veteran of the Year* proclamation and thanked the City Council for the recognition.

A representative from Love Never Fails and Shannon Starzyk representing Family Justice Center accepted the *Proclamation Recognizing Human Trafficking Prevention Month, January 2023* proclamation and thanked the City Council for the recognition.

**COUNCIL REGULAR AGENDA – Continued**

**10. DEPARTMENT DIRECTOR SALARY ADJUSTMENTS**

Director of Human Resources Cortez presented the staff report dated January 24, 2023, recommending the City Council adopt a resolution: 1) Approving a new salary range for department directors; 2) Approving an effective date of the first full pay period after October 1, 2022; and 3) Authorizing the City Manager or designee to make the necessary Fiscal Year 2023 budget adjustments.

Mark Hadox, Antioch resident, opposed paying Directors the same salary because he believed the current pay scales were appropriate and agreed upon by the bargaining unit and City.

Councilmember Barbanica opposed salary adjustments for Directors because the same comparisons were not used for all bargaining units.

Councilmember Ogorchock stated the City had negotiated in good faith with all bargaining units and created the MOU. She reported the city's website was outdated as it related to salaries and benefits. She noted this proposed package did not consider benefits received.

Councilmember Wilson questioned why this matter was not discussed during negotiations.

Director of Human Resources Cortez reported she was tasked with looking at Director salaries and undertaking the analysis when she was hired as Director of Human Resources.

Mayor Thorpe added some members of the executive team felt their salaries were not equitable with newer employees, so direction was given to staff to conduct a desk audit.

A motion was made by Councilmember Ogorchock, seconded by Councilmember Wilson to table this agenda item.

Councilmember Barbanica made a substitute motion to direct staff to compare Director salaries using the same salary surveys for all employees and bring that item back to Council for consideration. Mayor Thorpe seconded the substitute motion.

Discussion ensued regarding negotiations with the bargaining units and direction to staff to conduct the desk audit.

Director of Human Resources clarified that she was looking at creating one salary range rather than a total package. She confirmed that the City met and conferred with management on this item.

Todd Northam, City of Antioch Employee, stated management was locked in and bound during negotiations. He expressed concern that they were now attempting to negotiate a new contract.

Councilmember Barbanica withdrew his substitute motion.

A vote taken on the previous motion to table Department Director Salary Adjustments was approved by the following vote:

Ayes: Barbanica, Ogorchock, Wilson, Thorpe

Noes: Torres-Walker

#### **4. ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS**

City Clerk Householder announced the following Board and Commission openings.

- Sales Tax Citizens' Oversight Committee
- Antioch Police Oversight Commission

For more information and to apply, visit the City's website.

#### **PUBLIC COMMENTS**

Leslie May discussed her activism and encouraged youth to follow the correct path.

Autrey James, Delta Veteran's Group/American Legion announced they were inviting the community to participate in Stand Down on the Delta and a planning meeting for the event on February 7, 2023.

J.R. Wilson announced a variety of services would be offered to the community February 18-19, 2023, at the Antioch VFW.

Carolyn Simmons responded to Mayor Thorpe's previous comments and voiced her appreciation of him. She congratulated newly elected officials. She discussed police misconduct and encouraged the City to be more transparent.

Kathryn Wade discussed an incident involving her son and the Antioch Police Department. She requested the department release transcripts and reports related to the event.

Edgar M. requested the City improve communication as it related to the cancelation of City Council meetings and encouraged the City to improve street lighting along East 18<sup>th</sup> Street.

Roxanne Perry-White, NAACP, expressed concern regarding homeless encampments in Caltrans areas and vandalism occurring at homes near those encampments.

Kellie Farrish, Antioch resident and Sales Tax Citizens' Oversight Committee member, questioned how long they were required to remain on the committee after terms expired. She encouraged community members to apply for the vacancies.

Patricia Granados expressed concern regarding the graphics created for canceling a City event. She announced a protest in remembrance of residents would be held in Martinez. She requested an update regarding pending investigations and asked for justice for families.

## **CITY COUNCIL COMMITTEE REPORTS/COMMUNICATIONS**

Councilmember Barbanica reported on his meeting with Monument Impact and the management of the Delta View apartments. He requested the City execute an agreement with the sole source provider who offered to tow recreational vehicles and pickup abandoned appliances. He also requested an update from staff on the methadone clinic. He suggested the City work with property owners to address encampment issues at 18<sup>th</sup> and "A" Streets.

Councilmember Wilson reported on her attendance at Delta Diablo meetings and announced Tri Delta Transit would meet tomorrow.

Councilmember Torres-Walker stated she looked forward to establishing an Ad Hoc Committee to discuss the formation of a Human Rights and Racial Equity Commission. She reported on a meeting she attended with Mayor Thorpe, Police Chief Ford, City Manager Johnson and representatives from the Sycamore corridor to discuss violent crime in the area. She reported she had been in communications with Victims of Crime advocates who had been assigned families in Antioch. She announced that she would be meeting with the District Attorney's office to discuss community violence reduction in Antioch.

## **MAYOR'S COMMENTS**

Mayor Thorpe announced a Tri Delta meeting would be held on January 25, 2023. He reported he was elected Chair of the Mayor's Conference Election Committee and Vice Chair of the Eastern Contra Costa Transportation Committee. He commented that the City was focused on ongoing issues in the Sycamore Corridor and District 2. He confirmed the City had addressed homelessness by investing in the Executive Inn project for transitional housing, launching a Crisis Response Team and funding rooms at the Motel 6 in Pittsburg.

Assistant City Manager Bayon Moore reported the fire protection district would be conducting inspections for the sprinkler and alarm systems at the Executive Inn project, next week.

## **5. CONSENT CALENDAR**

- A. APPROVAL OF COUNCIL SPECIAL MEETING MINUTES FOR NOVEMBER 15, 2022**
- B. APPROVAL OF COUNCIL MEETING MINUTES FOR NOVEMBER 22, 2022**
- C. APPROVAL OF COUNCIL SPECIAL MEETING MINUTES FOR DECEMBER 13, 2022**
- D. APPROVAL OF COUNCIL REGULAR MEETING MINUTES FOR DECEMBER 13, 2022**
- E. COUNCIL MEETING FOR JANUARY 10, 2023 – NO QUORUM**
- F. APPROVAL OF COUNCIL SPECIAL MEETING MINUTES FOR JANUARY 13, 2023**
- G. APPROVAL OF COUNCIL WARRANTS**

- H. REJECTION OF CLAIMS: DYNISHA HODGES; PAT AND CORY STACK
- I. APPROVAL OF TREASURER'S REPORT FOR OCTOBER 2022
- J. APPROVAL OF TREASURER'S REPORT FOR NOVEMBER 2022
- K. RESOLUTION NO. 2023/11 CONTINUING THE DECLARATION OF A LOCAL EMERGENCY CONCERNING THE SEVERE WINTER STORMS
- L. RESOLUTION NO. 2023/12 APPROVAL OF LICENSE & MARKETING AGREEMENT FOR THE RESIDENTIAL SERVICE LINE PROTECTION, PROPOSAL NO. 961-0202-22A, AWARD
- M. RESOLUTION NO. 2023/13 ARPA FUNDED SMALL BUSINESS AND FAÇADE UPGRADE GRANT PROGRAMS
- N. RESOLUTION NO. 2023/14 AB 361: RESOLUTION MAKING FINDINGS NECESSARY TO CONDUCT BROWN ACT MEETINGS BY TELECONFERENCE FOR THE CITY COUNCIL, BOARDS, COMMISSIONS, AND COMMITTEES

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson, the City Council unanimously approved the Council Consent Calendar with the exception of item F which was removed for further discussion.

**Item F** – Andrew Becker expressed concern that he had submitted a speaker card to make a general public comment; however, he was not recognized.

Mayor Thorpe requested Mr. Becker fill out a speaker card for each agenda item he wished to speak on.

Mr. Becker questioned if there was an order requiring that action and suggested Council create a policy.

Mayor Thorpe reiterated his request to fill out speaker cards for each agenda item to alleviate any confusion.

Andrew Becker reported the January 10, 2023, City Council Meeting was adjourned due to the lack of a quorum and items on that agenda should have been taken up in a regularly scheduled meeting format; however, that had not occurred. He expressed concern that the Focus Strategies contract was approved at a Special Meeting with no opportunity for him to address it.

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson the City Council unanimously approved Item F.

City Clerk Householder (in English) and Carla (in Spanish) reiterated translators were available in person and via zoom this evening.



Mayor Thorpe declared a recess at 9:35 P.M. The meeting reconvened at 9:44 P.M. with all Councilmembers present.

## **PUBLIC HEARING**

### **6. CITY OF ANTIOCH 6TH CYCLE HOUSING ELEMENT UPDATE**

Director of Community Development Ebbs introduced Planning Manager Hersch who introduced Alexia Rotberg, Urban Planning Partners, Inc., who presented the staff report dated January 24, 2023 recommending the City Council adopt the 2023-2031 following Resolutions and Ordinances related to the 6th Cycle Housing Element Update: 1) Adopt a Resolution certifying the Environmental Impact Report (EIR) and make all the findings required to approve the project, including a Statement of Overriding Considerations, and adopting a Mitigation Monitoring and Reporting Program. 2) Adopt a Resolution approving the Housing Element. 3) Adopt a Resolution approving the Amendments to the Land Use and Environmental Hazards Elements. 4) Introduce, read by title only, and waive further reading of the ordinance approving Amendments to the East Lone Tree Specific Plan. 5) Introduce, read by title only, and waive further reading of the ordinance approving the Zoning Text Amendments and Zoning Map Amendments to implement the 6th Cycle Housing Element. 6) Adopt a Resolution approving the Multi-Family Residential Objective Design Standards.

Planning Manager Hersch and Mayor Thorpe provided a brief description of the 6<sup>TH</sup> Cycle Housing Element Update.

Mayor Thorpe opened the public hearing.

Wade Finlinson, Pernille Gutchick, Debbie Heiden and John, residents on Trembath Lane and St. Claire Drive, expressed concern regarding their properties being identified in the Zoning Map Amendments and noted they wanted their areas to remain consistent with current uses. A few speakers also expressed concern that their properties were identified as underutilized. They requested the City clarify the implications of including their properties in the zoning amendments.

Andrew Becker appreciated the work done on the Housing Element Update and expressed concern that communication lacked for residents in the East 18<sup>th</sup> Street area. He discussed goals of the Housing Element Update. He expressed concern that there were no affordable housing or inclusionary housing laws in Antioch. He suggested Council monitor outcomes from the Housing Element.

Edgar commented he appreciated the old vineyards and did not support redeveloping the East 18<sup>th</sup> Street area. He expressed concern the area was under-resourced, and lighting was inadequate. He suggested other areas be considered to fulfil the city's housing needs.

Mayor Thorpe closed the public hearing.



Councilmember Wilson encouraged staff to conduct more extensive public outreach in the future and suggested they consider whether the City qualified for SB1 Sustainable Community Grant funds. She discussed the importance of serving special needs groups.

**RESOLUTION NO. 2023/15**

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson the City Council adopted a Resolution certifying the Environmental Impact Report (EIR) and make all the findings required to approve the project, including a Statement of Overriding Considerations, and adopting a Mitigation Monitoring and Reporting Program. The motion carried the following vote:

Ayes: Torres-Walker, Ogorchock, Wilson, Thorpe

Noes: Barbanica

**RESOLUTION NO. 2023/16**

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson the City Council adopted a Resolution approving the Housing Element. The motion carried the following vote:

Ayes: Torres-Walker, Ogorchock, Wilson, Thorpe

Noes: Barbanica

**RESOLUTION NO. 2023/17**

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson the City Council adopted a Resolution approving the Amendments to the Land Use and Environmental Hazards Elements. The motion carried the following vote:

Ayes: Torres-Walker, Ogorchock, Wilson, Thorpe

Noes: Barbanica

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson the City Council Introduced, read by title only, and waived further reading of the ordinance approving Amendments to the East Lone Tree Specific Plan. The motion carried the following vote:

Ayes: Torres-Walker, Ogorchock, Wilson, Thorpe

Noes: Barbanica

In response to Mayor Thorpe and speaking to the following motion, Director of Community Development Ebbs explained the rezoning only created opportunities for residential development in the future should properties be sold to developers, or the property owner wanted to redevelop their own parcel at a higher density.

Mayor Thorpe added proposed changes were to comply with state law.

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson the City Council introduced, read by title only, and waived further reading of the ordinance approving the Zoning Text Amendments and Zoning Map Amendments to implement the 6th Cycle Housing Element. The motion carried the following vote:

Ayes: Torres-Walker, Ogorchock, Wilson, Thorpe

Noes: Barbanica

**RESOLUTION NO. 2023/18**

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson the City Council adopted a Resolution approving the Multi-Family Residential Objective Design Standards. The motion carried the following vote:

Ayes: Torres-Walker, Ogorchock, Wilson, Thorpe

Noes: Barbanica

**COUNCIL REGULAR AGENDA – Continued**

**9. RESOLUTION FOR APPROVAL OF CANNABIS OPERATING AGREEMENT FOR NATURAL SUPPLEMENTS, INC.**

City Attorney Smith presented the staff report dated January 24, 2023, recommending the City Council consider and take action to adopt a resolution approving the operating agreement for Natural Supplements, Inc.

Edgar Martinez discussed traffic concerns related to an existing dispensary.

Mayor Thorpe reminded Mr. Martinez to direct his comments to the Operating Agreement for Natural Supplements.

Mr. Martinez commented that this business should address traffic impacts and give back to the community.

Mayor Thorpe clarified that Natural Supplements was previously approved and this Operating Agreement was to address how they would contribute to the community.

Councilmember Ogorchock appreciated the Equity Program and the work Rubicon had done in the community. She requested a list of non-profits be provided to Council so they could decide which agencies should be eligible for Social Equity Programs. She supported including non-profits for seniors, veterans, special needs and White Pony Express.

Councilmember Torres-Walker reported she served on the Cannabis Standing Committee and had expressed her disappointment in the lack of public process in selecting non-profits to receive equity funds. She noted there was a commitment to start an application process; however, it had not been implemented. She explained the purpose of equity funds was to address those impacted by the war on drugs and the criminalization of cannabis. She expressed concern that there was no process requiring non-profits to report out on their impacts as a result of receiving equity funds. She encouraged the community to attend Cannabis Standing Committee meetings.

Mayor Thorpe explained the original cannabis policy required the applicant to identify their Social Equity Partner because the City did not have the capacity to administer a program. He noted an

annual review of Social Equity Programs was administered by City Attorney Smith. He stated if there was a recommendation from the Cannabis Committee to change the process, they could make that recommendation to Council.

Councilmember Wilson added at the last Cannabis Standing Committee they had acknowledged that parameters needed to be defined for Social Equity Partners.

City Attorney Smith reported Alicia Friedman representing Opportunity Junction reported out on their program at a Cannabis Standing Committee meeting and other Social Equity Partners would do so in the future.

Councilmember Torres-Walker reported that some organizations had been unable to identify how their work had impacted communities impacted by the war on drugs and the criminalization of cannabis. She noted it was the public's right to see the outcomes. She stated she supported a process where operators were not responsible for selecting who received resources and she looked forward to having those discussions at Cannabis Standing Committee meetings.

Mayor Thorpe explained Operating Agreements were reviewed by the Standing Committee and then Council. He noted if they were not in agreement with the Social Equity Partner, they could require it to be changed.

**RESOLUTION NO. 2023/19**

On motion by Councilmember Wilson, seconded by Councilmember Torres-Walker the City Council adopted a resolution approving the operating agreement for Natural Supplements, Inc. The motion carried the following vote:

Ayes: Torres-Walker, Wilson, Thorpe

Noes: Barbanica, Ogorchock

**11. STANDBY CITY COUNCIL MEMBERS**

Councilmember Barbanica appointed the following Standby City Council Members:

- 1) William Barbanica II, 2) Benjamin McCurdy, 3) Michael Schneider

**12. CITY COUNCIL APPOINTMENTS TO COUNCIL COMMITTEE ASSIGNMENTS**

Mayor Thorpe stated his nominations were to keep the Council Committee Assignments the same.

On motion by Councilmember Wilson, seconded by Councilmember Barbanica the City Council unanimously approved all appointments for Mayor Thorpe.

- Delta Diablo
- TRANSPLAN
- East Contra Costa Regional Fee and Financing Authority (ECCRFFA)
- State Route 4 Bypass Authority

- Tri Delta Board of Directors Eastern Contra Costa Transit Authority
- Mayors' Conference

On motion by Councilmember Wilson, seconded by Mayor Thorpe the City Council unanimously approved all appointments for Councilmember (District 1) Torres-Walker.

- ABAG (Association of Bay Area Governments)
- Community Advisory Board – SF Bay Water Emergency Transit Authority
- Community Development Block Grant Committee (CDBG)
- City/School Committee
- Cannabis Committee
- Waterfront Revitalization Committee

On motion by Councilmember Wilson, seconded by Mayor Thorpe the City Council approved all appointments for Councilmember (District 2) Barbanica.

- East Bay Division (League of California Cities/Cal Cities)
- East County Water Management Association
- Community Development Block Grant Committee (CDBG)

The motion carried the following vote:

Ayes: Torres-Walker, Ogorchock, Wilson, Thorpe

Abstain: Barbanica

On motion by Councilmember Wilson, seconded by Mayor Thorpe the City Council approved all appointments for Councilmember Ogorchock.

- ABAG (Association of Bay Area Governments) (alt)
- Chamber of Commerce Liaison
- Northeast Antioch Annexation
- Lone Tree Golf Course Committee
- City/School Committee

The motion carried the following vote:

Ayes: Torres-Walker, Barbanica, Wilson, Thorpe

Abstain: Ogorchock

On motion by Mayor Thorpe, seconded by Councilmember Torres-Walker the City Council unanimously approved all appointments for Councilmember Wilson.

- Delta Diablo (alt)
- TRANSPLAN (alt)
- East Contra Costa Regional Fee and Financing Authority (ECCRFFA) (alt)
- State Route 4 Bypass Authority (alt)
- Tri Delta Board of Directors Eastern Contra Costa Transit Authority (alt)
- Mayors' Conference (alt)

- Lone Tree Golf Course Committee
- Cannabis Committee
- Waterfront Revitalization Committee

## **PUBLIC COMMENT**

Andrew Becker discussed potential Brown Act Violations as it related to speaker rules.

Johnny Walker expressed concern that his public comments had been cut off at a prior Council meeting. He discussed incidents involving an elected official and a member of City staff.

## **STAFF COMMUNICATIONS – None**

## **COUNCIL COMMUNICATIONS AND FUTURE AGENDA ITEMS**

Councilmember Barbanica requested staff agendize the consideration of an Emergency Operations Center facility update. He stated he looked forward to addressing issues in the Delta Fair Blvd. area.

Councilmember Torres-Walker thanked everyone who participated in the meeting this evening. She requested Council consider holding a Special meeting in February to discuss future opportunities for Homekey funding and suggested inviting developers to participate.

Councilmember Ogorchock agreed with Councilmember Torres-Walker and requested Dignity Moves, Here Today Home Tomorrow and White Pony Express give presentations. She also requested the City address graffiti on Highway 4 and that Chief Ford attend Council meetings.

Councilmember Wilson also agreed with holding a special meeting to consider Project Homekey. She appreciated the Martin Luther King Jr. tributes this evening and reported both her parents were present for that speech. She encouraged the community to participate in a day of action.

Councilmember Barbanica called for a Special meeting to discuss Project Homekey.

Mayor Thorpe stated he would schedule a Work Study Session prior to the February 14, 2023, City Council meeting to discuss Project Homekey.

## **ADJOURNMENT**

On motion by Councilmember Ogorchock, seconded by Councilmember Barbanica the City Council unanimously adjourned the meeting at 11:19 P.M.

Respectfully submitted:

Kitty Eiden  
KITTY EIDEN, Minutes Clerk



## STAFF REPORT TO THE CITY COUNCIL

**DATE:** Regular Meeting of March 14, 2023

**TO:** Honorable Mayor and Members of the City Council

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

**SUBJECT:** City Council Meeting Minutes of February 14, 2023

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### **RECOMMENDED ACTION**

It is recommended that the City Council continue the Meeting Minutes of February 14, 2023, to the next meeting.

### **FISCAL IMPACT**

None

### **DISCUSSION**

N/A

### **ATTACHMENT**

None.



## STAFF REPORT TO THE CITY COUNCIL

**DATE:** Regular Meeting of March 14, 2023

**TO:** Honorable Mayor and Members of the City Council

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

**SUBJECT:** City Council Special Meeting Minutes of February 23, 2023

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### **RECOMMENDED ACTION**

It is recommended that the City Council continue the Special Meeting Minutes of February 23, 2023, to the next meeting.

### **FISCAL IMPACT**

None

### **DISCUSSION**

N/A

### **ATTACHMENT**

None.



## STAFF REPORT TO THE CITY COUNCIL

**DATE:** Regular Meeting of March 14, 2023

**TO:** Honorable Mayor and Members of the City Council

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

**SUBJECT:** City Council Meeting Minutes of February 28, 2023

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### **RECOMMENDED ACTION**

It is recommended that the City Council continue the Meeting Minutes of February 28, 2023, to the next meeting.

### **FISCAL IMPACT**

None

### **DISCUSSION**

N/A

### **ATTACHMENT**

None.



CITY OF  
**ANTIOCH**  
CALIFORNIA

CLAIMS BY FUND REPORT  
FOR THE PERIOD OF  
FEB 2 - MARCH 2, 2023  
FUND/CHECK#

**100 General Fund  
Non Departmental**

00002619	BENJAMIN FRANKLIN PLUMBING	BOND REFUND	1,000.00
00002620	ECHO PLUMBING AND ROOTER	BOND REFUND	1,500.00
00002621	PRO PLUMBERS NEAR	BOND REFUND	1,000.00
00002622	SERVICE PROS PLUMBERS INC	BOND REFUND	1,500.00
00002623	BLUE CHAMPAGNE POOLS INC	BOND REFUND	1,000.00
00404971	BIG REDS CONSULTING	DEPOSIT REFUND	1,391.38
00404978	CALIF BLDG STANDARDS COMMISSION	CBSC Q2 FY 22/23	1,291.50
00404982	CONTRA COSTA COUNTY	PAYROLL	50.00
00404991	COURT ORDERED DEBT COLLECTIONS	PAYROLL	33.00
00404995	DEPT OF CONSERVATION	SMIP Q2 FY 22/23	3,254.72
00405001	ECC REG FEE AND FIN AUTH	ECCRFFA-RTDIM	7,839.40
00405022	LEAGUE OF CALIF CITIES	MEMBERSHIP DUES	15,028.50
00405026	LIFE INSURANCE COMPANY	PAYROLL	4,331.37
00405031	MISSIONSQUARE 301362	PAYROLL	2,161.77
00405032	MISSIONSQUARE 301362	PAYROLL	3,209.80
00405033	MISSIONSQUARE 301362	PAYROLL	3,172.30
00405034	MISSIONSQUARE 301362	PAYROLL	3,172.30
00405035	MISSIONSQUARE 301362	PAYROLL	2,578.96
00405036	MISSIONSQUARE 301362	PAYROLL	2,578.96
00405037	MISSIONSQUARE 301362	PAYROLL	3,172.30
00405039	MUNICIPAL POOLING AUTHORITY	PAYROLL	2,149.01
00405043	PARS	PAYROLL	4,215.47
00405045	QUADIENT LEASING USA INC	POSTAGE	4,173.50
00405051	STATE OF CALIFORNIA	PAYROLL	183.07
00405070	ALBERT D SEENO CONSTRUCTION CO	DEPOSIT REFUND	48,870.00
00405128	ENERGUY, THE	DEPOSIT REFUND	1.86
00405160	MUNICIPAL POOLING AUTHORITY	PAYROLL	3,545.31
00405226	DIAMOND HILLS SPORT CLUB	PAYROLL	80.00
00405234	IN SHAPE HEALTH CLUBS	PAYROLL	344.98
00405243	LIFE INSURANCE COMPANY	PAYROLL	4,386.46
00405247	MISSIONSQUARE 301362	PAYROLL	2,161.77
00405249	MUNICIPAL POOLING AUTHORITY	PAYROLL	2,184.47
00405250	MUNICIPAL POOLING AUTHORITY	PAYROLL	1,093.55
00405255	OPERATING ENGINEERS LOCAL NO 3	PAYROLL	3,944.00
00405259	PARS	PAYROLL	4,103.74
00405265	RANEY PLANNING & MANAGEMENT INC	CONSULTING SERVICES	375.00
00405276	STATE OF CALIFORNIA	PAYROLL	183.07
00405327	DIABLO ROOFING CO INC	DEPOSIT REFUND	3.34
00944710	NATIONWIDE RETIREMENT SOLUTIONS	PAYROLL	48,615.52
00944715	NATIONWIDE RETIREMENT SOLUTION	PAYROLL	29,559.02
00944736	ANTIOCH PD SWORN MGMT ASSOC	PAYROLL	770.00
00944737	ANTIOCH POLICE OFFICERS ASSOCIATION	PAYROLL	20,420.02
00944738	APWEA	PAYROLL	2,065.00
00944744	NATIONWIDE RETIREMENT SOLUTIONS	PAYROLL	49,829.89
00944749	NATIONWIDE RETIREMENT SOLUTION	PAYROLL	29,656.31

CITY OF  
**ANTIOCH**  
CALIFORNIA

CLAIMS BY FUND REPORT  
FOR THE PERIOD OF  
FEB 2 - MARCH 2, 2023  
FUND/CHECK#

**City Council**

00404962	BAGEL STREET CAFE	BUSINESS EXPENSE	167.49
00404990	COSTCO	SUPPLIES	57.96
00405094	CALIF DEPARTMENT OF JUSTICE	FINGERPRINTING	32.00
00405190	VERIZON WIRELESS	DATA USAGE	103.20
00405282	VERIZON WIRELESS	DATA USAGE	103.22
00405298	BANK OF AMERICA	BUSINESS EXPENSE	1,322.13

**City Attorney**

00405077	ATKINSON ANDELSON LOYA RUUD ROMO	LEGAL SERVICES	4,443.75
00405079	BANK OF AMERICA	BUSINESS EXPENSE	695.57
00405086	BERTRAND FOX & ELLIOT	LEGAL SERVICES	2,840.52
00405094	CALIF DEPARTMENT OF JUSTICE	FINGERPRINTING	49.00
00405142	HANSON BRIDGETT LLP	LEGAL SERVICES	14,280.25
00405146	JACKSON LEWIS PC	LEGAL SERVICES	8,035.50
00405152	LEXISNEXIS	RESEARCH SERVICE	472.00
00405153	LIEBERT CASSIDY WHITMORE	LEGAL SERVICES	13,032.30
00405159	MEYERS NAVE A PROFESSIONAL CORP	LEGAL SERVICES	15,643.21
00405160	MUNICIPAL POOLING AUTHORITY	PAYROLL	1.94
00405183	TELECOM LAW FIRM PC	LEGAL SERVICES	5,076.75
00405191	VERIZON WIRELESS	DATA USAGE	582.66
00405300	BERTRAND FOX & ELLIOT	LEGAL SERVICES	4,741.69
00405301	BEST BEST AND KRIEGER LLP	LEGAL SERVICES	4,468.36
00405360	LIEBERT CASSIDY WHITMORE	LEGAL SERVICES	13,483.55
00405367	MEYERS NAVE A PROFESSIONAL CORP	LEGAL SERVICES	23,007.19

**City Manager**

00405072	AMBIUS	BUSINESS EXPENSE	340.91
00405190	VERIZON WIRELESS	DATA USAGE	171.13
00405282	VERIZON WIRELESS	DATA USAGE	171.26
00405298	BANK OF AMERICA	BUSINESS EXPENSE	510.45
00405330	DUALHARE INC	WEBSITE SERVICES	1,000.00
00405357	LEAGUE OF CALIF CITIES	MEMBERSHIP DUES	600.00

**City Clerk**

00405016	INTERNATIONAL CONTACT INC	INTERPRETER SERVICE	611.62
00405041	OFFICE DEPOT INC	SUPPLIES	54.27
00405117	DELIA COLORADO	INTERPRETER SERVICE	250.00
00405127	EIDEN, KITTY J	PROFESSIONAL SERVICES	825.00
00405148	JOSE LUIS FERNANDEZ	INTERPRETER SERVICE	250.00
00405193	VILLANUEVA JR, EDGAR ORTEGA	FLIGHT REIMBURSEMENT	167.96
00405280	TOTAL RECALL CAPTIONING	CLOSED CAPTIONING	805.00
00405320	COUNTY CLERK	ELECTION EXPENSE	17,047.47
00405321	COUNTY CLERK	ELECTION EXPENSE	23,981.35

**City Treasurer**

00405155	LOOMIS ARMORED LLC	ARMORED CAR PICKUP	528.45
00405170	PFM ASSET MANAGEMENT LLC	ADVISORY SERVICES	11,438.11

**Human Resources**

00404969	BARRY ANINAG INVESTIGATIONS LLC	INVESTIGATIVE FEES	5,166.25
00404996	DUFFY, ADAM JAMES	EDUCATION FEES	440.00
00405054	STERICYCLE INC	SHREDDING SERVICES	108.00

# CITY OF ANTIOCH CALIFORNIA

## CLAIMS BY FUND REPORT FOR THE PERIOD OF FEB 2 - MARCH 2, 2023 FUND/CHECK#

00405058	VARELA, MICHAEL P	TRAINING	241.19
00405080	BANK OF AMERICA	BUSINESS EXPENSE	275.84
00405164	OFFICE DEPOT INC	OFFICE SUPPLIES	782.51
00405169	PETERSON, SAMANTHA GENOVEVA	EXPENSE REIMBURSEMENT	31.14
00405371	MUNICIPAL POOLING AUTHORITY	PROFESSIONAL SERVICES	962.32
<b>Economic Development</b>			
00404977	CALIF DEPARTMENT OF JUSTICE	FINGERPRINTING	49.00
00405078	BANK OF AMERICA	BUSINESS EXPENSE	11,792.61
00405121	DIABLO LIVE SCAN LLC	FINGERPRINTING	20.00
00405163	NORTHWEST MEDIA PARTNERS LLC	ADVERTISING	15,116.54
00405174	SAN FRANCISCO BUSINESS TIMES	MARKETING CAMPAIGN	6,488.70
00405191	VERIZON WIRELESS	DATA USAGE	103.21
00405220	CONWAY DATA INC	ADVERTISING	7,000.00
00405330	DUALHARE INC	WEBSITE MAINTENANCE	13,400.00
<b>Finance Accounting</b>			
00404977	CALIF DEPARTMENT OF JUSTICE	FINGERPRINTING	49.00
00405081	BANK OF AMERICA	BUSINESS EXPENSE	2,741.16
00405121	DIABLO LIVE SCAN LLC	FINGERPRINTING	20.00
00405160	MUNICIPAL POOLING AUTHORITY	PAYROLL	1.95
<b>Finance Operations</b>			
00405094	CALIF DEPARTMENT OF JUSTICE	FINGERPRINTING	49.00
00405164	OFFICE DEPOT INC	SUPPLIES	191.03
00405188	UNITED PARCEL SERVICE	PRINTER SERVICE FEE	12.00
<b>Non Departmental</b>			
00405022	LEAGUE OF CALIF CITIES	MEMBERSHIP DUES	15,028.50
00405081	BANK OF AMERICA	BUSINESS EXPENSE	214.06
00405107	CONTRA COSTA COUNTY	SHARE NE TAX 21-22	379,708.80
00405160	MUNICIPAL POOLING AUTHORITY	PROFESSIONAL SERVICES	1,033.19
00405329	DOCUSIGN INC	DOCUSIGN RENEWAL	2,760.00
00405330	DUALHARE INC	WEBSITE MAINTENANCE	1,300.00
00944717	AVENU	STARS SERVICE	1,000.00
<b>Public Works Administration</b>			
00405191	VERIZON WIRELESS	DATA USAGE	38.01
00405213	CENTER FOR HEARING HEALTH INC	ANNUAL HEARING TEST	87.36
<b>Public Works Street Maintenance</b>			
00405017	INTERSTATE SALES	TOOLS	1,995.57
00405065	ZAP MANUFACTURING INC	STREET SIGNS	3,045.71
00405074	ANTIOCH ACE HARDWARE	LOCKS	73.02
00405094	CALIF DEPARTMENT OF JUSTICE	FINGERPRINTING	56.35
00405119	DELTA GRINDING CO INC	GRINDER RENTAL	3,950.00
00405125	EAST BAY WELDING SUPPLY	WELDING SUPPLIES	495.91
00405138	FURBER SAW INC	CHAIN SAW CHAINS	247.96
00405171	PRINT CLUB	REFLECTIVE SIGN	75.13
00405176	SHERWIN WILLIAMS CO	GRAFFITI PAINT	193.49
00405181	SUBURBAN PROPANE	PROPANE	740.40
00405191	VERIZON WIRELESS	DATA USAGE	230.84
00405202	ANTIOCH BUILDING MATERIALS	MATERIALS	2,391.99
00405213	CENTER FOR HEARING HEALTH INC	ANNUAL HEARING TEST	402.96

# CITY OF ANTIOCH CALIFORNIA

## CLAIMS BY FUND REPORT FOR THE PERIOD OF FEB 2 - MARCH 2, 2023 FUND/CHECK#

00405254	OFFICE DEPOT INC	SUPPLIES	3.27
00405291	ANTIOCH ACE HARDWARE	SUPPLIES	3.94
00405389	SUPERCO SPECIALTY PRODUCTS.	GRAFFITI PAINT	299.07
00405392	TCSA	ANNUAL DUES	55.00
00944724	GRAINGER INC	FIREPROOF CABINET	822.28
00944728	LEES BUILDING MAINTENANCE	JANITORIAL SERVICES	157.50
<b>Public Works-Signal/Street Lights</b>			
00405105	CONTRA COSTA COUNTY	TRAFFIC SIGNAL SERVICE	44,740.76
00405116	DC ELECTRIC GROUP INC	STREET LIGHT MAINTENANCE	742.89
00405277	STATE OF CALIFORNIA	TRAFFIC SIGNAL SERVICE	5,221.97
<b>Public Works-Facilities Maintenance</b>			
00404955	ALTA FENCE	FENCE REPAIR	175.00
00405012	HOME DEPOT, THE	SUPPLIES	529.06
00405044	PEPPER INVESTMENTS INC	PEST CONTROL	1,060.00
00405053	STERICYCLE INC	SHREDDING SERVICES	88.88
00405094	CALIF DEPARTMENT OF JUSTICE	FINGERPRINTING	1.96
00405133	FASTSIGNS	BUSINESS CARDS	180.92
00405154	LIM AUTOMOTIVE SUPPLY INC	AUTOMOTIVE REPAIR PARTS	388.50
00405191	VERIZON WIRELESS	DATA USAGE	192.83
00405199	ALTA FENCE	REPAIRS	520.00
00405212	CD AND POWER	REPAIR SERVICE	1,170.21
00405213	CENTER FOR HEARING HEALTH	ANNUAL HEARING TEST	116.48
00405242	LESLIES POOL SUPPLIES	LEO FOUNTAIN SUPPLIES	119.45
00405268	RICKIES ROOF REPAIR	DOOR REPAIR	4,080.00
00405270	ROBINS LOCK AND KEY	CABINET DOOR REPAIR	558.69
00405375	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	2,133.26
00405398	V MENDOZA ROOFING INC	LEAK REPAIR	600.00
00944714	UNLIMITED GRAPHIC & SIGN	CITY HALL SIGNAGE	14,212.62
00944724	GRAINGER INC	CHAIN SAW BATTERY	341.60
00944728	LEES BUILDING MAINTENANCE	JANITORIAL SERVICES	5,887.50
<b>Public Works-Parks Maint</b>			
00405018	KAY PARK AND REC CORP	EQUIPMENT	2,441.06
00405071	ALTA FENCE	GATE REPAIR	1,236.00
00405094	CALIF DEPARTMENT OF JUSTICE	FINGERPRINTING	7.35
00405180	STEWARTS TREE SERVICE INC	STUMP REMOVAL	945.00
00405196	WATERSAVERS IRRIGATION	IRRIGATION PARTS	813.91
00405199	ALTA FENCE	REPAIRS	1,936.00
00405213	CENTER FOR HEARING HEALTH INC	ANNUAL HEARING TEST	58.24
00405270	ROBINS LOCK AND KEY	LOCK REPAIR	135.00
00405278	TERRACARE ASSOCIATES	LANDSCAPE SERVICES	97,993.25
00405344	GATES AND ASSOCIATES INC	PROFESSIONAL SERVICES	13,115.00
<b>Public Works-Median/General Land</b>			
00405055	TERRACARE ASSOCIATES	LANDSCAPE SERVICES	37,683.00
00405056	TERRACARE ASSOCIATES	LANDSCAPE SERVICES	12,220.36
00405074	ANTIOCH ACE HARDWARE	IRRIGATION PARTS	46.53
00405094	CALIF DEPARTMENT OF JUSTICE	FINGERPRINTING	7.35
00405184	TERRACARE ASSOCIATES	LANDSCAPE SERVICES	8,881.36
00405213	CENTER FOR HEARING HEALTH INC	ANNUAL HEARING TEST	174.72

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00405254	OFFICE DEPOT INC	SUPPLIES	253.61
00944731	SITEONE LANDSCAPE SUPPLY	IRRIGATION PARTS	1,223.14
<b>Police Administration</b>			
00404961	AT AND T MOBILITY	CELL PHONE SERVICE	7,058.51
00404965	BANK OF AMERICA	BUSINESS EXPENSE	820.46
00404966	BANK OF AMERICA	BUSINESS EXPENSE	517.49
00404967	BANK OF AMERICA	BUSINESS EXPENSE	448.75
00404968	BANK OF AMERICA	BUSINESS EXPENSE	5,055.76
00404973	BLEDSON, LOREN M	TRAINING PER DIEM	59.00
00404992	CPCA	TRAINING	2,250.00
00404993	CRANDELL, ASHLEY MARIE	MEAL ALLOWANCE	36.00
00404996	DUFFY, ADAM JAMES	EXPENSE REIMBURSEMENT	56.80
00405003	EVANS, JOSHUA FIELD	TRAINING PER DIEM	59.00
00405008	GALLS LLC	UNIFORMS	1,316.67
00405009	GONZALEZ, ADRIAN E	TRAINING PER DIEM	59.00
00405019	KIRBY POLYGRAPH & INVESTIGATIVE	POLYGRAPHS	10,500.00
00405020	KOCH, MATTHEW T	EXPENSE REIMBURSEMENT	529.77
00405029	MARTIN, RICHARD B	TRAINING PER DIEM	296.00
00405059	VIGIL JR, JOSEPH	TRAINING PER DIEM	370.00
00405064	WHITAKER II, WILLIAM	TRAINING PER DIEM	59.00
00405096	CALIFORNIA POLICE CHIEFS ASSOC	TRAINING REGISTRATION	825.00
00405106	CONTRA COSTA COUNTY	RANGE FEES	370.00
00405123	EAN SERVICES LLC	TOLL FEE	50.85
00405126	ECS IMAGING INC	LASERFICHE SOFTWARE	20,400.00
00405134	FEDEX	SHIPPING	131.78
00405139	GALLS LLC	SAFETY MATERIALS	575.37
00405147	JOHNSON, GABRIELLE M	TRAINING PER DIEM	177.00
00405150	KNOX INVESTIGATIONS	BACKGROUND NEW HIRE	834.61
00405164	OFFICE DEPOT INC	PRINTER	4,345.29
00405172	R GIORDANO CONSULTING	IA INVESTIGATIONS	10,020.00
00405175	SANTA ROSA JR COLLEGE	TRAINING T. SMITH	197.00
00405177	SHRED IT INC	SHREDDING SERVICES	508.90
00405185	THE BRIEFING ROOM LLC	TRAINING	1,808.35
00405195	WARD, CHAD MICHAEL	TRAINING	177.00
00405208	BLUE COURAGE LLC	TRAINING	1,674.00
00405210	BROGDON, CASEY AMON	EXPENSE REIMBURSEMENT	195.42
00405216	COLLEY, PAMELA A	CHECK REPLACEMENT	34.50
00405218	CONTRA COSTA FIRE EQUIPMENT	FIRE EXTINGUISHER SERVICE	337.32
00405221	CRANDELL, ASHLEY MARIE	EXPENSE REIMBURSEMENT	135.46
00405232	HUGHES, AARON	REPLACEMENT CHECK	34.50
00405235	INABNETT, KELLY	TRAINING PER DIEM	296.00
00405238	KOCH, MATTHEW T	TRAINING PER DIEM	118.00
00405246	MARTIN, RICHARD B	EXPENSE REIMBURSEMENT	1,039.17
00405252	NUTT, MATTHEW WARREN	TRAINING PER DIEM	138.00
00405253	NUTT, MATTHEW WARREN	CHECK REPLACEMENT	115.00
00405263	QUINTANILLA, ANTONIO LUIS	FUEL REIMBURSEMENT	36.21
00405272	SHIELDS, BRITTNEY D	TRAINING PER DIEM	296.00
00405273	SMITH, KYLE T	TRAINING PER DIEM	118.00

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00405287	ADAMSON POLICE PRODUCTS	SAFETY EQUIPMENT	601.13
00405297	ARROWHEAD 24 HOUR TOWING INC	TOWING SERVICE	15,819.00
00405313	COMCAST	CONNECTION SERVICES	161.80
00405319	CORDICO PSYCHOLOGICAL CORP	PROFESSIONAL SERVICES	500.00
00405322	CRUMP INVESTIGATIONS	NEW HIRE BACKGROUND	5,692.15
00405330	DUALHARE INC	WEBSITE MAINTENANCE	750.00
00405335	EVANS, JOSHUA FIELD	TRAINING PER DIEM	370.00
00405342	GALLS LLC	VEST	1,703.03
00405348	GRIDIRON TRAINING INC	TRAINING	1,000.00
00405355	KIM TURNER LLC	TRAINING	298.00
00405356	KNOX INVESTIGATIONS	INVESTIGATION SERVICES	1,630.55
00405382	REACH PROJECT INC	JANUARY 2023 SERVICES	17,083.00
00405383	REINKE, LISA MARIE	EXPENSE REIMBURSEMENT	127.74
00405390	T MOBILE USA INC	DIGITAL FORENSICS	25.00
00405396	TRANSUNION RISK ALTERNATIVE DATA	LEO DATABASE	129.80
00405401	VERIZON WIRELESS	CELLULAR SERVICE	3,046.62
00944712	RAY MORGAN COMPANY	COPIER LEASE	1,031.48
00944720	CANON FINANCIAL SERVICES	COPIER LEASE	2,223.45
00944782	CHAPLIN & HILL INVESTIGATIVE SVCS	INVESTIGATION SERVICES	6,000.00
00944830	IMAGE SALES INC	ID CARDS	756.12
00944926	WILLIAMS SCOTSMAN INC	EVIDENCE STORAGE	360.02
<b>Police Prisoner Custody</b>			
00405328	DIRTY BIRD ANTIOCH LLC	JAIL BLANKET CLEANING	91.80
<b>Police Community Policing</b>			
00404966	BANK OF AMERICA	BUSINESS EXPENSE	780.00
00404968	BANK OF AMERICA	BUSINESS EXPENSE	605.73
00404970	BHALLA SERVICES INC	CAR WASHES	182.00
00405013	HOPWOOD, DANIEL JOHN	MILEAGE REIMBURSEMENT	52.40
00405023	LENDERMAN, THOMAS E	MILEAGE REIMBURSEMENT	103.04
00405076	ARROWHEAD 24 HOUR TOWING INC	TOW SERVICES	307.00
00405114	D TAC K9 LLC	K9 MAINTENANCE TRAINING	1,850.00
00405144	HUNT AND SONS INC	FUEL	546.71
00405160	MUNICIPAL POOLING AUTHORITY	PAYROLL	7.79
00405295	ARK PET HOSPITAL INC, THE	VETERINARY SERVICES	1,995.16
00405325	DELTA FENCE CO	K9 KENNEL	2,097.79
00405332	EAN SERVICES LLC	TOLL CHARGE - SMITH	30.35
00405359	LEWIS, ERIN	EXPENSE REIMBURSEMENT	393.87
<b>Police Traffic Division</b>			
00404966	BANK OF AMERICA	BUSINESS EXPENSE	97.67
00405164	OFFICE DEPOT INC	SUPPLIES	170.98
<b>Police Investigations</b>			
00404965	BANK OF AMERICA	BUSINESS EXPENSE	487.98
00404966	BANK OF AMERICA	BUSINESS EXPENSE	294.94
00405005	FORTNER, JOHN C	EXPENSE REIMBURSEMENT	45.00
00405108	CONTRA COSTA COUNTY	CAL ID USER FY22-23	161,687.00
00405347	GREEN, ROBERT A	EXPENSE REIMBURSEMENT	112.62
00405362	LA CO AUDITOR CONTROLLER	EVIDENCE PROCESSING	922.00
00405363	MAGNET FORENSICS USA INC	DIGITAL FORENSICS	623.33

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00405381	RANEY, MICHAEL	EXPENSE REIMBURSEMENT	60.00
00405385	SEROLOGICAL RESEARCH INSTITUTE	EVIDENCE PROCESSING	3,455.00
00405390	T MOBILE USA INC	DIGITAL FORENSICS	75.00
<b>Police Special Operations Unit</b>			
00404997	EAN SERVICES LLC	RENTAL CAR	4,624.17
00405331	EAN SERVICES LLC	RENTAL VEHICLE	3,404.72
<b>Police Communications</b>			
00404980	COMCAST	CABLE	169.00
00405073	AMERICAN TOWER CORPORATION	TOWER FEES	264.43
00405109	CONTRA COSTA COUNTY	RADIO SERVICES	556.00
00405140	GLOBALSTAR USA	SATELLITE PHONE	273.89
00405168	PACIFIC TELEMAGEMENT SERVICES	PAY PHONE	78.00
<b>Police Facilities Maintenance</b>			
00404950	360 FITNESS LLC	GYM EQUIPMENT	81.27
00405044	PEPPER INVESTMENTS INC	PEST CONTROL	222.00
00405066	360 FITNESS LLC	GYM EQUIPMENT	102.02
00405112	COUNTY LOCK	LOCKSMITH SERVICE	437.80
00405122	DREAM RIDE ELEVATOR	MONTHLY SERVICE	320.00
00405270	ROBINS LOCK AND KEY	DOOR REPAIR	355.00
00405395	TMC SHOOTING RANGE SPECIALIST	RANGE MAINTENANCE	2,950.00
00944728	LEES BUILDING MAINTENANCE	JANITORIAL SERVICES	3,884.00
<b>Youth Network Services</b>			
00405190	VERIZON WIRELESS	DATA USAGE	51.60
00405205	BANK OF AMERICA	BUSINESS EXPENSE	158.61
00405254	OFFICE DEPOT INC	SUPPLIES	5,363.19
00405282	VERIZON WIRELESS	DATA USAGE	181.69
00405330	DUALHARE INC	WEBSITE MAINTENANCE	2,200.00
<b>Housing and Homelessness</b>			
00405110	CONTRA COSTA HEALTH SERVICES	INTERIM HOUSING PROGRAM	79,228.00
<b>Administrative Support</b>			
00404977	CALIF DEPARTMENT OF JUSTICE	FINGERPRINTING	49.00
00405121	DIABLO LIVE SCAN LLC	FINGERPRINTING	20.00
00405204	BANK OF AMERICA	BUSINESS EXPENSE	2,604.30
00405254	OFFICE DEPOT INC	SUPPLIES	6.01
00405258	PARKINK	SUPPLIES	1,290.48
00944772	CANON FINANCIAL SERVICES	COPIER LEASE	179.13
<b>Community Development Land Planning Services</b>			
00404960	ASMERON, DANIEL	REFUND DEPOSITS	2,968.00
00404963	BANK OF AMERICA	BUSINESS EXPENSE	265.00
00405127	EIDEN, KITTY J	MINUTES CLERK	225.00
00405261	PLACEWORKS INC	CONSULTING SERVICES	4,346.25
00405378	PLACEWORKS INC	PROFESSIONAL SERVICES	2,859.83
<b>CD Code Enforcement</b>			
00404963	BANK OF AMERICA	BUSINESS EXPENSE	2,008.52
00404976	CACEO	1/19/23 WEBINAR	512.00
00404977	CALIF DEPARTMENT OF JUSTICE	FINGERPRINTING	49.00
00405093	CACEO	6/8/23 WEBINAR	284.00
00405121	DIABLO LIVE SCAN LLC	FINGERPRINTING	20.00

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00405157	MANERI SIGN COMPANY	EVENT SIGNS	501.03
00405162	NEXTEL SPRINT	CELL PHONE SERVICE	428.82
00405222	DATA TICKET INC	DATA	392.00
00405254	OFFICE DEPOT INC	SUPPLIES	88.33
00405307	CACEO	2/22/23 WEBINAR	294.00
00405316	CONTRA COSTA COUNTY	RECORDING FEES JAN 2023	257.00
00405387	STAMM ENTERPRISES, LTD	MONTHLY STORAGE	255.00
00944752	ALTURA COMMUNICATION SOLUTIONS	PHONES	1,728.57
<b>PW Engineer Land Development</b>			
00404977	CALIF DEPARTMENT OF JUSTICE	FINGERPRINTING	49.00
00405085	BANK OF AMERICA	BUSINESS EXPENSE	51.00
00405121	DIABLO LIVE SCAN LLC	FINGERPRINTING	20.00
00405162	NEXTEL SPRINT	CELL PHONE SERVICE	259.90
00405191	VERIZON WIRELESS	DATA USAGE	306.86
00405213	CENTER FOR HEARING HEALTH INC	ANNUAL HEARING TEST	116.48
00405254	OFFICE DEPOT INC	SUPPLIES	173.91
00405312	COASTLAND CIVIL ENGINEERING	PROFESSIONAL SERVICES	53,940.00
00944713	TESTING ENGINEERS INC	MATERIAL TESTING	15,600.00
<b>Community Development Building Inspection</b>			
00404963	BANK OF AMERICA	BUSINESS EXPENSE	132.25
00405128	ENERGUY, THE	REFUND ENERGY INSP FEE	184.50
00405164	OFFICE DEPOT INC	OFFICE SUPPLIES	457.30
00405286	4LEAF INC	CONSULTING SERVICES	52,310.30
00405304	BLUEBEAM INC	SUBSCRIPTION	3,840.00
00405327	DIABLO ROOFING CO INC	REFUND ENERGY INSP FEE	328.82
00944712	RAY MORGAN COMPANY	COPIER USAGE	1,440.55
<b>Capital Imp. Administration</b>			
00405041	OFFICE DEPOT INC	SUPPLIES	71.15
00405162	NEXTEL SPRINT	CELL PHONE SERVICE	63.58
00405191	VERIZON WIRELESS	DATA USAGE	76.02
<b>206</b>	<b>American Rescue Plan Fund</b>		
<b>Mayor's Apprenticeship Program</b>			
00405068	ADETRONICS	FINGERPRINTING	220.00
<b>Non Departmental</b>			
00405229	FORWARD	GRANT ADMINISTRATION	22,500.00
<b>209</b>	<b>RMRA Fund</b>		
<b>Streets</b>			
00404972	BKF ENGINEERS INC	PROFESSIONAL SERVICES	7,149.86
<b>212</b>	<b>CDBG Fund</b>		
<b>CDBG</b>			
00404986	CCC FAMILY JUSTICE ALLIANCE	CDBG SERVICES	3,164.19
00405028	LIONS FOR VISUALLY IMPAIRED	CDBG SERVICES	2,854.00
00405205	BANK OF AMERICA	BUSINESS EXPENSE	27.84
00405215	CHOICE IN AGING	CDBG SERVICES	2,514.26
00405219	CSS SENIOR LEGAL SERVICES	CDBG SERVICES	3,814.15
00405248	MONUMENT IMPACT	CDBG SERVICES	3,777.91
00405266	RENAISSANCE ENTREPRENEURSHIP	CDBG SERVICES	3,816.13
00405274	ST VINCENT DE PAUL OF CCC	CDBG SERVICES	3,660.00



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00405310	CITY DATA SERVICES LLC	CDBG SERVICES	609.00
<b>CDBG-CV</b>			
00405310	CITY DATA SERVICES LLC	CDBG SERVICES	63.00
<b>214</b>	<b>Animal Services Fund</b>		
<b>Animal Services</b>			
00404964	BANK OF AMERICA	BUSINESS EXPENSE	2,487.74
00404999	EAST BAY VETERINARY EMERGENCY	VETERINARY SERVICES	4,087.69
00405000	EAST HILLS VETERINARY HOSPITAL	SPAY/NEUTER SERVICES	997.45
00405011	HILLS PET NUTRITION	ANIMAL FOOD	453.80
00405021	KOEFRAN SERVICES INC	CREMATION SERVICES	2,426.00
00405040	MWI VETERINARY SUPPLY CO	VETERINARY SERVICES	2,649.12
00405057	TONY LA RUSSA'S ANIMAL RESCUE	VETERINARY SERVICES	1,694.03
00405087	BEVERLY, KELLY LYNN	TRAINING PER DIEM	276.00
00405089	BOEHRINGER INGELHEIM HEALTH	VETERINARY SUPPLIES	838.20
00405100	COGENT SOLUTIONS AND SUPPLIES	OPERATING SUPPLIES	1,847.90
00405104	CONCORD FEED	SUPPLIES	444.00
00405124	EAST BAY VETERINARY EMERGENCY	VETERINARY SERVICES	594.43
00405143	HILLS PET NUTRITION	ANIMAL FOOD	303.66
00405161	MWI VETERINARY SUPPLY CO	VETERINARY SUPPLIES	290.52
00405164	OFFICE DEPOT INC	SUPPLIES	49.65
00405192	VICTOR MEDICAL COMPANY	VETERINARY SUPPLIES	1,806.50
00405288	AIRGAS USA LLC	OXYGEN	80.88
00405333	EAST BAY VETERINARY EMERGENCY	VETERINARY SERVICES	2,383.14
00405391	TAYLOR HOUSEMAN	DRYER REPAIR	364.88
00944726	IDEXX LABORATORIES INC	VETERINARY SUPPLIES	429.57
00944926	WILLIAMS SCOTSMAN INC	STORAGE	323.06
<b>216</b>	<b>Park-In-Lieu Fund</b>		
<b>Parks &amp; Open Space</b>			
00405048	ROYSTON HANAMOTO ALLEY & ABEY	PROFESSIONAL SERVICES	2,935.65
<b>218</b>	<b>Senior Bus Fund</b>		
<b>Senior Bus</b>			
00405187	TRI DELTA TRANSIT	TRI DELTA COUPON BOOK	5,500.00
<b>219</b>	<b>Recreation Fund</b>		
<b>Non Departmental</b>			
00405292	ANTIOCH ROTARY CLUB	DEPOSIT REFUND	500.00
00405314	COMPTON, CARL	DEPOSIT REFUND	500.00
00405403	WILSON, LADASHA	DEPOSIT REFUND	500.00
<b>Nick Rodriguez Community Cent</b>			
00404977	CALIF DEPARTMENT OF JUSTICE	FINGERPRINTING	162.00
00404994	D AND V SOUND INC	CABLES	377.10
00405044	PEPPER INVESTMENTS INC	PEST CONTROL	222.00
00405083	BANK OF AMERICA	BUSINESS EXPENSE	241.85
00405121	DIABLO LIVE SCAN LLC	FINGERPRINTING	80.00
00944728	LEES BUILDING MAINTENANCE	JANITORIAL SERVICES	500.00
<b>Senior Programs</b>			
00405083	BANK OF AMERICA	BUSINESS EXPENSE	1,716.11
00405084	BANK OF AMERICA	BUSINESS EXPENSE	33.98
00405205	BANK OF AMERICA	BUSINESS EXPENSE	9.99

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**Recreation Sports Programs**

00404988	CONTRA COSTA HEALTH SERVICES	HEALTH PERMIT	732.00
00405115	DAVIS, WAYNE	OFFICIATING SERVICES	560.00
00405141	GOLDEN STATE WARRIORS LLC	UNIFORMS	11,240.00
00405191	VERIZON WIRELESS	DATA USAGE	78.04
00405205	BANK OF AMERICA	BUSINESS EXPENSE	19.99
00405223	DAVIS, WAYNE	OFFICIATING SERVICES	560.00

**Recreation-Comm Center**

00404977	CALIF DEPARTMENT OF JUSTICE	FINGERPRINTING	275.00
00404989	CONTRA COSTA HEALTH SERVICES	HEALTH PERMIT	1,052.00
00405012	HOME DEPOT, THE	TOOLS	177.68
00405030	MAX MARTIAL ARTS LLC	CONTRACTOR PAYMENT	528.00
00405082	BANK OF AMERICA	BUSINESS EXPENSE	1,878.46
00405091	BRADY INDUSTRIES	JANITORIAL SUPPLIES	154.41
00405094	CALIF DEPARTMENT OF JUSTICE	FINGERPRINTING	96.00
00405121	DIABLO LIVE SCAN LLC	FINGERPRINTING	160.00
00405155	LOOMIS ARMORED LLC	ARMORED CAR PICKUP	264.22
00405205	BANK OF AMERICA	BUSINESS EXPENSE	2,755.07
00405227	DUGAND, KARINA	CONTRACTOR PAYMENT	415.80
00405239	KRISTIES TWISTED CREATIONS	CONTRACTOR PAYMENT	60.00
00405299	BE EXCEPTIONAL	CONTRACTOR PAYMENT	3,580.20
00405324	DEFINITIVE SAFETY GROUP LLC	CONTRACTOR PAYMENT	567.00
00405370	MUIR, ROXANNE	CONTRACTOR PAYMENT	648.00
00405375	PACIFIC GAS AND ELECTRIC CO	GAS	32,477.33
00405394	THOMPSON, RANDALL	CONTRACTOR PAYMENT	194.40

**Recreation Water Park**

00404977	CALIF DEPARTMENT OF JUSTICE	FINGERPRINTING	49.00
00404981	COMMERCIAL POOL SYSTEMS INC	C02 TANK RENTAL	73.09
00405044	PEPPER INVESTMENTS INC	PEST CONTROL	543.00
00405082	BANK OF AMERICA	BUSINESS EXPENSE	2,134.32
00405094	CALIF DEPARTMENT OF JUSTICE	FINGERPRINTING	81.00
00405121	DIABLO LIVE SCAN LLC	FINGERPRINTING	20.00
00405137	FUNFLICKS SF BAY AREA	SCREEN RENTAL	2,589.81
00405149	KNORR SYSTEMS INC	CHEMICALS	3,728.95
00405182	SWANK MOTION PICTURES INC	MOVIE LICENSE PAYMENT	1,530.00
00405217	COMMERCIAL POOL SYSTEMS INC	C02 TANK RENTAL	73.09
00405270	ROBINS LOCK AND KEY	DOOR LOCK REPAIR	300.00
00405285	4IMPRINT	PROMOTIONAL PRODUCT	8,925.55
00405305	BSN SPORTS LLC	AWP UNIFORMS	2,144.91
00405318	CONTRA COSTA HEALTH SERVICES	HEALTH PERMIT	3,499.00
00405374	OCCUPATIONAL HEALTH CENTERS	PRE-EMP MEDICAL EXAM	489.00
00944709	NATIONAL AQUATICS SERVICES INC	MONTHLY POOL SERVICE	6,910.00
00944728	LEES BUILDING MAINTENANCE	JANITORIAL SERVICES	1,800.00

**221 Asset Forfeiture Fund**

**Non Departmental**

00404983	CONTRA COSTA COUNTY	ASSET FORFEITURE	736.69
00404984	CONTRA COSTA COUNTY	ASSET FORFEITURE	670.36
00404985	CONTRA COSTA COUNTY	ASSET FORFEITURE	675.89

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<b>222</b>	<b>Measure C/J Fund</b>		
<b>Streets</b>			
00405372	NATIONAL DATA & SURVEYING SVCS	TRAFFIC STUDY	1,755.00
<b>226</b>	<b>Solid Waste Reduction Fund</b>		
<b>Solid Waste</b>			
00404963	BANK OF AMERICA	BUSINESS EXPENSE	210.00
00405094	CALIF DEPARTMENT OF JUSTICE	FINGERPRINTING	49.00
00405251	NO CALIF RECYCLING ASSOCIATION	MEDIA CONTRIBUTION	3,000.00
00405267	REPUBLIC SERVICES INC	CURBSIDE OIL & FILTER Q2	1,668.25
<b>229</b>	<b>Pollution Elimination Fund</b>		
<b>Channel Maintenance Operation</b>			
00404953	AL FRESCO LANDSCAPING INC	LANDSCAPE SERVICES	3,600.00
00404955	ALTA FENCE	FENCE INTALL/REPAIR	1,041.00
00404957	ANTIOCH ACE HARDWARE	TOOLS	219.49
00405044	PEPPER INVESTMENTS INC	PEST CONTROL	600.00
00405198	AL FRESCO LANDSCAPING INC	STORM CLEAN UP	8,280.00
00405225	DEPT OF FISH AND GAME	ANNUAL PERMIT FEES	1,402.00
00405260	PEPPER INVESTMENTS INC	PEST CONTROL	450.00
00405290	ALL STAR RENTS	RENTAL EQUIPMENT	3,145.14
00405376	PEPPER INVESTMENTS INC	PEST CONTROL	600.00
<b>251</b>	<b>Lone Tree SLLMD Fund</b>		
<b>Lonetree Maintenance Zone 1</b>			
00405056	TERRACARE ASSOCIATES	LANDSCAPE SERVICES	5,278.90
00405184	TERRACARE ASSOCIATES	LANDSCAPE SERVICES	5,095.24
<b>Lonetree Maintenance Zone 2</b>			
00405056	TERRACARE ASSOCIATES	LANDSCAPE SERVICES	10,681.11
00405178	SILVA LANDSCAPE	LANDSCAPE SERVICES	4,896.00
00405184	TERRACARE ASSOCIATES	LANDSCAPE SERVICES	10,681.11
<b>Lonetree Maintenance Zone 3</b>			
00405056	TERRACARE ASSOCIATES	LANDSCAPE SERVICES	9,162.86
00405063	WEST COVINA WHOLESALE NURSERY	LANDSCAPING MATERIALS	1,128.80
00405184	TERRACARE ASSOCIATES	LANDSCAPE SERVICES	9,162.86
<b>Lonetree Maintenance Zone 4</b>			
00405056	TERRACARE ASSOCIATES	LANDSCAPE SERVICES	3,008.81
00405184	TERRACARE ASSOCIATES	LANDSCAPE SERVICES	2,715.01
<b>252</b>	<b>Downtown SLLMD Fund</b>		
<b>Downtown Maintenance</b>			
00404977	CALIF DEPARTMENT OF JUSTICE	FINGERPRINTING	32.64
00405056	TERRACARE ASSOCIATES	LANDSCAPE SERVICES	1,640.54
00405063	WEST COVINA WHOLESALE NURSERY	KOI POND SUPPLIES	191.40
00405121	DIABLO LIVE SCAN LLC	FINGERPRINTING	13.32
00405184	TERRACARE ASSOCIATES	LANDSCAPE SERVICES	1,456.88
00405374	OCCUPATIONAL HEALTH CENTERS	PRE-EMP MEDICAL EXAM	163.00
<b>253</b>	<b>Almondridge SLLMD Fund</b>		
<b>Almondridge Maintenance</b>			
00405056	TERRACARE ASSOCIATES	LANDSCAPE SERVICES	2,363.29
00405184	TERRACARE ASSOCIATES	LANDSCAPE SERVICES	2,363.29

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**254 Hillcrest SLLMD Fund**

**Hillcrest Maintenance Zone 1**

00405056	TERRACARE ASSOCIATES	LANDSCAPE SERVICES	9,011.92
00405184	TERRACARE ASSOCIATES	LANDSCAPE SERVICES	8,534.41

**Hillcrest Maintenance Zone 2**

00405056	TERRACARE ASSOCIATES	LANDSCAPE SERVICES	9,313.12
00405178	SILVA LANDSCAPE	LANDSCAPE SERVICES	6,426.00
00405184	TERRACARE ASSOCIATES	LANDSCAPE SERVICES	8,659.29

**Hillcrest Maintenance Zone 4**

00405056	TERRACARE ASSOCIATES	LANDSCAPE SERVICES	9,400.99
00405178	SILVA LANDSCAPE	LANDSCAPE SERVICES	3,876.00
00405184	TERRACARE ASSOCIATES	LANDSCAPE SERVICES	9,033.67

**255 Park 1A Maintenance District Fund**

**Park 1A Maintenance District**

00405049	SILVA LANDSCAPE	LANDSCAPE SERVICES	408.00
00405056	TERRACARE ASSOCIATES	LANDSCAPE SERVICES	2,351.25
00405184	TERRACARE ASSOCIATES	LANDSCAPE SERVICES	1,873.74

**256 Citywide 2A Maintenance District Fund**

**Citywide 2A Maintenance Zone 3**

00405056	TERRACARE ASSOCIATES	LANDSCAPE SERVICES	1,481.53
00405179	SILVA LANDSCAPE	LANDSCAPE SERVICES	918.00
00405184	TERRACARE ASSOCIATES	LANDSCAPE SERVICES	1,474.19

**Citywide 2A Maintenance Zone 4**

00405049	SILVA LANDSCAPE	LANDSCAPE SERVICES	3,978.00
00405056	TERRACARE ASSOCIATES	LANDSCAPE SERVICES	5,152.26
00405184	TERRACARE ASSOCIATES	LANDSCAPE SERVICES	5,152.26

**Citywide 2A Maintenance Zone 5**

00405049	SILVA LANDSCAPE	LANDSCAPE SERVICES	1,428.00
00405056	TERRACARE ASSOCIATES	LANDSCAPE SERVICES	2,381.42
00405184	TERRACARE ASSOCIATES	LANDSCAPE SERVICES	2,381.42

**Citywide 2A Maintenance Zone 6**

00405049	SILVA LANDSCAPE	LANDSCAPE SERVICES	2,550.00
00405056	TERRACARE ASSOCIATES	LANDSCAPE SERVICES	3,124.25
00405184	TERRACARE ASSOCIATES	LANDSCAPE SERVICES	2,683.47

**Citywide 2A Maintenance Zone 8**

00405049	SILVA LANDSCAPE	LANDSCAPE SERVICES	1,734.00
00405056	TERRACARE ASSOCIATES	LANDSCAPE SERVICES	4,143.89
00405180	STEWARTS TREE SERVICE INC	EMERGENCY TREE REMOVAL	5,400.00
00405184	TERRACARE ASSOCIATES	LANDSCAPE SERVICES	4,107.16

**Citywide 2A Maintenance Zone 9**

00405049	SILVA LANDSCAPE	LANDSCAPE SERVICES	5,508.00
00405056	TERRACARE ASSOCIATES	LANDSCAPE SERVICES	5,601.84
00405184	TERRACARE ASSOCIATES	LANDSCAPE SERVICES	5,491.65

**Citywide 2A Maintenance Zone 10**

00405049	SILVA LANDSCAPE	LANDSCAPE SERVICES	204.00
00405056	TERRACARE ASSOCIATES	LANDSCAPE SERVICES	2,581.23
00405184	TERRACARE ASSOCIATES	LANDSCAPE SERVICES	2,581.23

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**257 SLLMD Administration Fund**  
**SLLMD Administration**

00405007	FURBER SAW INC	TOOLS	3,062.00
00405041	OFFICE DEPOT INC	SUPPLIES	175.91
00405056	TERRACARE ASSOCIATES	LANDSCAPE SERVICES	881.34
00405171	PRINT CLUB	DIGITAL PRINT SERVICES	219.50
00405184	TERRACARE ASSOCIATES	LANDSCAPE SERVICES	440.67
00405191	VERIZON WIRELESS	DATA USAGE	76.02
00405291	ANTIOCH ACE HARDWARE	CHAINSAW CHAIN	350.03
00944724	GRAINGER INC	SAFETY HARNESS	1,501.13
00944815	GRAINGER INC	POWER TOOLS	1,303.61

**259 East Lone Tree SLLMD Fund**  
**Zone 1-District 10**

00405049	SILVA LANDSCAPE	LANDSCAPE SERVICES	204.00
00405056	TERRACARE ASSOCIATES	LANDSCAPE SERVICES	38,178.92
00405062	WATERSAVERS IRRIGATION	PARTS	1,880.20
00405130	EVERDE GROWERS	LAUREL ENHANCEMENT	10,370.53
00405184	TERRACARE ASSOCIATES	LANDSCAPE SERVICES	3,357.92
00405336	EVERDE GROWERS	PLANTS	3,059.12
00944731	SITEONE LANDSCAPE SUPPLY	LAUREL ENHANCEMENT	4,030.75

**261 Storm Damage Fund**

**Major Projects**

00404952	ADVANCED TRENCHLESS INC	REPAIRS	125,000.00
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**311 Capital Improvement Fund**

**Parks & Open Space**

00405014	HUMANSIZE CORPORATION	SUPPLIES	1,196.28
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**376 Lone Diamond Fund**

**Assessment District**

00405214	CENTRAL SELF STORAGE ANTIOCH	MONTHLY STORAGE	407.00
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**570 Equipment Maintenance Fund**

**Non Departmental**

00405015	HUNT AND SONS INC	FUEL	6,509.53
00405144	HUNT AND SONS INC	FUEL	28,159.14
00405233	HUNT AND SONS INC	FUEL	4,811.81

**Equipment Maintenance**

00404959	ARROWHEAD 24 HOUR TOWING INC	TOW SERVICES	205.00
00404998	EAST BAY TIRE CO	TIRES	5,520.18
00405024	LES SCHWAB TIRES OF CALIFORNIA	TIRES	162.23
00405027	LIM AUTOMOTIVE SUPPLY INC	AUTO PARTS	486.44
00405042	OREILLY AUTO PARTS	AUTO PARTS	640.24
00405050	SOUTHERN COUNTIES LUBRICANTS LLC	OIL- LUBRICANTS	4,811.15
00405060	W K HYDRAULICS INC	CYLINDER INSPECTION	300.00
00405061	WALNUT CREEK FORD	AUTO REPAIR PARTS	1,024.42
00405069	AFFORDABLE TIRE CENTER	TIRE PRESSURE INSPECTION	60.00
00405085	BANK OF AMERICA	BUSINESS EXPENSE	350.00
00405094	CALIF DEPARTMENT OF JUSTICE	FINGERPRINTING	12.25
00405099	CHUCKS BRAKE AND WHEEL SERVICE	TOOLS	713.38
00405120	DEPARTMENT OF MOTOR VEHICLES	DMV FEES VIN-5031	9,451.00

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00405151	LES SCHWAB TIRES OF CALIFORNIA	TIRE REPLACEMENT	1,078.78
00405154	LIM AUTOMOTIVE SUPPLY INC	AUTO PARTS	32.27
00405165	OREILLY AUTO PARTS	AUTO PARTS	1,245.49
00405186	TRED SHED, THE	AUTO PARTS	1,025.86
00405191	VERIZON WIRELESS	DATA USAGE	38.01
00405194	WALNUT CREEK FORD	AUTO REPAIR PARTS	304.40
00405213	CENTER FOR HEARING HEALTH INC	ANNUAL HEARING TEST	87.36
00405241	LEHR PURSUIT NORTH see V04431	EQUIPMENT	297.34
00405244	LIM AUTOMOTIVE SUPPLY INC	AUTO PARTS	1,131.21
00405256	OREILLY AUTO PARTS	AUTO PARTS	1,428.74
00405264	R AND B TOOLS LLC	SCREWDRIVER SET	307.30
00405297	ARROWHEAD 24 HOUR TOWING INC	TOW SERVICES	205.00
00405302	BILL BRANDT FORD	AUTO REPAIR	411.40
00405397	UNICO GLASS LLC	AUTO GLASS INSTALLATION	728.02
00944708	KIMBALL MIDWEST	PARTS	754.08
00944711	PETERSON TRACTOR CO	PARTS	271.37
00944743	KIMBALL MIDWEST	SUPPLIES	1,043.18
00944746	PETERSON TRACTOR CO	NUTS AND BOLTS	2,226.33
<b>573</b>	<b>Information Services Fund</b>		
	<b>Information Services</b>		
00405191	VERIZON WIRELESS	DATA USAGE	617.76
	<b>Network Support &amp; PCs</b>		
00404956	AMS	AZURE SERVICES	577.88
00404977	CALIF DEPARTMENT OF JUSTICE	FINGERPRINTING	98.00
00405002	EPLUS TECHNOLOGY INC	PROFESSIONAL SERVICES	66,244.22
00405006	FRESHWORKS INC	SOFTWARE CONTRACT	210.46
00405121	DIABLO LIVE SCAN LLC	FINGERPRINTING	40.00
00405160	MUNICIPAL POOLING AUTHORITY	PAYROLL	1.95
00944721	CARTER, RONN	CAMERA OPERATOR	540.00
00944740	DIGITAL SERVICES	MAINTENANCE	6,435.00
00944752	ALTURA COMMUNICATION SOLUTIONS	PHONES	740.81
	<b>Telephone System</b>		
00944703	ALTURA COMMUNICATION SOLUTIONS	TAPIT CALL LOG	60.00
	<b>GIS Support Services</b>		
00405041	OFFICE DEPOT INC	SUPPLIES	164.59
00405094	CALIF DEPARTMENT OF JUSTICE	FINGERPRINTING	8.82
00405097	CALIFORNIA SURVEYING AND DRAFTING	PRINTER SUPPLIES	850.57
00405191	VERIZON WIRELESS	DATA USAGE	38.01
	<b>Office Equipment Replacement</b>		
00944706	DELL COMPUTER CORP	COMPUTER EQUIPMENT	8,561.51
<b>577</b>	<b>Post Retirement Medical-Police Fund</b>		
	<b>Non Departmental</b>		
00405303	RETIREE	MEDICAL AFTER RETIREMENT	1,676.38
00405308	RETIREE	MEDICAL AFTER RETIREMENT	913.74
00405343	RETIREE	MEDICAL AFTER RETIREMENT	1,310.98
00405352	RETIREE	MEDICAL AFTER RETIREMENT	1,676.48
00405358	RETIREE	MEDICAL AFTER RETIREMENT	415.50
00405364	RETIREE	MEDICAL AFTER RETIREMENT	415.50

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00405365	RETIREE	MEDICAL AFTER RETIREMENT	156.11
00405366	RETIREE	MEDICAL AFTER RETIREMENT	1,585.11
00405369	RETIREE	MEDICAL AFTER RETIREMENT	1,585.11
00405373	RETIREE	MEDICAL AFTER RETIREMENT	709.38
00405377	RETIREE	MEDICAL AFTER RETIREMENT	1,676.48
00405388	RETIREE	MEDICAL AFTER RETIREMENT	49.30
00944729	RETIREE	MEDICAL AFTER RETIREMENT	2,439.22
00944730	RETIREE	MEDICAL AFTER RETIREMENT	611.74
00944732	RETIREE	MEDICAL AFTER RETIREMENT	3,352.96
00944750	RETIREE	MEDICAL AFTER RETIREMENT	415.50
00944751	RETIREE	MEDICAL AFTER RETIREMENT	2,224.72
00944756	RETIREE	MEDICAL AFTER RETIREMENT	1,045.99
00944757	RETIREE	MEDICAL AFTER RETIREMENT	351.56
00944759	RETIREE	MEDICAL AFTER RETIREMENT	1,676.48
00944760	RETIREE	MEDICAL AFTER RETIREMENT	1,473.30
00944765	RETIREE	MEDICAL AFTER RETIREMENT	1,676.48
00944773	RETIREE	MEDICAL AFTER RETIREMENT	1,676.48
00944778	RETIREE	MEDICAL AFTER RETIREMENT	415.50
00944780	RETIREE	MEDICAL AFTER RETIREMENT	879.00
00944784	RETIREE	MEDICAL AFTER RETIREMENT	689.04
00944787	RETIREE	MEDICAL AFTER RETIREMENT	676.18
00944800	RETIREE	MEDICAL AFTER RETIREMENT	1,563.12
00944801	RETIREE	MEDICAL AFTER RETIREMENT	1,827.48
00944807	RETIREE	MEDICAL AFTER RETIREMENT	1,676.48
00944808	RETIREE	MEDICAL AFTER RETIREMENT	879.00
00944809	RETIREE	MEDICAL AFTER RETIREMENT	1,676.48
00944824	RETIREE	MEDICAL AFTER RETIREMENT	415.50
00944825	RETIREE	MEDICAL AFTER RETIREMENT	689.04
00944826	RETIREE	MEDICAL AFTER RETIREMENT	222.52
00944827	RETIREE	MEDICAL AFTER RETIREMENT	1,676.48
00944838	RETIREE	MEDICAL AFTER RETIREMENT	1,563.12
00944839	RETIREE	MEDICAL AFTER RETIREMENT	493.80
00944840	RETIREE	MEDICAL AFTER RETIREMENT	1,644.73
00944841	RETIREE	MEDICAL AFTER RETIREMENT	1,676.48
00944844	RETIREE	MEDICAL AFTER RETIREMENT	453.25
00944855	RETIREE	MEDICAL AFTER RETIREMENT	1,219.61
00944857	RETIREE	MEDICAL AFTER RETIREMENT	1,219.61
00944859	RETIREE	MEDICAL AFTER RETIREMENT	2,077.36
00944864	RETIREE	MEDICAL AFTER RETIREMENT	762.74
00944865	RETIREE	MEDICAL AFTER RETIREMENT	269.02
00944873	RETIREE	MEDICAL AFTER RETIREMENT	1,035.91
00944875	RETIREE	MEDICAL AFTER RETIREMENT	1,676.48
00944876	RETIREE	MEDICAL AFTER RETIREMENT	689.04
00944878	RETIREE	MEDICAL AFTER RETIREMENT	415.50
00944880	RETIREE	MEDICAL AFTER RETIREMENT	1,219.61
00944884	RETIREE	MEDICAL AFTER RETIREMENT	305.87
00944893	RETIREE	MEDICAL AFTER RETIREMENT	132.25
00944895	RETIREE	MEDICAL AFTER RETIREMENT	1,676.48



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00944904	RETIREE	MEDICAL AFTER RETIREMENT	1,676.48
00944905	RETIREE	MEDICAL AFTER RETIREMENT	1,676.48
00944907	RETIREE	MEDICAL AFTER RETIREMENT	700.03
00944912	RETIREE	MEDICAL AFTER RETIREMENT	415.50
00944913	RETIREE	MEDICAL AFTER RETIREMENT	1,676.48
00944917	RETIREE	MEDICAL AFTER RETIREMENT	305.87
00944923	RETIREE	MEDICAL AFTER RETIREMENT	607.89
00944928	RETIREE	MEDICAL AFTER RETIREMENT	674.61
00944929	RETIREE	MEDICAL AFTER RETIREMENT	762.74
00944931	RETIREE	MEDICAL AFTER RETIREMENT	283.24
00944933	RETIREE	MEDICAL AFTER RETIREMENT	762.74
<b>578</b>	<b>Post Retirement Medical-Misc Fund</b>		
<b>Non Departmental</b>			
00405289	RETIREE	MEDICAL AFTER RETIREMENT	269.02
00405326	RETIREE	MEDICAL AFTER RETIREMENT	85.69
00405334	RETIREE	MEDICAL AFTER RETIREMENT	558.38
00405338	RETIREE	MEDICAL AFTER RETIREMENT	558.38
00405340	RETIREE	MEDICAL AFTER RETIREMENT	85.69
00405345	RETIREE	MEDICAL AFTER RETIREMENT	85.69
00405351	RETIREE	MEDICAL AFTER RETIREMENT	283.25
00405379	RETIREE	MEDICAL AFTER RETIREMENT	85.69
00405380	RETIREE	MEDICAL AFTER RETIREMENT	83.75
00405400	RETIREE	MEDICAL AFTER RETIREMENT	100.00
00944716	RETIREE	MEDICAL AFTER RETIREMENT	1,781.74
00944735	RETIREE	MEDICAL AFTER RETIREMENT	1,116.76
00944753	RETIREE	MEDICAL AFTER RETIREMENT	890.87
00944755	RETIREE	MEDICAL AFTER RETIREMENT	322.38
00944758	RETIREE	MEDICAL AFTER RETIREMENT	558.38
00944763	RETIREE	MEDICAL AFTER RETIREMENT	85.69
00944767	RETIREE	MEDICAL AFTER RETIREMENT	203.69
00944770	RETIREE	MEDICAL AFTER RETIREMENT	203.69
00944771	RETIREE	MEDICAL AFTER RETIREMENT	558.38
00944774	RETIREE	MEDICAL AFTER RETIREMENT	203.69
00944775	RETIREE	MEDICAL AFTER RETIREMENT	558.38
00944776	RETIREE	MEDICAL AFTER RETIREMENT	322.38
00944779	RETIREE	MEDICAL AFTER RETIREMENT	558.38
00944788	RETIREE	MEDICAL AFTER RETIREMENT	322.38
00944792	RETIREE	MEDICAL AFTER RETIREMENT	85.69
00944793	RETIREE	MEDICAL AFTER RETIREMENT	203.69
00944796	RETIREE	MEDICAL AFTER RETIREMENT	85.69
00944799	RETIREE	MEDICAL AFTER RETIREMENT	85.69
00944803	RETIREE	MEDICAL AFTER RETIREMENT	558.38
00944804	RETIREE	MEDICAL AFTER RETIREMENT	558.38
00944805	RETIREE	MEDICAL AFTER RETIREMENT	322.38
00944813	RETIREE	MEDICAL AFTER RETIREMENT	709.38
00944814	RETIREE	MEDICAL AFTER RETIREMENT	85.69
00944816	RETIREE	MEDICAL AFTER RETIREMENT	220.00
00944817	RETIREE	MEDICAL AFTER RETIREMENT	558.38

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00944822	RETIREE	MEDICAL AFTER RETIREMENT	322.38
00944823	RETIREE	MEDICAL AFTER RETIREMENT	85.69
00944832	RETIREE	MEDICAL AFTER RETIREMENT	85.69
00944833	RETIREE	MEDICAL AFTER RETIREMENT	85.69
00944837	RETIREE	MEDICAL AFTER RETIREMENT	85.69
00944843	RETIREE	MEDICAL AFTER RETIREMENT	85.69
00944848	RETIREE	MEDICAL AFTER RETIREMENT	203.69
00944849	RETIREE	MEDICAL AFTER RETIREMENT	322.38
00944850	RETIREE	MEDICAL AFTER RETIREMENT	322.38
00944852	RETIREE	MEDICAL AFTER RETIREMENT	322.38
00944853	RETIREE	MEDICAL AFTER RETIREMENT	322.38
00944860	RETIREE	MEDICAL AFTER RETIREMENT	85.69
00944862	RETIREE	MEDICAL AFTER RETIREMENT	85.69
00944867	RETIREE	MEDICAL AFTER RETIREMENT	203.69
00944871	RETIREE	MEDICAL AFTER RETIREMENT	709.38
00944872	RETIREE	MEDICAL AFTER RETIREMENT	85.69
00944877	RETIREE	MEDICAL AFTER RETIREMENT	322.38
00944881	RETIREE	MEDICAL AFTER RETIREMENT	85.69
00944883	RETIREE	MEDICAL AFTER RETIREMENT	85.69
00944887	RETIREE	MEDICAL AFTER RETIREMENT	85.69
00944892	RETIREE	MEDICAL AFTER RETIREMENT	322.38
00944894	RETIREE	MEDICAL AFTER RETIREMENT	85.69
00944899	RETIREE	MEDICAL AFTER RETIREMENT	85.69
00944910	RETIREE	MEDICAL AFTER RETIREMENT	322.38
00944915	RETIREE	MEDICAL AFTER RETIREMENT	140.36
00944916	RETIREE	MEDICAL AFTER RETIREMENT	132.25
00944919	RETIREE	MEDICAL AFTER RETIREMENT	85.69
00944927	RETIREE	MEDICAL AFTER RETIREMENT	322.38
00944930	RETIREE	MEDICAL AFTER RETIREMENT	85.69
00944932	RETIREE	MEDICAL AFTER RETIREMENT	558.38
<b>579</b>	<b>Post Retirement Medical-Mgmt Fund</b>		
	<b>Non Departmental</b>		
00405306	RETIREE	MEDICAL AFTER RETIREMENT	85.69
00405309	RETIREE	MEDICAL AFTER RETIREMENT	1,370.61
00405311	RETIREE	MEDICAL AFTER RETIREMENT	862.90
00405339	RETIREE	MEDICAL AFTER RETIREMENT	85.69
00405349	RETIREE	MEDICAL AFTER RETIREMENT	203.69
00405353	RETIREE	MEDICAL AFTER RETIREMENT	278.48
00405354	RETIREE	MEDICAL AFTER RETIREMENT	85.69
00405361	RETIREE	MEDICAL AFTER RETIREMENT	82.77
00405368	RETIREE	MEDICAL AFTER RETIREMENT	438.38
00405399	RETIREE	MEDICAL AFTER RETIREMENT	2,224.72
00405402	RETIREE	MEDICAL AFTER RETIREMENT	558.38
00944719	RETIREE	MEDICAL AFTER RETIREMENT	1,116.76
00944723	RETIREE	MEDICAL AFTER RETIREMENT	171.38
00944733	RETIREE	MEDICAL AFTER RETIREMENT	876.76
00944754	RETIREE	MEDICAL AFTER RETIREMENT	322.28
00944761	RETIREE	MEDICAL AFTER RETIREMENT	558.38

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00944762	RETIREE	MEDICAL AFTER RETIREMENT	322.38
00944764	RETIREE	MEDICAL AFTER RETIREMENT	558.38
00944766	RETIREE	MEDICAL AFTER RETIREMENT	132.25
00944768	RETIREE	MEDICAL AFTER RETIREMENT	143.69
00944769	RETIREE	MEDICAL AFTER RETIREMENT	2,224.72
00944777	RETIREE	MEDICAL AFTER RETIREMENT	322.38
00944781	RETIREE	MEDICAL AFTER RETIREMENT	322.38
00944785	RETIREE	MEDICAL AFTER RETIREMENT	709.38
00944786	RETIREE	MEDICAL AFTER RETIREMENT	862.90
00944789	RETIREE	MEDICAL AFTER RETIREMENT	689.04
00944790	RETIREE	MEDICAL AFTER RETIREMENT	143.69
00944791	RETIREE	MEDICAL AFTER RETIREMENT	206.70
00944794	RETIREE	MEDICAL AFTER RETIREMENT	393.75
00944795	RETIREE	MEDICAL AFTER RETIREMENT	322.38
00944797	RETIREE	MEDICAL AFTER RETIREMENT	438.38
00944798	RETIREE	MEDICAL AFTER RETIREMENT	85.69
00944802	RETIREE	MEDICAL AFTER RETIREMENT	635.68
00944810	RETIREE	MEDICAL AFTER RETIREMENT	322.38
00944811	RETIREE	MEDICAL AFTER RETIREMENT	322.38
00944812	RETIREE	MEDICAL AFTER RETIREMENT	322.38
00944818	RETIREE	MEDICAL AFTER RETIREMENT	452.00
00944819	RETIREE	MEDICAL AFTER RETIREMENT	322.38
00944820	RETIREE	MEDICAL AFTER RETIREMENT	322.38
00944821	RETIREE	MEDICAL AFTER RETIREMENT	132.25
00944828	RETIREE	MEDICAL AFTER RETIREMENT	439.12
00944829	RETIREE	MEDICAL AFTER RETIREMENT	400.00
00944831	RETIREE	MEDICAL AFTER RETIREMENT	322.38
00944834	RETIREE	MEDICAL AFTER RETIREMENT	322.38
00944835	RETIREE	MEDICAL AFTER RETIREMENT	236.69
00944836	RETIREE	MEDICAL AFTER RETIREMENT	2,224.72
00944842	RETIREE	MEDICAL AFTER RETIREMENT	862.90
00944845	RETIREE	MEDICAL AFTER RETIREMENT	322.38
00944846	RETIREE	MEDICAL AFTER RETIREMENT	322.38
00944847	RETIREE	MEDICAL AFTER RETIREMENT	322.38
00944851	RETIREE	MEDICAL AFTER RETIREMENT	676.18
00944854	RETIREE	MEDICAL AFTER RETIREMENT	1,500.22
00944856	RETIREE	MEDICAL AFTER RETIREMENT	534.31
00944858	RETIREE	MEDICAL AFTER RETIREMENT	322.38
00944861	RETIREE	MEDICAL AFTER RETIREMENT	1,493.73
00944863	RETIREE	MEDICAL AFTER RETIREMENT	269.02
00944866	RETIREE	MEDICAL AFTER RETIREMENT	143.69
00944868	RETIREE	MEDICAL AFTER RETIREMENT	1,676.48
00944869	RETIREE	MEDICAL AFTER RETIREMENT	322.38
00944870	RETIREE	MEDICAL AFTER RETIREMENT	322.38
00944874	RETIREE	MEDICAL AFTER RETIREMENT	85.69
00944879	RETIREE	MEDICAL AFTER RETIREMENT	762.74
00944882	RETIREE	MEDICAL AFTER RETIREMENT	85.69
00944885	RETIREE	MEDICAL AFTER RETIREMENT	322.38

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00944886	RETIREE	MEDICAL AFTER RETIREMENT	322.38
00944888	RETIREE	MEDICAL AFTER RETIREMENT	85.69
00944889	RETIREE	MEDICAL AFTER RETIREMENT	132.25
00944890	RETIREE	MEDICAL AFTER RETIREMENT	682.90
00944891	RETIREE	MEDICAL AFTER RETIREMENT	203.69
00944896	RETIREE	MEDICAL AFTER RETIREMENT	322.38
00944897	RETIREE	MEDICAL AFTER RETIREMENT	322.38
00944898	RETIREE	MEDICAL AFTER RETIREMENT	85.69
00944900	RETIREE	MEDICAL AFTER RETIREMENT	269.02
00944901	RETIREE	MEDICAL AFTER RETIREMENT	689.04
00944902	RETIREE	MEDICAL AFTER RETIREMENT	85.69
00944903	RETIREE	MEDICAL AFTER RETIREMENT	322.38
00944906	RETIREE	MEDICAL AFTER RETIREMENT	438.38
00944908	RETIREE	MEDICAL AFTER RETIREMENT	1,033.76
00944909	RETIREE	MEDICAL AFTER RETIREMENT	85.69
00944911	RETIREE	MEDICAL AFTER RETIREMENT	558.38
00944914	RETIREE	MEDICAL AFTER RETIREMENT	220.00
00944918	RETIREE	MEDICAL AFTER RETIREMENT	322.38
00944920	RETIREE	MEDICAL AFTER RETIREMENT	85.69
00944921	RETIREE	MEDICAL AFTER RETIREMENT	322.38
00944922	RETIREE	MEDICAL AFTER RETIREMENT	2,224.72
00944924	RETIREE	MEDICAL AFTER RETIREMENT	85.69
00944925	RETIREE	MEDICAL AFTER RETIREMENT	1,748.00
<b>611</b>	<b>Water Fund</b>		
<b>Non Departmental</b>			
00404974	BRADY INDUSTRIES	SUPPLIES	727.58
00405088	BISHOP CO	TOOLS	458.23
00405091	BRADY INDUSTRIES	JANITORIAL SUPPLIES	644.79
00405131	FASTENAL CO	GLOVES	1,528.27
00405135	FIRST VANGUARD RENTALS AND SALES	SUPPLIES	4,437.72
00405207	BISHOP CO	TOOLS	577.90
00405244	LIM AUTOMOTIVE SUPPLY INC	PARTS	3,762.33
00405254	OFFICE DEPOT INC	SUPPLIES	599.11
00944707	GRAINGER INC	GLOVES	3,320.46
<b>Water Supervision</b>			
00405160	MUNICIPAL POOLING AUTHORITY	PAYROLL	1.95
00405191	VERIZON WIRELESS	DATA USAGE	737.07
<b>Water Production</b>			
00404979	CITY OF BRENTWOOD	GROUNDWATER SUPPORT	6,708.22
00405004	FISHER SCIENTIFIC COMPANY	SUPPLIES	51.55
00405010	HACH CO	SUPPLIES	1,064.89
00405075	ARAMARK UNIFORM SERVICES	SUPPLIES	173.62
00405090	BORGES AND MAHONEY	PIPE FITTINGS	2,020.97
00405092	BRENNTAG PACIFIC INC	CHEMICALS	8,382.33
00405095	CALIF DEPT OF TAX AND FEE ADMIN	WATER RIGHTS FEES	306.10
00405098	CD AND POWER	REPAIR SERVICES	1,304.40
00405111	CONTRA COSTA WATER DISTRICT	TREATED WATER	1,014,013.31
00405118	DELTA BEARING AND SUPPLY	PARTS & SERVICE	716.29

# CITY OF ANTIOCH CALIFORNIA

## CLAIMS BY FUND REPORT FOR THE PERIOD OF FEB 2 - MARCH 2, 2023 FUND/CHECK#

00405129	ENVIRONMENTAL RESOURCE ASSOC	LAB SUPPLY	173.40
00405136	FRANK A OLSEN COMPANY INC	FILTER VALVE REPAIR	1,819.38
00405158	MARATHON POWER	EQUIPMENT PARTS	4,253.00
00405164	OFFICE DEPOT INC	OFFICE CHAIRS	2,242.67
00405171	PRINT CLUB	SIGNS	68.59
00405189	USA BLUEBOOK	MANHOLE NET	37.83
00405191	VERIZON WIRELESS	DATA USAGE	468.69
00405200	ANIMAL DAMAGE MANAGEMENT	PEST CONTROL	425.00
00405201	ANTIOCH ACE HARDWARE	MATERIALS	1,063.02
00405203	ARAMARK UNIFORM SERVICES	SUPPLIES	86.81
00405209	BORGES AND MAHONEY	PARTS	2,889.61
00405211	BURLINGAME ENGINEERS INC	PARTS	30,289.75
00405213	CENTER FOR HEARING HEALTH INC	ANNUAL HEARING TEST	291.20
00405228	FASTSIGNS	BUSINESS CARDS	452.30
00405231	HACH CO	EQUIPMENT	31,902.13
00405233	HUNT AND SONS INC	FUEL	1,866.13
00405237	KARL NEEDHAM ENTERPRISES INC	EQUIPMENT RENTAL	18,500.00
00405240	KRUGER INC	SAND	2,023.26
00405257	PACE SUPPLY CORP	ELECTRICAL PARTS	125.66
00405262	POLYDYNE INC	POLYMER	6,903.68
00405270	ROBINS LOCK AND KEY	LOCK SMITH SERVICES	190.00
00405279	TESCO CONTROLS INC	MAINTENANCE AND SERVICE	3,000.00
00405281	UNIVAR SOLUTIONS USA INC	CAUSTIC	23,069.65
00405291	ANTIOCH ACE HARDWARE	CAULK AND BRUSH	79.06
00405293	APPLIED TECHNOLOGY GROUP INC	RADIOS	29,724.46
00405294	ARAMARK UNIFORM SERVICES	CLEANING SUPPLIES	86.81
00405337	EXPONENT INC	PROFESSIONAL SERVICES	835.50
00405350	GUALCO GROUP INC, THE	PROFESSIONAL SERVICES	4,215.15
00405393	THE GARLAND COMPANY INC	PROFESSIONAL SERVICES	2,015.44
00944722	CHEMTRADE CHEMICALS US LLC	CHEMICALS	3,898.18
00944724	GRAINGER INC	TAP SETS	431.44
00944725	ICR ELECTRICAL CONTRACTORS	ELECTRICAL SERVICES	612.76
00944728	LEES BUILDING MAINTENANCE	JANITORIAL SERVICES	350.00
00944734	VINCENT ELECTRIC MOTOR CO	PUMPS	10,117.51
00944739	CHEMTRADE CHEMICALS US LLC	CHEMICALS	15,211.17
00944741	GRAINGER INC	PARTS	6,904.13
00944748	VINCENT ELECTRIC MOTOR CO	PUMPS	3,478.99
00944783	CHEMTRADE CHEMICALS US LLC	CHEMICALS	3,698.84
00944806	EVOQUA WATER TECHNOLOGIES LLC	LAB SUPPLIES	248.08
<b>Water Distribution</b>			
00404951	ACCOUNTemps	TEMP HELP	703.44
00404957	ANTIOCH ACE HARDWARE	SUPPLIES	3.50
00404958	ANTIOCH BUILDING MATERIALS	MATERIALS	9,523.90
00404975	C AND J FAVALORA TRUCKING INC	FULTON YARD RECYCLING	23,803.75
00404977	CALIF DEPARTMENT OF JUSTICE	FINGERPRINTING	8.18
00405027	LIM AUTOMOTIVE SUPPLY INC	TOOLS	1,407.48
00405047	ROBERTS AND BRUNE CO	PIPE FITTING	2,687.56
00405067	ACCOUNTemps	TEMP HELP	1,191.94

# CITY OF ANTIOCH CALIFORNIA

## CLAIMS BY FUND REPORT FOR THE PERIOD OF FEB 2 - MARCH 2, 2023 FUND/CHECK#

00405074	ANTIOCH ACE HARDWARE	PIPE FITTINGS	16.37
00405085	BANK OF AMERICA	BUSINESS EXPENSE	46.71
00405113	CWEA SFBS	MEMBER DUES	297.00
00405121	DIABLO LIVE SCAN LLC	FINGERPRINTING	3.34
00405145	ISINGS CULLIGAN	WATER SERVICE	30.54
00405154	LIM AUTOMOTIVE SUPPLY INC	PARTS	274.36
00405160	MUNICIPAL POOLING AUTHORITY	PAYROLL	3.90
00405166	PACE SUPPLY CORP	SUPPLIES	28,991.49
00405167	PACIFIC CREDIT SERVICES	COLLECTION SERVICE	295.63
00405173	SABRE BACKFLOW LLC	BACKFLOW TEST KITS	808.14
00405188	UNITED PARCEL SERVICE	PRINTER SERVICE FEE	12.00
00405191	VERIZON WIRELESS	DATA USAGE/EQUIPMENT	13,851.21
00405197	ACCONTEMPS	TEMP HELP	722.98
00405201	ANTIOCH ACE HARDWARE	TOOLS	5.52
00405202	ANTIOCH BUILDING MATERIALS	MATERIALS	6,959.11
00405213	CENTER FOR HEARING HEALTH INC	ANNUAL HEARING TEST	635.92
00405224	DELTA DIABLO	RECYCLED WATER	7,902.19
00405244	LIM AUTOMOTIVE SUPPLY INC	AUTO PARTS	257.90
00405257	PACE SUPPLY CORP	SUPPLIES	16,082.11
00405269	ROBERTS AND BRUNE CO	SUPPLIES	2,272.87
00405270	ROBINS LOCK AND KEY	LOCK REPAIR	124.43
00405283	WATERWISEPRO TRAINING LLC	TRAINING	800.00
00405291	ANTIOCH ACE HARDWARE	REPAIR PARTS	70.25
00405341	G AND S PAVING	ASPHALT REPAIRS	9,025.00
00405346	GRANITE CONSTRUCTION CO	ASPHALT	2,207.50
00405374	OCCUPATIONAL HEALTH CENTERS	PRE-EMP MEDICAL EXAM	163.00
00405384	ROBERTS AND BRUNE CO	PIPE REPAIR PARTS	954.87
00944727	INFOSEND INC	PRINT AND MAIL SERVICES	4,399.52
00944728	LEES BUILDING MAINTENANCE	JANITORIAL SERVICES	157.50
00944742	INFOSEND INC	PRINT AND MAIL SERVICES	3,835.64
<b>Public Buildings &amp; Facilities</b>			
00405025	LIBERTY ISLAND HOLDINGS II LLC	BRACKISH WATER PROJECT	429,000.00
00405038	MOUNTAIN CASCADE INC	PUMP STATION PROJECT	142,001.28
00405052	SWRCB	PERMIT FEES	704.00
00405315	CONSTRUCTION TESTING SERVICES	BRACKISH WATER PROJECT	89,217.98
00405323	CSI METRICS LLC	CONSULTING SERVICES	15,595.55
00944705	CAROLLO ENGINEERS INC	PROFESSIONAL SERVICES	134,486.75
<b>Water Systems</b>			
00944704	BADGER METER INC	CELLULAR SERVICE	12,324.00
00944718	BADGER METER INC	METER SUPPLIES	1,060.19
621	<b>Sewer Fund</b>		
<b>Swr-Wastewater Administration</b>			
00404951	ACCONTEMPS	TEMP HELP	703.44
00404954	ALL STAR RENTS	EQUIPMENT	1,205.67
00404955	ALTA FENCE	FENCE	1,975.00
00404957	ANTIOCH ACE HARDWARE	TOOLS	223.21
00404958	ANTIOCH BUILDING MATERIALS	MATERIALS	9,523.90
00404975	C AND J FAVALORA TRUCKING INC	FULTON YARD RECYCLING	23,803.75



CITY OF  
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00404977	CALIF DEPARTMENT OF JUSTICE	FINGERPRINTING	8.18
00405012	HOME DEPOT, THE	SUPPLIES	106.46
00405046	RAPOSO, CHRISTINE ELAINE	EXPENSE REIMBURSEMENT	200.00
00405067	ACCONTEMPS	TEMP HELP	1,191.94
00405113	CWEA SFBS	MEMBER DUES	202.00
00405121	DIABLO LIVE SCAN LLC	FINGERPRINTING	3.34
00405135	FIRST VANGUARD RENTALS	SUPPLIES	1,559.69
00405145	ISINGS CULLIGAN	WATER SERVICE	30.54
00405162	NEXTEL SPRINT	CELL PHONE SERVICE	18.30
00405191	VERIZON WIRELESS	DATA USAGE	5,832.85
00405197	ACCONTEMPS	TEMP HELP	722.98
00405207	BISHOP CO	TOOLS	125.89
00405213	CENTER FOR HEARING HEALTH INC	ANNUAL HEARING TEST	631.20
00405236	JACK DOHENY COMPANY	SUPPLIES	81.21
00405254	OFFICE DEPOT INC	SUPPLIES	1,600.12
00405269	ROBERTS AND BRUNE CO	SUPPLIES	4,710.47
00405270	ROBINS LOCK AND KEY	LOCK REPAIR	124.43
00405341	G AND S PAVING	ASPHALT REPAIRS	9,025.00
00405346	GRANITE CONSTRUCTION CO	EZ STREET ASPHALT	2,187.25
00405374	OCCUPATIONAL HEALTH CENTERS	PRE-EMP MEDICAL EXAM	163.00
00405386	SIGN A RAMA INC	DOOR HANGERS	417.47
00944727	INFOSEND INC	PRINT AND MAIL SERVICES	4,399.51
00944728	LEES BUILDING MAINTENANCE	JANITORIAL SERVICES	157.50
00944742	INFOSEND INC	PRINT AND MAIL SERVICES	3,835.64
00944745	OWEN EQUIPMENT SALES	SUPPLIES	5,420.67
00944747	SCOTTO, CHARLES W AND DONNA F	MARCH 2023 RENT	5,000.00
<b>631</b>	<b>Marina Fund</b>		
<b>Marina Administration</b>			
00405044	PEPPER INVESTMENTS INC	PEST CONTROL SERVICE	125.00
00405094	CALIF DEPARTMENT OF JUSTICE	FINGERPRINTING	3.92
00405101	COMCAST	CONNECTION SERVICES	404.68
00405102	COMCAST	CONNECTION SERVICES	419.90
00405103	COMCAST	CONNECTION SERVICES	409.43
00405156	M AND L OVERHEAD DOORS	DOOR INSTALLATION	5,447.09
00405191	VERIZON WIRELESS	DATA USAGE	38.01
00405213	CENTER FOR HEARING HEALTH INC	ANNUAL HEARING TEST	58.24
00944728	LEES BUILDING MAINTENANCE	JANITORIAL SERVICES	1,800.00

CITY OF  
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AS HOUSING SUCCESSOR TO THE ANTIOCH DEVELOPMENT AGENCY  
CLAIMS BY FUND REPORT  
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**227 Housing Fund**

**Housing**

00404987	CONTRA COSTA HEALTH SERVICES	CDBG SERVICES	4324.44
00405094	CALIF DEPARTMENT OF JUSTICE	FINGERPRINTING	49.00
00405206	BAY AREA LEGAL AID	CDBG SERVICES	6510.81
00405230	HABITAT FOR HUMANITY EAST BAY	CDBG SERVICES	23770.63
00405245	LOAVES AND FISHES OF CONTRA COSTA	CDBG SERVICES	2516.30
00405254	OFFICE DEPOT INC	OFFICE SUPPLIES	1679.26
00405271	SHELTER INC	CDBG SERVICES	6495.91
00405275	STAND FOR FAMILIES FREE OF VIOLENCE	CDBG SERVICES	709.59
00405284	WINTER NIGHTS FAMILY SHELTER INC	CDBG SERVICES	4881.45
00405310	CITY DATA SERVICES LLC	CDBG SERVICES	2028.00
00405317	CONTRA COSTA CRISIS CENTER	CDBG SERVICES	51.00



## STAFF REPORT TO THE CITY COUNCIL

**DATE:** Regular Meeting of March 14, 2023

**TO:** Honorable Mayor and Members of the City Council

**SUBMITTED BY:** Thomas Lloyd Smith, City Attorney *TLS*

**SUBJECT:** REJECTION OF CLAIMS: JARROD GARNER, REAGAN DEGUZMAN AND ERICA TIFFANY THOMAS ON BEHALF OF HONESTII LUMSEY

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### **RECOMMENDED ACTION**

It is recommended that the City Council reject the claims submitted by Jarrod Garner, Reagan Deguzman and Erica Tiffany Thomas on Behalf of Honestii Lumsey.

Should the City Council desire to discuss these matters, it would be scheduled for a future closed session.

### **ATTACHMENTS**

None.

CITY OF  
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**STAFF REPORT TO THE CITY COUNCIL**

**DATE:** Regular Meeting of March 14, 2023

**TO:** Honorable Mayor and Members of the City Council

**SUBMITTED BY:** Lori Medeiros, Administrative Analyst I *lm*

**APPROVED BY:** Scott Buenting, Interim Public Works Director/City Engineer *SB*

**SUBJECT:** Eighth Amendment to the Design Consultant Services Agreement with Swatt Miers Architects for Improvements to City Hall Council Chambers Interior Remodel/City Hall Improvements And Leo Fontana Fountain; PW 247-P, PW 247-S and PW 247-R

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**RECOMMENDED ACTION**

It is recommended that Council adopt the resolution:

1. Approving the eighth amendment to the Design Consultant Services Agreement with Swatt Miers Architects for improvements to City Hall Council Chambers Interior Remodel/City Hall Improvements and Leo Fontana Fountain, in the amount of \$16,610.63 for a total contract amount of \$387,193.13 in substantially the form attached as Exhibit "1" to the Resolution (Attachment "A"); and
2. Authorizing and directing the City Manager or designee to execute the eighth amendment to the Design Consultant Services Agreement in a form approved by the City Attorney.

**FISCAL IMPACT**

The fiscal year 2022/23 Capital Improvement Budget currently includes \$1,107,165 for design and implementation of office modifications within City Hall and for the reconstruction of the Leo Fontana Fountain.

**DISCUSSION**

In September of 2017, SMA was selected to provide architectural design services for a minimal remodeling of the City's Council Chambers. On March 13, 2018, the City Council reviewed various design options and construction cost estimates related to the proposed remodeling of the facility. On April 4, 2018, SMA's agreement was amended to include a raised, reconfigured dais to provide better sightlines between Council and other committee members into the design, rearranged audience seating to improve flow within the chambers, renovated ceiling and wall treatments to give a more modern feel to the space and LED lighting to brighten the room and decrease energy cost. In addition, the

breezeway between City Hall and the Council Chambers was enclosed to create an improved entrance to these two buildings.

On April 24, 2018, Council approved a second amendment to SMA's agreement to include additional design and structural engineering activities related to installing the new ceiling, alterations to the breezeway and lighting modifications throughout the project.

On February 5, 2019, Council approved a third amendment to SMA's agreement to include additional design and structural engineering activities related to adjustments to existing concrete slabs in order to comply with ADA slope requirements; extended coordination with light, audiovisual and electrical consultants; modifications to the proposed breezeway entrance; enlargement of the Human Resource Department's conference room, including alteration of the lighting and HVAC systems; preparation of separate bid documents for audiovisual, seating and the structural remodel portions of the project; development of an additional cost estimate, plans, details and specifications and additional construction administration to provide consulting services through the duration of the project.

On September 10, 2019, Council approved a fourth amendment to SMA's agreement to provide additional design services that included the reconfiguration of the Human Resources, Finance, City Clerk, City Treasurer and City Attorney office spaces within City Hall. Lighting, electrical, communication and HVAC facilities were adjusted as necessary to support the modifications. Various areas on the first floor of City Hall received added signage, new carpeting, and fresh painting to blend with the renovated Council Chambers.

On July 28, 2020, Council approved a fifth amendment to SMA's agreement to provide additional design services that included renovating the stairwells within City Hall with non-slip flooring and new paint, upgrading the flooring throughout the public areas of City Hall, and completing the design of the new Fontana Fountain, including a new utility vault, and installing new plumbing, lighting and electrical controls. In addition, the existing fountain steps were removed, new concrete paving with brick inlay was installed, and other modifications to improve the aesthetics of the public gathering area adjacent to the fountain were developed.

On November 23, 2021, Council approved a sixth amendment to SMA's agreement to provide additional design services that included reconfiguration of the Human Resource and City Clerk work space, removal and replacement of the water desk storefront, modifications to the western entrance into City Hall and the Finance Department conference room, redesign of the City Clerk / City Treasurer's office/meeting space, additional concrete improvements to the northern plaza of City Hall, and continued construction support for City Hall Interior Improvements and Leo Fontana Fountain projects.

On June 30, 2022, the term of SMA's agreement was extended to December 31, 2022.

Staff is recommending the City Council approve this eighth and final amendment to make the final payment and close out the project.

**ATTACHMENTS**

A: Resolution



## ATTACHMENT "A"

### RESOLUTION NO. 2023/\*\*

#### **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH APPROVING THE EIGHTH AMENDMENT TO THE DESIGN CONSULTANT SERVICES AGREEMENT WITH SWATT MIERS ARCHITECTS FOR IMPROVEMENTS TO CITY HALL COUNCIL CHAMBERS INTERIOR REMODEL/CITY HALL IMPROVEMENTS AND LEO FONTANA FOUNTAIN AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AMENDMENT TO THE AGREEMENT**

**WHEREAS**, on September 22, 2017, Swatt Miers Architects ("SMA") entered into a Design Consultant Services Agreement in the amount of \$49,200 to provide architectural design services for a minimal remodeling of the City's Council Chambers;

**WHEREAS**, on April 4, 2018, the City increased the compensation for SMA in the amount of \$12,000 for a total contract amount of \$61,200;

**WHEREAS**, on April 24, 2018, the City increased the compensation for SMA in the amount of \$42,917.50 for a total contract amount of \$104,117.50 and extended the term of the contract to December 31, 2018;

**WHEREAS**, on February 5, 2019, the City increased the compensation for SMA in the amount of \$42,655.00 for a total contract amount of \$146,772.50 and extended the term of the contract to December 31, 2019;

**WHEREAS**, on September 10, 2019, the City increased the compensation for SMA in the amount of \$40,430.00 for a total contract amount of \$187,202.50 and extended the term of the contract to June 30, 2020;

**WHEREAS**, on July 28, 2020, the City increased the compensation for SMA in the amount of \$82,640 for a total contract amount of \$269,842.50 and extended the term of the contract to December 31, 2020;

**WHEREAS**, on November 23, 2021, City increased the compensation for SMA in the amount \$100,740.00 bringing the total compensation to an amount not to exceed \$370,582.50 and extended the term of the agreement to June 30, 2022;

**WHEREAS**, on June 30, 2022, the City extended the term of the Design Consultant Services Agreement with SMA to December 31, 2022; and

**WHEREAS**, on March 14, 2023, the City Council has considered this eighth amendment to finalize the design work performed for the improvements of these projects.

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**RESOLUTION NO. 2023/\*\***

March 14, 2023

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

1. Approves the eighth amendment to the Design Consultant Services Agreement with Swatt Miers Architects for improvements to City Hall Council Chambers Interior Remodel/City Hall Improvements and Leo Fontana Fountain in the amount of \$16,610.63 for a total contract amount of \$387,193.13 in substantially the form attached as Exhibit "1"; and
2. Authorizes the City Manager or designee to execute the eighth amendment to the Design Consultant Services Agreement with Swatt Miers Architects 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 14<sup>th</sup> day of March 2023, by the following vote:

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

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**ELIZABETH HOUSEHOLDER  
CITY CLERK OF THE CITY OF ANTIOCH**

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## **EXHIBIT "1"**

### **AMENDMENT NO. 8 TO AGREEMENT FOR CONSULTANT SERVICES FOR THE CITY HALL COUNCIL CHAMBERS INTERIOR REMODEL/CITY HALL IMPROVEMENTS AND LEO FONTANA FOUNTAIN P.W. 247-S & PW 247-R**

**THIS EIGHTH AMENDMENT TO THE AGREEMENT FOR CONSULTANT SERVICES** is entered into this 14<sup>th</sup> day of March 2023, by and between the CITY OF ANTIOCH, a municipal corporation ("**City**") and SWATT MIERS ARCHITECTS, their address is 5845 Doyle Street, Suite 104, Emeryville, CA 94608 ("**Consultant**").

#### **RECITALS**

**WHEREAS**, on September 22, 2017, City and Swatt Miers Architects, entered into an Agreement for Professional Consultant Services for the City Hall Council Chambers Interior Remodel ("**Agreement**") in the amount of \$49,200;

**WHEREAS**, on April 4, 2018, City increased the compensation for Swatt Miers Architects for actual costs in the amount of \$12,000 bringing the total compensation to an amount not to exceed \$61,200;

**WHEREAS**, on April 24, 2018, City increased the compensation for Swatt Miers Architects for actual costs in the amount of \$42,917.50 bringing the total compensation to an amount not to exceed \$104,117.50;

**WHEREAS**, on February 5, 2019, City increased the compensation for Swatt Miers Architects for actual costs in the amount of \$42,655.00 bringing the total compensation to an amount not to exceed \$146,772.50;

**WHEREAS**, on September 10, 2019, City increased the compensation for Swatt Miers Architects for actual costs in the amount of \$40,430.00 bringing the total compensation to an amount not to exceed \$187,202.50;

**WHEREAS**, on July 28, 2020, City increased the compensation for Swatt Miers Architects for actual costs in the amount of \$82,640.00 bringing the total compensation to an amount not to exceed \$269,842.50;

**WHEREAS**, on November 23, 2021, City increased the compensation for Swatt Miers Architects for actual costs in the amount of \$100,740.00 bringing the total compensation to an amount not to exceed \$370,582.50 and extended the term of the agreement to June 30, 2022;

**WHEREAS**, on June 30, 2022, City extended the term of the agreement to December 31, 2022; and

**WHEREAS**, on March 14, 2023, the City Council approved the eighth amendment to the Agreement with Swatt Miers Architects for actual costs in the amount of \$16,610.63 bringing the total compensation to an amount not to exceed \$387,193.13.

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

**1. Section 1 "SERVICES" the first paragraph shall be amended to read as follows:**

"Subject to the terms and conditions set forth in this Agreement, Consultant shall furnish all technical and professional services including labor, materials, equipment, transportation, supervision, and expertise to provide to City the services described in the Scope of Work attached as Exhibit A to the Agreement, Exhibit A to Amendment No. 1, Exhibit A to Amendment No. 2, Exhibit A to Amendment No. 3, Exhibit A to Amendment No. 4, Exhibit A to Amendment No. 5, Exhibit A to Amendment No. 6, Amendment No. 7 and Amendment No 8 of the Agreement at the time and place and in the manner specified therein. In the event of a conflict in or inconsistency between the terms of this Agreement and the Exhibits, the Agreement shall prevail."

**2. Section 2 "COMPENSATION" the first sentence shall be amended to read as follows:**

"CITY hereby agrees to pay Consultant a sum not to exceed **\$387,193.13**, notwithstanding any contrary indications that may be contained in Consultant's proposal, for services to be performed and reimbursable costs incurred under this Agreement."

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

CITY OF ANTIOCH:

SWATT MIERS ARCHITECTS

By: \_\_\_\_\_  
Cornelius H. Johnson., City Manager

By: \_\_\_\_\_  
George Miers, Principal

ATTEST:

\_\_\_\_\_  
Elizabeth Householder, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Thomas Lloyd Smith, City Attorney

CITY OF  
**ANTIOCH**  
CALIFORNIA

**STAFF REPORT TO THE CITY COUNCIL**

**DATE:** Regular Meeting of March 14, 2023

**TO:** Honorable Mayor and Members of the City Council

**SUBMITTED BY:** Scott Buenting, Interim Public Works Director/City Engineer *SB*

**SUBJECT:** Resolution Accepting Completed Improvements for Park Ridge Phase 2, Tract No. 9845, P.W. 674-2

---

**RECOMMENDED ACTION**

It is recommended that the City Council adopt a resolution accepting the completed improvements, authorizing the City Manager or designee to file a Notice of Completion for the Park Ridge Phase 2 Project, Tract No. 9845, P.W. 674-2.

**FISCAL IMPACT**

Upon satisfactory completion of the one-year warranty period, the City accepts responsibility for maintenance of the improvements. Upon recordation of a notice of completion and the start of the warranty period, the City accepts responsibility for maintenance of landscape improvements.

**DISCUSSION**

City of Antioch Public Works Inspectors have inspected and approved the completion of the final punch-list items for improvements. The warranty period for improvements shall begin upon the date of recordation of a notice of completion. The City of Antioch shall assume responsibility for maintenance upon expiration of the one-year warranty period; except for landscape improvements, which the City shall assume maintenance responsibilities immediately upon recordation of a Notice of Completion (Attachment 'B') with Contra Costa County and the start of the warranty period.

**ATTACHMENTS**

- A. Resolution
- B. Notice of Completion
- C. Vicinity Map

**ATTACHMENT "A"**

**RESOLUTION NO. 2023/\*\***

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH  
ACCEPTING COMPLETED IMPROVEMENTS FOR PARK RIDGE PHASE 2,  
TRACT NO. 9845, P.W. 674-2**

**WHEREAS**, on January 20, 2010, the City of Antioch Planning Commission adopted Resolution 2010-03 approving the tentative map;

**WHEREAS**, on March 9, 2010, the City Council of the City of Antioch adopted Resolution No. 2010/21 for approving the tentative map of subdivision 9845, P.W. 674-2;

**WHEREAS**, the City received a request from the Developer to accept the completed improvements;

**WHEREAS**, the City has accepted and acquired all necessary right-of-way required for the maintenance of improvements;

**WHEREAS**, improvements consisting of paving, curb, gutter, storm drain facilities, sanitary sewer, water mains, signing and striping and landscaping have been constructed and dedicated for public use; and

**WHEREAS**, the completed improvements have been constructed and inspected in accordance with the Standard Specifications and Subdivision Regulations of the City of Antioch, to the satisfaction of the City Engineer.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Antioch hereby authorizes the City Manager or designee to accept improvements and file a Notice of Completion for the Park Ridge Phase 2 Project, Tract No. 9845, P.W. 674-2;

**BE IT FURTHER RESOLVED** that the accepted improvements shall be maintained by the City of Antioch in accordance with standard City maintenance policies upon satisfactory completion of the one-year warranty period; and

**BE IT FURTHER RESOLVED** that the accepted landscape improvements shall be maintained by the City of Antioch upon the start date of the warranty period.

AI



**RESOLUTION NO. 2023/\*\***

March 14, 2023

Page 2

\* \* \* \* \*

**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 14<sup>th</sup> day of March 2023, by the following vote:

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

---

**ELIZABETH HOUSEHOLDER  
CITY CLERK OF THE CITY OF ANTIOCH**

A2

**ATTACHMENT "B"**

**RECORDED AT THE REQUEST  
OF:**

CITY OF ANTIOCH, CA

**WHEN RECORDED MAIL TO:**

CITY OF ANTIOCH

DEVELOPMENT ENGINEERING

DIVISION

P.O. BOX 5007

ANTIOCH, CA 94531

**THIS SPACE FOR RECORDER'S USE**

---

**NOTICE OF COMPLETION FOR  
PARK RIDGE PHASE 2, TRACT NO. 9845 IMPROVEMENTS  
IN THE CITY OF ANTIOCH  
(P.W. 674-2)**

**NOTICE IS HEREBY GIVEN:**

1. That the interest or estate stated in paragraph 3 herein the real property herein described is owned by: City of Antioch, 200 H Street, Antioch, California 94509.
2. That the full name and address of the Owner of said interest or estate, if there is only one Owner, and that the full names and addresses of all the co-owners who own said interest or estate as tenants in common, as joint tenants, or otherwise, if there is more than one owner, are set forth in the preceding paragraph.
3. That the nature of the stated owner, or if more than one owner, then of the stated owner and co-owners is: In fee.
4. That on February 20, 2023, the work and improvements hereinafter described was completed.
5. That the name of the original developer, of any, for said work of improvement was Davidon Homes.
6. The project is located generally south Laurel Road, east of Canada Valley Road and west State Route 4, in Antioch, California.
7. The surety for said project was Liberty Mutual Insurance Company.
8. This project consisted of all public improvements including paving, curb, gutter, storm drain facilities, sewer mains, water mains, signing and striping and landscaping which have been installed and completed in the subdivision by the developer to the satisfaction of the City Engineer.

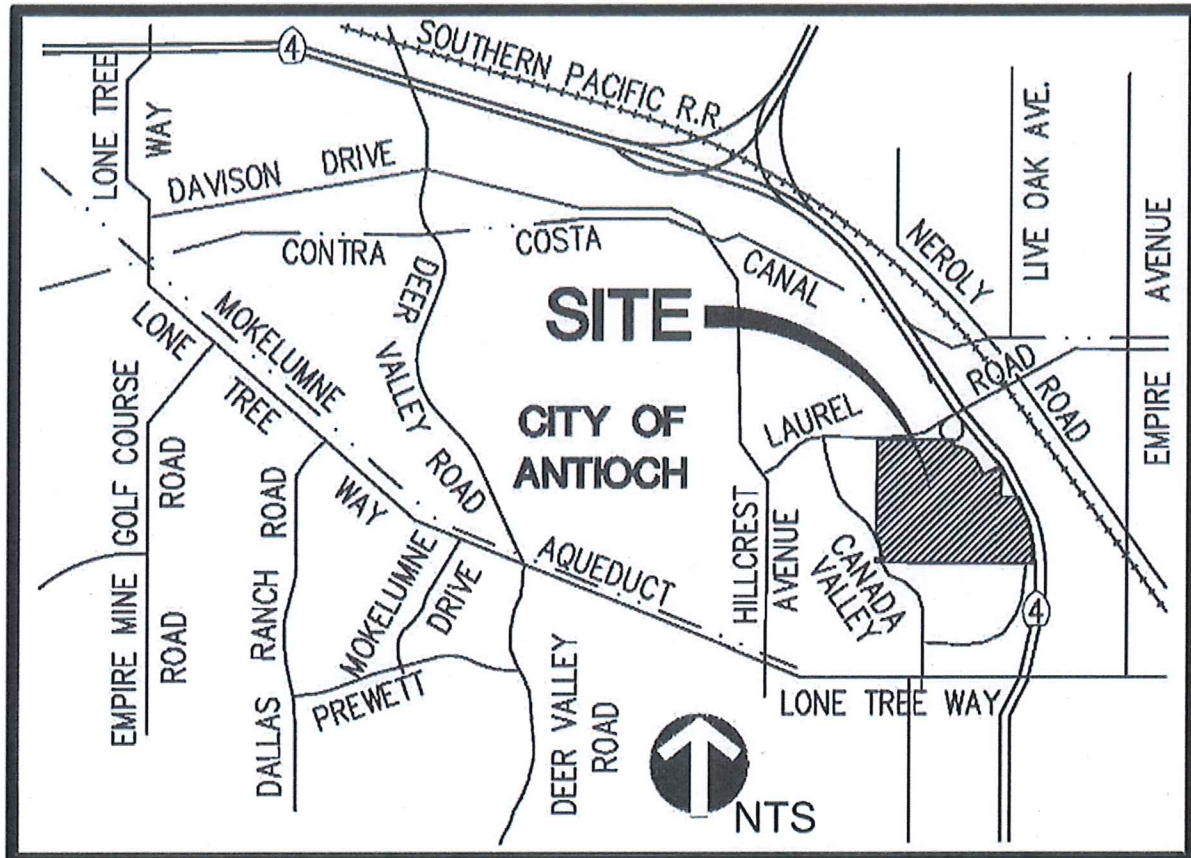
**THE UNDERSIGNED STATES UNDER PENALTY OF  
PERJURY THAT THE ABOVE IS TRUE AND CORRECT**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Scott Buenting, P.E.  
Interim Public Works Director/City Engineer  
City of Antioch

ATTACHMENT "C"

VICINITY MAP




CITY OF  
**ANTIOCH**  
CALIFORNIA

**STAFF REPORT TO THE CITY COUNCIL**

**DATE:** Regular Meeting of March 14, 2023

**TO:** Honorable Mayor and Members of the City Council

**SUBMITTED BY:** Scott Buenting, Interim Public Works Director/City Engineer 

**SUBJECT:** Resolution Accepting Completed Improvements for Park Ridge Phase 3, Tract No. 9517, P.W. 674-3

---

**RECOMMENDED ACTION**

It is recommended that the City Council adopt a resolution accepting the completed improvements, authorizing the City Manager or designee to file a Notice of Completion for the Park Ridge Phase 3 Project, Tract No. 9517, P.W. 674-3.

**FISCAL IMPACT**

Upon satisfactory completion of the one-year warranty period, the City accepts responsibility for maintenance of the improvements. Upon recordation of a notice of completion and the start of the warranty period, the City accepts responsibility for maintenance of landscape improvements.

**DISCUSSION**

City of Antioch Public Works Inspectors have inspected and approved the completion of the final punch-list items for improvements. The warranty period for improvements shall begin upon the date of recordation of a notice of completion. The City of Antioch shall assume responsibility for maintenance upon expiration of the one-year warranty period; except for landscape improvements, which the City shall assume maintenance responsibilities immediately upon recordation of a Notice of Completion (Attachment 'B') with Contra Costa County and the start of the warranty period.

**ATTACHMENTS**

- A. Resolution
- B. Notice of Completion
- C. Vicinity Map



**ATTACHMENT "A"**

**RESOLUTION NO. 2023/\*\***

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH  
ACCEPTING COMPLETED IMPROVEMENTS FOR PARK RIDGE PHASE 3,  
TRACT NO. 9517, P.W. 674-3**

**WHEREAS**, on January 20, 2010, the City of Antioch Planning Commission adopted Resolution 2010/03 approving the Tentative Map;;

**WHEREAS**, March 9, 2010, the City Council of the City of Antioch adopted Resolution No. 2010/21 for approving the tentative map of Subdivision 9517, P.W. 674-3;

**WHEREAS**, the City received a request from the Developer to accept the completed improvements;

**WHEREAS**, the City has accepted and acquired all necessary right-of-way required for the maintenance of improvements;

**WHEREAS**, improvements consisting of paving, curb, gutter, storm drain facilities, sanitary sewer, water mains, signing and striping, and landscaping have been constructed and dedicated for public use; and

**WHEREAS**, the completed improvements have been constructed and inspected in accordance with the Standards Specifications and Subdivision Regulations of the City of Antioch, to the satisfaction of the City Engineer.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Antioch hereby authorizes the City Manager or designee to accept improvements and file a Notice of Completion for the Park Ridge Phase 3 Project, Tract No. 9517, P.W. 674-3;

**BE IT FURTHER RESOLVED** that the accepted improvements shall be maintained by the City of Antioch in accordance with standard City maintenance policies upon satisfactory completion of the one-year warranty period; and

**BE IT FURTHER RESOLVED** that the accepted landscape improvements shall be maintained by the City of Antioch upon the start date of the warranty period.

**RESOLUTION NO. 2023/\*\***

March 14, 2023

Page 2

\* \* \* \* \*

**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 14<sup>th</sup> day of March 2023, by the following vote:

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

---

**ELIZABETH HOUSEHOLDER  
CITY CLERK OF THE CITY OF ANTIOCH**

A2



**ATTACHMENT "B"**

**RECORDED AT THE REQUEST  
OF:**

CITY OF ANTIOCH, CA

**WHEN RECORDED MAIL TO:**

CITY OF ANTIOCH

DEVELOPMENT ENGINEERING

DIVISION

P.O. BOX 5007

ANTIOCH, CA 94531

**THIS SPACE FOR RECORDER'S USE**

**NOTICE OF COMPLETION FOR  
PARK RIDGE PHASE 3 TRACT 9517 IMPROVEMENTS  
IN THE CITY OF ANTIOCH (P.W. 674-3)**

**NOTICE IS HEREBY GIVEN:**

1. That the interest or estate stated in paragraph 3 herein the real property herein described is owned by: City of Antioch, 200 H Street, Antioch, California 94509.
2. That the full name and address of the Owner of said interest or estate, if there is only one Owner, and that the full names and addresses of all the co-owners who own said interest or estate as tenants in common, as joint tenants, or otherwise, if there is more than one owner, are set forth in the preceding paragraph.
3. That the nature of the stated owner, or if more than one owner, then of the stated owner and co-owners is: In fee.
4. That on February 20, 2023, the work and improvements hereinafter described was completed.
5. That the name of the original developer, of any, for said work of improvement was Davidon Homes.
6. The project is located generally south Laurel Road, east of Canada Valley Road and west State Route 4, in Antioch, California.
7. The surety for said project was Liberty Mutual Insurance Company.
8. This project consisted of all public improvements including paving, curb, gutter, storm drain facilities, sewer mains, water mains, signing and striping and landscaping which have been installed and completed in the subdivision by the developer to the satisfaction of the City Engineer.

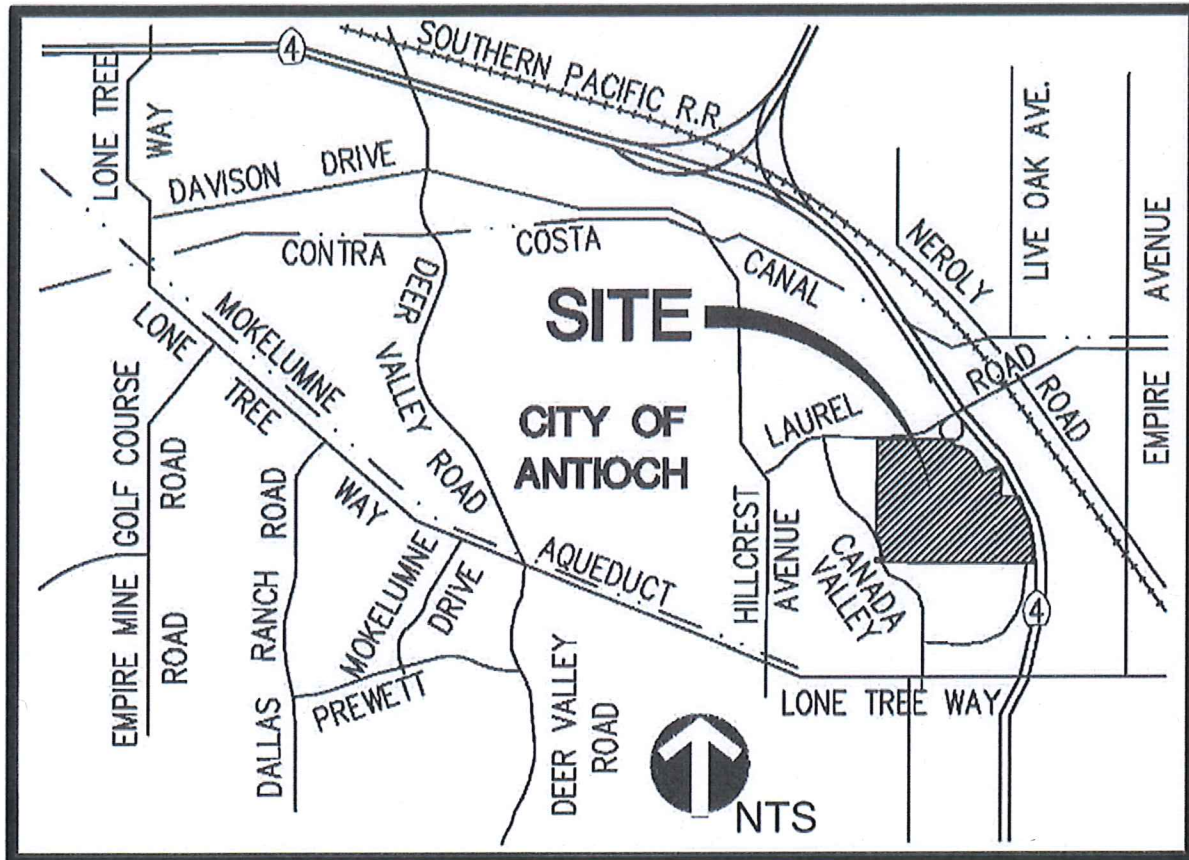
**THE UNDERSIGNED STATES UNDER PENALTY OF  
PERJURY THAT THE ABOVE IS TRUE AND CORRECT**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Scott Buening, P.E.  
Interim Public Works Director/City Engineer  
City of Antioch

ATTACHMENT "C"

VICINITY MAP



CITY OF  
**ANTIOCH**  
CALIFORNIA

**STAFF REPORT TO THE CITY COUNCIL**

**DATE:** Regular Meeting of March 14, 2023

**TO:** Honorable Mayor and Members of the City Council

**SUBMITTED BY:** Scott Buenting, Interim Public Works Director/City Engineer *SB*

**SUBJECT:** Resolution Accepting Completed Improvements for Park Ridge Phase 4, Tract No. 9490, P.W. 674-4

---

**RECOMMENDED ACTION**

It is recommended that the City Council adopt a resolution accepting the completed improvements, authorizing the City Manager or designee to file a Notice of Completion for the Park Ridge Phase 4 Project, Tract No. 9490, P.W. 674-4.

**FISCAL IMPACT**

Upon satisfactory completion of the one-year warranty period, the City accepts responsibility for maintenance of the improvements. Upon recordation of a notice of completion and the start of the warranty period, the City accepts responsibility for maintenance of landscape improvements.

**DISCUSSION**

City of Antioch Public Works Inspectors have inspected and approved the completion of the final punch-list items for improvements. The warranty period for improvements shall begin upon the date of recordation of a notice of completion. The City of Antioch shall assume responsibility for maintenance upon expiration of the one-year warranty period; except for landscape improvements, which the City shall assume maintenance responsibilities immediately upon recordation of a Notice of Completion (Attachment 'B') with Contra Costa County and the start of the warranty period.

**ATTACHMENTS**

- A. Resolution
- B. Notice of Completion
- C. Vicinity Map



**ATTACHMENT "A"**

**RESOLUTION NO. 2023/\*\***

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH  
ACCEPTING COMPLETED IMPROVEMENTS FOR PARK RIDGE PHASE 4,  
TRACT NO. 9490, P.W. 674-4**

**WHEREAS**, on January 20, 2010, the City of Antioch Planning Commission adopted Resolution 2010/03 approving the Tentative Map;

**WHEREAS**, March 9, 2010, the City Council of the City of Antioch adopted Resolution No. 2010/21 for approving the Tentative Map of Subdivision 9490, P.W. 674-4;

**WHEREAS**, the City received a request from the Developer to accept the completed improvements;

**WHEREAS**, the City has accepted and acquired all necessary right-of-way required for the maintenance of improvements;

**WHEREAS**, improvements consisting of paving, curb, gutter, storm drain facilities, sanitary sewer, water mains, traffic signal pole relocation, and landscaping have been constructed and dedicated for public use; and

**WHEREAS**, the completed improvements have been constructed and inspected in accordance with the Standards Specifications and Subdivision Regulations of the City of Antioch, to the satisfaction of the City Engineer.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Antioch hereby authorizes the City Manager or designee to accept improvements and file a Notice of Completion for the Park Ridge Phase 4 Project, Tract No. 9490, P.W. 674-4;

**BE IT FURTHER RESOLVED** that the accepted improvements shall be maintained by the City of Antioch in accordance with standard City maintenance policies upon satisfactory completion of the one-year warranty period; and

**BE IT FURTHER RESOLVED** that the accepted landscape improvements shall be maintained by the City of Antioch upon the start date of the warranty period.

A

**RESOLUTION NO. 2023/\*\***

March 14, 2023

Page 2

\* \* \* \* \*

**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 14<sup>th</sup> day of March 2023, by the following vote:

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

---

**ELIZABETH HOUSEHOLDER**  
**CITY CLERK OF THE CITY OF ANTIOCH**

AJ

**ATTACHMENT "B"**

**RECORDED AT THE REQUEST  
OF:**

CITY OF ANTIOCH, CA

**WHEN RECORDED MAIL TO:**

CITY OF ANTIOCH

DEVELOPMENT ENGINEERING

DIVISION

P.O. BOX 5007

ANTIOCH, CA 94531

THIS SPACE FOR RECORDER'S USE

**NOTICE OF COMPLETION FOR  
PARK RIDGE, PHASE 4 TRACT 9490 IMPROVEMENTS  
IN THE CITY OF ANTIOCH  
(P.W. 674-4)**

**NOTICE IS HEREBY GIVEN:**

1. That the interest or estate stated in paragraph 3 herein the real property herein described is owned by: City of Antioch, 200 H Street, Antioch, California 94509.
2. That the full name and address of the Owner of said interest or estate, if there is only one Owner, and that the full names and addresses of all the co-owners who own said interest or estate as tenants in common, as joint tenants, or otherwise, if there is more than one owner, are set forth in the preceding paragraph.
3. That the nature of the stated owner, or if more than one owner, then of the stated owner and co-owners is: In fee.
4. That on February 20, 2023, the work and improvements hereinafter described was completed.
5. That the name of the original developer, of any, for said work of improvement was Davidon Homes.
6. The project is located generally south Laurel Road, east of Canada Valley Road and west State Route 4, in the Antioch, California.
7. The surety for said project was Liberty Mutual Insurance Company.
8. This project consisted of all public improvements including paving, curb, gutter, storm drain facilities, sewer mains, water mains, and landscaping which have been installed and completed in the subdivision by the developer to the satisfaction of the City Engineer.

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

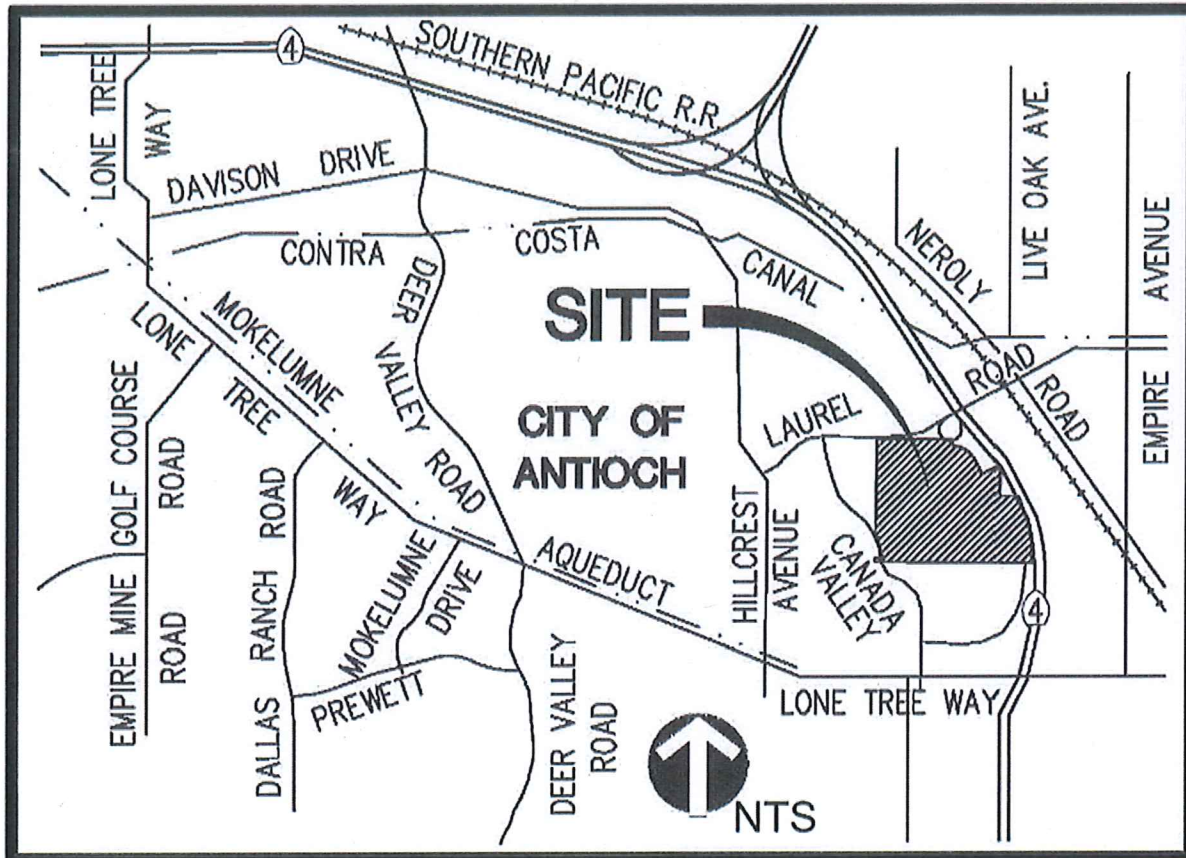
\_\_\_\_\_  
Date

\_\_\_\_\_  
Scott Buenting, P.E.  
Interim Public Works Director/City Engineer  
City of Antioch



ATTACHMENT "C"

VICINITY MAP





CITY OF  
**ANTIOCH**  
CALIFORNIA

**STAFF REPORT TO THE CITY COUNCIL**

**DATE:** Regular Meeting of March 14, 2023

**TO:** Honorable Mayor and Members of the City Council

**SUBMITTED BY:** Lori Medeiros, Administrative Analyst I 

**APPROVED BY:** Scott Buenting, Interim Public Works Director/City Engineer 

**SUBJECT:** Consideration of Bids for the Antioch Cape Seal 2023 Project  
(P.W. 328-13)

---

**RECOMMENDED ACTION**

It is recommended that the City Council adopt the resolution:

1. Approving an amendment to the fiscal year 2022/23 Capital Improvement and Operating Budget to increase the funding from the Road Maintenance and Rehabilitation Account (RMRA) Fund for the Antioch Cape Seal 2023 Project by \$700,000;
2. Awarding the construction agreement to the lowest, responsive, and responsible bidder, American Pavement Systems, Inc.;
3. Approving the construction agreement with American Pavement Systems, Inc. in the amount of \$2,161,756.07 in substantially the form attached as Exhibit "1" to the Resolution (Attachment "A"); and
4. Authorizing the City Manager to execute the construction agreement with American Pavement Systems, Inc. for a total amount of \$2,161,756.07.

**FISCAL IMPACT**

The Engineer's estimate for the construction of this project was \$1,500,000. The fiscal year 2022/23 Capital Improvement Budget currently includes \$709,285 of Measure J Funds and \$1,000,000 of Road Maintenance and Rehabilitation Account (RMRA) Funds. Adoption of this resolution will increase the fiscal year 2022/23 Capital Improvement and Operating Budget by \$700,000 of RMRA Funds for a total budget of \$2,409,285 to provide adequate funding for the construction contract, engineering, inspection, testing and contract administration of pavement surface treatment projects such as chip seals and micro-surfacing for this Project.

### **DISCUSSION**

On February 21, 2023, one (1) bid was received and opened as shown on the attached tabulation. The low bid was submitted by American Pavement Systems, Inc. of Modesto in the amount of \$2,161,756.07. The bids have been checked and found to be without any errors or omissions.

Due to receiving only one bid, staff has examined recent and similar projects in the area and the typical price range for this type of work is considered reasonable.

Over the last few years, various types of pavement rehabilitation activities, including pavement plugs and asphalt concrete leveling courses, have been performed throughout the City on residential streets. This project will install the final surface treatment over 64 streets (Attachment 'C'), totaling approximately 380,128 square yards of roadway. The work will consist predominately of installing a rubberized chip seal overlain by an application of micro-surfacing over the full width of the streets. Additional work to be performed includes street surface preparation, removal and replacement of pavement markings and markers and traffic control.

### **ATTACHMENTS**

- A: Resolution
- B: Tabulation of Bids
- C: List of Streets



**ATTACHMENT "A"**

**RESOLUTION NO. 2023/\*\***

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH  
APPROVING AN AMENDMENT TO INCREASE THE FISCAL YEAR  
2022/23 CAPITAL IMPROVEMENT AND OPERATING BUDGET,  
AWARDING THE CONSTRUCTION AGREEMENT AND AUTHORIZING  
THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH  
AMERICAN PAVEMENT SYSTEMS, INC. FOR THE ANTIOCH CAPE  
SEAL 2023 PROJECT  
P.W. 328-13**

**WHEREAS**, on June 14, 2022 the City Council adopted the 5 Year Capital Improvement Program 2022-2027, which included funding for the Pavement Surface Treatments projects;

**WHEREAS**, the Antioch Cape Seal 2023 Project ("Project") was published and advertised in the East County Times on January 17, 2023 and January 19, 2023 and a Notice to Contractors was sent to the construction trade journals;

**WHEREAS**, the Project bids were publicly opened and read on February 21, 2023, and one (1) bid was received;

**WHEREAS**, the lowest responsive and responsible bidder was submitted by American Pavement Systems, Inc. of Modesto in the amount of \$2,161,756.07;

**WHEREAS**, the bids have been checked and found to be without any errors or omissions;

**WHEREAS**, on March 14, 2023 the City Council has considered an amendment to the fiscal year 2022/23 Capital Improvement and Operating Budget to increase the funding from the Road Maintenance and Rehabilitation Account (RMRA) Fund for the Antioch Cape Seal 2023 Project by \$700,000;

**WHEREAS**, on March 14, 2023 the City Council has considered awarding the Project construction contract to American Pavement Systems, Inc. in the amount of \$2,161,756.07; and

**WHEREAS**, on March 14, 2023 the City Council has considered a construction agreement with American Pavement Systems, Inc. for the Project.

AI

**RESOLUTION NO. 2023/\*\***

March 14, 2023

Page 2

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

1. Approves an amendment to the fiscal year 2022/23 Capital Improvement and Operating Budget to increase the funding from the Road Maintenance and Rehabilitation Account (RMRA) Fund for the Antioch Cape Seal 2023 Project by \$700,000;
2. Awards the construction agreement to the lowest, responsive, and responsible bidder, American Pavement Systems, Inc.;
3. Approves the construction agreement with American Pavement Systems, Inc. in the amount of \$2,161,756.07 in substantially the form included in Exhibit A; and
4. Authorizes the City Manager to execute an agreement with American Pavement Systems, Inc. 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 14<sup>th</sup> day of March 2023, by the following vote:

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

---

**ELIZABETH HOUSEHOLDER  
CITY CLERK OF THE CITY OF ANTIOCH**

A2

## EXHIBIT "1"

### AGREEMENT

THIS AGREEMENT, made and entered into this 14th day of March, 2023 by and between AMERICAN PAVEMENT SYSTEMS, INC., hereinafter called "CONTRACTOR" and the CITY OF ANTIOCH, hereinafter called the "CITY."

WITNESSETH, that the CONTRACTOR and the CITY, for consideration hereinafter named, agree as follows:

1. SCOPE OF WORK

The work consists, in general, of furnishing all materials, labor, tools, plant, supplies, equipment, transportation and superintendence necessary to perform the work required for **P.W. No. 328-13**. The work is more fully described in the Description of Project, Construction Details and Plans contained in the Contract Documents. The Contract Documents are defined below in Section 4 of this Agreement.

2. TIME OF COMPLETION

After this Agreement has been executed by the parties, the CONTRACTOR shall begin work on June 12, 2023 and shall diligently prosecute all of the work under this Agreement in all parts and requirements as defined in the Contract Documents. All work under this Agreement shall be completed no later than July 28, 2023.

3. TOTAL BID PRICE

The CONTRACTOR shall faithfully perform all of the work hereunder for the Contract Price of **Two million one hundred sixty-one thousand, seven hundred fifty-six dollars and seven cents (\$2,161,756.07)**, payable by the CITY to the CONTRACTOR at the time and in the manner provided in the Contract Documents.

#### SCHEDULE OF BID PRICES FOR ANTIOCH CAPE SEAL 2023 PROJECT

Item No.	Unit	Description	Unit Price	Extended Amount
		<b>AREA A: DIAMOND RIDGE AREA</b>		
A1.	LUMP SUM	Mobilization, complete in place for the lump sum price.....	\$ 30,000.00	\$ 30,000.00
A2.	LUMP SUM	Traffic Control, complete in place for the lump sum price.....	\$ 45,000.00	\$ 45,000.00
A3.	LUMP SUM	Water Pollution Control, complete in place for the lump sum price.....	\$ 1,500.00	\$ 1,500.00
A4.	48,953 SY	Micro-Surfacing (Type II), complete in place for the unit price per square yard.....	\$ 3.45	\$ 168,887.85



Item No.	Unit	Description	Unit Price	Extended Amount
A5.	35,895 SY	1/2-inch Polymer Modified Asphalt Rubber (PMAR) Chip Seal, complete in place for the unit price per square yard.....	\$ 5.14	\$ 184,500.30
A6.	LUMP SUM	Thermoplastic Traffic Stripes, Pavement Markers and Pavement Markings, complete in place for the lump sum price.....	\$ 39,000.00	\$ 39,000.00
		<b>SITE A (SUBTOTAL)</b>	<b>\$468,888.15</b>	
		<b>AREA B: BRANDEMERE AREA</b>		
B1.	LUMP SUM	Mobilization, complete in place for the lump sum price.....	\$ 30,000.00	\$ 30,000.00
B2.	LUMP SUM	Traffic Control, complete in place for the lump sum price.....	\$ 45,000.00	\$ 45,000.00
B3.	LUMP SUM	Water Pollution Control, complete in place for the lump sum price.....	\$ 1,500.00	\$ 1,500.00
B4.	44,737 SY	Micro-Surfacing (Type II), complete in place for the unit price per square yard.....	\$ 3.45	\$ 154,342.65
B5.	38,194 SY	1/2-inch Polymer Modified Asphalt Rubber (PMAR) Chip Seal, complete in place for the unit price per square yard.....	\$ 5.14	\$ 196,317.16
B6.	LUMP SUM	Thermoplastic Traffic Stripes, Pavement Markers and Pavement Markings, complete in place for the lump sum price.....	\$ 43,000.00	\$ 43,000.00
		<b>SITE B (SUBTOTAL)</b>	<b>\$470,159.81</b>	
		<b>AREA C: SUNSET AREA</b>		
C1.	LUMP SUM	Mobilization, complete in place for the lump sum price.....	\$ 30,000.00	\$ 30,000.00
C2.	LUMP SUM	Traffic Control, complete in place for the lump sum price.....	\$ 45,000.00	\$ 45,000.00
C3.	LUMP SUM	Water Pollution Control, complete in place for the lump sum price.....	\$ 1,500.00	\$ 1,500.00
C4.	30,901 SY	Micro-Surfacing (Type II), complete in place for the unit price per square yard.....	\$ 3.45	\$ 106,608.45
C5.	27,808 SY	1/2-inch Polymer Modified Asphalt Rubber (PMAR) Chip Seal, complete in place for the unit price per square yard.....	\$ 5.14	\$ 142,933.12
C6.	LUMP SUM	Thermoplastic Traffic Stripes, Pavement Markers and Pavement Markings, complete in place for the lump sum price.....	\$ 48,000.00	\$ 48,000.00

A4

Item No.	Unit	Description	Unit Price	Extended Amount
		<b>SITE C (SUBTOTAL)</b>	<b>\$374,041.57</b>	
		<b>AREA D: ROCKY POINT AREA</b>		
D1.	LUMP SUM	Mobilization, complete in place for the lump sum price.....	\$ 30,000.00	\$ 30,000.00
D2.	LUMP SUM	Traffic Control, complete in place for the lump sum price.....	\$ 45,000.00	\$ 45,000.00
D3.	LUMP SUM	Water Pollution Control, complete in place for the lump sum price.....	\$ 1,500.00	\$ 1,500.00
D4.	50,739 SY	Micro-Surfacing (Type II), complete in place for the unit price per square yard.....	\$ 3.45	\$ 175,049.55
D5.	41,013 SY	1/2-inch Polymer Modified Asphalt Rubber (PMAR) Chip Seal, complete in place for the unit price per square yard.....	\$ 5.14	\$ 210,806.82
D6.	LUMP SUM	Thermoplastic Traffic Stripes, Pavement Markers and Pavement Markings, complete in place for the lump sum price.....	\$ 30,000.00	\$ 30,000.00
		<b>SITE D (SUBTOTAL)</b>	<b>\$492,356.37</b>	
		<b>AREA E: LOPEZ AREA</b>		
E1.	LUMP SUM	Mobilization, complete in place for the lump sum price.....	\$ 30,000.00	\$ 30,000.00
E2.	LUMP SUM	Traffic Control, complete in place for the lump sum price.....	\$ 45,000.00	\$ 45,000.00
E3.	LUMP SUM	Water Pollution Control, complete in place for the lump sum price.....	\$ 1,500.00	\$ 1,500.00
E4.	31,535 SY	Micro-Surfacing (Type II), complete in place for the unit price per square yard.....	\$ 3.45	\$ 108,795.75
E5.	30,353 SY	1/2-inch Polymer Modified Asphalt Rubber (PMAR) Chip Seal, complete in place for the unit price per square yard.....	\$ 5.14	\$ 156,014.42
E6.	LUMP SUM	Thermoplastic Traffic Stripes, Pavement Markers and Pavement Markings, complete in place for the lump sum price.....	\$ 15,000.00	\$ 15,000.00
		<b>SITE E (SUBTOTAL)</b>	<b>\$356,310.17</b>	
<b>TOTAL BID PRICE (sum of AREAS A, B, C, D &amp; E):</b>			<b>\$2,161,756.07</b>	

4. COMPONENT PARTS

This Agreement shall consist of the following documents, each of which is on file in the City of Antioch, Capital Improvements Department, and all of which are incorporated herein by this reference:

- A. Agreement
- B. Project Stabilization Agreement
- C. Notice Inviting Bids
- D. Description of Project
- E. General Conditions (2006 Caltrans Standard Specifications)
- F. Special Provisions
- G. Construction Details
- H. Contract Plans
- I. Addenda No. (N/A)
- J. Performance Bond
- K. Payment bond
- L. Bid Forms

5. SERVICE OF NOTICE

Any notice required or permitted to be given under this Agreement shall be deemed given when personally delivered to recipient thereof or mailed by registered or certified mail, return receipt requested, postage pre-paid, to the appropriate address specified in the CONTRACTOR's bid, and in the case of the CITY, to P. O. Box 5007, Antioch, CA 94531-5007, or at any other address which either party may subsequently designate in writing to the other party.

6. GOVERNING LAW

This Agreement shall be governed and construed in accordance with the laws of the State of California. Any action relating to this Agreement shall be instituted and prosecuted in a court of competent jurisdiction in the State of California. Each party hereby appoints the party listed opposite its name to act as its initial agent for service of process relating to any such action:

CITY: City of Antioch  
Capital Improvements  
200 "H" Street  
P. O. Box 5007  
Antioch, CA 94531-5007

CONTRACTOR: American Pavement Systems, Inc.  
Attn: David Pimley  
1012 11<sup>th</sup> Street, Suite 1000  
Modesto, CA 95354

Ab

Each such agent is hereby authorized and directed to accept service of process in any such action on behalf of his principal until such time as his successor shall have been appointed by his principal and notice thereof has been delivered to the other party in the manner provided herein for the giving of notice.

**CONTRACTOR:**

**AMERICAN PAVEMENT SYSTEMS, INC.**

Name Under Which Business is Conducted

The undersigned certify that they sign this Agreement with full and proper authorization so to do:

\*By: \_\_\_\_\_

Title: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

*\* If CONTRACTOR is a corporation, this Agreement must be executed by two officers of the corporation, consisting of: (1) the President, Vice President, or Chair of the Board; and (2) the Secretary, Assistant Secretary, Treasurer or Chief Financial Officer. In the alternative, this Agreement may be executed by a single officer or a person other than an officer provided that evidence satisfactory to the CITY is provided demonstrating that such individual is authorized to bind the corporation (e.g. – a copy of a certified resolution from the corporation's bylaws).*

**CITY OF ANTIOCH, CALIFORNIA**  
**A Municipal Corporation**

By: \_\_\_\_\_  
Cornelius H. Johnson, City Manager

By: \_\_\_\_\_  
Elizabeth Householder, City Clerk

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Thomas Lloyd Smith, City Attorney



CITY OF ANTIOCH  
TABULATION OF BIDS

JOB TITLE: Antioch Cape Seal Project 2023  
(P.W. 328-13)

BIDS OPENED: February 21, 2023 ~ 2:00 p.m.  
City Council Chambers

	Engineer's Estimate	American Pavement Systems, Inc. Modesto				
TOTAL BID PRICE	\$1,300,000.00	\$2,161,756.07				

LIST OF SUBCONTRACTORS

<i>American Pavement Systems, Inc.</i>				
<u>Thermoplastic Traffic Stripes/Pavement Markers</u> Sierra Traffic Markings, Inc.				

ATTACHMENT "B"

# ATTACHMENT "C"

CITY OF ANTIOCH

ANTIOCH CAPE SEAL PROJECT 2023

Page 1 of 2

AREA	/	LINE	MAIN ROAD	FROM	TO (or NOTES)	LENGTH	WIDTH	CHIP SEAL (SY)	MICROSURFACING (SY)
<b>A Diamond Ridge</b>									
A	-	1	Cache Peak Dr	Dallas Ranch Rd	Golf Course Rd	3,017	37	12,291	12,403
A	-	2	Cougar Peak Way	Cache Peak Way	Belford Peak	368	33	1,336	1,349
A	-	3	Cougar Peak Ct			163	33	-	598
A	-	4	Belford Peak	Cougar Peak Way	Cache Peak	1,025	33	3,720	3,758
A	-	5	Sheffels Peak Ct			340	33	1,234	1,247
A	-	6	Massive Peak Way	Cache Peak Way	Crestone Needle	915	33	3,321	3,355
A	-	7	Crestone Needle Way	Massive Peak	Cache Peak	740	33	2,686	2,713
A	-	8	Hunter Peak Ct			635	33	-	2,328
A	-	9	Blackburn Peak Ct			492	33	-	1,804
A	-	10	Matterhorn Ct			535	33	-	1,962
A	-	11	Matterhorn Way	Cache Peak Way	Crestone Needle	890	33	3,230	3,263
A	-	12	Crestone Needle Way	Matterhorn Way	Cache Peak	565	33	2,051	2,072
A	-	13	Crestone Peak Ct			355	33	-	1,302
A	-	14	Wexler Peak	Golf Course Rd	Cache Peak	1,660	33	6,025	6,087
A	-	15	Snowmass Peak Ct			290	33	-	1,063
A	-	16	Shavano Peak Ct			320	33	-	1,173
A	-	17	Torreys Peak Ct			430	33	-	1,577
A	-	18	Belford Peak Ct			245	33	-	898
<b>AREA SUBTOTAL:</b>								<b>35,895</b>	<b>48,953</b>
<b>B Brandemere</b>									
B	-	1	Burwood Way	Serpentine Dr	Wildflower	2,090	33	7,586	7,663
B	-	2	Wildflower Dr	Deer Valley Rd	Burwood Way	320	39	1,375	1,387
B	-	3	Hastings Ct			185	33	-	678
B	-	4	Eastbourne Ct			205	33	-	752
B	-	5	Barmouth Dr	Davison Dr	Carpenteria Dr	2,590	37	10,552	10,648
B	-	6	Basalt Ct			165	33	-	605
B	-	7	Barmouth Ct			160	33	-	587
B	-	8	Myrtlewood Ct			165	33	-	605
B	-	9	Laurelwood Ct			160	33	-	587
B	-	10	Coyote Ct			355	33	-	1,302
B	-	11	Badger Way	Barmouth Dr	Bluejay Dr	530	33	1,924	1,943
B	-	12	Halite Way	Bluejay Dr	Serpentine Dr	715	33	2,595	2,622
B	-	13	Serpentine Dr	Burwood Way	Davison Dr	1,575	33	5,717	5,775
B	-	14	Basalt Way	Barmouth Dr	Serpentine Dr	915	33	3,321	3,355
B	-	15	Roanwood Ct			205	33	-	752
B	-	16	Bluejay Dr	Barmouth Dr	Burwood Way	1,412	33	5,125	5,177
<b>AREA SUBTOTAL:</b>								<b>38,194</b>	<b>44,437</b>

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AREA	LINE	MAIN ROAD	FROM	TO (or NOTES)	LENGTH	WIDTH	CHIP SEAL (SY)	MICROSURFACING (SY)
<b>C Sunset &amp; Cavallo &amp; Tregallas</b>								
C - 1		Sunset Dr	Cavallo Rd	Bryan Ave	2,200	33	7,985	8,067
C - 2		E. Tregallas Rd	Garrow Dr	Lone Tree Way	2,870	28	8,823	8,929
C - 3		Center Ln			620	33	-	2,273
C - 4		Cavallo Rd	Garrow Dr	18th St	2,700	37	11,000	11,100
C - 5		Nora Lee Ct			145	33	-	532
<b>AREA SUBTOTAL:</b>							<b>27,808</b>	<b>30,901</b>
<b>D Rocky Point Area</b>								
D - 1		Rockford Dr	Eagleridge Dr	Bluerock Dr	1,960	37	7,985	8,058
D - 2		Rocky Point Dr	Rockford Dr	Deer Valley Rd	2,655	37	10,817	10,915
D - 3		Flintrock Dr	Rocky Point Dr	Rockford Dr	1,015	33	3,684	3,722
D - 4		Clay Ct.			392	33	-	1,437
D - 5		Redstone Ct.			215	33	-	788
D - 6		Stoney Ct.			190	33	-	697
D - 7		Limestone Dr.	Bluerock Dr	Rocky Point Dr	1,405	33	5,100	5,152
D - 8		Rock Ct.			245	33	-	898
D - 9		Jarosite Ct.			375	33	-	1,375
D - 10		Hawk Ct.			150	33	-	550
D - 11		Moraine Ct.	Hailstone	End	350	33	-	1,283
D - 12		Moraine Way	Hailstone	End	1,080	33	3,920	3,960
D - 13		Hailstone Way	Moraine Way	Caldera Way	695	33	2,523	2,548
D - 14		Caldera Way	Hailstone Way	Moraine Way	1,007	33	3,655	3,692
D - 15		Felsite Ct.			155	33	-	568
D - 16		Niccolite Ct.			245	20	-	544
D - 17		Bole Ct.			140	41	-	638
D - 18		Bedrock Ct.	Caldera Way	End	150	33	-	550
D - 19		Bedrock Way	Caldera Way	End	620	33	2,250	2,273
D - 20		Barmouth Dr.	Rockford Dr	Carpenteria Dr	265	37	1,080	1,089
<b>Area Subtotal:</b>							<b>41,013</b>	<b>50,739</b>
<b>E Lopez Area</b>								
E - 1		Lucena Way	Buchana Rd	Carmona Way	1,830	37	7,456	7,523
E - 2		Anza Ct	Lucena Way	End	240	33	-	880
E - 3		Carmona Way	Lucena Way	Lopez Dr	1,685	33	6,117	6,179
E - 4		Lopez Dr	Gentrytown Dr	Carmona Way	1,536	33	5,575	5,632
E - 5		Seville Cir	Lopez Dr	Lopez Dr	2,365	33	8,584	8,672
E - 6		Petar Pl	Lopez Dr	End	722	33	2,622	2,648
<b>AREA SUBTOTAL:</b>							<b>30,353</b>	<b>31,535</b>
<b>GRAND TOTAL:</b>							<b>173,263</b>	<b>206,564</b>

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CITY OF  
**ANTIOCH**  
CALIFORNIA

**STAFF REPORT TO THE CITY COUNCIL**

**DATE:** Regular Meeting of March 14, 2023

**TO:** Honorable Mayor and Members of the City Council

**SUBMITTED BY:** Lori Medeiros, Administrative Analyst I *fm*

**APPROVED BY:** Scott Buenting, Interim Public Works Director/City Engineer *SB*

**SUBJECT:** Second Amendment to the Agreement with TJKM Transportation Consultants for Design Consulting Services; PW 282-20

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**RECOMMENDED ACTION**

It is recommended that the City Council adopt the resolution:

- 1) Approving an amendment to the fiscal year 2022/23 Operating Budget to increase the funding from Gas Tax Funds for the development of three Highway Safety Improvement Program grant applications in the amount of \$45,000;
- 2) Approving the second amendment with TJKM Transportation Consultants in the amount of \$45,000 for a total contract amount of \$116,989.22 in substantially the form attached as Exhibit "1" to the Resolution (Attachment "A"); and
- 3) Authorizing the City Manager to execute the second amendment to the Agreement with TJKM Transportation Consultants.

**FISCAL IMPACTS**

Adoption of this resolution will amend the fiscal year 2022/23 Operating Budget to increase the funding from Gas Tax Funds in the amount of \$45,000 and increase the Agreement with TJKM Transportation Consultants ("TJKM") for developing three (3) Highway Safety Improvement Program grant applications in the amount of \$45,000 for a total amount of \$116,989.22.

**DISCUSSION**

On January 9, 2020, the City was awarded grant funding through the Highway Safety Improvement Program ("HSIP") to assist the City in developing the Local Roadway Safety Plan ("LRSP"). On September 8, 2020, the City Council approved a Design Consulting Services Agreement ("Agreement") with TJKM in the amount of \$71,989.22 for the design of the LRSP, which included the development of a plan to improve the City's transportation safety by systematically reducing fatalities and severe injuries attributed to roadway collisions. The LRSP fulfilled the City's transportation safety needs and

strategies and has provided an opportunity for the City to apply for the federal HSIP funds. On August 9, 2022, the plan was adopted by the City Council.

Staff is recommending the City Council approve this second amendment to the Agreement with TJKM to develop three Highway Safety Improvement Program grant applications for:

1. Upgrading signal hardware, install pedestrian countdown signals and to install advanced limit lines and bicycle boxes for 69 signalized intersections along multiple roadway segments;
2. Install pedestrian-hybrid signals to enhance pedestrian and bicycle safety at three trail crossing intersections at Delta de Anza Trail at James Donlon Blvd., Delta de Anza Trail at Lone Tree Way and Canada Valley Trail at Hillcrest Avenue; and
3. Install a pedestrian-hybrid signal at the crosswalk located on West 18<sup>th</sup> Street between Antioch High School and the high school parking lot to enhance pedestrian and bicycle safety.

#### **ATTACHMENTS**

##### **A. Resolution**



**ATTACHMENT "A"**

**RESOLUTION NO. 2023/\*\***

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH  
APPROVING AN AMENDMENT TO INCREASE THE FISCAL YEAR 2022/23  
OPERATING BUDGET AND AUTHORIZING THE CITY MANAGER TO EXECUTE A  
SECOND AMENDMENT TO THE AGREEMENT WITH TJKM TRANSPORTATION  
CONSULTANTS FOR DESIGN CONSULTING SERVICES  
P.W. 282-20**

**WHEREAS**, on January 9, 2020, the City was awarded grant funding through the Highway Safety Improvement Program to assist the City in developing the Local Roadway Safety Plan ("LRSP");

**WHEREAS**, on September 8, 2020, the City Council approved a Design Consulting Services Agreement ("Agreement") with TJKM Transportation Consultants ("TJKM") in the amount of \$71,989.22 for the design of the LRSP;

**WHEREAS**, on March 14, 2023, the City Council considered an amendment to the fiscal year 2022/23 Operating Budget to increase the funding from Gas Tax Funds for the development of three Highway Safety Improvement Program applications in the amount of \$45,000; and

**WHEREAS**, on March 14, 2023, the City Council considered this second amendment with TJKM in the amount of \$45,000 for a total contract amount of \$116,989.22 in substantially the form attached as Exhibit "1" and authorizes the City Manager to execute the second amendment to the Agreement.

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

1. Approves an amendment to the fiscal year 2022/23 Operating Budget to increase the funding from Gas Tax Funds for the development of three Highway Safety Improvement Program applications in the amount of \$45,000;
2. Approves the second amendment with TJKM Transportation Consultants in the amount of \$45,000 for a total contract amount of \$116,989.22 in substantially the form attached as Exhibit "1"; and
3. Authorizes the City Manager to execute the second amendment to the Agreement with TJKM Transportation Consultants.

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**RESOLUTION NO. 2023/\*\***

March 14, 2023

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\* \* \* \* \*

**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 14th day of March 2023, by the following vote:

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

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**ELIZABETH HOUSEHOLDER  
CITY CLERK OF THE CITY OF ANTIOCH**

A2



## **EXHIBIT "1"**

**AMENDMENT NO. 2 TO AGREEMENT**  
**WITH TJKM TRANSPORTATION CONSULTANTS FOR THE LOCAL ROADWAY**  
**SAFETY PLAN AND THE FILING OF THREE HIGHWAY SAFETY IMPROVEMENT**  
**PROGRAM (HSIP) APPLICATIONS**  
**P.W. 282-20**

**THIS SECOND AMENDMENT TO THE AGREEMENT FOR CONSULTANT SERVICES** is entered into this 14<sup>th</sup> day of March 2023, by and between the CITY OF ANTIOCH, a municipal corporation ("City") and TJKM TRANSPORTATION CONSULTANTS, their address is 4305 Hacienda Drive, Suite 550, Pleasanton, CA 94588 ("Consultant").

### **R E C I T A L S**

**WHEREAS**, on September 8, 2020, TJKM Transportation Consultants entered into an Agreement for Design Consulting Services for the Local Roadway Safety Plan ("Agreement") in the amount of \$71,989.22;

**WHEREAS**, on March 18 2022, City extended the term of the agreement to June 30, 2023; and

**WHEREAS**, on March 14, 2023, the City Council approved the second amendment to the Agreement with TJKM Transportation Consultants for Design Consulting Services for the Local Roadway Safety Plan ("Agreement") and the filing of three Highway Safety Improvement Program (HSIP) applications in the amount of \$45,000 for a total amount of \$116,989.22.

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

**1. Section 1 "SERVICES" the first paragraph shall be amended to read as follows:**

"Subject to the terms and conditions set forth in this Agreement, Consultant shall furnish all technical and professional services including labor, materials, equipment, transportation, supervision, and expertise to provide to City the services described in the Scope of Work attached as Exhibit A to the Agreement, Amendment No. 1 and Exhibit A to Amendment No. 2 of the Agreement at the time and place and in the manner specified therein ("Services"). In the event of a conflict in or inconsistency between the terms of this Agreement and the Exhibits, the Agreement shall prevail."

A3

2. Section 2 "COMPENSATION" the first sentence shall be amended to read as follows:

"City hereby agrees to pay Consultant a sum not to exceed **One hundred sixteen thousand, nine hundred eighty-nine dollars and twenty-two cents (\$116,989.22)**, notwithstanding any contrary indications that may be contained in Consultant's proposal, for services to be performed and reimbursable costs incurred under this Agreement."

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

CITY OF ANTIOCH:

TJKM TRANSPORTATION CONSULTANTS

By: \_\_\_\_\_  
Cornelius H. Johnson, City Manager

By: \_\_\_\_\_  
Nayan Amin, President

ATTEST:

\_\_\_\_\_  
Elizabeth Householder, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Thomas Lloyd Smith, City Attorney

AF



## EXHIBIT "A"

August 15, 2022

Charmine Solla, PE, TE, PTOE, PMP  
Traffic Engineering Manager  
City of Antioch  
Phone: (510) 239-9728  
Email: csolla@interwestgrp.com

**Subject: Scope of Work for preparation of HSIP Grant Applications**

Dear Charmine

TJKM Transportation Consultants is pleased to submit our Scope of Work and Level of Effort to City of Antioch for preparation of HSIP Grant Applications. TJKM understands that City of Antioch is seeking assistance for preparation of HSIP Cycle 11 Grant Applications. These grant applications will have the potential to fund critical projects to enhance safety and operations for all modes of transportation within the City of Antioch. TJKM will assist City of Antioch to prepare grant application for Signal System Upgrade project.

Our approach to each application is based on our team's experience. We believe some of the most critical components to successfully obtaining grant funding that we will follow are:

- **Project Scoping**
- **Narrative Writing**
- **Supporting Documentation**

Upon execution of the contract, TJKM proposes to meet with City staff to discuss upcoming projects with grant funding needs, in order to determine the best strategy for obtaining funding. Each application will include the following elements:

- **Project Scoping:** We will meet with City staff to determine the scope of the project applying for funds and subsequently prepare narratives, cost estimates, and conceptual drawings for the grant application. Our highly skilled engineers and planners will collaborate to ensure the project is appropriately scoped. It is assumed that City will have all the required inventory to support the project. For any reason, if City needs TJKM support to collect the inventory TJKM will provide level of effort in consensus with the City.
- **Narrative Writing:** Our team members, has experience working with HSIP Grant Applications. We understands how to craft a good narrative to demonstrate a project's need and make it stand out.
- **Grant Attachments:** We will prepare any applicable grant attachments, such as maps, collect collision diagrams from City or prepare from TIMS that available on the portal, conceptual drawings, existing conditions pictures, letters of support, etc.
- **Grant Submittal:** Our team will package each grant application in the required format, and if desired, submit it to the City.

AS



Based on our experience with preparation of HSIP grant applications, the level of effort for the preparation of three (3) HSIP Cycle 11 Grant Applications is \$45,000.

Please feel free to let me know if you have any questions or concerns. We look forward working with you on this project.

Yours truly,

A handwritten signature in blue ink, appearing to read "Ruta Jariwala", with a stylized flourish at the end.

Ruta Jariwala  
Principal  
TJKM Transportation Consultants

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## STAFF REPORT TO THE CITY COUNCIL

**DATE:** Regular Meeting of March 14<sup>th</sup>, 2023

**TO:** Honorable Mayor and Members of the City Council

**SUBMITTED BY:** Christine Raposo, Public Works Technician

**APPROVED BY:** Scott Buenting, Interim Public Works Director/City Engineer 

**SUBJECT:** Resolution Designating Authorized Agents of the City of Antioch for California Governor's Office of Emergency Services (Cal-OES) and FEMA Public Assistance Grants and Approving Cal OES Form 130

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### **RECOMMENDED ACTION**

It is recommended that the City Council adopt a resolution designating the Public Works Director, Finance Director, and City Manager as authorized agents to execute documents and/or agreements on behalf of the City of Antioch for the purpose of obtaining disaster public assistance grants from Cal-OES and FEMA approving the corresponding Cal-OES Form 130.

### **FISCAL IMPACT**

If a current Designation of Subrecipient's Agent Resolution (Cal OES Form 130) is not on file with the Cal-OES, the City will be ineligible to apply for reimbursement under any future public assistance grants available for declared disasters. FEMA mandates current designations as a condition of qualifying for Cal-OES public assistance grants.

### **DISCUSSION**

On January 14, 2023, a declaration of state and local emergency was declared by California. This declaration allowed for federal funding to be available to specific areas designated under FEMA-4683-DR-CA. As a result, the City of Antioch Public Works Department submitted the preliminary request for funding.

During the time period of December 27, 2022, through January 31, 2023, the City of Antioch sustained damages to properties and infrastructure. Some required immediate repair and some are awaiting repair and funding. The Public Works department has been tracking expenditures for staffing, equipment, tasks, and outside vendors in order to be possibly reimbursed at a future date by Cal-OES and/or FEMA.

Cal-OES requires a Designation of Subrecipient's Agent Resolution for Non-State Agencies to be on file for the purpose of obtaining certain federal financial assistance



under Public Law 93-288 as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, and/or state financial assistance under the California Disaster Assistance Act. A new Designation of Applicant's Agent Resolution for Non-State Agencies is required in the previously submitted document is older than (3) years from the last date of approval, changes are required to the name and/or title of authorized agents or one is not on file. The City of Antioch's current resolution is dated April 14, 2020; however, with its upcoming expiration date, and out of date representatives, it will need to be updated. The current disaster requirements require that the City of Antioch submit this form by March 18, 2023, to be able to begin the funding process for disaster relief.

The attached resolution designates the Public Works Director, Finance Director, and City Manager as authorized Agents for the City for FEMA Disaster DR-4683 and Cal-OES CDAA 2023-01.

#### **ATTACHMENTS**

- A. Resolution
  - a. Exhibit A – OES-FPD-130
- B. Original 4/14/20 Resolution
  - a. Exhibit A – Cal-OES Form 130

**ATTACHMENT "A"**

**RESOLUTION NO. 2023/xxx**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH  
DESIGNATING THE PUBLIC WORKS DIRECTOR, FINANCE DIRECTOR AND CITY  
MANAGER AS AUTHORIZED AGENTS TO EXECUTE DOCUMENTS AND/OR  
AGREEMENTS ON BEHALF OF THE CITY OF ANTIOCH FOR THE PURPOSE OF  
OBTAINING DISASTER PUBLIC ASSISTANCE GRANTS FROM CAL-OES AND  
FEMA AND APPROVING THE CORRESPONDING CAL-OES FORM 130**

**WHEREAS**, from December 27<sup>th</sup> through January 31<sup>st</sup> the state of California experienced Severe Winter Storms, Flooding, Landslides and Mudslides which damaged property, threatened lives, and destroyed facilities;

**WHEREAS**, on January 4<sup>th</sup>, 2023, California Governor Gavin Newsom proclaimed a state of Emergency in California as a result of damages sustained by the storms;

**WHEREAS**, on January 10<sup>th</sup>, 2023, the Contra Costa County Administrator Monica Nino proclaimed a local emergency;

**WHEREAS**, on January 12<sup>th</sup>, 2023, pursuant to Section 4-2.06(A)(1) of the Antioch Municipal Code, the Director of Emergency Services proclaimed a local emergency;

**WHEREAS**, in order to be eligible to receive federal and/or state disaster public assistance grants for this or any future emergency under Public Law 93-288 as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988 and/or under the California Disaster Assistance Act, the City much designate authorized agents to act on its behalf and file a Cal-OES form 130, which will be valid for 3yrs;

**WHEREAS**, the City of Antioch last filed a Cal-OES form 130 on 4/14/2020 and the form is expiring, and titles are in need of update.

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

1. Designates the Public Works Director, Finance Director and City Manager as authorized agents to execute documents and/or agreements in a form approved by the City Attorney on behalf of the City of Antioch for the purpose of obtaining disaster public assistance grants from Cal-OES and FEMA; and
2. Approve Cal-OES Form 130 hereto attached.

\* \* \* \* \*

AI

**RESOLUTION NO. 2023/xxx**

March 14, 2023

Page 2

**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 14th day of March 2023, by the following vote:

**AYES:**

**NOES:**

**ABSTAINED:**

**ABSENT:**

\_\_\_\_\_  
**LAMAR A. THORPE**  
**MAYOR OF THE CITY OF ANTIOCH**

**ATTEST:**

\_\_\_\_\_  
**ELIZABETH HOUSEHOLDER**  
**CITY CLERK OF THE CITY OF ANTIOCH**

A2

EXHIBIT "A"



STATE OF CALIFORNIA  
CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES  
**DESIGNATION OF APPLICANT'S AGENT RESOLUTION**  
**NON-STATE AGENCIES**  
OES-FPD-130 (Rev. 10-2022)

RECOVERY DIRECTORATE  
FINANCIAL PROCESSING DIVISION

Cal OES ID No: \_\_\_\_\_

**DESIGNATION OF APPLICANT'S AGENT RESOLUTION FOR NON-STATE AGENCIES**

BE IT RESOLVED BY THE City Council OF THE City of Antioch  
(Governing Body) (Name of Applicant)

THAT Public Works Director, OR  
(Title of Authorized Agent)  
Finance Director, OR  
(Title of Authorized Agent)  
City Manager  
(Title of Authorized Agent)

is hereby authorized to execute for and on behalf of the City of Antioch,  
(Name of Applicant)

a public entity established under the laws of the State of California, this application and to file it with the California Governor's Office of Emergency Services for the purpose of obtaining federal financial assistance for any existing or future grant program, including, but not limited to any of the following:

- **Federally declared Disaster (DR), Fire Mitigation Assistance Grant (FMAG), California State Only Disaster (CDAA), Immediate Services Program (ISP), Hazard Mitigation Grant Program (HMGP), Building Resilient Infrastructure and Communities (BRIC), Legislative Pre-Disaster Mitigation Program (LPDM),** under
- Public Law 93-288 as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, and/or state financial assistance under the California Disaster Assistance Act.
- **Flood Mitigation Assistance Program (FMA),** under Section 1366 of the National Flood Insurance Act of 1968.
- **National Earthquake Hazards Reduction Program (NEHRP)** 42 U.S. Code 7704 (b) ((2) (A) (ix) and 42 U.S. Code 7704 (b) (2) (B) National Earthquake Hazards Reduction Program, and also The Consolidated Appropriations Act, 2018, Div. F, Department of Homeland Security Appropriations Act, 2018, Pub. L. No. 115-141
- **California Early Earthquake Warning (CEEW)** under CA Gov Code – Gov, Title 2, Div. 1, Chapter 7, Article 5, Sections 8587.8, 8587.11, 8587.12

That the City of Antioch,  
(Name of Applicant)

laws of the State of California, hereby authorizes its agent(s) to provide to the Governor's Office of Emergency Services for all matters pertaining to such state disaster assistance the assurances and agreements required.

A3





STATE OF CALIFORNIA  
CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES  
**DESIGNATION OF APPLICANT'S AGENT RESOLUTION**  
**NON-STATE AGENCIES**  
OES-FPD-130 (Rev. 10-2022)

RECOVERY DIRECTORATE  
FINANCIAL PROCESSING DIVISION

**Please check the appropriate box below**

- ☐ This is a universal resolution and is effective for all open and future disasters/grants declared up to three (3) years following the date of approval.
- ☒ This is a disaster/grant specific resolution and is effective for only disaster/grant number(s): FEMA-4683-DR-CA/CDA 2023-01

Passed and approved this 14<sup>th</sup> day of March, 2023

\_\_\_\_\_  
(Name and Title of Governing Body Representative)

\_\_\_\_\_  
(Name and Title of Governing Body Representative)

\_\_\_\_\_  
(Name and Title of Governing Body Representative)

**CERTIFICATION**

I, Elizabeth Householder, duly appointed and City Clerk of  
(Name) (Title)

City of Antioch, do hereby certify that the above is a true and  
(Name of Applicant)

correct copy of a resolution passed and approved by the City Council  
(Governing Body)

of the City of Antioch on the 14<sup>th</sup> day of March, 2023.  
(Name of Applicant)

\_\_\_\_\_  
(Signature)

City Clerk  
(Title)

A4





### Cal OES Form 130 Instructions

**A Designation of Applicant's Agent Resolution for Non-State Agencies is required of all Applicants to be eligible to receive funding. A new resolution must be submitted if a previously submitted resolution is older than three (3) years from the last date of approval, is invalid, or has not been submitted.**

When completing the Cal OES Form 130, Applicants should fill in the blanks on pages 1 and 2. The blanks are to be filled in as follows:

#### Resolution Section:

**Governing Body:** This is the group responsible for appointing and approving the Authorized Agents.

Examples include: Board of Directors, City Council, Board of Supervisors, Board of Education, etc.

**Name of Applicant:** The public entity established under the laws of the State of California.

Examples include: School District, Office of Education, City, County or Non-profit agency that has applied for the grant, such as: City of San Diego, Sacramento County, Burbank Unified School District, Napa County Office of Education, University Southern California.

**Authorized Agent:** These are the individuals that are authorized by the Governing Body to engage with the Federal Emergency Management Agency and the California Governor's Office of Emergency Services regarding grants for which they have applied. There are two ways of completing this section:

1. **Titles Only:** The titles of the Authorized Agents should be entered here, not their names. This allows the document to remain valid if an Authorized Agent leaves the position and is replaced by another individual. If "Titles Only" is the chosen method, this document must be accompanied by either a cover letter naming the Authorized Agents by name and title, or the Cal OES AA Names document. The supporting document can be completed by any authorized person within the Agency (e.g., administrative assistant, the Authorized Agent, secretary to the Director). It does not require the Governing Body's signature.
2. **Names and Titles:** If the Governing Body so chooses, the names **and** titles of the Authorized Agents would be listed. A new Cal OES Form 130 will be required if any of the Authorized Agents are replaced, leave the position listed on the document, or their title changes.

AS



**Checking Universal or Disaster-Specific Box:** A Universal resolution is effective for all past disasters and for those declared up to three (3) years following the date of approval. Upon expiration it is no longer effective for new disasters, but it remains in effect for disasters declared prior to expiration. It remains effective until the disaster goes through closeout unless it is superseded by a newer resolution.

**Governing Body Representative:** These are the names and titles of the approving Board Members.

Examples include: Chairman of the Board, Director, Superintendent, etc. The names and titles **cannot** be one of the designated Authorized Agents. A minimum of three (3) approving board members must be listed. If less than three are present, meeting minutes must be attached in order to verify a quorum was met.

**Certification Section:**

**Name and Title:** This is the individual in attendance who recorded the creation and approval of this resolution.

Examples include: City Clerk, Secretary to the Board of Directors, County Clerk, etc. This person **cannot** be one of the designated Authorized Agents or Approving Board Member. If a person holds two positions (such as City Manager and Secretary to the Board) and the City Manager is to be listed as an Authorized Agent, then that person could sign the document as Secretary to the Board (not City Manager) to eliminate "Self-Certification."

AG

ATTACHMENT "B"



STAFF REPORT TO THE CITY COUNCIL

**DATE:** Regular Meeting of April 14, 2020

**TO:** Honorable Mayor and Members of the City Council

**SUBMITTED BY:** Dawn Merchant, Finance Director *DM*

**SUBJECT:** Resolution Designating Authorized Agents of the City of Antioch for California Governor's Office of Emergency Services (Cal OES) and FEMA Public Assistance Grants and Approving Cal OES Form 130

---

**RECOMMENDED ACTION**

It is recommended that the City Council adopt a resolution designating the City Manager, Finance Director and Administrative Services Director as authorized agents to execute documents and/or agreements on behalf of the City of Antioch for the purpose of obtaining disaster public assistance grants from Cal OES and FEMA and approving the corresponding Cal OES Form 130.

**FISCAL IMPACT**

If a current Designation of Subrecipient's Agent Resolution (Cal OES Form 130) is not on file with the Cal OES, the City will be ineligible to apply for reimbursement under any future public assistance grants available for declared disasters. FEMA mandates current designations as a condition of qualifying for Cal OES public assistance grants.

**DISCUSSION**

With the declaration of a national, state and local emergency due to the coronavirus, the City has begun tracking expenditures for staffing, equipment and tasks in order to possibly be reimbursed as a future date by Cal OES and/or FEMA.

Cal OES requires a Designation of Subrecipient's Agent Resolution for Non-State Agencies to be on file for the purpose of obtaining certain federal financial assistance under Public Law 93-288 as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, and/or state financial assistance under the California Disaster Assistance Act. A new Designation of Applicant's Agent Resolution for Non-State Agencies is required if the previously submitted document is older than three (3) years from the last date of approval, changes are required to the name and/or title of authorized agents or one is not on file. The City of Antioch does not have a current resolution on file with Cal OES. The attached resolution designates the City Manager, Finance Director, and the Administrative Services Director as authorized agents for the City.

L  
Agenda Item #

*BI*



**ATTACHMENTS**

A. Resolution

- a. Exhibit A – Cal OES Form 130

B2

**ATTACHMENT A**

**RESOLUTION NO. 2020/\*\***

**RESOLUTION DESIGNATING THE CITY MANAGER, FINANCE DIRECTOR AND ADMINISTRATIVE SERVICES DIRECTOR AS AUTHORIZED AGENTS TO EXECUTE DOCUMENTS AND/OR AGREEMENTS ON BEHALF OF THE CITY OF ANTIOCH FOR THE PURPOSE OF OBTAINING DISASTER PUBLIC ASSISTANCE GRANTS FROM CAL OES AND FEMA AND APPROVING THE CORRESPONDING CAL OES FORM 130.**

**WHEREAS**, governments and public health professionals around the world have detected and are actively responding to the outbreak of the novel coronavirus disease 2019 (the "**Coronavirus**" or "**COVID-19**"), a potentially life-threatening infectious disease that causes respiratory illness with fever, coughing, and/or difficulty breathing and for which there is currently no known natural immunity or vaccine;

**WHEREAS**, on January 30, 2020, the International Health Regulations Emergency Committee of the World Health Organization declared the Coronavirus outbreak a public health emergency of international concern;

**WHEREAS**, on March 4, 2020, California Governor Gavin Newsom proclaimed a state of emergency in California as a result of the threat of the Coronavirus;

**WHEREAS**, on March 10, 2020, Contra Costa County proclaimed a local emergency caused by the introduction of Coronavirus and its contribution to the shortage of essential health care supplies;

**WHEREAS**, on March 13, 2020, the President of the United States declared a national emergency due to the Coronavirus;

**WHEREAS**, on March 16, 2020, pursuant to California Health and Safety Code sections 101040 and 120175, seven health officers within six Bay Area counties, including Contra Costa County, issued a legal order directing their respective residents to shelter at home for three weeks beginning March 17, 2020 in an effort to reduce and slow the spread of the Coronavirus by limiting activity, travel and business functions to only the most essential needs;

**WHEREAS**, on March 17, 2020, pursuant to Section 4-2.06(A)(1) of the Antioch Municipal Code, the Director of Emergency Services proclaimed a local emergency;

**WHEREAS**, on March 24, 2020 the City Council of the City of Antioch ratified the proclamation of the Director of Emergency services and proclaimed that a local emergency exists and shall continue to exist in the City of Antioch until the City Council resolves that the local emergency is terminated; and

**WHEREAS**, in order to be eligible to receive federal and/or state disaster public assistance grants for this or any future emergency under Public Law 93-288 as amended

B3



by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988 and/or under the California Disaster Assistance Act, the City must designate authorized agents to act on its behalf and file a Cal OES Form 130 which will be valid for three (3) years.

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

1. Designates the City Manager, Finance Director and Administrative Services Director as authorized agents to execute documents and/or agreements in a form approved by the City Attorney on behalf of the City of Antioch for the purpose of obtaining disaster public assistance grants from Cal OES and FEMA; and
2. Approves Cal OES Form 130 hereto attached.

\* \* \* \* \*

**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 14th day of April 2020, by the following vote:

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

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

BH

**DESIGNATION OF SUBRECIPIENT'S AGENT RESOLUTION**  
**Hazard Mitigation Grant Program and Pre-Disaster Mitigation Program**

BE IT RESOLVED BY THE City Council OF THE City of Antioch  
(Governing Body) (Name of Applicant)

THAT City Manager, OR  
(Title of Authorized Agent)

Finance Director, OR  
(Title of Authorized Agent)

Administrative Services Director  
(Title of Authorized Agent)

is hereby authorized to execute for and on behalf of the City of Antioch, a public entity  
(Name of Subrecipient)

established under the laws of the State of California, this application and to file it with the California Governor's Office of Emergency Service, for the purpose of obtaining certain federal financial assistance under Public Law 93-288 as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, and/or state financial assistance under the California Disaster Assistance Act.

THAT the City of Antioch, a public entity established under the laws of the State of California,  
(Name of Subrecipient)  
hereby authorizes its agent(s) to provide to the California Governor's Office of Emergency Service for all matters pertaining to such state disaster assistance the assurances and agreements required.

Please check the appropriate box below:

☒ This is a universal resolution and is effective for all open and futures Disasters/Grants up to three (3) years following the date of approval below.

☐ This is a Disaster/Grant specific resolution and is effective for only Disaster/Grant name/number(s) \_\_\_\_\_

Passed and approved this 14th day of April, 2020

Sean Wright, Mayor  
(Name and Title of Governing Body Representative)

Joy Motts, Mayor Pro Tem  
(Name and Title of Governing Body Representative)

\_\_\_\_\_  
(Name and Title of Governing Body Representative)

**CERTIFICATION**

I, Arne Simonsen, duly appointed and City Clerk of  
(Name) (Title)

City of Antioch, do hereby certify that the above is a true and correct copy of a  
(Name of Applicant)

Resolution passed and approved by the City Council of the City of Antioch  
(Governing Body) (Name of Applicant)

on the 14th day of April, 2020.

\_\_\_\_\_  
(Signature)

City Clerk  
(Title)

BS



## STAFF REPORT TO THE CITY COUNCIL

**DATE:** Regular Meeting of March 14, 2023

**TO:** Honorable Mayor and Members of the City Council

**SUBMITTED BY:** Zoe Merideth, Senior Planner - *KS for ZM*

**APPROVED BY:** Forrest Ebbs, Community Development Director - *KS for FE*

**SUBJECT:** Appeal of the Planning Commission Approval of the Somersville Liquor Store Use Permit

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### **RECOMMENDED ACTION**

It is recommended that the City Council adopt the resolution:

- Denying the appeal and **approving the use permit** with Exhibit A: Conditions of Approval (Attachment A)
- **or**
- Granting the appeal and **denying the use permit** (Attachment B)

### **FISCAL IMPACT**

There are no direct fiscal impacts incurred by the City for this project. A new business would generate sales tax revenue for the City.

### **DISCUSSION**

On October 12, 2022, Gurmej Singh applied for a Use Permit to operate a new liquor store at 2651 Somersville Road (APN 076-432-025). The application was reviewed by City staff, including the Antioch Police Department, and outside agencies, and was forwarded to the Planning Commission for consideration.

On February 15, 2023, the Planning Commission voted 4-3 to approve the Use Permit for the liquor store. The approval included operational and development conditions recommended by staff and amended by the Planning Commission. Specifically, the Planning Commission reduced the hours of operation from 7 am to 12 am to 7am to 10pm, and limited alcohol storage and sales to 25% of the overall floor area. The Planning Commission received written comments and spoken comments on the item. The written correspondence is included as Attachment H. The video of the meeting, containing the spoken comments, is available at: <https://www.antiochca.gov/community-development->

[department/planning-division/planning-commission-meetings/02-15-23/](#) . The hearing is Item 7-3.

On February 23, 2023, an appeal of the Planning Commission's decision was filed with the City Clerk by Kathryn Wade (Attachment C).

### Environmental Review

This proposed project is Categorically Exempt from the California Environmental Quality Act (CEQA) under Article 19, Section 15332 Infill Development as it meets the required conditions. The site contains 2.02 acres, is fully developed with a commercial center and parking lot, and is served by existing utilities, public services and surrounded by urban uses.

### Project Description

The 2.02-acre project site is currently developed as a commercial shopping center with an adjacent parking lot. According to the application, the store would sell beer, wine, liquor, drinks, snacks, and similar items. The applicant proposed to operate the store from 7am to 12am, 7 days a week. The applicant stated that four employees would work at the store. The store would not be permitted to sell any tobacco products under AMC 9-5.3843. This prohibition is restated in Condition of Approval #21.

### Zoning

The 2.02-acre project site is zoned Regional Commercial (C-3), is located in the Western Antioch Commercial General Plan Focus Area and has a Land Use Designation of Regional Commercial.

A Use Permit is required for the operation of a Liquor Store in the C-3 Zoning District. Liquor stores are further subject to the provisions of Antioch Municipal Code (AMC) Section 9-5.3831 that establishes a 500-foot separation from a proposed liquor establishment to another liquor establishment, or to a school, public park, playground, recreational center, day care center, or other similar use. Exceptions are offered to retail markets over 10,000 square feet in size, restaurants primarily serving meals, and special events. The proposed location satisfies the requirements of AMC 9-5.3831.



A Use Permit is also required for the operation of a Convenience Store in the C-3 Zoning District. A Convenience Store is defined as "an establishment with a sales area of 5,000 square feet or less which sells primarily food, household, and personal convenience



items". Even absent the sale of alcohol, this business requires a Use Permit as a Convenience Store.

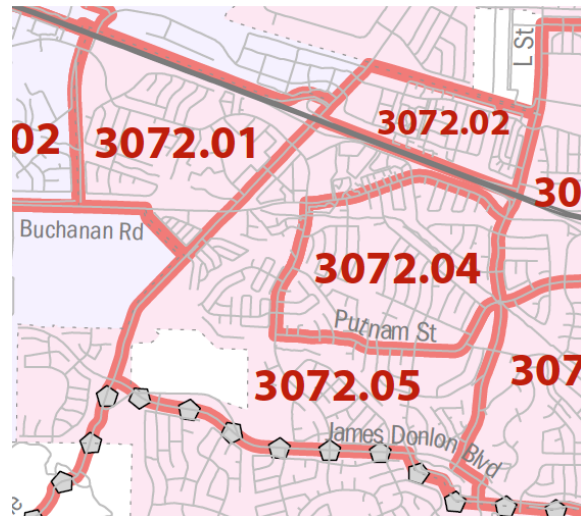
#### State of California, Department of Alcohol Beverage Control (ABC)

The sale of alcohol is regulated by the State of California through the Department of Alcohol Beverage Control (ABC). The retail sale of alcoholic beverages for consumption off-site is described as "Off-Sale" and requires the issuance of a specific license. A Type 21 license is required for the sale of liquor, beer and wine, such as is proposed for this location. Minors are allowed in premises with Type 21 licenses.

When considering an application for a Type 21 license, ABC must first determine whether the proposed site is in an area that is "unduly concentrated". First, ABC considers the number of similar license types relative to the population within the census tract. Should this resident-per-license standard exceed that of the underlying county, the site and area are considered to be unduly concentrated. Second, if the location is found to be in a high crime reporting district where there is 20% more crime than the average of all local reporting districts, it be found to be unduly concentrated. The City of Antioch has not recently used this standard.

If the site is found to be unduly concentrated, ABC will not approve the license unless the local agency provides a finding of "public convenience and necessity" explicitly allowing the additional license in the unduly concentrated area.

The site is located within Census Tract 3072.05, which currently has three other off-sale Type 21 licenses and a population of 8,483. The current ratio is one outlet for each 2,828 persons. This fourth outlet would create a ratio of one outlet for each 2,121 persons. The average for Contra Costa County is one outlet for each 1,773 persons. As such, the location is not considered unduly concentrated based on outlets per resident and a finding of public convenience and necessity is not required.



The other outlets in Census Tract 3072.05 are as follows:

- 7-Eleven, 2301 Buchanan Road
- ampm, 2610 Contra Loma Boulevard
- Wine & Liquor, 2958 Delta Fair Boulevard

#### Appeal

AMC section 9-5.2509(A) states, "Any decision made by the Planning Commission which would otherwise constitute final approval or denial may be appealed to the Council. Such an appeal shall be in writing and shall be filed with the City Clerk within five working days



after the decision. The day the decision is made shall not count in the calculation of the time period. The term WORKING DAY shall mean days upon which the City Hall is open for business and shall exclude weekends and holidays observed by employees in the City Hall. An appeal of the Planning Commission's February 15, 2023 decision was submitted by Kathryn Wade to the City Clerk on February 23, 2023 (Attachment C).

The City Council is asked to consider the appeal and evaluate the decision of the Planning Commission to approve the Use Permit. AMC 9-5.2703(B)(1) requires that all of the following findings be made to approve a Use Permit.

- (a) That 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;
- (b) That the use applied for at the location indicated is properly one for which a use permit is authorized;
- (c) That the site for the proposed use is adequate in size and shape to accommodate such use, and all yard spaces, walls, fences, parking, loading, landscaping, and other features required, to other uses in the neighborhood;
- (d) That the site abuts streets and highways adequate in width and pavement type to carry the kind of traffic generated by the proposed use; and
- (e) That the granting of such use permit will not adversely affect the comprehensive General Plan.

The Planning Commission made affirmative findings in its approval of the Use Permit. The City Council hearing of the appeal is considered *De Novo*, meaning that the City Council is to consider the application in its entirety and without prejudice of the Planning Commission action. The City Council may exercise its independent discretion to restate these findings or to determine that some or all findings cannot be made in support of the application. If any one of these findings cannot be made, the Use Permit cannot be approved, and the liquor store cannot operate at this location. Staff has provided resolutions for either action.

#### **ATTACHMENTS**

- A. Resolution Denying Appeal and Approving Use Permit  
Exhibit A: Conditions of Approval
- B. Resolution Granting Appeal and Denying Use Permit
- C. Appeal Form
- D. Project Plans
- E. Planning Commission Resolution with Findings and Conditions of Approval
- F. Draft Abridged Minutes - February 15, 2023 Planning Commission
- G. CCEH Letter
- H. CCCFPD Letter
- I. Correspondence Received

**RESOLUTION NO. 2023/XX**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH DENYING AN  
APPEAL AND UPHOLDING THE DECISION OF THE PLANNING COMMISSION  
APPROVING**

**A USE PERMIT FOR THE SOMERSVILLE PLAZA LIQUOR STORE AT  
2651 SOMERSVILLE ROAD, SUITE D (UP-22-17) (APN: 076-432-025)**

**WHEREAS**, the City of Antioch received an application from Gurmej Singh, for approval of a Use Permit for the operation of a liquor store with a type 21-Off-Sale General Alcoholic Beverage Control License at 2651 Somersville Road, Suite D (UP-22-17) (APN: 076-432-025);

**WHEREAS**, the proposed project is Categorically Exempt from the California Environmental Quality Act (CEQA) under Article 19, Section 15332 Infill Development. Class 32 consists of projects characterized as in-fill development;

**WHEREAS**, a public hearing notice was published in the East County Times and posted in three public places pursuant to California Government Code Section 65090 on February 2, 2023 for the Planning Commission public hearing held on February 15, 2023;

**WHEREAS**, on February 15, 2023, the Planning Commission duly held a public hearing on the matter, and received and considered evidence, both oral and documentary;

**WHEREAS**, the Planning Commission considered all public comments received, the presentation by City staff, the staff report, and all other pertinent documents regarding the proposed request;

**WHEREAS**, the Planning Commission approved the Use Permit;

**WHEREAS**, on February 23, 2023, Kathryn Wade filed an appeal of the Planning Commission decision;

**WHEREAS**, a public hearing notice was published in the East County Times and posted in three public places pursuant to California Government Code Section 65090 on March 3, 2023 for the City Council public hearing held on March 14, 2023;

**WHEREAS**, on March 14, 2023, the City Council duly held a public hearing on the matter, and received and considered evidence, both oral and documentary; and

**WHEREAS**, the City Council considered all public comments received, the presentation by City staff, the staff report, and all other pertinent documents regarding the proposed request.

**NOW, THEREFORE, BE IT RESOLVED AND DETERMINED** that the City Council hereby makes the following findings for approval of the requested Use Permit pursuant to Section 9-5.2703 “Required Findings” (B) (1) (a-e) of the Antioch Municipal Code:

- a. That 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.

**Finding:** The project has been designed to comply with the City of Antioch Municipal Code requirements. Operational conditions such as installing security cameras, storing cardboard waste and leaving windows uncovered, will minimize potential negative impacts to the shopping center. Based upon the conditions imposed, the liquor store will not be detrimental to the public health or welfare or injurious to the property.

- b. That the use applied at the location indicated is properly one for which a use permit is authorized.

**Finding:** The property is Zoned C-3 “Regional Commercial District.” The zoning district allows liquor stores with a use permit.

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

**Finding:** The project is located in a retail commercial center with a parking lot to serve customers. Other retail stores operate at the center without issue.

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

**Finding:** The project site is located on Somersville Road, a major arterial. The existing road will support traffic generated from the use. The commercial center includes a one-way in driveway and a second two-way directional driveway.

- e. That 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.

**Finding:** The General Plan designation for project site is Regional Commercial. The project is consistent with the General Plan land use designation of Regional Commercial within the Western Antioch Commercial Focus Area.

**BE IT FURTHER RESOLVED** that the City Council of the City of Antioch hereby denies the appeal, upholds the decision of the Planning Commission, and **APPROVES** a Use Permit for the operation of a liquor store with a type 21-Off-Sale General Alcoholic Beverage Control License at 2651 Somersville Road, Suite D (UP-22-17) (APN: 076-432-025); subject to the Conditions of Approval contained in Exhibit A.

\* \* \* \* \*

**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 14th day of March 2023, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

---

**ELIZABETH HOUSEHOLDER  
CITY CLERK OF THE CITY OF ANTIOCH**

EXHIBIT A: CONDITIONS OF APPROVAL “Somersville Plaza Liquor Store” 2615 Somersville Road, Suite D (UP-22-17)

General Conditions		<u>Regulation Source</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification</u> (date and Signature)
1.	<b>Project Approval.</b> This Use Permit approval is for 2651 Somersville Road Suite D (APN: 076-432-025), as substantially shown and described on the project plans, except as required to be modified by conditions herein. Plans date received October 12, 2022 and November 17, 2022, as presented to the Planning Commission on February 15, 2023 (“Approval Date.”). For any condition herein that requires preparation of a Final Plan where the project applicant has submitted a conceptual plan, the project applicant shall submit final plan(s) in substantial conformance with the conceptual plan, but incorporate the modifications required by the conditions herein for approval by the City.	City of Antioch	On-Going	Planning Department	
2.	<b>Project Approval Expiration.</b> This Use Permit approval expires on February 15, 2025 (two years from the date on which this approval becomes effective) or at an alternate time specified as a condition of approval, unless a building permit has been issued and construction diligently pursued. The approval may be renewed by the Community Development Director for a period up to an additional two (2) years, provided that, at least ten (10) days before expiration of one (1) year from the date when the approval becomes effective, an application for renewal of the approval is filed with the Community Development Department. The Community Development Director may grant a renewal of an approval where there is no change in the original application, or there is no request to change any condition of approval for up to two additional years from the expiration date.	City of Antioch	On-Going	Planning Department	



**EXHIBIT A: CONDITIONS OF APPROVAL “Somerville Plaza Liquor Store” 2615 Somerville Road, Suite D (UP-22-17)**

3.	<p><b>City Fees.</b> The applicant shall pay any and all City and other related fees applicable to the property, as may be modified by conditions herein. Fees shall be based on the current fee structure in effect at the time the relevant permits are secured and shall be paid before issuance of said permit or before any City Council final action approval. Notice shall be taken specifically of Plan Check, Engineering, Fire and Inspection Fees. The project applicant shall also reimburse the City for direct costs of planning; building and engineering plan check and inspection, as mutually agreed between the City and applicant.</p> <p><i>Discretionary or ministerial permits/approvals will not be considered if the developer is not current on fees, balances, and reimbursement that are outstanding and owed to the City.</i></p>	City of Antioch	On-Going	Community Development Department	
4.	<p><b>Pass-Through Fees.</b> The developer shall pay all pass-through fees. Fees include but are not limited to:</p> <p>East Contra Costa Regional Fee and Financing Authority (ECCRFFA) Fee in effect at the time of building permit issuance.</p> <p>Contra Costa County Fire Protection District Fire Development Fee in place at the time of building permit issuance.</p> <p>Contra Costa County Map Maintenance Fee in affect at the time of recordation of the final map(s).</p> <p>Contra Costa County Flood Control District Drainage Area fee.</p> <p>School Impact Fees.</p> <p>Delta Diablo Sanitation Sewer Fees.</p> <p>Contra Costa Water District Fees.</p>	City of Antioch	On-Going	Community Development Department	
5.	<p><b>Appeals.</b> Pursuant to Section 9-5.2705 of the Antioch Municipal Code, any decision made by the Zoning Administrator which would otherwise constitute final approval or denial may be appealed to the Planning Commission. Such appeal shall be in writing and shall be filed with the Community Development Director within five (5) working days after the decision. All appeals to the Planning Commission from the Zoning Administrator shall be accompanied by a filing fee established by a resolution of the City</p>	City of Antioch	Within 5 Days of Zoning Administrator Action	Planning Department	

**EXHIBIT A: CONDITIONS OF APPROVAL “Somersville Plaza Liquor Store” 2615 Somersville Road, Suite D (UP-22-17)**

	Clerk.				
6.	<b>Requirement for Building Permit.</b> Approval granted by the Planning Commission does not constitute a building permit or authorization to begin any construction or demolish an existing structure. An appropriate permit issued by the Community Development Department must be obtained before constructing, enlarging, moving, converting, or demolishing any building or structure within the City.	City of Antioch	On-Going	Building Department	
7.	<b>Modifications to Approved Plans.</b> The project shall be implemented as approved and with any additional changes required pursuant to the Planning Commission Conditions of Approval. Planning staff may approve minor modifications in the project design, but not the permitted land uses. A change requiring discretionary approval and any other changes deemed appropriate by the Planning staff shall require further Planning Commission approval through the discretionary review process.	City of Antioch	On-Going	Planning Department	
8.	<b>Hold Harmless Agreement/Indemnification.</b> The applicant (including any agent thereof) shall defend, indemnify, and hold harmless, the City of Antioch and its agents, officers and employees, from any claim, action, or proceeding against the City or its agents, officers or employees to attack, set aside, void, or annul the City's approvalconcerning this application. The City will promptly notify the applicant of any such claim action or proceeding and cooperate fully in the defense.	City of Antioch	On-Going	Planning Department	

**EXHIBIT A: CONDITIONS OF APPROVAL “Somerville Plaza Liquor Store” 2615 Somerville Road, Suite D (UP-22-17)**

At the Time of Construction		<u>Regulation Source</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
9.	<b>Collection of Construction Debris.</b> Gather all construction debris on a regular basis and place them in a Waste Management dumpster or other container that is emptied or removed on a weekly basis consistent with the Construction and Demolition Debris Ordinance. When appropriate, use tarps on the ground to collect fallen debris or splatters that could contribute to stormwater pollution.	City of Antioch	On-Going	Building Department	
10.	<b>Construction Hours.</b> Construction activity shall be as outlined in in the Antioch Municipal Code. Construction activity is limited to 8:00 AM to 5:00 PM Monday-Friday or as approved in writing by the City Manager. Requests for alternative construction hours shall be submitted in writing to the City Engineer. days/times restricted to the hours of 8:00 a.m. to 6:00 p.m.	City of Antioch	On-Going	Building Department/ Public Works Department	
11.	<b>Demolition, Debris, Recycling.</b> 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.	City of Antioch	On-Going	Building Department/ Public Works Department	

	Fire Standards	<u>Regulation Source</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
12.	The applicant shall comply with the Contra Costa County Fire Protection District requirements in the letter dated December 16, 2022.	Contra Costa Fire Protection District	On-Going	Contra Costa Fire Protection District	

**EXHIBIT A: CONDITIONS OF APPROVAL “Somerville Plaza Liquor Store” 2615 Somerville Road, Suite D (UP-22-17)**

13.	<b>Debris Removal.</b> The site shall be kept clean of all debris (boxes, junk, garbage, etc.) at all times.	City of Antioch	On-Going	Building Department/ Public Works Department	
	<b>Prior to Issuance of Occupancy Permit</b>	<u>Regulation Source</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
14.	<b>Planning Inspection.</b> Planning staff shall conduct a site visit to review exterior building elevations for architectural consistency with the approved plans and landscape installation (if required). All exterior finishing details including window trim, paint, gutters, downspouts, decking, guardrails, and driveway installation shall be in place prior to scheduling the final inspection.	City of Antioch	Prior to Occupancy Permit	Planning Department	
15.	<b>Debris Removal.</b> All mud, dirt or construction debris carried off the construction site and shall be removed prior to scheduling the final Planning inspection. No materials shall be discharged onto a sidewalk, street, gutter, storm drain or creek.	City of Antioch	Prior to Occupancy Permit	Building Department	
16.	<b>Fire Prevention.</b> A final Fire inspection shall occur to inspect all fire prevention systems constructed as part of the project. Inspections shall occur prior to final occupancy permit issuance.	Contra Costa County Fire District	Prior to Occupancy Permit	Fire Department	
	<b>Project Specific Conditions</b>	<u>Regulation Source</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
17.	<b>Hours of Operation.</b> Hours of operation shall be 7 AM – 10 PM, seven (7) days a week. Any request to modify the hours of operation shall be subject to Zoning Administrator approval. (Per Planning Commission review 2/15/23)	City of Antioch	On-Going	Planning Division	

**EXHIBIT A: CONDITIONS OF APPROVAL “Somersville Plaza Liquor Store” 2615 Somersville Road, Suite D (UP-22-17)**

18.	<b>Contra Costa Environmental Health.</b> The applicant shall comply with the Contra Costa County Environmental Health requirements in the email and letter dated December 14, 2022.	Contra Costa Environmental Health	On-Going	Contra Costa Environmental Health	
19.	<b>Requirement for Trash Enclosure.</b> The applicant shall provide a trash enclosure consistent with the requirements of Contra Costa Environmental Health and the City of Antioch Municipal Code. Enclosure details shall be included on the building permit submittal for the project.	Contra Costa Environmental Health	At the Time of Building Permit Submittal	Community Development Department	
20.	<b>Revocation.</b> Pursuant to Section 9-5.2707.1 “Violation, Revocation, Fine” of the Antioch Municipal Code, if there is a violation of the Conditions of Approval, the Planning Commission shall hold a public hearing to consider revocation of the Conditional Use Permit. If the Planning Commission determines that the operation is not in compliance with the Conditions of Approval, there is a public nuisance or otherwise a threat to public health, safety, or welfare, this may result in revocation of or modification to the Use Permit or imposition of a fine.	City of Antioch	On-Going	Community Development Department	
21.	<b>Tobacco Sales Prohibited.</b> In accordance with the City of Antioch Municipal Code Section 9-5.3843, tobacco products and drug paraphernalia are prohibited from being sold.	City of Antioch	On-Going	Community Development Department	
22.	<b>Temporary Signs.</b> Temporary signs, banners, commercial flags, and similar devices are prohibited, except as individually approved by the Community Development Department.	City of Antioch	On-Going	Community Development Department	
23.	<b>Window Signage.</b> Windows signage (including open/closed signs and business hour signs) shall occupy less than 25% of the windows. Windows shall remain un-tinted to allow law enforcement personnel to have a clear and unobstructed view of the interior of the store.	City of Antioch	On-Going	Community Development Department	
24.	<b>Alcohol Sales.</b> The following conditions apply to the sale of alcohol at the site: a. Containers of beer may only be sold in packages of three or more.	City of Antioch	On-Going	Community Development Department	



EXHIBIT A: CONDITIONS OF APPROVAL “Somersville Plaza Liquor Store” 2615 Somersville Road, Suite D (UP-22-17)

	<p>b. Wine shall only be sold in units of 750 ml or greater.</p> <p>c. Liquor shall only be sold in units of a half pint or greater.</p> <p>d. Alcohol sales floor area shall be limited to a maximum of 25% of overall floor area. (Per Planning Commission review 2/15/23)</p>				
25.	<p><b>Cardboard Storage.</b> The operator shall store all cardboard and other refuse entirely within the trash dumpsters or within the store.</p>	City of Antioch	On-Going	Community Development Department	
26.	<p><b>Surveillance Cameras.</b> Security surveillance cameras shall be installed and maintained in good working order to provide coverage on a twenty-four (24) hour real-time basis of the store. Cameras shall remain active at all times and be capable of operating under any lighting condition. Security video must use standard industry format to support criminal investigations and shall be maintained for a minimum of sixty (60) days.</p>	City of Antioch	On-Going	Community Development Department	

**RESOLUTION NO. 2023/XX**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH  
GRANTING AN APPEAL AND DENYING THE APPLICATION FOR  
A USE PERMIT FOR THE SOMERSVILLE PLAZA LIQUOR STORE AT  
2651 SOMERSVILLE ROAD, SUITE D (UP-22-17) (APN: 076-432-025)**

**WHEREAS**, the City of Antioch received an application from Gurmej Singh, for approval of a Use Permit for the operation of a liquor store with a type 21-Off-Sale General Alcoholic Beverage Control License at 2651 Somersville Road, Suite D (UP-22-17) (APN: 076-432-025);

**WHEREAS**, the proposed project is Categorically Exempt from the California Environmental Quality Act (CEQA) under Article 19, Section 15332 Infill Development. Class 32 consists of projects characterized as in-fill development;

**WHEREAS**, a public hearing notice was published in the East County Times and posted in three public places pursuant to California Government Code Section 65090 on February 2, 2023 for the Planning Commission public hearing held on February 15, 2023;

**WHEREAS**, on February 15, 2023, the Planning Commission duly held a public hearing on the matter, and received and considered evidence, both oral and documentary;

**WHEREAS**, the Planning Commission considered all public comments received, the presentation by City staff, the staff report, and all other pertinent documents regarding the proposed request;

**WHEREAS**, the Planning Commission approved the Use Permit;

**WHEREAS**, on February 23, 2023, Kathryn Wade filed an appeal of the Planning Commission decision;

**WHEREAS**, a public hearing notice was published in the East County Times and posted in three public places pursuant to California Government Code Section 65090 on March 3, 2023 for the City Council public hearing held on March 14, 2023;

**WHEREAS**, on March 14, 2023, the City Council duly held a public hearing on the matter, and received and considered evidence, both oral and documentary; and

**WHEREAS**, the City Council considered all public comments received, the presentation by City staff, the staff report, and all other pertinent documents regarding the proposed request.

**NOW, THEREFORE, BE IT RESOLVED AND DETERMINED** that the City Council hereby makes the following findings pursuant to Section 9-5.2703 “Required Findings” (B) (1) (a-e) of the Antioch Municipal Code:

- a. That 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.

**Finding:** The granting of a use permit would be detrimental to the public health, welfare, and injurious to the property and improvements in the project vicinity. The sale of alcoholic beverages is recognized as having the potential to negatively impact communities, as affirmed by its unique licensing and regulation by the State of California Department of Alcohol Beverage Control (ABC). The applicant has not provided sufficient evidence to demonstrate that this location would not be detrimental to the public health or welfare or injurious to the property or improvements in the Regional Commercial (C-3) Zoning District or the vicinity of the site.

- b. That the use applied at the location indicated is properly one for which a use permit is authorized.

**Finding:** The property is Zoned C-3 “Regional Commercial District.” The zoning district allows liquor stores with a use permit.

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

**Finding:** The project is located in a retail commercial center with a parking lot to serve customers. Other retail stores operate at the center without issue.

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

**Finding:** The project site is located on Somersville Road, a major arterial. The existing road will support traffic generated from the use. The commercial center includes a one-way in driveway and a second two-way directional driveway.

- e. That 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.

**Finding:** The General Plan designation for project site is Regional Commercial. The project is consistent with the General Plan land use designation of Regional Commercial within the Western Antioch Commercial Focus Area.

**BE IT FURTHER RESOLVED** that due to the failure to affirmatively make Finding a., a Use Permit cannot be approved for this proposed application.

**BE IT FURTHER RESOLVED** that the City Council of the City of Antioch does hereby grant the appeal and overturn the decision of the Planning Commission and **DENY** the application for a Use Permit for the operation of a liquor store with a type 21-Off-Sale General Alcoholic Beverage Control License at 2651 Somersville Road, Suite D (UP-22-17) (APN: 076-432-025).

\* \* \* \* \*

**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 14th day of March 2023, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

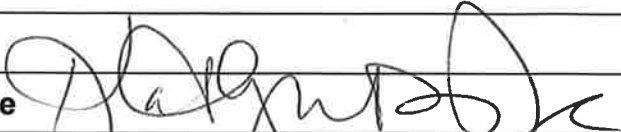
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**ELIZABETH HOUSEHOLDER**  
**CITY CLERK OF THE CITY OF ANTIOCH**

FEB 23 2023

RECEIVED

**Decision Appeal Application**

CITY OF ANTIOCH ATTN: CITY CLERK P.O. BOX 5007 ANTIOCH, CA 94531-5007 (925) 779-7009		
(attach 7-3)		
Date of Decision: 2.15.23 of Planning Commission		
Name: Kathryn R. Wade		
Property Address: 2112 Meredith Way Antioch, Ca. 94509		
Mailing Address: Same As Above		
Home Phone: ( )	Work Phone: ( )	Cell Phone: (510) 932.4240
Email: K Wade 710@ gmail. com		
REASON FOR APPEAL		
we do not need another liquor store in the Somersville area. We already have (3) liquors less than a mile between them and we need better services and businesses in that area. The liquor doesn't bring any value to the community		
Signature: 		Date: 2.23.23

**\*PLEASE NOTE:** A filing fee is due when filing your appeal as per our City of Antioch's Master Fee Schedule. The Master Fee Schedule is located on our City's Website under the following link: [Master Fee Schedules – City of Antioch, California \(antiochca.gov\)](http://antiochca.gov).



**Recommendation:** Provide feedback to the applicant and staff. This is a preliminary review and formal action is not required.

**CEQA:** N/A- A formal application has not been filed.

**FEEDBACK PROVIDED**

- 7-2. UP-22-18, AR-22-16 Delta Bowl Billboard 3300 Delta Fair Boulevard-** The applicant is seeking a Use Permit and Design Review approval for the construction of a new digital billboard and associated site improvements at 3300 Delta Fair Boulevard. The subject site is a 3.34-acre parcel developed with a bowling alley and parking lot. The project scope includes the construction of a new 70 ft. tall 14ft. x 48ft. (672 sq. ft.) double sided digital billboard mounted on a 3 ft. diameter support column.

**Recommendation:** Adopt the Resolution approving the Use Permit and Design Review for a new digital billboard at 3300 Delta Fair Boulevard.

**CEQA:** The project is Categorically Exempt from CEQA pursuant to Section 15332 "In-Fill Development Projects."

**RESOLUTION NO. 2023-07**

*[Handwritten signature]*  
CITY OF ANTIOCH  
Clerk's Department

- 7-3. UP-22-17 Somersville Plaza Liquor Store 2651 Somersville Rd, Suite D -** The applicant is seeking Use Permit approval for the operation of a new liquor store with a Type 21-Off-Sale General license from Alcoholic Beverage Control (ABC). The subject site is a 2.02-acre parcel developed with a commercial center and parking lot. The liquor store is proposed to sell beer, wine, liquor, drinks, snacks, and similar items. The applicant is proposing to operate from 7am to 12am, 7 days a week. Four (4) employees will work at the store.

FEB 23 2023

RECEIVED

**Recommendation:** Adopt the Resolution approving the Use Permit to allow a liquor store at 2651 Somersville Rd, Suite D subject to the findings and Conditions of Approval.

**CEQA:** The project is Categorically Exempt from CEQA pursuant to Section 15332 "In-Fill Development Projects."

**RESOLUTION NO. 2023-08**

- 7-4. UP-22-14, AR-22-14 Delta Courtyard Apartments 810 Wilbur Ave.-** The applicant is seeking Use Permit and Design Review approval for the construction of a new 74-unit apartment complex at 810 Wilbur Avenue. The subject site is a 2.86-acre vacant parcel. The project scope includes the construction of two apartment buildings with a mix of one, two and three bedroom apartments, resulting in 74 units total with 4 very low-income units. Site improvements include the construction of a new parking lot, lighting, landscaping, outdoor open space and stormwater detention basins. The applicant has also applied for a Density Bonus to increase the base density of the project from 71.5 units to 74 units.

**Recommendation:** Adopt the Resolution approving the Use Permit, Design Review, and Density Bonus for 810 Wilbur (Delta Courtyard Apartments) subject to the findings and Conditions of Approval.

**CEQA:** The project is Categorically Exempt from CEQA pursuant to Section 15332 "In-Fill Development Projects."

**RESOLUTION NO. 2023-09**



## PLANNING COMMISSION

City Hall Council Chambers

200 H St. Antioch, CA

**VIRTUAL MEETING AGENDA**

**ANNOTATED AGENDA**

WEDNESDAY, February 15, 2023, 6:30 PM

Consistent with AB 361, the Planning Commission will be participating in meetings via phone/video conferencing. The public is invited to attend, watch and listen.

### **How to attend, watch, or listen to the meeting from home:**

Planning Commission Meetings are held as a Zoom webinar and the public is invited to participate as "attendees". Please note that, in order to participate, you must have the Zoom app installed on your smart phone or computer and you may need speakers and a microphone to use certain computers. Please visit [www.zoom.us](http://www.zoom.us) for more information.

### **Attend the meeting from home:**

Please register in advance at the link below:

[https://us06web.zoom.us/webinar/register/WN\\_Le8djGJCT2u525AKSo4n7w](https://us06web.zoom.us/webinar/register/WN_Le8djGJCT2u525AKSo4n7w)

*After registering, you will receive a confirmation email containing information about joining the webinar.*

### **Watch the meeting from home:**

Planning Commission meetings may be streamed through the following webpage:

<https://www.antiochca.gov/community-development-department/planning-division/planning-commission-meetings/> You do not need the Zoom app to use this service. However, you will not be able to provide comment during the meeting.

### **Listen to the meeting from home:**

To join by phone please call: 1 (669) 900 6833, Webinar ID: **854 8614 7338** followed by #. When asked for a participant ID, press # again.

### **How to submit Public Comment:**

There are two ways to submit public comments to the Planning Commission:

- **Prior to 3:00pm** the day of the meeting: Written comments may be submitted electronically to the Secretary to the Planning Commission at: [planning@ci.antioch.ca.us](mailto:planning@ci.antioch.ca.us)  
*All comments received before 3:00 pm the day of the meeting will be provided to the Planning Commissioners before the meeting. Please indicate the agenda item and title in your email subject line.*
- **After 3:00pm** the day of the meeting and during the meeting: Please refer to the Planning Division's website for instructions on how to comment after 3:00 the day of the meeting and during the Planning Commission meeting: [www.antiochca.gov/pcmeetings](http://www.antiochca.gov/pcmeetings)

*Written comments submitted during the meeting will be read into the record by staff (not to exceed three minutes at staff's cadence) when the chair of the Planning Commission opens the public comment period for the relevant agenda item.*

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**1. CALL TO ORDER**

**2. ROLL CALL**

**Commissioners** Gutilla, Chair  
Riley, Vice Chair  
Hills  
Lutz  
Martin  
Motts  
Schneiderman

**3. PLEDGE OF ALLEGIANCE**

**4. EX-PARTE COMMUNICATIONS**

Ex-parte communications include verbal and written communications between individual Commissioners and a party with a real interest in a pending Commission decision. Ex parte communications should be avoided on matters pending before the Planning Commission as they may represent or be perceived to represent evidence that may unfairly influence a Commissioner's decision on a matter before the full Commission. If such contact does occur, the substance of the communication shall be disclosed before the full Commission and public in advance of public hearing items on the agenda. Written ex parte communications shall be forwarded to staff so that it may be disclosed to the full Commission and public.

**5. PUBLIC COMMENT**

For persons desiring to address the Commission on an item that is not on the agenda please note that each speaker is limited up to three (3) minutes. The Brown Act limits the Commission ability to take and/or discuss items that are not on the agenda; therefore, such items are normally referred to staff for comment or to a future agenda.

**6. CONSENT CALENDAR**

Consent Calendar items are considered routine and will be enacted by one motion. By approval of the Consent Calendar, the staff recommendations will be adopted unless otherwise modified by the Commission. There will be no separate discussion on these items unless a member of the Commission or a member of the public requests removal of the items from the Consent Calendar.

**6-1. Planning Commission Meeting Minutes January 4, 2023. APPROVED**

**Recommendation:** Approve.

**7. PUBLIC HEARING**

**7-1. PDP-22-01 Laurel Ranch Gas Station (SW Corner of Laurel Rd. & Country Hills Drive/APN: 053-060-064) -** The applicant is requesting a Preliminary Development Plan review for a proposed gas station with an automatic carwash and convenience store. The subject site is a vacant 1.35 acre parcel. The proposal includes site improvements and landscaping. The objective of this review is to provide feedback about any potential concerns or issues prior to the submittal of entitlements. If a formal application is filed, project entitlements would include Environmental Review, Planned Development Rezone, Final Development Plan, Use Permit, and Design Review. This is a preliminary submittal only.

- 
- 7-5. Appeal of Street Tree Permit at 411 W. 5<sup>th</sup> St.-** The appellant has filed an appeal of the Tree Committee's decision approving a street tree removal permit request to remove two (2) London Plane trees at 411 W. 5<sup>th</sup> St. The appeal cites aesthetic concerns, violation of existing tree policy, and states that the removal is unnecessary and a detriment to the quality of life in the downtown neighborhood.

**Recommendation:** Adopt the Resolution approving removal of both street trees based on Planning Commission direction from October 5, 2022.

**CEQA:** The project is Categorically Exempt pursuant to Section 15340 "Minor Alterations to Land."

**RESOLUTION NO. 2023-10**

**8. ORAL/WRITTEN COMMUNICATIONS**

**8-1. March 1, 2023 Planning Commission meeting canceled.**

**8-2. Return to in-person Planning Commission meetings.**

**9. COMMITTEE REPORTS**

**10. NEXT MEETING: March 15, 2023**

**11. ADJOURNMENT (9:53 pm)**

**NOTICE**

As a general policy, the Commission/Committee/Board will not begin discussion or consideration of an agenda item after 9:30 pm.

Notice of Availability of Reports Copies of the documents relating to this proposal are available for review at [antiochca.gov/planning/projects](http://antiochca.gov/planning/projects) The staff report and agenda packet will be posted at least 72 hours (3 days) in advance of the scheduled meeting date at [www.antiochca.gov/pcagendas](http://www.antiochca.gov/pcagendas)

**APPEALS**

Pursuant to Section 9-5.2509 of the Antioch Municipal Code, any decision made by the Planning Commission which would otherwise constitute final approval or denial may be appealed to the City Council. Such appeal shall be in writing and shall be filed with the City Clerk within five (5) working days after the decision. All appeals to the City Council from the Planning Commission shall be accompanied by a filing fee established by a resolution of the City Clerk.

The final appeal date of actions made at this Planning Commission hearing is 5:00 p.m. on

WEDNESDAY February 22, 2023.

**ACCESSIBILITY**

Accessibility In accordance with the Americans with Disabilities Act and California law, the City of Antioch offers 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

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the ADA Coordinator at the number or email 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 by phone: (925) 779-6950 and e-mail: [publicworks@ci.antioch.ca.us](mailto:publicworks@ci.antioch.ca.us)



## Project Description

I have previous experience and I'm looking to open another convenience store at the location 2651 Sommersville Plaza which will sell beer, wine, liquor, soda, candy, etc. The hours of operations for the business will be from 7am to 12am and will stay open 7 days a week. There will be a total of 4 employees. The convenience store will require a minimum 4 to 5 parking spots and there are already around fifty free parking spots available on site.

BACK  
DOOR

# 2651 SOMMERSVILLE RD #D

ALL MEASUREMENTS ARE IN FEET - TOTAL AREA 3657 SQ FT

4 X 6  
OFFICE

WATER HEATER  
4 X 6  
BATH  
ROOM

6 X 16  
STOCK ROOM

34 FT  
BEER/SODA  
COOLER

16 FT  
WINE RACK

16 FT  
MISCELLANEOUS RACK

16 FT  
CANDY RACK

16 FT  
CHIPS RACK

34 FT  
BEER/SODA COOLER

4 X 6  
ICE  
MACHINE

FRONT  
DOOR

20 FT WINE RACK

40 FT LIQUOR RACK

60 FT FRONT COUNTER

CASH REGISTER

3657 SQ FT

**b2**

SOMERSVILLE TOWN CENTER

# Somersville Plaza

2635-2669 Somersville Road  
Antioch, California 94509



- 2635 Games of Antioch
- 2643 Uppity Space
- 2651 3,657 Square Feet
- 2653 Braids By Kadi Salon
- 2655 Farmers Insurance
- 2657 Golden Visionary Tattoos 1,027 SF
- 2659 Forum Nail Salon
- 2665 4,053 Square Feet
- 2669 City Health Urgent Care



333 W. El Camino Real, Suite 240  
Sunnyvale, CA 94087-1969  
Phone (408) 331-2300  
Fax (408) 331-2301

REV 01/01/2022

Site plan not to scale and subject to change without notice.

# ATTACHMENT E

## PLANNING COMMISSION RESOLUTION # 2023-08

### RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ANTIOCH APPROVING A USE PERMIT FOR THE SOMERSVILLE PLAZA LIQUOR STORE AT 2651 SOMERSVILLE ROAD, SUITE D (UP-22-17) (APN: 076-432-025)

**WHEREAS**, the City of Antioch received an application from Gurmej Singh, for approval of a Use Permit for the operation of a liquor store with a type 21-Off-Sale General Alcoholic Beverage Control License at 2651 Somersville Road, Suite D (UP-22-17) (APN: 076-432-025);

**WHEREAS**, the proposed project is Categorically Exempt from the California Environmental Quality Act (CEQA) under Article 19, Section 15332 Infill Development. Class 32 consists of projects characterized as in-fill development;

**WHEREAS**, a public hearing notice was published in the East County Times and posted in three public places pursuant to California Government Code Section 65090 on February 2, 2023 for the Planning Commission public hearing held on February 15, 2023;

**WHEREAS**, on February 15, 2023, the Planning Commission duly held a public hearing on the matter, and received and considered evidence, both oral and documentary and documentary; and

**WHEREAS**, the Planning Commission considered all public comments received, the presentation by City staff, the staff report, and all other pertinent documents regarding the proposed request.

**NOW, THEREFORE, BE IT RESOLVED AND DETERMINED**, that the Planning Commission hereby make the following findings for approval of the requested Use Permit pursuant to Section 9-5.2703 "Required Findings" (B) (1) (a-e) of the Antioch Municipal Code:

- a. That 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.

**Finding:** The project has been designed to comply with the City of Antioch Municipal Code requirements. Operational conditions such as storing cardboard waste and leaving windows uncovered, will minimize impacts. Based upon the conditions imposed, the liquor store will not be detrimental to the public health or welfare or injurious to the property.

- b. That the use applied at the location indicated is properly one for which a use permit is authorized.

**Finding:** The property is Zoned C-3 "Regional Commercial District." The zoning district allows liquor stores with a use permit.

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

**Finding:** The project is located in a retail commercial center with a parking lot to serve customers. Other retail stores operate at the center without issue.

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

**Finding:** The project site is located on Somersville Road, a major arterial. The existing road will support traffic generated from the use. The commercial center includes a one-way in driveway and a second two-way directional driveway.

- e. That 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.

**Finding:** The General Plan designation for project site is because the project is consistent with the General Plan land use designation of Regional Commercial within the Western Antioch Commercial Focus Area.

**BE IT FURTHER RESOLVED** that the Planning Commission of the City of Antioch does hereby **APPROVE** a Use Permit for the operation of a liquor store with a type 21-Off-Sale General Alcoholic Beverage Control License at 2651 Somersville Road, Suite D (UP-22-17) (APN: 076-432-025); subject to the Conditions of Approval contained in Exhibit A.

\* \* \* \* \*


**I HEREBY CERTIFY** that the foregoing recommendation was passed and adopted by the Planning Commission of the City of Antioch, at a regular meeting thereof, held on the 15th day of February 2023 by following vote:

**AYES:** Gutilla, Martin, Motts, Schneiderman

**NOES:** Hills, Lutz, Riley

**ABSTAIN:**

**ABSENT:**

  
Forrest Ebbs (Feb 15, 2023 21:07 PST)

**FORREST EBBS**  
**Secretary to the Planning Commission**



**EXHIBIT A: CONDITIONS OF APPROVAL "Somersville Plaza Liquor Store" 2615 Somersville Road, Suite D (UP-22-17)**

**FINAL**

<b>General Conditions</b>		<u>Regulation Source</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
1.	<b>Project Approval.</b> This Use Permit approval is for 2651 Somersville Road Suite D (APN: 076-432-025), as substantially shown and described on the project plans, except as required to be modified by conditions herein. Plans date received October 12, 2022 and November 17, 2022, as presented to the Planning Commission on February 15, 2023 ("Approval Date."). For any condition herein that requires preparation of a Final Plan where the project applicant has submitted a conceptual plan, the project applicant shall submit final plan(s) in substantial conformance with the conceptual plan, but incorporate the modifications required by the conditions herein for approval by the City.	City of Antioch	On-Going	Planning Department	
2.	<b>Project Approval Expiration.</b> This Use Permit approval expires on February 15, 2025 (two years from the date on which this approval becomes effective) or at an alternate time specified as a condition of approval, unless a building permit has been issued and construction diligently pursued. The approval may be renewed by the Community Development Director for a period up to an additional two (2) years, provided that, at least ten (10) days before expiration of one (1) year from the date when the approval becomes effective, an application for renewal of the approval is filed with the Community Development Department. The Community Development Director may grant a renewal of an approval where there is no change in the original application, or there is no request to change any condition of approval for up to two additional years from the expiration date.	City of Antioch	On-Going	Planning Department	

**EXHIBIT A: CONDITIONS OF APPROVAL "Somersville Plaza Liquor Store" 2615 Somersville Road, Suite D (UP-22-17)**

3.	<p><b>City Fees.</b> The applicant shall pay any and all City and other related fees applicable to the property, as may be modified by conditions herein. Fees shall be based on the current fee structure in effect at the time the relevant permits are secured and shall be paid before issuance of said permit or before any City Council final action approval. Notice shall be taken specifically of Plan Check, Engineering, Fire and Inspection Fees. The project applicant shall also reimburse the City for direct costs of planning; building and engineering plan check and inspection, as mutually agreed between the City and applicant.</p> <p><i>Discretionary or ministerial permits/approvals will not be considered if the developer is not current on fees, balances, and reimbursement that are outstanding and owed to the City.</i></p>	City of Antioch	On-Going	Community Development Department	
4.	<p><b>Pass-Through Fees.</b> The developer shall pay all pass-through fees. Fees include but are not limited to:  East Contra Costa Regional Fee and Financing Authority (ECCRFFA) Fee in effect at the time of building permit issuance.  Contra Costa County Fire Protection District Fire Development Fee in place at the time of building permit issuance.  Contra Costa County Map Maintenance Fee in affect at the time of recordation of the final map(s).  Contra Costa County Flood Control District Drainage Area fee.  School Impact Fees.  Delta Diablo Sanitation Sewer Fees.  Contra Costa Water District Fees.</p>	City of Antioch	On-Going	Community Development Department	
5.	<p><b>Appeals.</b> Pursuant to Section 9-5.2705 of the Antioch Municipal Code, any decision made by the Zoning Administrator which would otherwise constitute final approval or denial may be appealed to the Planning Commission. Such appeal shall be in writing and shall be filed with the Community Development Director within five (5) working days after the decision. All appeals to the Planning Commission from the Zoning Administrator shall be accompanied by a filing fee established by a resolution of the City</p>	City of Antioch	Within 5 Days of Zoning Administrator Action	Planning Department	

**EXHIBIT A: CONDITIONS OF APPROVAL "Somersville Plaza Liquor Store" 2615 Somersville Road, Suite D (UP-22-17)**

	Clerk.				
6.	<b>Requirement for Building Permit.</b> Approval granted by the Planning Commission does not constitute a building permit or authorization to begin any construction or demolish an existing structure. An appropriate permit issued by the Community Development Department must be obtained before constructing, enlarging, moving, converting, or demolishing any building or structure within the City.	City of Antioch	On-Going	Building Department	
7.	<b>Modifications to Approved Plans.</b> The project shall be implemented as approved and with any additional changes required pursuant to the Planning Commission Conditions of Approval. Planning staff may approve minor modifications in the project design, but not the permitted land uses. A change requiring discretionary approval and any other changes deemed appropriate by the Planning staff shall require further Planning Commission approval through the discretionary review process.	City of Antioch	On-Going	Planning Department	
8.	<b>Hold Harmless Agreement/Indemnification.</b> The applicant (including any agent thereof) shall defend, indemnify, and hold harmless, the City of Antioch and its agents, officers and employees, from any claim, action, or proceeding against the City or its agents, officers or employees to attack, set aside, void, or annul the City's approval concerning this application. The City will promptly notify the applicant of any such claim action or proceeding and cooperate fully in the defense.	City of Antioch	On-Going	Planning Department	

**EXHIBIT A: CONDITIONS OF APPROVAL "Somerville Plaza Liquor Store" 2615 Somerville Road, Suite D (UP-22-17)**

<b>At the Time of Construction</b>		<u>Regulation Source</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
9.	<b>Collection of Construction Debris.</b> Gather all construction debris on a regular basis and place them in a Waste Management dumpster or other container that is emptied or removed on a weekly basis consistent with the Construction and Demolition Debris Ordinance. When appropriate, use tarps on the ground to collect fallen debris or splatters that could contribute to stormwater pollution.	City of Antioch	On-Going	Building Department	
10.	<b>Construction Hours.</b> Construction activity shall be as outlined in in the Antioch Municipal Code. Construction activity is limited to 8:00 AM to 5:00 PM Monday-Friday or as approved in writing by the City Manager. Requests for alternative construction hours shall be submitted in writing to the City Engineer. days/times restricted to the hours of 8:00 a.m. to 6:00 p.m.	City of Antioch	On-Going	Building Department/ Public Works Department	
11.	<b>Demolition, Debris, Recycling.</b> 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.	City of Antioch	On-Going	Building Department/ Public Works Department	

	<b>Fire Standards</b>	<u>Regulation Source</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
12.	The applicant shall comply with the Contra Costa County Fire Protection District requirements in the letter dated December 16, 2022.	Contra Costa Fire Protection District	On-Going	Contra Costa Fire Protection District	

**EXHIBIT A: CONDITIONS OF APPROVAL "Somerville Plaza Liquor Store" 2615 Somerville Road, Suite D (UP-22-17)**

13.	<b>Debris Removal.</b> The site shall be kept clean of all debris (boxes, junk, garbage, etc.) at all times.	City of Antioch	On-Going	Building Department/ Public Works Department	
	<b>Prior to Issuance of Occupancy Permit</b>	<u>Regulation Source</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
14.	<b>Planning Inspection.</b> Planning staff shall conduct a site visit to review exterior building elevations for architectural consistency with the approved plans and landscape installation (if required). All exterior finishing details including window trim, paint, gutters, downspouts, decking, guardrails, and driveway installation shall be in place prior to scheduling the final inspection.	City of Antioch	Prior to Occupancy Permit	Planning Department	
15.	<b>Debris Removal.</b> All mud, dirt or construction debris carried off the construction site and shall be removed prior to scheduling the final Planning inspection. No materials shall be discharged onto a sidewalk, street, gutter, storm drain or creek.	City of Antioch	Prior to Occupancy Permit	Building Department	
16.	<b>Fire Prevention.</b> A final Fire inspection shall occur to inspect all fire prevention systems constructed as part of the project. Inspections shall occur prior to final occupancy permit issuance.	Contra Costa County Fire District	Prior to Occupancy Permit	Fire Department	
	<b>Project Specific Conditions</b>	<u>Regulation Source</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
17.	<b>Hours of Operation.</b> Hours of operation shall be 7 AM – <del>12 AM</del> <b>10 PM</b> , seven (7) days a week. Any request to modify the hours of operation shall be subject to Zoning Administrator approval. (Per Planning Commission review 2/15/23)	City of Antioch	On-Going	Planning Division	



**EXHIBIT A: CONDITIONS OF APPROVAL "Somersville Plaza Liquor Store" 2615 Somersville Road, Suite D (UP-22-17)**

18.	<b>Contra Costa Environmental Health.</b> The applicant shall comply with the Contra Costa County Environmental Health requirements in the email and letter dated December 14, 2022.	Contra Costa Environmental Health	On-Going	Contra Costa Environmental Health	
19.	<b>Requirement for Trash Enclosure.</b> The applicant shall provide a trash enclosure consistent with the requirements of Contra Costa Environmental Health and the City of Antioch Municipal Code. Enclosure details shall be included on the building permit submittal for the project.	Contra Costa Environmental Health	At the Time of Building Permit Submittal	Community Development Department	
20.	<b>Revocation.</b> Pursuant to Section 9-5.2707.1 "Violation, Revocation, Fine" of the Antioch Municipal Code, if there is a violation of the Conditions of Approval, the Planning Commission shall hold a public hearing to consider revocation of the Conditional Use Permit. If the Planning Commission determines that the operation is not in compliance with the Conditions of Approval, there is a public nuisance or otherwise a threat to public health, safety, or welfare, this may result in revocation of or modification to the Use Permit or imposition of a fine.	City of Antioch	On-Going	Community Development Department	
21.	<b>Tobacco Sales Prohibited.</b> In accordance with the City of Antioch Municipal Code Section 9-5.3843, tobacco products and drug paraphernalia are prohibited from being sold.	City of Antioch	On-Going	Community Development Department	
22.	<b>Temporary Signs.</b> Temporary signs, banners, commercial flags, and similar devices are prohibited, except as individually approved by the Community Development Department.	City of Antioch	On-Going	Community Development Department	
23.	<b>Window Signage.</b> Windows signage (including open/closed signs and business hour signs) shall occupy less than 25% of the windows. Windows shall remain un-tinted to allow law enforcement personnel to have a clear and unobstructed view of the interior of the store.	City of Antioch	On-Going	Community Development Department	
24.	<b>Alcohol Sales.</b> The following conditions apply to the sale of alcohol at the site: a. Containers of beer may only be sold in packages of three or more.	City of Antioch	On-Going	Community Development Department	

**EXHIBIT A: CONDITIONS OF APPROVAL "Somersville Plaza Liquor Store" 2615 Somersville Road, Suite D (UP-22-17)**

	<p>b. Wine shall only be sold in units of 750 ml or greater.</p> <p>c. Liquor shall only be sold in units of a half pint or greater.</p> <p>d. Alcohol sales floor area shall be limited to a maximum of 25% of overall floor area. (Per Planning Commission review 2/15/23)</p>				
25.	<b>Cardboard Storage.</b> The operator shall store all cardboard and other refuse entirely within the trash dumpsters or within the store.	City of Antioch	On-Going	Community Development Department	
26.	<b>Surveillance Cameras.</b> Security surveillance cameras shall be installed and maintained in good working order to provide coverage on a twenty-four (24) hour real-time basis of the store. Cameras shall remain active at all times and be capable of operating under any lighting condition. Security video must use standard industry format to support criminal investigations and shall be maintained for a minimum of sixty (60) days.	City of Antioch	On-Going	Community Development Department	
SP-1	.				



# Resolution 2023-08 UP-22-17 Somersville Liquor Store

Final Audit Report

2023-02-16

Created:	2023-02-16
By:	Anne Hersch (ahersch@antiochca.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAADvao8uAT54pjuAkJxx28l9LT_0mEWHsb

## "Resolution 2023-08 UP-22-17 Somersville Liquor Store" History

-  Document created by Anne Hersch (ahersch@antiochca.gov)  
2023-02-16 - 4:56:40 AM GMT
-  Document emailed to Forrest Ebbs (febbs@ci.antioch.ca.us) for signature  
2023-02-16 - 4:56:57 AM GMT
-  Email viewed by Forrest Ebbs (febbs@ci.antioch.ca.us)  
2023-02-16 - 5:07:04 AM GMT
-  Document e-signed by Forrest Ebbs (febbs@ci.antioch.ca.us)  
Signature Date: 2023-02-16 - 5:07:16 AM GMT - Time Source: server
-  Agreement completed.  
2023-02-16 - 5:07:16 AM GMT

**CITY OF ANTIOCH  
PLANNING COMMISSION  
[ABRIDGED/DRAFT]**

**Regular Meeting  
6:30 p.m.**

**February 15, 2023  
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.***

**1. CALL TO ORDER**

Chair Gutilla called the meeting to order at 6:30 P.M. on Wednesday, February 15, 2023. She announced that tonight's meeting was being held in accordance with the Brown Act as currently in effect under AB 361, which allowed members of the Planning Commission, City staff, and the public to participate and conduct the meeting by teleconference. She stated anyone wishing to make a public comment, may do so by using the raise your hand tool or submitting their comments using the online public comment form at [www.antiochca.gov/community-development-department/planning-division/planning-commission-meetings/](https://www.antiochca.gov/community-development-department/planning-division/planning-commission-meetings/). Public comments that were previously submitted by mail or email have been provided to Planning Commissioners.

**2. ROLL CALL**

Present: Commissioners Schneiderman, Martin, Motts, Hills, Lutz, Vice Chair Riley and Chair Gutilla

Staff: Director of Community Development, Forrest Ebbs  
Planning Manager, Anne Hersch  
Senior Planner, Zoe Merideth  
Senior Planner, Kevin Scudero  
Minutes Clerk, Kitty Eiden

**3. PLEDGE OF ALLEGIANCE**

Commissioner Riley led the Pledge of Allegiance.

**4. EX-PARTE COMMUNICATIONS - None**

**5. PUBLIC COMMENT – None**

**6. CONSENT CALENDAR**

**6-1. Planning Commission Meeting Minutes January 4, 2023**

Commissioner Martin, Commissioner Motts and Commissioner Lutz announced that they would be abstaining from the motion to approve the minutes due to their absence at the January 4, 2023, Planning Commission meeting.

***On motion by Commissioner Schneiderman, seconded by Vice Chair Riley, the Planning Commission approved the Minutes of January 4, 2023. The motion carried the following vote:***

**AYES:** ***Schneiderman, Hills, Riley, Gutilla***  
**NOES:** ***None***  
**ABSTAIN:** ***Martin, Motts, Lutz***  
**ABSENT:** ***None***

## **7. PUBLIC HEARING**

- 7-1. PDP-22-01 Laurel Ranch Gas Station (SW Corner of Laurel Rd. & Country Hills Drive/APN: 053-060-064)** - The applicant is requesting a Preliminary Development Plan review for a proposed gas station with an automatic carwash and convenience store. The subject site is a vacant 1.35-acre parcel. The proposal includes site improvements and landscaping. The objective of this review is to provide feedback about any potential concerns or issues prior to the submittal of entitlements. If a formal application is filed, project entitlements would include Environmental Review, Planned Development Rezone, Final Development Plan, Use Permit, and Design Review. This is a preliminary submittal only.
- 7-2 UP-22-18, AR-22-16 Delta Bowl Billboard 3300 Delta Fair Boulevard-** The applicant is seeking a Use Permit and Design Review approval for the construction of a new digital billboard and associated site improvements at 3300 Delta Fair Boulevard. The subject site is a 3.34-acre parcel developed with a bowling alley and parking lot. The project scope includes the construction of a new 70 ft. tall 14ft. x 48ft. (672 sq. ft.) double sided digital billboard mounted on a 3 ft. diameter support column.
- 7-3. UP-22-17 Somersville Plaza Liquor Store 2651 Somersville Rd, Suite D** - The applicant is seeking Use Permit approval for the operation of a new liquor store with a Type 21-Off- Sale General license from Alcoholic Beverage Control (ABC). The subject site is a 2.02- acre parcel developed with a commercial center and parking lot. The liquor store is proposed to sell beer, wine, liquor, drinks, snacks, and similar items. The applicant is proposing to operate from 7am to 12am, 7 days a week. Four (4) employees will work at the store.

Senior Planner Merideth presented the staff report dated February 15, 2023, recommending the Planning Commission adopt the Resolution approving the Use Permit to allow a liquor store at 2651 Somersville Rd, Suite D subject to the findings and Conditions of Approval.

A speaker for Gurmej Singh, Somersville Liquor Store, thanked everyone for hosting and attending the meeting. He announced they were looking to open a new store on Somersville Road and reported that he had been in the liquor business for 35 years with an existing store in



Antioch for the last 10 years. He noted they were looking to expand which was why they were applying for a new location with an experienced staff who would provide the same level of customer service. He further noted they would create job opportunities for residents and contribute to the growth of the community. He stated that they understood the concerns related to the impact of alcohol outlets on crime rates; however, the proposed store would operate within local and state laws and regulations. He noted there had been no problems with their existing location in Antioch. He further noted he understood concerns related to Prop 31; however, if approved their business would not sell menthol cigarettes or flavored tobacco products. Regarding concerns related to density of alcohol establishments in the area, and potential impact on crime rates, he clarified the proposed store would have a positive impact on the community by providing a valuable service as a convenience store, creating jobs and generating tax revenue. He noted they believed in giving back to the community as much as possible through donations to local police and fire departments, schools and more. He further noted they wanted to help the City grow and leave a positive impact just as they had been doing with their other locations. He commented based on 35 years of experience in the industry, the store would be operated responsibly and with the community in mind and they would take steps to prevent underage sales, limit the sales of certain products, and work with local law enforcement to ensure the store was not a source of criminal activity. He stated they were open to reducing their hours of operation to eliminate late night traffic. He noted their stores were well lit, secure, and well maintained. He committed to being a good neighbor and working with the local community to address any other concerns. He reassured the Commission that they took their responsibility as a business seriously and they would work with the community to make sure the store operated in a safe and responsible manner. He requested the Planning Commission carefully consider their application.

Chair Gutilla opened the public comment period.

Dominique King, Antioch resident, spoke in opposition of a new liquor store noting that this area was oversaturated with businesses selling alcohol and believed it was an inappropriate use for an underserved area of the City. Additionally, she noted it would not elevate Antioch's marketability for other businesses.

Diego Irigoven, current tenant of Somerville Plaza, reported the area was often vandalized and felt the addition of a liquor store may make matters worse. He noted there were plenty of these types of businesses in the area.

Joe, 360 Auto Repair, spoke in opposition to the liquor store noting that they had witnessed vandalism and transient behavior in the area. He further noted the area was oversaturated with businesses selling liquor.

Kathryn Wade, Antioch resident, spoke in opposition to the liquor store and noted businesses in the area were dealing with the mentally ill and shoplifting. She requested more businesses be provided that would improve and underserved area of the community. She expressed concern the area was oversaturated with businesses selling alcohol and urged the Planning Commission to deny the application.

Andre Casanova stated he opposed another liquor store in Antioch.

Chair Gutilla thanked everyone from the public who participated in the discussion and closed the public comment period.

Vice Chair Riley stated he agreed with the public comments and did not support the Use Permit because it was not a good use of the land. He noted there were sufficient businesses selling liquor in the area.

In response to Commissioner Martin, Senior Planner Merideth provided a definition of on-sale and off-sale liquor establishments. She explained that in the City code there was an exemption for retail markets having a minimum of 10,000 square feet of floor area that devoted no more than 5% of the floor area to alcoholic beverages and grocery stores met that exemption. She noted historically they had not categorized grocery stores as a liquor establishment. She confirmed that this business was proposed to be in the middle suite of the shopping center. She reported Food and Liquor, service stations, Buzi Mart and Grocery Outlet sold liquor in the area; however, none were within the 500-feet that code required.

Commissioner Lutz questioned how many liquor stores were located in Antioch.

Senior Planner Merideth responded that they did not keep records for liquor stores; however, she ran a report for type 20 beer and wine and type 21 beer wine and liquor stores through ABC, and there were 52 active licenses in Antioch. She noted 20 out of the 57 were drug and grocery stores and 8 were 7/11 convenience stores and gas stations.

Commissioner Lutz stated he was not opposed to liquor stores; however, he was concerned about the issues raised by the public. He commended the applicant for currently owning a well-run store. He commented that this neighborhood did not need another liquor store and noted that there may be another area that may not be as sensitive. He further noted that he would be voting against the project.

Commissioner Motts stated he agreed with most comments who opposed the project and noted Antioch was already saturated with liquor stores.

Commissioner Hills thanked the applicant for their efforts to address some concerns; however, she believed the area to be oversaturated. She thanked everyone for their time.

Commissioner Schneiderman commented that the Planning Commission had approved several dispensaries, and no one had complained. She noted liquor was available in many locations and another store would not increase consumption. She further noted the building was empty and vacancies were a concern.

In response to Chair Gutilla, Senior Planner Merideth reported Antioch Police Department did not provide any comments related to the condition regarding surveillance of the property. She noted the applicant had experience and could provide comments.

A speaker for Mr. Singh reported their current location had over 20 surveillance cameras that monitored the street, parking lot, cash register, employee entrances, back entrances, and every

aisle inside the store. He stated they were open to placing just as many or more at their new location. He reported the current location opened at the same time as the other businesses in the area and closed at 12:00 A.M., which was the same time as another liquor store across the street. He agreed to close at 9:00 P.M. or 10:00 P.M. to reduce late-night traffic.

Chair Gutilla stated she was conflicted on this project because she had not seen anything negative associated with the applicant's current location. She noted having a business in the area may attract other businesses. She further noted it was the Planning Commission's role to represent the community in what they were asking for at this location. She stated there were community concerns related to sensitive populations and the lack of family-oriented businesses in the area. She noted the applicant who was already a successful business owner may have an advantage in creating something different for the location that would serve the community better, such as focusing on the convenience store aspect. She stated she would support the City working with the applicant for something more suitable for the area.

A speaker for Mr. Singh responded that their current store was more convenience store oriented.

Chair Gutilla asked what the store would be called, noting that that would make a difference in the community.

A speaker for Mr. Singh responded that they were open to changing the name to Gary's Liquor and Food or Gary's Liquor and Snacks.

Commissioner Martin stated having liquor in the name implied something that was inappropriate for the area. He reported he had been to various liquor stores in Antioch who had a business model that resembled a convenience store. He noted changing the name could give the area some class. He further noted the shopping center needed a tenant that would pull in future development. He commented that when Seeno decided to move forward with their project, there would be a lot of new residents in the area.

Commissioner Lutz stated he believed changing the name was a good recommendation; however, if the applicant had come forward asking to open a grocery store in this location it would have changed the complexion of what was being discussed. He noted if liquor was the main product, people would still identify it as a liquor store. He further noted the applicant had been successful at owning a liquor store, and he could use the same expertise to run a grocery establishment.

Commissioner Schneiderman noted when she looked at the floor plan it was dedicated to grocery type items. She spoke in support of changing the name of the store.

In response to Chair Gutilla, Director of Community Development Ebbs stated changing the name could make a difference; however, if the business were to be sold the City could not control the next business name. He explained that if the Planning Commission did not want the preponderance of goods to be liquor, they could add a condition that no more than 25% of the floor area be dedicated to the sale of liquor. He noted that that condition would carry onto a change of ownership.

A speaker representing Mr. Singh commented that their current location had approximately 30% of their store dedicated to liquor with the remainder being grocery items.

Director of Community Development Ebbs added that the Planning Commission could also limit the cooler space.

Commissioner Schneiderman stated that she supported limiting the space dedicated to liquor to 30%. She suggested the applicant consider a name that did not include alcohol.

In response to Commissioner Lutz, Director of Community Development Ebbs confirmed that beer and wine would be included in the area designated for liquor.

A speaker representing Mr. Singh stated they only had alcoholic beverages behind the counter and beer in the cooler.

Commissioner Lutz stated he wanted to see a grocery store; however, he was concerned that people would recognize this business as a liquor store. He stated he would feel more comfortable if only beer and wine were sold along with the convenience store items.

Commissioner Motts stated he could support the application with the recommendations made this evening. He stated that he would also prefer the store to be limited to beer and wine sales. He commented that a convenience store would not fulfil a need for quality food items.

#### **RESOLUTION NO. 2023-08**

***On motion by Commissioner Martin, seconded by Commissioner Schneiderman, the Planning Commission adopted the Resolution approving the Use Permit to allow a liquor store at 2651 Somersville Rd, Suite D subject to the findings and Conditions of Approval with the following additions:***

- ***Limiting store hours from 7:00 A.M. – 10:00 P.M.***
- ***No more than 25% of the floor area be allocated to alcoholic beverages***
- ***Recommending the applicant consider a name that does not include alcohol in the title.***

***The motion carried the following vote:***

<b>AYES:</b>	<b>Schneiderman, Martin, Motts, Gutilla</b>
<b>NOES:</b>	<b>Hills, Lutz, Riley</b>
<b>ABSTAIN:</b>	<b>None</b>
<b>ABSENT:</b>	<b>None</b>

Chair Gutilla congratulated the applicant and stated she appreciated them doing business in Antioch. She commented that she hoped this business would be fruitful for the applicant and beneficial to the surrounding community.

**7-4. UP-22-14, AR-22-14 Delta Courtyard Apartments 810 Wilbur Ave.**

- 7-5. Appeal of Street Tree Permit at 411 W. 5<sup>th</sup> St.-** The appellant has filed an appeal of the Tree Committee's decision approving a street tree removal permit request to remove two (2) London Plane trees at 411 W. 5<sup>th</sup> St. The appeal cites aesthetic concerns, violation of existing tree policy, and states that the removal is unnecessary and a detriment to the quality of life in the downtown neighborhood.

DRAFT



## ATTACHMENT G

**From:** [Eric Fung](#)  
**To:** [Merideth, Zoe](#)  
**Subject:** UP-22-17 Agency Comment City of Antioch - SR0020372  
**Date:** Wednesday, December 14, 2022 4:22:23 PM  
**Attachments:** [UP-22-17 City of Antioch - Somersville Plaza Liquor Store Routing.pdf](#)

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**CAUTION:** This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Ms. Merideth,

Contra Costa Environmental Health (CCEH) has received a request for agency comment regarding the above referenced project. The following are our comments:

1. A health permit is required for retail food facilities. Food facilities include restaurants, stores, bars, cafeterias, snack bars, kiosks at transit sites, and any business or operation that sells or gives food away to the public (including employees or students).
2. Plans must be submitted to CCEH and approved prior to the issuance of building permits for such facilities. Prior to the submission of plans, CCEH staff is available to meet with prospective developers/operators to discuss the requirements for these facilities and the plan review process.
3. Dumpster areas serving retail food facilities are required to have a drain to the sanitary sewer and provided with a hot/cold water supply. It is recommended that developers be informed of this requirement, since it is usually easier to plan for the installation of sewer and water in dumpster areas during initial construction rather than install these afterwards.
4. All retail food facilities must have approved restrooms. This includes kiosks located at transit sites. It is recommended that developers be informed of this requirement, since it is usually easier to plan for the installation of restrooms during initial construction rather than install these afterwards.

These comments do not limit an applicant's obligation to comply with all applicable laws and regulations. If you should have any questions, please do not hesitate to call me at (925) 608-5538.

W. Eric Fung  
Environmental Health Specialist II  
Contra Costa Environmental Health  
2120 Diamond Blvd., Suite 100  
Concord, CA 94520  
(925) 608-5538  
[eric.fung@cchealth.org](mailto:eric.fung@cchealth.org)

**\*Contra Costa Environmental Health has resumed essential fieldwork, but at this time is operating with a very limited staff due to deployments brought about by the need for emergency**

service workers. Our office is now open to the public following social distancing protocols.

\*Please refer to <https://www.coronavirus.cchealth.org/> for the current Health Officer Orders and latest county updates related to COVID19, and to <https://cchealth.org/eh/> for guidelines and FAQs relating to our permitted facilities and general information.

**Contra Costa County****Fire Protection District**

December 16, 2022

Ms. Zoe Merideth, Senior Planner  
City of Antioch, Planning

**Subject:** New liquor store  
2651 Somersville Rd., Suite D  
Project # PLN UP-22-17  
**CCCFPD Project No.: P-2022-020315**

Dear Ms. Merideth:

We have reviewed the use permit application to establish a liquor store 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), and Local and County Ordinances and adopted standards:

**Note:** This planning review was done using the current codes. Projects with plans submitted starting January 1, 2023 will be reviewed using 2022 California Code of Regulations Title 24 including the 2022 California Fire Code.

This is for a retail liquor store in an existing building. If required to submit plans for any TI improvements to building department, also submit to Fire District.

Plans shall be submitted to the Fire District for review and approval **prior to** construction of the building or installation of the systems to ensure compliance with minimum requirements related to fire and life safety. Plan review and inspection fees shall be submitted at the time of plan review submittal. (105.4.1) CFC, (901.2) CFC, (107) CBC

**CONTACT THE FIRE DISTRICT (MINIMUM 2 WORKING DAYS IN ADVANCE) AT 925-941-3300 EXT 3902 TO SCHEDULE AN INSPECTION OF THE ACCESS AND HYDRANT INSTALLATION PRIOR TO CONSTRUCTION OR THE STORAGE OF COMBUSTIBLE MATERIALS ON THE JOB SITE.**

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,

A handwritten signature in blue ink, appearing to read "Michael Cameron".

Michael Cameron  
Fire Inspector

File: 2651 SOMERSVILLE RD-SUITE D-PLN-P-2022-020315

## ATTACHMENT I

**From:** [Jasbir Singh](#)  
**To:** [Planning Division](#)  
**Subject:** New Liquor store UP 22-17  
**Date:** Wednesday, February 1, 2023 3:04:39 PM

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CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear City of Antioch Planning Commission Members,

My name is Jasbir Sooch. I'm reaching out to you regarding the New Liquor Store Application (UP 22-17) that is currently pending for review. It is for Somersville Plaza located at 2651 Somersville Rd Suite D / Parcel # (APN): 076-432-025.

I'm an Antioch Citizen who is genuinely concerned about adding another new liquor store in a community that is already over saturated with businesses catering to beer, wine, liquor and tobacco. As a reminder, there are already three existing businesses which already sell alcohol and are less than a minute away from this proposed location, and many more locations which already sell tobacco. In this day and age where crime is rapidly on the rise, is it really a good idea to place a liquor store where there isn't much existing business in a seemingly lackluster plaza, giving potential thieves and robbers more comfort to work with? Absolutely not! Adding another liquor store in our town will definitely come with consequences, with crime at the top of the list. We are already short on police officers in our town, and adding another unnecessary liquor store will certainly take time away from other emergencies around town. We need to act smart and use our resources wisely.

Additionally, do we really need to add another liquor store OR do we bring more value and add businesses that uplift and shape this community in a positive direction such as youth programs and healthier food outlets. I think we can all agree of what is more important here and we can all realize that adding another liquor store in no way helps shape the current state and the future of Antioch in a bright light.

In closing, we all experienced the pandemic personally and many of us are still dealing with the mental health crises. As we continue to navigate mental health challenges, adding another liquor store does not in any way benefit this vulnerable community.

I hope that you will genuinely consider each individuals concern here today, and come to the realization that Antioch is in need of more positive things in its community and Not another store where individuals can go to temporarily forget about their sorrows. When making your final decision, please consider where Antioch was 10 years ago and where it's gone now and where it's headed. As responsible and trusted authority figures of our city, we expect for you to make the right decision which will help shape the future of Antioch and its residents positively.

Thank you very much for your time and understanding.

Kind Regards,  
Jasbir Sooch

**From:** [Nisha Toor](#)  
**To:** [Hills, Christian](#); [kguttilla@antiochcacommission.gov](mailto:kguttilla@antiochcacommission.gov); [Motts, Kerry](#); [Riley, Kevin](#); [Schneiderman, Milanka](#); [Martin, Robert](#); [Lutz, Warren](#)  
**Cc:** [Planning Division](#); [Planning Commission](#)  
**Subject:** New Liquor Store Opposition - Project Application UP 22-17  
**Date:** Monday, January 2, 2023 12:51:11 PM

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Dear City of Antioch Planning Commission Members,

Happy New Year!

My name is Nisha Toor. I'm writing to you today to voice the Somerville and Small Business communities' opposition to the New Liquor Store Application (UP 22-17) that is currently pending for review. It is for Somersville Plaza located at 2651 Somersville Rd Suite D / Parcel # (APN): 076-432-025.

According to census tract 3072.01 Somersville and Delta Fair Blvd is one of the poorest corridors in Contra Costa County. Historically in high poverty corridors the crime rates spike exponentially with businesses catering to addictive products such as alcohol and tobacco. There is also rampant crime involving liquor stores and the lack of security in this community.

We believe the new liquor store proposal does not in any way or shape add value to the Somersville community or tackle the criminal activities and the mental health crises in that particular corridor. It breeds more of the same issues.

You may also be aware, the City of Antioch is inundated with 12+ liquor stores, not including smoke shops serving a population of 115,000. In contrast, the neighboring city of Concord has less than 10 liquor stores serving a population of 125,000. Cities such as Danville and Walnut Creek have less than 5.

Liquor stores in general are a prime hot spot for criminal activity such as robberies, burglaries, theft, vandalism, and personal threats. They also exacerbate the mental health crises by a way of making liquor more readily available.

We kindly urge the Community Development along with the Planning Department to carefully review the data and deny the application. Please note, the applicant Gurmej Singh is a resident of Brentwood. He currently owns one liquor store (Gary's Liquors) on Lone Tree Way. He is attempting to build a second location in Somersville Plaza where there are multiple liquor and tobacco stores serving the community.

I would like the opportunity to work with the Community and Planning Department on how we can put a city-wide plan together to create better businesses that enhance the quality of life and safety of the citizens' of Antioch in 2023.

Thank you for taking the time to read this request.

Please feel free to reach out with any questions.

Warm Regards,

Nisha



Nisha Toor | Mobile: [+1 \(925\) 437-2552](tel:+19254372552)

--

Regards,

Nisha Toor | Mobile: [+1 \(925\) 437-2552](tel:+19254372552)

**From:** [Amardeep Aakash](#)  
**To:** [Planning Division](#)  
**Subject:** UP-22-27 New Liquor Store  
**Date:** Monday, February 13, 2023 12:26:50 PM

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Dear Planning Commissioners,

My name is Aakash. I am a resident of Antioch. I would like to submit my public comment request for the Wednesday, February 15 meeting.

I'm concerned about the new Somersville Plaza Liquor Store application UP-22-17. My family and the community is opposed because we have too many liquor stores in this neighborhood. We would like businesses that are more family oriented and make us feel safe. On behalf of my family and neighbors, I'm requesting the honorary city officials to deny this application on the basis that as a community we do not need another liquor store.

Thank you very much for considering my request.

Aakash

**From:** [EMMA CHAUHAN](#)  
**To:** [Planning Commission](#); [Planning Division](#)  
**Subject:** Re: Liquor Store Application  
**Date:** Tuesday, February 14, 2023 11:26:11 AM

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Good morning Dear Planning Commissioners,

I have been a resident of Somerville Community for 16 years. I'm writing to request that you please deny the new liquor store application for Somerville plaza which is pending review and approval.

Agenda 7.3  
UP-22-17  
Somerville Plaza Liquor Store  
2651 Somersville Rd. Suite D

We have a surplus of stores selling beer, liquor, and tobacco products. I want to feel good and safe about walking into a store with my grandkids.

Please consider bringing more quality and healthy stores in our community.

Thank you for taking my feedback into consideration.

Sincerely,  
Emma

On 02/14/2023 11:25 AM EMMA CHAUHAN  
<[emmachauhan116@comcast.net](mailto:emmachauhan116@comcast.net)> wrote:

**From:** [Sam kazimi](#)  
**To:** [Planning Division](#); [Planning Commission](#)  
**Subject:** Agenda Somersville Plaza Liquor Store  
**Date:** Tuesday, February 14, 2023 11:42:24 AM

---

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Dear Planning Commissioner Members,

My name is Sam. I own Mobile 1 Repair Shop which is located 300ft from the proposed Liquor Store Application that is being reviewed for approval.

Agenda 7-3 UP-22-17

Somersville Plaza Liquor Store

2651 Somersville Rd, Suite D

I am opposed to this liquor store taking place next to my business because we already have many alcohol outlets in this neighborhood.

Currently we have Super Wine & Liquor up the street from my business, and Vintage Liquor down the street, Smart & Final, 2 Gas Stations that serve beer and snacks, plus a 7/11 around the corner, and 2 smoke shops.

This new premises-to-premises transfer license for the new liquor store does not add any value to our community.

The liquor store impacts us negatively with regards to overall health, safety and mental illness issues.

This area is already deprived of businesses that are good and healthy.

I sincerely request the honorable planning commissioners to deny the application.

Thank you,

Sam

**From:** [selenarobinson0319](mailto:selenarobinson0319)  
**To:** [Planning Division](#)  
**Subject:** FW: Liquor Store Agenda: 7-3. UP-22-17 Somersville Plaza Liquor Store 2651 Somersville Rd, Suite D. Dear City Planning Commissioners, I am a resident of Antioch. I'm opposed to the applicant seeking Use Permit approval for the operation of...  
**Date:** Wednesday, February 15, 2023 7:59:37 AM

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S. Robinson

----- Original message -----

From: Selena Robinson <selenarobinson0319@gmail.com>  
Date: 2/14/23 11:11 AM (GMT-08:00)  
To: PlanningCommission@AntiochcaCommission.gov  
Subject: Liquor Store Agenda: 7-3. UP-22-17 Somersville Plaza Liquor Store 2651 Somersville Rd, Suite D. Dear City Planning Commissioners, I am a resident of Antioch. I'm opposed to the applicant seeking Use Permit approval for the operation of a new liquor store with a Type 21-Off- Sale General license from Alcoholic Beverage Control (ABC). The reason being is because we have many businesses specializing in alcohol or tobacco in the area. The residents of this neighborhood deserve quality based businesses that cater to the overall health and wellness of the community. We need businesses that are safe and boost the image of our city. Therefore, I ask the honorable commissioners to deny this application.  
Thank you

S. Robinson

**From:** [Bi Khan](#)  
**To:** [Planning Division](#)  
**Subject:** RE: proposed liquor store at somersville plaza  
**Date:** Wednesday, February 15, 2023 8:02:55 AM

---

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To whom it may concern:

First, I would like to thank you for your time and allowing me to voice my opinion.

I am writing you to speak on my concerns in regards to: 7-3. UP-22-17 Somersville Plaza Liquor Store 2651 Somersville Rd, Suite D.

I am highly concerned for the city of Antioch and the community surrounding this proposed liquor store. I work video surveillance for a few shopping centers in Antioch and well over 100 shopping centers in California. We live monitor the centers we secure and notice the activity on a daily basis.

Liquor stores are a high risk business for any community. They attract criminal activities such as, theft, burglary, robbery and loitering which attracts a negative energy within the shopping center.

The area in which this liquor store is being proposed is already saturated with access to alcohol and beer.

I feel the planning commission should consider bringing in a less risk business with a more positive vibe to the area.

Let's all help get Antioch back! The homeless population is becoming a nuisance for everyone that patronizes the shopping center, homeless people love liquor stores. Majority of the vagrant population are suffering from mental health issues, the last thing we need is for them to have even more access to alcohol and be subjected to an altercation with a community member and/or police.

I witness everyday the issues that police departments have to deal with in regards to crowds in front of liquor stores, smoke shops and certain convenience stores.

I stand by our nation and the opportunity that our land provides to everyone to do better and grow; however I feel that's exactly what it should be. Business that help our community do better and grow.

Saturate our community with a less risky business. Something more community friendly. A business that will not add to the problem we face daily.

Thank you once again for allowing me to voice my opinion:

Farouk khan.  
209-450-7423

Sent from my iPhone



**From:** [Nisha Toor](#)  
**To:** [Planning Division](#); [Planning Commission](#)  
**Cc:** [Hersch, Anne](#)  
**Subject:** Opposition - Agenda 7.3 UP-22-17 - Somersville Plaza Liquor Store Application  
**Date:** Wednesday, February 15, 2023 10:49:29 AM  
**Attachments:** [WL - Signature from Petitioners Opposition - Agenda 7.3 UP-22-17.pdf](#)

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### **Opposition - Agenda 7.3 UP-22-17**

Somersville Plaza Liquor Store Application  
2651 Somersville Road, Antioch CA 94509

Honorable Members of Antioch Planning Committee and Planning Commission Members,

We are writing to oppose the proposed development of a new Liquor Store at Somerville Plaza. Historically, a surplus of liquor and tobacco stores give way to increased opportunities for criminal activity. In groundbreaking studies published in *Drug and Alcohol Review*, researchers found a correlation between the density of alcohol outlets and violent crime rates among teens and young adults aged 13 to 24. The Bureau of Justice Statistics published a comprehensive analysis of victimization and incident data on alcohol and crime showing that nearly 40 percent of violent victimizations and fatal motor vehicle accidents involve alcohol, and roughly 40 percent of detainees and persons incarcerated report using alcohol at the time they committed their offense.

The density of alcohol outlets influences aggravated assault incidents, calls for service for social “disorder” offenses, and calls for service. For the most part, researchers found that the community impacts associated with alcohol outlet density include increased levels of homicide and other assaults, prostitution, liquor law violations, and traffic fatalities.

*We kindly urge the honorable city officials to carefully review and deny application for the pending Liquor Store at Somersville Plaza.* The California Proposition 31, upholding state law barring the sale of menthol cigarettes and flavored tobacco has significantly impacted surrounding businesses, decreasing sales revenue by 30%. Adding more of the same businesses will not only negatively affect the safety of the community, but will also jeopardize existing small businesses in the Somerville community.

Also please find attached a list of signatures in opposition to the application for submission and review in today's meeting.

Regards,

Nisha

Nisha Toor | Mobile: [+1 \(925\) 437-2552](tel:+19254372552)

To the Honorable members of the Antioch City Council

Title: Opposition - New Liquor Store Development at Somersville Plaza

Your petitioners therefore request that your Honorable deny the application for the new liquor store development at Somersville Plaza.

Signatures:

Address:

1. Katherine Meid	2100 Buchanan Rd
2. [Signature]	" " A106
3. [Signature]	2657 Somersville RD
4. [Signature]	2659 Somersville RD
5. [Signature]	2635 Somersville RD
6. [Signature]	2700 Somersville Rd
7. [Signature]	2329 Buchanan Rd 925 754 1860
8. Tim	2327 Buchanan Road
9. [Signature]	2335
10. Jashwan Singh	711 23rd Buchanan Rd. Antioch. 209-771-0680
11. [Signature]	3040 Delta Fair Blvd. (925) 565-6753
12. [Signature]	2934 Delta Fair Blvd (925) 706-8157
13. Neelam	2916 Delta Fair Blvd (916-475-3122)
14. Hanisha	2904 Delta Fair Blvd (925-7555070)
15. [Signature]	2900 Delta Fair Blvd (925-755-7830)
16. [Signature]	2896 Delta Fair Blvd (925) 436 385
17. Braden Rose	3010 Monelle Delta Fair Blvd. 925 756 2013
18. Mandeewani	222 San Jose DR (510) 310-4279
19. Larissa C. [Signature]	2100 Buchanan RD 925-848-6122
20. Chayika Berman	2201 San Jose (925) 252-6044
21. [Signature]	3101 Buchanan Rd
22. [Signature]	2958 Delta Fair Blvd (925) 4379552
23. Tim Hatch	2206 Fillmore St Ant.
24. James Calloway	1163 Lakeview Circle, Antioch 94509
25. [Signature]	5151 Damengine way Antioch 94509
26. [Signature]	2565 [Signature] Antioch 94509
27. [Signature]	2508 Cathy Court Antioch B
28. [Signature]	139 Prudence Way Antioch, CA 94509
29. [Signature]	2118 Linden Ct Antioch 94509
30. K. Shanda Smith	2005 San Jose Dr — Antioch, Ca. 94509



Signatures:

Name:

2005 SAN JOSE DR BLDG  
ANTIOCH, CA, 94509  
3609 NIGHTINGALE  
ANTIOCH 94509

31. [Signature]

LUCIANO FLORES

32. [Signature]

GARY ROTH

33. Charles Kemka

34. Gerardo Martinez

GERARDO MARTINEZ

35. Chanel Carter

[Signature]

36. Angel Brest

[Signature]

37. James Knox

[Signature]

38. ADRIENNE THOMAS

Adrienne Thomas

39. [Signature]

Justin Wykowski

40. Amerdeep

Amerdeep 1209 Poppy way Antioch, CA  
U.A.S

41. [Signature]

Abed Jildeh

42. Emmal Chauhan

Emma I. Chauhan 2100 Buchanan Rd A114  
Antioch, CA, 94509

43. [Signature]

demira.nolani@gmail.com 510-410-7070  
2405 Kenneby Way  
Antioch CA 94509

44. Charles Anthony

CHARLES ANTHONY 510-387-3003

45. Devan Hall

Devan Hall 510-730-6108

46. [Signature]

Isabelah Medina

47. [Signature]

DeCurne

48. [Signature]

KENNETH WILLIAMS

49. DENNIS MARTINEZ

[Signature]

50. [Signature]

Charlotte Killian

51. [Signature]

Ted Jame

52. [Signature]

Shavon Alexander

53. [Signature]

54. [Signature]

55. [Signature]

56. [Signature]

57. [Signature]

58. [Signature]

59. [Signature]

60. [Signature]

61. [Signature]

62. [Signature]

63. [Signature]

64. [Signature]

65. [Signature]

66. [Signature]

67. [Signature]

68. [Signature]

69. [Signature]

70. [Signature]

71. [Signature]

72. [Signature]

73. [Signature]

74. [Signature]

75. [Signature]

DAVE WHITE

Patrick Miliusis

William Wilber

Jessica Pacheco

Sarita Faurdean

Randy Tackett

Alvix H 02 + 017

Ty Washburn

Clay L. Runnels

Chaquita Wallace

Raymond Brookett

Keith Bremby Sr

Paris Osborne

David Jayne

Toni Bertrand

Mark Bryant

Archie Hunsbury

Tina Acosta

Alexis Sykes

RAY JENNINGS

Stanley Edwards

Gernae Clay

Tamisha Craikshank



- |     |                               |                               |
|-----|-------------------------------|-------------------------------|
| 76. | <u>Brittany McNeal Bonner</u> | <u>Brittany McNeal Bonner</u> |
| 77. | <u>Jason Goddard</u>          | <u>JASON GODDARD</u>          |
| 78. | <u>Jamar Brown</u>            | <u>Jamar Brown</u>            |
| 79. | <u>George Jones</u>           | <u>George Jones</u>           |
| 80. | <u>Ryan Hardy</u>             | <u>Ryan Hardy</u>             |
| 81. | <u>ISAIAH PETERS</u>          | <u>ISAIAH PETERS</u>          |
| 82. | <u>Eric Mendoza</u>           | <u>Eric Mendoza</u>           |
| 83. | <u>Grady Jennings</u>         | <u>Grady Jennings</u>         |
| 84. | <u>Kiara Odell</u>            | <u>Kiara Odell</u>            |
| 85. | <u>Gerardo J.</u>             | <u>Gerardo J.</u>             |
| 86. | <u>Andre Westwalker</u>       | <u>Andre Westwalker</u>       |
| 87. | <u>Raven Williams</u>         | <u>Raven Williams</u>         |
| 88. | <u>Brandon Windham</u>        | <u>Brandon Windham</u>        |
| 89. | <u>Roshawn Hudson</u>         | <u>Roshawn Hudson</u>         |
| 90. | <u>Eddie Espinoza</u>         | <u>Eddie Espinoza</u>         |
| 91. | <u>Calvin Colding II</u>      | <u>Calvin Colding II</u>      |
| 92. | <u>Rickey Galtner</u>         | <u>Rickey Galtner</u>         |
| 93. | <u>Kevin Tuckner</u>          | <u>Kevin Tuckner</u>          |
| 94. | <u>Shykel Byrd</u>            | <u>Shykel Byrd</u>            |
| 95. | <u>Josh Rott</u>              | <u>Josh Rott</u>              |
| 96. | <u>Alexandro Duenas</u>       | <u>Alexandro Duenas</u>       |
| 97. | <u>Albert Odum</u>            | <u>Albert Odum</u>            |
| 98. |                               |                               |



99. Adrianna Walker Adrianna Walker

100. Caryn Click Caryn Click

101. Jessica Barajas Jessica Barajas

102. James Callaway JAMES CALLOWAY

103. Traci Craig Traci Craig

104. Gordon Burtor sr Gordon Burtor sr

105. Karl A. Hill Karl A. Hill

106. Sean V. Sean V.

107. Raven Williams Raven Williams

108. Steve Jepsen STEVE JEPSEN

109. Gina Buckell Gina Buckell

110. Evelyn M. Evelyn M.

111. Angela Smith Angela Smith

112. Maria Cera Maria Cera

113. Nora Penny NORA PENNY

114. Isiah Williams Isiah Williams

115. John Carder John Carder

116. Eric Culberson ERIC CULBERSON

117. Grant S. Grant S.

118. Ilaisane Tutwabe Ilaisane Tutwabe

119. Fred Borbon Fred Borbon

120. Hazel Dickson Hazel Dickson

**From:** [clownyboots bill](#)  
**To:** [Planning Division](#)  
**Subject:** Agenda: 7-3. UP-22-17 Somersville Plaza Liquor Store 2651 Somersville Rd, Suite D.  
**Date:** Wednesday, February 15, 2023 3:37:39 PM

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CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear City of Antioch Planning Commission Members,

My name is Mike Anderson, I'm reaching out to you regarding the New Liquor Store Application (UP 22-17) that is currently pending for review. It is for Somersville Plaza located at 2651 Somersville Rd Suite D / Parcel # (APN): 076-432-025.

I'm an Antioch Citizen who is genuinely concerned about adding another new liquor store in a community that is already over saturated with businesses catering to beer, wine, liquor and tobacco. As a reminder, there are already three existing businesses which already sell alcohol and are less than a minute away from this proposed location, and many more locations which already sell tobacco. In this day and age where crime is rapidly on the rise, is it really a good idea to place a liquor store where there isn't much existing business in a seemingly lackluster plaza, giving potential thieves and robbers more comfort to work with? Absolutely not! Adding another liquor store in our town will definitely come with consequences, with crime at the top of the list. We are already short on police officers in our town, and adding another unnecessary liquor store will certainly take time away from other emergencies around town. We need to act smart and use our resources wisely.

Additionally, do we really need to add another liquor store OR do we bring more value and add businesses that uplift and shape this community in a positive direction such as youth programs and healthier food outlets. I think we can all agree of what is more important here and we can all realize that adding another liquor store in no way helps shape the current state and the future of Antioch in a bright light.

In closing, we all experienced the pandemic personally and many of us are still dealing with the mental health crises. As we continue to navigate mental health challenges, adding another liquor store does not in any way benefit this vulnerable community.

I hope that you will genuinely consider each individuals concern here today, and come to the realization that Antioch is in need of more positive things in its community and Not another store where individuals can go to temporarily forget about their sorrows. When making your final decision, please consider where Antioch was 10 years ago and where it's gone now and where it's headed. As responsible and trusted authority figures of our city, we expect for you to make the right decision which will help shape the future of Antioch and its residents positively.

Thank you very much for your time and understanding.

Kind Regards,  
Mike Anderson,

**From:** [Tim Hatch](#)  
**To:** [Planning Division](#)  
**Cc:** [Planning Commission](#)  
**Subject:** Public Comment  
**Date:** Wednesday, February 15, 2023 12:19:12 PM

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Good afternoon Honorable Planning Commissioners,

My name is Tim Hatch. I am a local resident of Somersville Community. I have raised a family here for 40 years. I'd like to request that you please reject / deny Agenda 7-3. UP-22-17 for Somersville Plaza Liquor Store 2651 Somersville Rd, Suite D.

There is a high concentration of such businesses in Antioch. I can easily walk out my front door and buy liquor, beer, and tobacco. The new liquor stores in this neighborhood are not good and does not benefit the community. My family thanks you for keeping our feedback in mind while making this important decision that impacts city of Antioch.

Thank you,  
Tim

Sent from my iPhone

**From:** [Nisha Toor](#)  
**To:** [Planning Division](#); [Planning Commission](#)  
**Cc:** [Hersch, Anne](#); [Nisha Toor](#)  
**Subject:** Opposition - Agenda 7.3 UP-22-17 - Somersville Plaza Liquor Store Application Inbox  
**Date:** Wednesday, February 15, 2023 6:54:34 PM  
**Attachments:** [Somersville Liquor Store Map .pdf](#)

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**Opposition - Agenda 7.3 UP-22-17**

Somersville Plaza Liquor Store Application  
2651 Somersville Road, Antioch CA 94509

Members of Antioch Planning Committee and Planning Commission Members,

Please find attached the following map listing Nearby Beer Wine & Liquor Businesses in the Somersville Community 7-Eleven that I'd like to comment on as well in today's meeting.

Regards,

Nisha

Nisha Toor | Mobile: [+1 \(925\) 437-2552](#)



### Nearby Beer Wine & Liquor Businesses in the Somersville Community

**7-Eleven**  
 2301 Buchanan Rd,  
 Antioch, CA 94509  
 Distance from the proposed application: 1200 ft

**BiziMart**  
 3912 Delta Fair Blvd  
 Antioch, CA 94509  
 Distance from the proposed application: 2000 ft

**6 AM/PM**  
 2610 Contra Loma Blvd,  
 Antioch, CA 94509  
 Distance from the proposed application: 1+ mile

**Grocery Outlet**  
 3160 Buchanan Rd,  
 Antioch, CA 94509  
 Distance from the proposed application: 1400 ft

**Vintage Liquors**  
 1339 Buchanan Rd  
 Pittsburg, CA 94565  
 Distance from the proposed application: 1+ miles

**7-Eleven**  
 2707 Contra Loma Blvd,  
 Antioch, CA 94509  
 Distance from the proposed application: 1+ mile

**Wine & Liquor**  
 2958 Delta Fair Blvd  
 Antioch, CA 94509  
 Distance from the proposed application: 1600 ft

**Dave's Liquors**  
 1008 Fitzuren Rd,  
 Antioch, CA 94509  
 Distance from the proposed application: 1+ mile

**From:** [Keenan Williams](#)  
**To:** [Planning Division](#)  
**Subject:** 7-3. UP-22-17 Somersville Plaza Liquor Store 2651 Somersville Rd, Suite D  
**Date:** Wednesday, February 15, 2023 10:53:56 PM

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CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear City Planning Commissioners,

My name is Keenan Williams. I am raising my family in the City of Antioch. I'm opposed to the applicant seeking Use Permit approval for the operation of a new liquor store with a Type 21-Off- Sale General license from Alcoholic Beverage Control (ABC).

The reason being is because the residents of this neighborhood deserve quality based business that cater to the overall health and wellness of the community. We need business that are safe and boost the image of our city. Therefore, I ask the honorable commissioners to please deny this application.

This is a growing community of working class citizens with families. As a home owner I would like to see the community my daughter grows up in grow as well. In a positive way that enables community development.

Thank you

Sent from my iPhone



CITY OF  
**ANTIOCH**  
CALIFORNIA

**STAFF REPORT TO THE CITY COUNCIL**

**DATE:** Regular Meeting of March 14, 2023

**TO:** Honorable Mayor and Members of the City Council

**SUBMITTED BY:** Forrest Ebbs, Community Development Director *CS for FE*

**SUBJECT:** Appeal of Planning Commission Approval of Tree Removal Permit at 411 W. 5<sup>th</sup> Street

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**RECOMMENDED ACTION**

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

- 1) Deny the appeal and **approve the Tree Removal Permit; or**
- 2) Approve the appeal and **deny the Tree Removal Permit.**

**FISCAL IMPACT**

Neither the retention nor removal of the trees will have a fiscal impact on the City of Antioch.

**BACKGROUND**

On February 23, 2022, Diane Gibson-Gray applied to the Department of Public Works for a Tree Removal Permit to remove two London Plane trees from the public right-of-way adjacent to the single-family home that she owns at 411 W. 5<sup>th</sup> Street. The trees had recently been heavily pruned as Ms. Gibson-Gray had contracted for their removal prior to being notified by the City of Antioch of the permit requirement.

On April 1, 2022, the Public Works Director approved the removal of the tree following consultation with the Tree Committee, which consists of the Parks and Recreation Director and the Community Development Director. A notification had been mailed to adjacent property owners to afford an opportunity for comment. The approval considered the public comments, the conditions of the tree as described in a Tree Condition Survey, and the standards contained in Title 9, Article 12 of the Antioch Municipal Code (Tree Preservation and Regulation).

On April 8, 2022, an appeal of the decision was filed by Joy Motts.

On September 7, 2022, the Planning Commission considered the appeal and directed staff to return with a resolution authorizing removal of one of the two trees.

On October 5, 2022, the Planning Commission received the new resolution and, after considering additional testimony from Ms. Gibson-Gray, directed staff to return with a modified resolution to allow both trees to be removed.

On February 15, 2023, the Planning Commission approved the resolution to allow both trees to be removed.

On February 23, 2023, an appeal of the decision was filed by Kerry Motts.

### **ANALYSIS**

The treatment of trees, including their removal, is regulated by Antioch Municipal Code Title 9, Article 12 “Tree Preservation and Regulation”, which is contained in the Zoning Ordinance. Trees meeting certain criteria are categorized based on their size – the subject trees are considered Landmark Trees, which is the highest classification. A Tree Removal Permit is required for removal of a Landmark Tree and the request is to be considered by the Tree Committee. Prior to the decision, a notice is mailed to all owners of adjacent property with a 10-day comment period to “allow neighbors to respond to the notice.”

The Tree Committee uses the criteria established in AMC 9-5.1203(B)(2)(b), which are as follows:

- 1) The condition of the tree(s) with respect to its health, proximity to existing structure(s), and the likelihood of future damage to said structure(s) and nearby utilities should the tree(s) not be removed.
- 2) The necessity to remove the tree(s) for reasonable use and/or enjoyment of the property.
- 3) The aesthetic impacts of tree removal in relation to the size and species of the subject and nearby tree(s). Typically, the city will encourage the preservation of uniform street tree patterns where such patterns have long been established.

The Tree Committee applied criterion 1 and found that the subject trees were likely to continue to cause damage to the nearby sewer and/or water lines due to their size and aggressive root habits. Based on this criterion, the Tree Committee elected to approve the Tree Removal Permit. The Planning Commission applied similar findings in their resolution to approve the Tree Removal Permit.

The conclusion was based on an arborist report that was initiated by the Public Works Department. The report found that Tree A could be pruned and retained. It also found that Tree B was heavily damaged by the pruning and recommended removal.

### **ATTACHMENTS**

- A. Resolution
- B. Appeal of Planning Commission Decision, dated February 23, 2023
- C. Planning Commission Resolution, dated February 15, 2023
- D. Draft/Abridged Planning Commission Minutes of February 15, 2023

- E. Planning Commission Minutes of October 5, 2022
- F. Planning Commission Minutes of September 7, 2022
- G. Appeal of Tree Committee Decision, dated April 8, 2022
- H. Approval of Tree Removal Permit, dated April 1, 2022
- I. Arborist Report, dated March 8, 2022
- J. Tree Removal Permit Application dated February 23, 2022
- K. Comment Submitted by Diane Gibson-Gray to Planning Commission, dated February 15, 2023.
- L. Comment Submitted by Diane Gibson-Gray, received March 8, 2023.

**RESOLUTION NO. 2023/\*\***

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH  
DENYING THE APPEAL AND APPROVING A TREE REMOVAL PERMIT FOR THE  
REMOVAL OF TWO LONDON PLANE TREES AT 411 W. 5<sup>TH</sup> STREET**

**WHEREAS**, Title 9, Article 12 of the Antioch Municipal Code (AMC) establishes the regulations for the treatment of trees, including the process for their designation and removal; and

**WHEREAS**, an application for a Tree Removal Permit was received on February 23, 2022 for the removal of two London Plan trees at 411 W. 5<sup>th</sup> Street; and

**WHEREAS**, on April 1, 2022, the Public Works Director, upon consultation with the Tree Removal Committee and receipt of public comment, approved the removal of two London Plane trees at 411 W. 5<sup>th</sup> Street with conditions of approval; and

**WHEREAS**, the Planning Commission received and considered an appeal of the approval Tree Removal Permit at duly noticed public meetings on September 7, 2022, October 5, 2022, and February 15, 2023; and

**WHEREAS**, on February 15, 2023, the Planning Commission denied the appeal and approved a Tree Removal Permit for removal of two London Plane trees at 411 W. 5<sup>th</sup> Street with conditions of approval; and

**WHEREAS**, an appeal of the Planning Commission decision was filed on February 23, 2023; and

**WHEREAS**, on March 14, 2023, the City Council held a public hearing and considered the record and public testimony and found the removal of the two trees to satisfy the criteria established in AMC 9-5.1203(B)(2)(b) because they would likely continue to cause damage to nearby structures and utilities.

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

1. Denies the appeal and approves a Tree Removal Permit for the removal of two London Plane trees at 411 W. 5<sup>th</sup> Street with the following conditions of approval
  - a. The trees must be removed below ground level.
  - b. Two new suitable replacement trees for the parking strip area shall be planted. The City must approve the tree selection prior to planting.

\* \* \* \* \*

**I HEREBY CERTIFY** that the foregoing resolution was passed and adopted by the City Council of the City of Antioch at a special meeting thereof, held on the 14<sup>th</sup> day of March 2023, by the following vote:

**AYES:**

**ABSENT:**

**ABSTAIN:**

**NOES:**

---

**ELIZABETH HOUSEHOLDER  
CITY CLERK OF THE CITY OF ANTIOCH**

RECEIVED



- 7-5. Appeal of Street Tree Permit at 411 W. 5<sup>th</sup> St.-** The appellant has filed an appeal of the Tree Committee's decision approving a street tree removal permit request to remove two (2) London Plane trees at 411 W. 5<sup>th</sup> St. The appeal cites aesthetic concerns, violation of existing tree policy, and states that the removal is unnecessary and a detriment to the quality of life in the downtown neighborhood.



**Recommendation:** Adopt the Resolution approving removal of both street trees based on Planning Commission direction from October 5, 2022.

FEB 23 2023

RECEIVED

**CEQA:** The project is Categorically Exempt pursuant to Section 15340 "Minor Alterations to Land."

**RESOLUTION NO. 2023-10**

**8. ORAL/WRITTEN COMMUNICATIONS**

**8-1. March 1, 2023 Planning Commission meeting canceled.**

**8-2. Return to in-person Planning Commission meetings.**

**9. COMMITTEE REPORTS**

**10. NEXT MEETING: March 15, 2023**

**11. ADJOURNMENT (9:53 pm)**

**NOTICE**

As a general policy, the Commission/Committee/Board will not begin discussion or consideration of an agenda item after 9:30 pm.

Notice of Availability of Reports Copies of the documents relating to this proposal are available for review at [antiochca.gov/planning](http://antiochca.gov/planning) projects The staff report and agenda packet will be posted at least 72 hours (3 days) in advance of the scheduled meeting date at [www.antiochca.gov/pcagendas](http://www.antiochca.gov/pcagendas)

**APPEALS**

Pursuant to Section 9-5.2509 of the Antioch Municipal Code, any decision made by the Planning Commission which would otherwise constitute final approval or denial may be appealed to the City Council. Such appeal shall be in writing and shall be filed with the City Clerk within five (5) working days after the decision. All appeals to the City Council from the Planning Commission shall be accompanied by a filing fee established by a resolution of the City Clerk.

The final appeal date of actions made at this Planning Commission hearing is 5:00 p.m. on

WEDNESDAY February 22, 2023.

**ACCESSIBILITY**

Accessibility In accordance with the Americans with Disabilities Act and California law, the City of Antioch offers 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

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**B2**

**PLANNING COMMISSION  
RESOLUTION # 2023-10**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ANTIOCH  
APPROVING A TREE REMOVAL PERMIT FOR THE REMOVAL OF TWO STREET TREES  
AT 411 W. 10<sup>th</sup> ST. (APN: 066-148-013)**

**WHEREAS**, Antioch Municipal Code Section 9-5.12 "Tree Preservation and Regulation" establishes permit requirements for tree removal in the City of Antioch; and

**WHEREAS**, the City of Antioch ("City") received an application for a Tree Removal Permit on February 23, 2022 for the property located at 411 W 10<sup>th</sup> St. requesting approval to remove two (2) London Plane street trees; and

**WHEREAS**, the Tree Committee approved the Tree Removal Permit on April 1, 2022 based on findings prepared by an Arborist Report; and

**WHEREAS**, the appellant filed an appeal of the Tree Committee's action to approve the Tree Removal Permit on April 8, 2022; and

**WHEREAS**, the City, as lead agency under the California Environmental Quality Act ("CEQA"), has determined the project to be Categorically Exempt from CEQA pursuant to Section 15304 "Minor Alterations to Land;" and

**WHEREAS**, a public hearing notice was published in the East County Times and posted in three public places pursuant to California Government Code Section 65090 on August 25, 2022 for the public hearing held on September 7, 2022; and

**WHEREAS**, the Planning Commission held a public hearing on September 7, 2022 and considered all public comments received, the presentation by City staff, the staff report, and all other pertinent documents regarding the proposed request; and

**WHEREAS**, the Planning Commission moved by a 5-0 vote to continue the matter to a date certain of October 5, 2022 and directed staff prepare findings partially approving the Tree Removal Permit; and

**WHEREAS**, the Planning Commission held a public hearing on October 5, 2022 and considered all public comments received, the presentation by City staff, the staff report, and all other pertinent documents regarding the proposed request;

**WHEREAS**, the Planning Commission moved by a 5-0 vote to continue the matter to a date certain of October 19, 2022 and directed staff to prepare findings authorizing the removal of both trees and requiring the planting of two new street trees from the approved street tree list;

**WHEREAS**, a public hearing notice was published in the East County Times and posted in three public places pursuant to California Government Code Section 65090 on February 3, 2023 for the public hearing held on February 15, 2023; and

**WHEREAS**, the Planning Commission held a public hearing on February 15, 2023 and considered all public comments received, the presentation by City staff, the staff report, and all other pertinent documents regarding the proposed request.

**NOW, THEREFORE, BE IT RESOLVED AND DETERMINED**, that the Planning Commission hereby make the following findings:

1. **Tree Committee Findings.** The Tree Committee acted to approve the Tree Removal Permit based on an independent analysis prepared by a licensed arborist and submitted as a formal Arborist Report. The Committee made findings pursuant to Antioch Municipal Code Section 9-5.1203 (B) (2) (b) "Criteria."
2. Pursuant to Section 9-5.1203 (B) (2) (b) "Criteria," the Planning Commission also finds that the removal of the tree satisfies the criteria as follows:

- a. The condition of the tree(s) with respect to its health, proximity to existing structure(s), and the likelihood of future damage to said structure(s) and nearby utilities should the tree(s) not be removed.

**Finding:** The trees were found to be in fair condition and in poor condition by the Arborist Report. The root structure of the trees has caused damage to nearby sewer systems and has uplifted the adjacent sidewalk. Continued damage is expected if the trees are not removed.

- b. The necessity to remove the tree(s) for reasonable use and/or enjoyment of the property.

**Finding:** The use of the property is not impacted by these trees, though the continuing damage to sewer lines will impact enjoyment of the property due to the cost of necessary repairs.

- c. The aesthetic impacts of tree removal in relation to the size and species of the subject and nearby tree(s). Typically the city will encourage the preservation of uniform street tree patterns where such patterns have long been established.

**Finding:** The trees were heavily pruned prior to application for a Tree Removal Permit. As such, aesthetic impacts have already occurred. The current trees and their anticipated growth are not expected to produce a balanced or handsome tree coverage. The applicant is required to replace these two trees with two new specimens that are appropriately sized for this location and thrive in this environment. Ultimately, the new trees will be an aesthetic improvement

**NOW THEREFORE BE IT FURTHER RESOLVED** that the Planning Commission hereby upholds the decision of the Tree Committee with the following Conditions of Approval:

1. **Street Tree Replacement.** Street trees shall be replaced with two new street trees. The tree species shall be selected from the Approved Street Tree List.

2. **Maintenance.** The owner of the adjacent property shall be responsible for maintenance of the replacement tree as required by the Antioch Municipal Code.

I **HEREBY CERTIFY** that the foregoing resolution was adopted by the Planning Commission of the City of Antioch at a regular meeting thereof held on the 15th day of February, 2023, by the following vote:

**AYES:** Gutilla, Hills, Riley, Schneiderman

**NOES:** Lutz

**RECUSED:** Martin, Motts

**ABSTAIN:**

  
Forrest Ebbs (Feb 16, 2023 10:15 PST)

**FORREST EBBS**  
**Secretary to the Planning Commission**






# Resolution 2023-10 Appeal of Street Tree Removal Permit

Final Audit Report

2023-02-16

Created:	2023-02-16
By:	Anne Hersch (ahersch@antiochca.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAA7iUigYQpCUUs7gTtJxi08um1FrF3A9GQv

## "Resolution 2023-10 Appeal of Street Tree Removal Permit" History

-  Document created by Anne Hersch (ahersch@antiochca.gov)  
2023-02-16 - 6:06:58 PM GMT
-  Document emailed to Forrest Ebbs (febbs@ci.antioch.ca.us) for signature  
2023-02-16 - 6:07:21 PM GMT
-  Email viewed by Forrest Ebbs (febbs@ci.antioch.ca.us)  
2023-02-16 - 6:15:15 PM GMT
-  Document e-signed by Forrest Ebbs (febbs@ci.antioch.ca.us)  
Signature Date: 2023-02-16 - 6:15:42 PM GMT - Time Source: server
-  Agreement completed.  
2023-02-16 - 6:15:42 PM GMT

**CITY OF ANTIOCH  
PLANNING COMMISSION  
[ABRIDGED/DRAFT]**

**Regular Meeting  
6:30 p.m.**

**February 15, 2023  
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.*

**1. CALL TO ORDER**

Chair Gutilla called the meeting to order at 6:30 P.M. on Wednesday, February 15, 2023. She announced that tonight's meeting was being held in accordance with the Brown Act as currently in effect under AB 361, which allowed members of the Planning Commission, City staff, and the public to participate and conduct the meeting by teleconference. She stated anyone wishing to make a public comment, may do so by using the raise your hand tool or submitting their comments using the online public comment form at [www.antiochca.gov/community-development-department/planning-division/planning-commission-meetings/](https://www.antiochca.gov/community-development-department/planning-division/planning-commission-meetings/). Public comments that were previously submitted by mail or email have been provided to Planning Commissioners.

**2. ROLL CALL**

Present: Commissioners Schneiderman, Martin, Motts, Hills, Lutz, Vice Chair Riley and Chair Gutilla

Staff: Director of Community Development, Forrest Ebbs  
Planning Manager, Anne Hersch  
Senior Planner, Zoe Merideth  
Senior Planner, Kevin Scudero  
Minutes Clerk, Kitty Eiden

**3. PLEDGE OF ALLEGIANCE**

Commissioner Riley led the Pledge of Allegiance.

**4. EX-PARTE COMMUNICATIONS - None**

**5. PUBLIC COMMENT – None**

**6. CONSENT CALENDAR**

**6-1. Planning Commission Meeting Minutes January 4, 2023**



Commissioner Martin, Commissioner Motts and Commissioner Lutz announced that they would be abstaining from the motion to approve the minutes due to their absence at the January 4, 2023, Planning Commission meeting.

***On motion by Commissioner Schneiderman, seconded by Vice Chair Riley, the Planning Commission approved the Minutes of January 4, 2023. The motion carried the following vote:***

<b>AYES:</b>	<b>Schneiderman, Hills, Riley, Gutilla</b>
<b>NOES:</b>	<b>None</b>
<b>ABSTAIN:</b>	<b>Martin, Motts, Lutz</b>
<b>ABSENT:</b>	<b>None</b>

## **7. PUBLIC HEARING**

- 7-1. PDP-22-01 Laurel Ranch Gas Station (SW Corner of Laurel Rd. & Country Hills Drive/APN: 053-060-064)** - The applicant is requesting a Preliminary Development Plan review for a proposed gas station with an automatic carwash and convenience store. The subject site is a vacant 1.35-acre parcel. The proposal includes site improvements and landscaping. The objective of this review is to provide feedback about any potential concerns or issues prior to the submittal of entitlements. If a formal application is filed, project entitlements would include Environmental Review, Planned Development Rezone, Final Development Plan, Use Permit, and Design Review. This is a preliminary submittal only.
- 7-2 UP-22-18, AR-22-16 Delta Bowl Billboard 3300 Delta Fair Boulevard-** The applicant is seeking a Use Permit and Design Review approval for the construction of a new digital billboard and associated site improvements at 3300 Delta Fair Boulevard. The subject site is a 3.34-acre parcel developed with a bowling alley and parking lot. The project scope includes the construction of a new 70 ft. tall 14ft. x 48ft. (672 sq. ft.) double sided digital billboard mounted on a 3 ft. diameter support column.
- 7-3. UP-22-17 Somersville Plaza Liquor Store 2651 Somersville Rd, Suite D** - The applicant is seeking Use Permit approval for the operation of a new liquor store with a Type 21-Off- Sale General license from Alcoholic Beverage Control (ABC). The subject site is a 2.02- acre parcel developed with a commercial center and parking lot. The liquor store is proposed to sell beer, wine, liquor, drinks, snacks, and similar items. The applicant is proposing to operate from 7am to 12am, 7 days a week. Four (4) employees will work at the store.
- 7-4. UP-22-14, AR-22-14 Delta Courtyard Apartments 810 Wilbur Ave.**
- 7-5. Appeal of Street Tree Permit at 411 W. 5<sup>th</sup> St.-** The appellant has filed an appeal of the Tree Committee's decision approving a street tree removal permit request to remove two (2) London Plane trees at 411 W. 5<sup>th</sup> St. The appeal cites aesthetic concerns, violation of existing tree policy, and states that the removal is unnecessary and a detriment to the quality of life in the downtown neighborhood.

Commissioners Motts and Martin recused themselves from this item and turned off their video/audio.

Director of Community Development Ebbs presented the staff report dated February 15, 2023, recommending the Planning Commission adopt the Resolution approving removal of both street trees based on Planning Commission direction from October 5, 2022.

Joy Motts read a written statement pertaining to this agenda item and requested the Planning Commission reverse their decision approving the removal of the London Plane Landmark Trees on publicly owned land in front of 411 W. 5th Street.

Diane Gibson Gray expressed concern regarding the risk of someone getting hurt from branches breaking off the existing street trees due to heartrot decay. She commented that the City did not have a street tree policy that was consistent and equitable. She requested addressing this issue by removing and replacing the existing trees. With regards to a suggestion that she pay for the pruning of the trees next door, she requested the Planning Commission not require her to pay for that work.

Chair Gutilla opened the public comment period.

Sheri Thompson reported the previous owner maintained the trees which had helped eliminate the loss of tree limbs and part of the problem was that the trees were no longer regularly maintained. She commented that power lines were located on the opposite side of the street. She reported approximately 2 years ago, the sewer lines at this address were cleaned out and no roots were found in the sewer system. She expressed disappointment that the original decision was overturned at a meeting when Ms. Motts was not in attendance as she was participating in a debate. She suggested a fine be imposed for illegally cutting the trees down.

Planning Manager Hersch displayed a comment received online for review.

Chair Gutilla closed the public comment period.

Commissioner Schneiderman stated they had had an extensive discussion regarding this item in October and she was not inclined to change her vote. She stated she believed staff had presented compelling evidence to support the removal of the trees. She noted her parents had had experience regarding the removal of several trees in their neighborhood.

Commissioner Lutz stated that this would set precedent and his position had not changed. He noted regardless of what was decided this evening, the City needed to create a tree policy that could be applied consistently.

Commissioner Hills stated her position was the same because of the poor condition of these street trees. She asked if there was clarity on what a tree policy would look like and how it would be applied.

Director of Community Development Ebbs stated the street tree policy would be a new initiative

that the Council would typically initiate. He noted at some point there would be General Plan and Zoning Ordinance updates where this item would be addressed. He explained the tree committee's decision in this case was based on potential for damage. He commented that London Plane Trees were beautiful; however, they were not designed for three-foot planter strips next to a sidewalk because they had aggressive roots and required a lot of water. He noted he would be surprised if there were any issues with the replacement trees.

Chair Gutilla reported that several Commissioners had agreed in the past that this matter did not seem like something that should be coming before the Planning Commission. She questioned how the City would be addressing the Planning Commission not mediating disputes between neighbors about tree policy.

Director of Community Development Ebbs stated this was a unique circumstance and he did not see it as a pattern. He noted as a Planning Commission some of their duties were to arbitrate some disagreements whether about gas stations or street trees.

**RESOLUTION NO. 2023-10**

***On motion by Commissioner Schneiderman, seconded by Commissioner Hills, the Planning Commission adopted the Resolution denying the appeal and approving removal of both street trees based on Planning Commission direction from October 5, 2022. The motion carried the following vote:***

<b>AYES:</b>	<b>Schneiderman, Hills, Riley, Gutilla</b>
<b>NOES:</b>	<b>Lutz</b>
<b>ABSTAIN:</b>	<b>None</b>
<b>ABSENT:</b>	<b>None</b>

Commissioners Martin and Motts returned to the meeting.

**CITY OF ANTIOCH  
PLANNING COMMISSION**

**Regular Meeting  
6:30 p.m.**

**October 5, 2022  
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.***

**1. CALL TO ORDER**

Chair Gutilla called the meeting to order at 6:30 P.M. on Wednesday, October 5, 2022. She announced that tonight's meeting was being held in accordance with the Brown Act as currently in effect under AB 361, which allowed members of the Planning Commission, City staff, and the public to participate and conduct the meeting by teleconference. She stated anyone wishing to make a public comment, may do so by using the raise your hand tool or submitting their comments using the online public comment form at [www.antiochca.gov/community-development-department/planning-division/planning-commission-meetings/](https://www.antiochca.gov/community-development-department/planning-division/planning-commission-meetings/). Public comments that were previously submitted by mail or email have been provided to Planning Commissioners.

**2. ROLL CALL**

Present: Commissioners Schneiderman, Martin, Motts, Hills, Lutz, Vice Chair Riley and Chair Gutilla  
Staff: Director of Public Works/City Engineer Samuelson  
Planning Manager, Anne Hersch  
Senior Planner, Kevin Scudero  
Community Development Technician, Hilary Brown  
Minutes Clerk, Kitty Eiden

**3. PLEDGE OF ALLEGIANCE**

Chair Gutilla led the Pledge of Allegiance.

**4. EX-PARTE COMMUNICATIONS - None**

**5. PUBLIC COMMENT – None**

**6. CONSENT CALENDAR**

Commissioner Martin requested items 6-1 and 6-2 be pulled from the Consent Calendar for separate action. He stated he would abstain from item 6-1 as he was absent for the August 17, 2022, meeting.

**6-1. Planning Commission Meeting Minutes August 17, 2022**

***On motion by Commissioner Hills, seconded by Commissioner Schneiderman, the Planning Commission members present unanimously approved the Minutes of August 17, 2022. The motion carried the following vote:***

<b>AYES:</b>	<b><i>Schneiderman, Motts, Hills, Lutz, Gutilla</i></b>
<b>NOES:</b>	<b><i>None</i></b>
<b>ABSTAIN:</b>	<b><i>Martin, Riley</i></b>
<b>ABSENT:</b>	<b><i>None</i></b>

- 6-2. \*\*Contd. from September 7, 2022\*\* Appeal of Tree Committee Approval Granting a Street Tree Removal Permit at 411 W. 5<sup>th</sup> St.-** The appellant has filed an appeal of the Tree Committee's decision approving a street tree removal permit request to remove two (2) London Plane trees at 411 W. 5<sup>th</sup> St. The appeal cites aesthetic concerns, violation of existing tree policy, and the removal is unnecessary and a detriment to the quality of life in the downtown neighborhood.

Planning Manager Hersch presented a summary of the staff report dated October 5, 2022.

Commissioners Martin and Motts recused themselves from this agenda item and turned off their video and audio.

Diane Gibson Gray explained that her request for the removal of the trees was related to safety only. She noted as the property owner, she was responsible for property and civil damages that would likely occur. She gave a history of the property and discussed the sidewalk hazards created by the trees. She reported there were empty concrete planters and new trees planted throughout the neighborhood. She stated if the decision of the Planning Commission was to have the second tree remain, she wanted to go on record that per the arborist report, there were current and foreseeable safety concerns, and she was prevented from taking corrective action to mitigate the issues; therefore, liability should shift to the City or appellant.

In response to Commissioner Schneiderman, Planning Manager Hersch explained the action this evening related to authorizing the removal of the trimmed tree and maintaining the existing intact tree.

Vice Chair Riley stated he had proposed the original motion to approve the removal of Tree B and deny the removal of Tree A; however, after reading the comment letter submitted by Ms. Gibson-Gray he was reconsidering her application for the removal of both trees due to evidence showing significant damages and safety concerns.

Commissioner Schneiderman stated trees causing uneven sidewalks was a public safety concern. She questioned if the exorbitant costs of keeping the trees was fair to the homeowner. She commented that the area was too narrow for large trees. She believed City staff should be responsible for deciding public safety issues not the Planning Commission.

Commissioner Lutz sympathized with the applicant but felt if the tree was not protected then anyone could remove landmark trees that caused sidewalk or sewer line issues. He noted it was the homeowner's responsibility to maintain the sidewalk and trees. He further noted if the applicant purchased the property in 2014, she had to be aware of the issue. He felt the decision to keep one tree and remove the other was a fair compromise.

Commissioner Hills stated she agreed with Vice Chair Riley and questioned who would be liable if someone tripped on the sidewalk and harmed themselves.

Director of Public Works/City Engineer Samuelson responded the property owner was responsible for maintenance of the sidewalk and would be legally responsible if someone tripped and harmed themselves. He reported the City split the cost for sidewalk repairs at this location with the property owner.

Chair Gutilla stated if branches fell from the tree, they could cause significant damage and noted the trees proximity to the water meter was also concerning. She commented that the goal of tree preservation was to make it difficult for homeowners to remove them because there was value in maintaining them. She noted it should have been obvious when the home was purchased that there were ongoing issues with the tree and the homeowner became aware of the severity of those damages once they owned the home. She commented that given the additional information and supporting photographs she felt it was reasonable to remove both trees and replace them with more appropriately sized and less root demanding trees.

In response to Vice Chair Riley, Planning Manager Hersch stated if the direction of the Planning Commission was to support the removal of both trees, they could stipulate the street trees be replaced with appropriate tree plantings from the approved street tree list. She added that this item could be continued to October 19, 2022, and staff could provide findings that reflected the direction to allow for the removal of both trees. She stated she would provide the Commission with the approved street tree list.

Following discussion, consensus of the Planning Commission supported removing both trees and replacing them with plantings from the street tree list.

Commissioner Lutz stated his position remained unchanged and he was in support of removing one tree and keeping the other.



Vice Chair Riley stated for the record that it was unfortunate that Tree B was removed because had the proper path been taken, he believed Tree A could have been removed because it was responsible for causing the damage to the water lines and Tree B, being more distant, could have been saved.

***On motion by Commissioner Schneiderman, seconded by Commissioner Hills, the Planning Commission continued Consent Calendar Item 6-2 to October 19, 2022, and directed staff to provide findings to support removal of both trees. With the addition of a condition that required the replacement of street trees with trees from the City's approved street tree list. The motion carried the following vote:***

<b>AYES:</b>	<b>Schneiderman, Hills, Riley, Gutilla</b>
<b>NOES:</b>	<b>Lutz</b>
<b>ABSTAIN:</b>	<b>None</b>
<b>ABSENT:</b>	<b>None</b>

Commissioner Martin and Motts returned to the meeting prior to Public Hearing Item 7-1.

## **7. PUBLIC HEARING**

- 7-1. PD-22-03, UP-22-08, AR-22-07: Travis Credit Union at 3500 Hillcrest-**  
The applicant is seeking Planned Development Rezone, Final Development Plan, Use Permit and Design Review approval for the construction of a new Travis Credit Union and associated site improvements at 3500 Hillcrest Avenue. The subject site is a 1.48-acre vacant parcel. The project scope includes the construction of new 3,525 square foot bank building with a drive-up ATM. Site improvements include the construction of a new parking lot, site lighting, landscaping and stormwater detention basins. The site will have twenty-seven (27) off-street parking spaces. Operating hours are proposed to be 10 am-5:30 pm, Monday - Friday, 10 am – 2 pm on Saturday and closed on Sundays. There will be a total of 11 full-time employees on a typical shift.

Senior Planner Scudero presented the staff report recommending the Planning Commission adopt the Resolution recommending City Council approve the entitlements request for Travis Credit Union subject to the findings and Conditions of Approval.

Jason Patty thanked the Planning Commission for reviewing the project. He noted they had started incorporating the comments from the conditions of approval into their plans. He stated that they looked forward to building in Antioch.

Chair Gutilla opened and closed the public hearing with no speakers requesting to speak. In response to Commissioner Martin, Mr. Patty confirmed that this project would replace an existing location.

In response to Commissioner Martin, Senior Planner Scudero confirmed that there were two monument signs and project specific condition #25 could be deleted as it did not apply to this project. He explained the retaining wall would be approved by the Zoning Administrator.

Mr. Patty confirmed that the road to the west of this location had access to the property.

Tony Perfetto added that there were CC&Rs for the neighboring property that allowed for cross access from the road, and they planned to record a reciprocal access easement for the property to the east.

Commissioner Martin stated he liked the design of the project

Chair Gutilla stated she was pleased that the sidewalks would be widened on Hillcrest Avenue. She questioned if Antioch had a reclaimed water condition of approval.

Director of Public Works/City Engineer Samuelson stated that he did not believe reclaimed water was available in this area.

In response to Chair Gutilla, Mr. Patty explained the drive through canopy would cover the drive for access to an ATM outside the building. He noted no enhanced drive-up services would be available.

In response to Commissioner Martin's earlier question, Mr. Patty explained the wall would be a keystone retaining wall in line with the surrounding area.

Chair Gutilla commented dwarf fountain grass was on a potentially invasive list for the state and recommended it be replaced with Pink Muhly or Oriental Fountain Grass.

Commissioner Motts spoke in support of the project.

Vice Chair Riley welcomed the new Travis Credit Union location to Antioch and stated it was a great project.

#### **RESOLUTION NO. 2022-25**

***On motion by Commissioner Martin, seconded by Commissioner Schneiderman, the Planning Commission unanimously adopted the Resolution recommending to the City Council approval of an Ordinance to Rezone to Planned Development District for the Travis Credit Union Project Located at 3500 Hillcrest Avenue (PD-22-03) (APN: 052-370-010). The motion carried the following vote:***

<b>AYES:</b>	<b>Schneiderman, Martin, Motts, Hills, Lutz, Riley, Gutilla</b>
<b>NOES:</b>	<b>None</b>
<b>ABSTAIN:</b>	<b>None</b>
<b>ABSENT:</b>	<b>None</b>

Speaking to the following motion: Senior Planner Scudero stated with a clarification that there would be access to the west of this project, no conditions of approval needed to be added regarding that item.

**RESOLUTION NO. 2022-26**

***On motion by Commissioner Martin, seconded by Commissioner Motts, the Planning Commission unanimously adopted the Resolution recommending City Council approve a Final Development Plan, Use Permit, and Design Review for the Travis Credit Union Project located at 3500 Hillcrest Avenue subject to the Findings and Conditions of Approval (PD-22-03) (UP-22-08) (AR-22-07) (APN:052-370-010) with the following revisions:***

- ***Eliminate project specific condition #25***
- ***The applicant shall eliminate dwarf fountain grass and replace it with Pink Muhly or Oriental Fountain Grass.***

***The motion carried the following vote:***

<b>AYES:</b>	<b>Schneiderman, Martin, Motts, Hills, Lutz, Riley, Gutilla</b>
<b>NOES:</b>	<b>None</b>
<b>ABSTAIN:</b>	<b>None</b>
<b>ABSENT:</b>	<b>None</b>

Chair Gutilla congratulated the applicant and thanked them for investing in Antioch.

The applicants thanked the Planning Commission for their approval.

Commissioner Martin thanked the applicant for bringing a new project to Antioch.

- 7-2 Z-22-05: Buchanan Crossings Parcel 7 Rezone, Buchanan Road-** The City of Antioch is proposing to rezone Parcel 7 of the Buchanan Crossings project to include the Commercial Infill Housing (CIH) Overlay Zoning District. The CIH Overlay District will allow residential development on the subject site. The adjacent parcel was rezoned to include the CIH Overlay District on April 26, 2022 (Ord. No. 2210-C-S).

Planning Manager Hersch presented the staff report recommending the Planning Commission adopt the Resolution recommending City Council approve the rezone request for Buchanan Crossings Parcel 7.

Commissioner Motts reported the State just passed two bills regarding the conversion of unused and vacant commercial property into infill housing. He questioned if this item was related to that action.

Planning Manager Hersch explained that this item was directly related to the effort the City undertook using SB2 funds. She noted she was familiar with the new State laws and one of the key requirements was prevailing wage and the City did not have that requirement locally.

Commissioner Martin questioned if adding this property changed the analysis given for Bucannon Crossings.

Planning Manager Hersch explained that this site was not a housing element opportunity site. She noted all the CIH zoned parcels still retained underlying commercial zoning with flexibility to be redeveloped for residential uses, so they were not counted in the housing element. She further noted this was proceeding independent of the element update.

Vice Chair Riley questioned if any developers were looking at this parcel.

Planning Manager Hersch commented that she spoke to a developer in June who was interested in potentially pursuing a project; however, it was not financially viable because of this exclusion. She noted there was also another developer who may pursue development once this rezone was approved.

Chair Gutilla opened the public comment period.

Andrew Becker stated he felt infill parcels for housing was a great opportunity to bring mixed use; however, his concern was that staff had moved quickly and encouraged developers without addressing inclusionary zoning, in lieu or linkage fees to address the City's low-income affordable housing needs.

Chair Gutilla closed the public comment period.

Commissioner Motts agreed with Mr. Becker's comments. He noted there may be a need for commercial development in this area so the City could capture sales tax dollars.

***RESOLUTION NO. 2022-27***

***On motion by Commissioner Martin, seconded by Vice Chair Riley, the Planning Commission unanimously adopted the Resolution recommending City Council approve the Ordinance to rezone Parcel 7 of Buchanan Crossings to include the Commercial Infill Housing (CIH) Overlay District (APN: 074-480-007) (Z-22-05). The motion carried the following vote:***

<b>AYES:</b>	<b><i>Schneiderman, Martin, Motts, Hills, Lutz, Riley, Gutilla</i></b>
<b>NOES:</b>	<b><i>None</i></b>
<b>ABSTAIN:</b>	<b><i>None</i></b>
<b>ABSENT:</b>	<b><i>None</i></b>

- 7-3. Z-22-06: Lakeview Center Parcel 5 Rezone, Lone Tree Way and Golf Course Road** - The City of Antioch is proposing to rezone Parcel 5 of the Lakeview Center project to include the Commercial Infill Housing (CIH) Overlay District to the subject site. The CIH Overlay District allows residential development to occur on the parcel. Three vacant parcels in the development were rezoned to include the CIH Overlay District on April 26, 2022 (Ord. No. 2210-C-S).

Planning Manager Hersch presented the staff report recommending the Planning Commission adopt the Resolution recommending City Council approve the rezone request for Lakeview Center Parcel 5.

Chair Gutilla opened and closed the public hearing with no speakers requesting to speak.

Commissioner Martin commented that he hoped developing housing was not eliminating retail projects that supported the City.

***RESOLUTION NO. 2022-28***

**On motion by Commissioner Martin, seconded by Commissioner Motts, the Planning Commission unanimously adopted the Resolution recommending City Council approve the Ordinance to rezone Parcel 5 of Lakeview Center to include the Commercial Infill Housing (CIH) Overlay District (Z-22-06). The motion carried the following vote:**

<b>AYES:</b>	<b>Schneiderman, Martin, Motts, Hills, Lutz, Riley, Gutilla</b>
<b>NOES:</b>	<b>None</b>
<b>ABSTAIN:</b>	<b>None</b>
<b>ABSENT:</b>	<b>None</b>

**8. ORAL/WRITTEN COMMUNICATIONS**

Planning Manager Hersch reminded Commissioners to complete Ethics Training. She thanked Commissioner Martin and Chair Gutilla for completing training. She reported she attended the State Planning Conference and presented on Commercial Infill Housing.

Commissioner Martin questioned if there were any plans from the City to update the Ordinance dealing with Tree Preservation and Regulations, including the appeals process.

Planning Manager Hersch responded that there had been no formal direction to do so; however, it could be brought forward in the future to determine which process would work best to address the removal of street trees

Commissioner Martin recommended staff begin looking into this matter because he felt ill at ease that the Planning Commission was policing this process.

Commissioner Martin questioned if there had been discussions with regards to adding regulations for inclusionary housing. He commented that he had visited the East 18<sup>th</sup> Street property which was a great project and noted that he would like to see more of those types of projects; however, he would have liked the project to have included solar. He requested staff start looking at more of these types of developments to help the City meet State requirements.

Commissioner Hills reported she had not received the zoom link for this and the last Planning Commission meetings.

Chair Gutilla reported she also did not receive the zoom links; however, she realized that a past link could be used to log into the meeting.

Planning Manager Hersch confirmed that the meetings were held as recurring webinars, so the link remained the same.

Commissioner Hills and Chair Gutilla reported they had not received any information regarding the Planning Commission Training Seminar that would be occurring October 21, 2022.

Planning Manager Hersch responded that she would reach out to get more information for Commissioners.

Commissioner Lutz stated he planned to sign up and attend the seminar.

In response to Chair Gutilla, Planning Manager Hersch stated Commissioners were welcomed to carpool to the event.

Commissioner Motts stated he was in support of staff addressing inclusionary housing and all aspects of the tree ordinance as well as a policy for supporting tree planting and preservation of landmark/old growth trees.

Commissioner Lutz agreed and stated he did not feel it was appropriate for the Planning Commission to rule on trees. He suggested staff look at other cities that have effective tree policies.

Commissioner Schneiderman commented that the tree issue should have been a staff function. She reported that she frequently walked to the park in the evening near the soccer fields on James Donlon Blvd and players at night were not using the bathroom to relieve themselves. She suggested the City install a portable toilet or build a bathroom by the turf fields.

Director of Public Works/City Engineer Samuelson responded that he would investigate how they could mitigate this problem.



Commissioner Hills questioned if the Planning Commission could form an Ad Hoc Committee to discuss a tree policy.

Planning Manager Hersch stated staff could agendize this item for future discussion and determine if more conversation was warranted. She stated she understood the Planning Commissioner's concerns.

Chair Gutilla stated she looked forward to a future agenda item regarding a tree policy.

**9. COMMITTEE REPORTS -**

Commissioner Motts reported that the TRANSPLAN meeting had been cancelled.

**10. NEXT MEETING: October 19, 2022**

Chair Gutilla announced the next Planning Commission meeting would be held on October 19, 2022.

**11. ADJOURNMENT**

***On motion by Commissioner Lutz, seconded by Commissioner Martin, the Planning Commission members present unanimously adjourned the meeting at 8:01 P.M. The motion carried the following vote:***

<b>AYES:</b>	<b>Schneiderman, Martin, Motts, Hills, Lutz, Riley, Gutilla</b>
<b>NOES:</b>	<b>None</b>
<b>ABSTAIN:</b>	<b>None</b>
<b>ABSENT:</b>	<b>None</b>

Respectfully submitted:  
KITTY EIDEN, Minutes Clerk

**CITY OF ANTIOCH  
PLANNING COMMISSION**

**Regular Meeting  
6:30 p.m.**

**September 7, 2022  
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.***

**1. CALL TO ORDER**

Chair Gutilla called the meeting to order at 6:30 P.M. on Wednesday, September 7, 2022. She announced that tonight's meeting was being held in accordance with the Brown Act as currently in effect under AB 361, which allowed members of the Planning Commission, City staff, and the public to participate and conduct the meeting by teleconference. She stated anyone wishing to make a public comment, may do so by using the raise your hand tool or submitting their comments using the online public comment form at [www.antiochca.gov/community-development-department/planning-division/planning-commission-meetings/](https://www.antiochca.gov/community-development-department/planning-division/planning-commission-meetings/). Public comments that were previously submitted by mail or email have been provided to Planning Commissioners.

**2. ROLL CALL**

Present: Commissioners Schneiderman, Martin, Hills, Lutz, Vice Chair Riley and Chair Gutilla  
Absent: Commissioner Motts  
Staff: Legal Counsel, Ruthann Ziegler  
Director of Community Development, Forrest Ebbs  
Director of Public Works/City Engineer, John Samuelson  
Planning Manager, Anne Hersch  
Associate Planner, Jose Cortez  
Community Development Technician, Hilary Brown  
Minutes Clerk, Kitty Eiden

**3. PLEDGE OF ALLEGIANCE**

Chair Gutilla led the Pledge of Allegiance.

**4. EX-PARTE COMMUNICATIONS - None**

**5. PUBLIC COMMENT – None**

## 6. CONSENT CALENDAR

### 6-1. Planning Commission Meeting Minutes June 15, 2022

*On motion by Commissioner Martin, seconded by Commissioner Lutz, the Planning Commission members present approved the Minutes of June 15, 2022. The motion carried the following vote:*

<b>AYES:</b>	<b>Martin, Lutz, Riley, Gutilla</b>
<b>NOES:</b>	<b>None</b>
<b>ABSTAIN:</b>	<b>Schneiderman, Hills</b>
<b>ABSENT:</b>	<b>Motts</b>

## 7. PUBLIC HEARING

- 7-1. UP-21-13, AR-21-12 Mahogany Car Wash at 2410 Mahogany Way-** The applicant is seeking Use Permit, and Design Review approval for a new automated car wash at 2410 Mahogany Way. The subject site is 0.81 acres and partially developed with a parking lot and building pad. The site was previously a restaurant use. The building was demolished in 2019. The project scope includes construction of an automated 3,628 sq. ft. car wash, with development of the parking lot to include vacuum stalls. The building will be comprised of “Mindful Gray” painted stucco in, “Mindful Gray” color, “sealskin” trim, brick veneer, and a prefab metal roof. Hours of operation are proposed to be 7 AM to 9 PM, 7 days a week. There will be 2 shifts and 2 employees per shift during business hours.

Associate Planner Cortez presented the staff report dated September 7, 2022, recommending the Planning Commission adopt the Resolution approving development of a new carwash at 2410 Mahogany Way subject to the findings and Conditions of Approval.

Sean Singh, Co-Owner of Mahogany Carwash, thanked Associate Planner Cortez and the Planning Department for the staff report. He gave a background of his business experience and a brief overview of the express tunnel carwash project. He explained that this project would include pet wash services. He stated they would hire local and employ 2-3 employees per shift, which could increase depending on volume. He explained the business would be eco-friendly. He announced that they would work with CCWD to provide coupons for Antioch residents.

Chair Gutilla opened and closed the public comment period with no speakers requesting to speak.

In response to the Commissioner Schneiderman, Mr. Singh reviewed site security.

Commissioner Schneiderman stated she believed this carwash would be a good addition to Antioch and wished Mr. Singh good luck with his project.

Commissioner Martin congratulated Mr. Singh on his presentation. He questioned the cost of the carwash service and asked the applicant to describe the dog wash area. Mr. Singh stated that he anticipated the cost would be \$10.00 - \$18.00 depending on the level of carwash service. He displayed the layout and gave a brief description of the dog wash area.

Commissioner Hills spoke in support of the dog wash feature.

In response to Commissioner Hills, Mr. Singh stated that they intended to be the operator for the carwash, and they were in the process of developing a brand image.

Commissioner Lutz stated this business would be a great fit for this area. He questioned if the dog wash would be coin operated and if any other items would be sold on site.

Mr. Singh confirmed that the dog wash would be coin operated and self-contained. He noted employees would be on site if anyone needed assistance with this feature. He clarified that they may sell items in their lobby depending on customer's needs.

Vice Chair Riley spoke in support of the outdoor commercial dog wash area.

Mr. Singh stated they were willing to add more dog wash stations if needed and explained that different payment methods would be available.

Commissioner Martin stated the addition of this business would improve the area.

In response to Commissioner Martin, Associate Planner Cortez stated the location of the trash container was conditioned by the City's Engineering Division to address garbage pickup maneuverability on the site

Commissioner Martin stated it looked like it would be more convenient and esthetically pleasing to locate the trash container on the southeast area of the property. He requested the engineering department consider that option.

Associate Planner Cortez added that one of the primary concerns was the location of the bio retention basin.

Planning Manager Hersch stated they met with the Engineering Division who looked closely at this project and their recommendations were based on regulatory compliance.

Commissioner Martin questioned what would occur if Caltrans did not approve the location of the retaining wall.

Associate Planner Cortez commented that Engineering's recommendation was to reach out to Caltrans to see what they would allow. He noted the applicant did their due diligence regarding the location of retaining walls.

Planning Manager Hersch stated staff would work the applicant and Caltrans to find a solution if the retaining wall location was not approved. She noted it would not prevent the project from being built.

Commissioner Martin stated he liked the project and felt it was a good fit for the area.

In response to Chair Gutilla, Mr. Singh stated there would be no access to the property once the business was closed. In terms of the dog wash, if needed they would be willing to invent some other security measures such as a locked gate or on-site security.

**RESOLUTION NO. 2022-24**

***On motion by Commissioner Martin, seconded by Commissioner Schneiderman, the Planning Commission members present unanimously adopted the Resolution approving development of a new carwash at 2410 Mahogany Way subject to the findings and Conditions of Approval. The motion carried the following vote:***

<b>AYES:</b>	<b>Schneiderman, Martin, Hills, Lutz, Riley, Gutilla</b>
<b>NOES:</b>	<b>None</b>
<b>ABSTAIN:</b>	<b>None</b>
<b>ABSENT:</b>	<b>Motts</b>

- 7-2. Appeal of Tree Committee Approval Granting a Street Tree Removal Permit at 411 W. 5th St.-** The appellant has filed an appeal of the Tree Committee's decision approving a street tree removal permit request to remove two (2) London Plane trees at 411 W. 5th St. The appeal cites aesthetic concerns, violation of existing tree policy, and the removal is unnecessary and a detriment to the quality of life in the downtown neighborhood.

Commissioner Martin recused himself from Public Hearing 7-2 and turned off his audio and video for the meeting.

Director of Community Development Ebbs presented the staff report dated September 7, 2022, recommending the Planning Commission adopt the Resolution upholding the Tree Committee's approval to remove two street trees at 411 W. 5th St.

In response to Commissioner Lutz, Director of Community Development Ebbs explained the Board of Administrative Appeals was cited in the Zoning Ordinance as the appellant body; however, another section of that document stated any appeal of Zoning Ordinance items shall go to the Planning Commission. He commented the City Attorney determined that this item needed to go before the Planning Commission since they had authority over

the Zoning Ordinance, and the Board of Administrative Appeals should have never been referenced.

At the request of Diane Gibson-Gray, Applicant, and in consultation with Director of Community Development Ebbs, Chair Gutilla stated the Commission would hear Public Comment first and the Applicant and Appellant comments would follow.

Chair Gutilla opened the public comment period.

Andrew Becker stated he was disheartened to hear how this issue came forward and expressed concern that the applicant and appellant were not focused on more important issues.

Chair Gutilla reminded speakers to direct their comments to the Planning Commission.

Sheri Thompson, Antioch resident, stated she lived in the area and had a similar situation with tree roots raising the sidewalk and entering the sewer system. She noted this issue was part of being a property owner downtown. She reported the tree that was pruned had survived and looked beautiful.

Rick Stadlander stated the trees were healthy and suggested a permanent solution would be to install a modern sewer line. He proposed that neighbors could share in the expense and labor for the new sewer line. He stated he felt property values and the quality of life would be negatively affected with removal of these trees.

Rachel Motts, speaking on behalf of keeping the legacy trees safe on 5<sup>th</sup> Street in downtown Antioch, recommended these trees be preserved.

Molly Ayres, Antioch resident, spoke in support of allowing the trees to remain. She reported that after the City stopped the applicant from removing the trees, neighbors received notifications from the City that roots were lifting sidewalks. She requested the City work with the homeowner to allow her to retain the trees and repair the sewer line. If the trees were removed, she suggested they be replaced with fast-growing trees.

Chair Gutilla closed the public comment period.

Diane Gibson-Gray, Applicant, reported the tree roots had caused \$6000 in sewer line repairs and she also replaced the sidewalk. She explained when she applied for the permit, her sidewalk along with other neighborhood sidewalks in need of repairs were tagged by Code Enforcement. She clarified that the arborist and City provided compelling reasons to remove the trees. She stated that her intention was to remove and replace the trees with city approved trees and repair the sidewalk to prevent future problems.

Joy Motts, Appellant, spoke in support and discussed the benefits of maintaining tree-lined streets in downtown Antioch. She stated the unpermitted attempt to remove these trees was arbitrary, unnecessary and a determinant to the City. She noted the repair of



sidewalks and public infrastructure was the responsibility of the homeowner. She requested the Planning Commission deny this application, protect the landmark trees and allow them to hire their own arborist.

In response to Chair Gutilla, Director of Community Development Ebbs stated that he believed the times allowed for public comment satisfied the City's need to allow for rebuttals.

Commissioner Schneiderman commented that the landscape strip was insufficient for a large tree and replacing them with crepe myrtle trees would be appropriate since the existing trees were unhealthy. She expressed concern that raised sidewalks were a public safety concern and agreed with the City's recommendations.

In response to Commissioner Hills, Director of Community Development Ebbs displayed photographs provided by the appellant of the current condition of trees A and B as well as the arborist report.

In response to Commissioner Lutz, Director of Community Development Ebbs explained that the trees were in the public right of way; however, the City ordinance indicated that the responsibility to maintain sidewalk, trees, and landscaping fell on the adjacent property owner.

Commissioner Lutz stated this was a complicated issue and difficult decision. He stated he did not understand why this item was before the Planning Commission since it was not a planning issue. He believed this was a City issue since they initially planted the trees. He spoke in support of the formation of a tree committee, the development of a tree policy and hiring of a city arborist. He suggested removing only the tree that was in poor condition.

Chair Gutilla agreed with Commissioner Lutz that the decision was complicated and may set precedent. She stated based on the arborist report, photos, and unpermitted pruning, she supported the removal of tree B. She also supported reversing the decision for tree A since it had several years of life left. She noted the arborist recommendation for pruning may preserve or extend the longevity of that tree. She further noted leaving tree A would have a lesser water demand and provide shade which would help establish the tree B replacement. She suggested staggering replacement of street trees to provide a more cohesive look. She commented that the existing trees were inappropriately sized for their location. She suggested replacing tree B with a more appropriately sized drought tolerant tree. She also felt tree A should be trimmed by a licensed arborist.

Commissioner Hills questioned if there was a current program the City could offer for tree pruning.

Director of Public Works/City Engineer Samuelson explained the City had a cost sharing program for sidewalk repairs; however, it did not apply to trees and the City did not provide

recommendations for arborist due to liability issues. He added that power line issues were deferred to PG&E for their recommendations.

Commissioner Hills questioned where the public could go to have their future tree concerns addressed.

Director of Community Development Ebbs referred them to the planning division who were experts on the city's tree preservation policies contained within the Zoning Ordinance.

Director of Public Works/City Engineer Samuelson reported staff received several requests for tree removals and permits were not uncommon. He noted that typically public works did the evaluations; however, in certain cases they hired an arborist. He explained that this item was before the Commission because the decision was appealed.

In response to Commissioner Schneiderman, Director of Community Development Ebbs clarified that staff did not require people to trim their trees.

In response to Chair Gutilla, Director of Public Works/City Engineer Samuelson stated because of the narrow nature of the area, there were a couple of options for replacement trees. He noted Public Works staff could work with residents to determine an appropriate replacement.

Following discussion, Director of Community Development Ebbs stated if the Planning Commission majority wanted to keep one tree and allow removal of the other, they could provide that direction to staff and they would return at the next Planning Commission meeting with a formal resolution that reflected that direction.

In response to Vice Chair Riley, Director of Public Works/City Engineer Samuelson confirmed they have had problems with the sewer lateral being clogged from the roots of this tree.

Commissioners Lutz and Hills stated they supported the removal of tree B and retaining tree A.

Commissioner Schneiderman stated she supported staff's recommendation for removal of both trees.

Vice Chair Riley supported the removal of tree B and retaining and possibly pruning tree A. He sympathized with the homeowner regarding the impact to the sewer and water lines.

Outside Legal Counsel Ziegler suggested with a majority of the Commission in support of removing tree B and retaining tree A, the motion could be to direct staff to bring back a resolution granting the appeal in part and denying the appeal in part. As a result, they

would be granting the appeal as to tree A and denying the appeal as to tree B, and staff would bring back findings to support a resolution.

Planning Manager Hersch also recommended the item be continued to October 5, 2022.

***On motion by Vice Chair Riley, seconded by Commissioner Lutz, the Planning Commission directed staff to bring back a resolution, granting the appeal in part and denying the appeal in part, granting the appeal for street tree A and denying the appeal for street tree B, with the findings to support a resolution and continued to October 5, 2022. The motion carried the following vote:***

**AYES:** Hills, Lutz, Riley, Gutilla  
**NOES:** Schneiderman  
**ABSTAIN:** None  
**ABSENT:** Motts

Commissioner Martin returned to the meeting.

## **8. ORAL/WRITTEN COMMUNICATIONS**

### **8-1. Planning Commissioner Meeting Canceled September 21, 2022**

Planning Manager Hersch announced the September 21, 2022, Planning Commission meeting was canceled. She reported that she had emailed all Planning Commissioners information on ethics training, and she encouraged Commissioners to complete it when they had time available. She noted best practice was to complete it every two years.

## **9. COMMITTEE REPORTS - None**

## **10. NEXT MEETING: October 5, 2022**

Chair Gutilla announced the next Planning Commission meeting would be held on October 5, 2022.

## **11. ADJOURNMENT**

***On motion by Commissioner Schneiderman, seconded by Commissioner Hills, the Planning Commission members present unanimously adjourned the meeting at 8:06 P.M. The motion carried the following vote:***

**AYES:** Schneiderman, Martin, Hills, Lutz, Riley, Gutilla  
**NOES:** None  
**ABSTAIN:** None  
**ABSENT:** Motts

Respectfully submitted:  
KITTY EIDEN, Minutes Clerk

APR 08 2022

CITY OF ANTIOCH  
CITY CLERK

## Decision Appeal Application

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

**Date of Decision:**4/01/2022

**Name:**Joy Motts

**Property Address:** Appeal is regarding the approval by the City Tree Committee to allow the removal of landmark trees on the public sidewalks in front of 411 W. 5th Street.

**Mailing Address:**419 W. 5th Street, Antioch, 94509

**Home Phone:** ( ) **Work Phone:** ( ) **Cell Phone:** ( ) 925-813-0036

**Email:** joymotts@gmail.com

### REASON FOR APPEAL

The 400 block of 5th Street is requesting that the decision by the City of Antioch to allow the removal of landmark trees on the public sidewalk in front of 411 W. 5th Street be overturned.

Although the tree committee's decision allowing removal of the two London Plane Landmark trees does mandate replacement, it does not take into consideration the esthetic loss to the neighborhood given their mature nature and the decades required to achieve their elegance and stature.

Given the relatively low amount of infrastructure repair required by their growth in comparison with other similarly aged street trees, the fact that these trees are part of a row of continuous trees of the same variety, nor the arborist's evaluation that these trees had at least another decade of non-problematical life in them was considered in this decision. Nor were the wishes of the neighborhood that took the time to email the City asking that these

trees be preserved.	
<p><b>While the tree committee's ruling that the trees would need to be replaced is appreciated, we ask that the committee's decision be overturned as the removal is and was warrantless, arbitrary, and in violation of existing tree policy, and most importantly, the removal is unnecessary and a detriment to the quality of our downtown neighborhood.</b></p>	
<b>Signature</b> <i>James E. Metts</i>	<b>Date</b> <i>4/8/22</i>

trees be preserved.	
<p><b>While the tree committee's ruling that the trees would need to be replaced is appreciated, we ask that the committee's decision be overturned as the removal is and was warrantless, arbitrary, and in violation of existing tree policy, and most importantly, the removal is unnecessary and a detriment to the quality of our downtown neighborhood.</b></p>	
Signature <i>James E. Metts</i>	Date <i>4/8/22</i>

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<b>Signature</b> <i>James E. Metts</i>	<b>Date</b> <i>4/8/22</i>



April 1, 2022

Diane Gibson-Gray  
411 W. Fifth St  
Antioch, CA 94509

Dear Ms. Gibson-Gray:

Your permit request submitted on February 23, 2022, to remove two london plane (sycamore) trees in the City of Antioch right of way, in front of 411 W. Fifth St., has been approved subject to the following conditions:

1. Trees must be removed below ground level.
2. Two new suitable trees for the parking strip area shall be planted. City must approve tree selection prior to planting.
3. All future maintenance of the trees shall be the sole responsibility of the homeowner.

Section 1-4.01 of the City of Antioch Municipal Code (AMC) allows *"any person excepting to any administrative decision made by any official of the city.... may appeal in writing to the Board of Administrative Appeals..."* Section 1-4.02 of the AMC states, *"Appeals are required to be filled within 10 calendar days after the action appealed from has been taken."* As such, **removal of the trees may not occur until after April 12<sup>th</sup>** if no appeal has been received by the City.

If you have further concerns or questions, please contact me at [jsamuelson@antiochca.gov](mailto:jsamuelson@antiochca.gov).

Respectfully,

A handwritten signature in blue ink, appearing to read "J. Samuelson".

John Samuelson  
Public Works Director/City Engineer







## Assessing Two London plane Trees at 411 West 5<sup>th</sup> Street in Antioch, CA

Tony Wayne Wolcott Consulting, Walnut Creek, CA

March 7, 2022

To; Carlos Zepeda  
czepeda@antiochca.gov

Re: Two London plane street trees at 411 West 5<sup>th</sup> Street

### **Introduction**

On March 3, 2022, I received a call from Patrick Stewart of Stewart Tree Service. Mr. Stewart asked me to assess the tree health of a London plane tree; the plane tree was a street tree in the Antioch public right-of-way abutting 411 West 5<sup>th</sup> Street. Carlos Zepeda, Deputy Director of Public Works for Antioch, requested the report through Patrick Stewart. The report expanded to two London plane trees (*Platanus X hispanica*) at the time of my inspection. My assignment was to inspect the two trees, take pertinent measurements, photograph the trees and the surrounding site, and give my opinions on the trees' condition. I included tree risk factors and concluded with mitigation measures, including removal.

I took all the photos for this report at my inspection on Friday, March 4, 2022. I am not aware of the tree maintenance history on these two trees. This arborist report is for the use of Carlos Zepeda and the City of Antioch. The purpose of the report is to give an accurate tree assessment of the two trees.



Photo #1 The view of both trees is presented, looking west along 5<sup>th</sup> street. The closest tree is Tree A, the easternmost tree, and the second tree, Tree B, is to the west.

## Observations

The site surrounding the two plane trees tells a story. The concrete sidewalk lifts and falls in several places. Different concrete colors reveal several previous repairs. The artificial lawn and raised brick retaining wall offer little root space and no water. Wires run through Tree A's canopy. It appears that wires ran through Tree B's canopy. There is ivy growth in both tree basins. The 411 driveway shows cracking as well as lifting. Both tree trunks are up against the sidewalk, with Tree B's trunk growing over the sidewalk. Other trees on the 411 West Fifth Street block include a few *Quercus suber* (cork oak) of impressive size. The block features small tree basins with London plane trees and various utilities in the basins.

## Tree A Observations

1. Species: *Platanus X hispanica* London Plane Tree
2. Diameter at 4.5 feet above grade: 20.5 inches
3. Height: 45 feet
4. Canopy spread: 34 feet and balanced



Photo #2 The Tree A view reveals a single trunk with a full canopy of branches.

Over the years, regular maintenance has included pruning. The canopy reveals some reduction cuts at various points. The tree responded with multiple branch growth. Some small (less than two inch-diameter) branches have died and hung up in the canopy. Electrical wires run through the tree's crown. There is some evidence of heartrot decay in the branches, with a trunk sounding somewhat hollow but typical of London plane trees.

The tree basin is seven feet long by three feet wide, with the ivy clump on the western side of the trunk. The water meter is in the tree basin one foot from the tree's trunk. A sewer line runs from the house to the street through the driveway. However, the sewer line is two feet from the tree basin and three feet nine inches from Tree A's trunk. This tree's root system most likely causes sidewalk and driveway damage.





Photos # 4 and #5 The Tree A decay into the heartwood is evident in the left photo. The photo on the right shows the water meter location with the concrete and the tree trunk.

## Tree B Observations

1. Species: *Platanus X hispanica* London Plane Tree
2. Diameter at 4.5 feet above grade: 16 inches
3. Height: Canopy was removed.
4. Canopy spread: Before the cutting, the spread was more expansive than Tree A

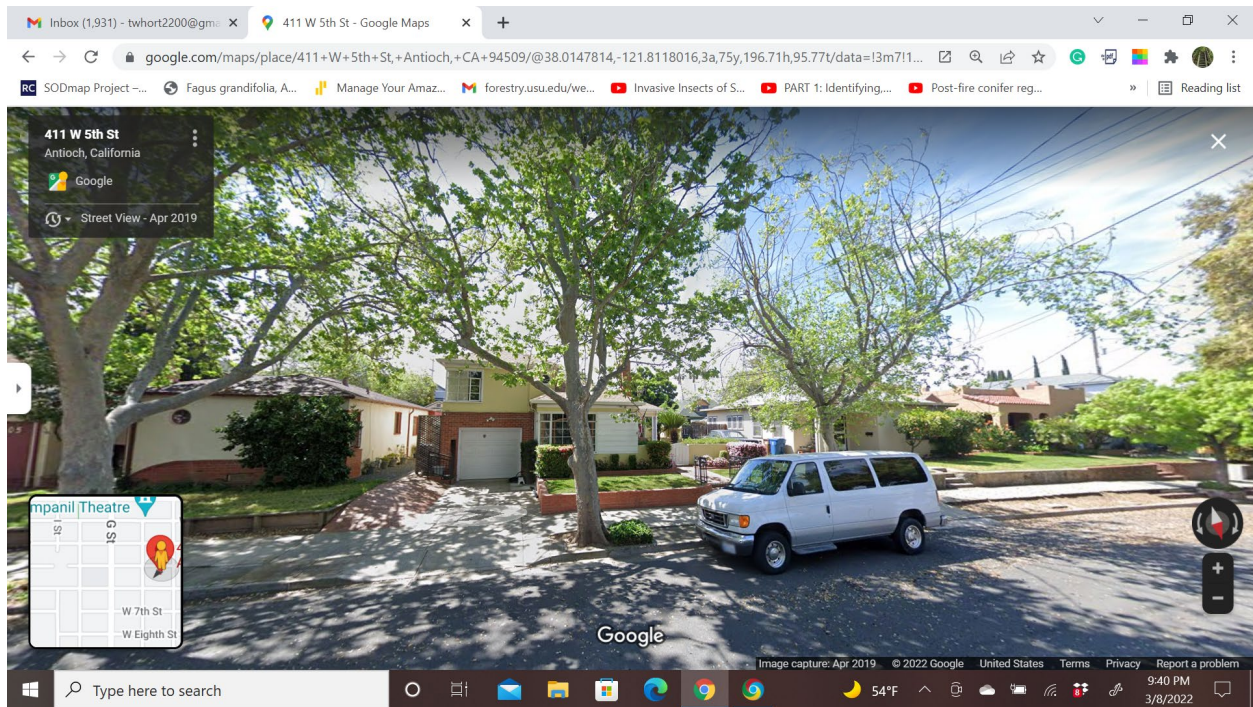


Photo #6 This photo from a Google search shows Tree B behind the white vehicle. The photo is dated April 2019.

The removal of Tree B's canopy happened a few weeks ago. The above photo gives us some idea of what Tree B might have looked like without removing the branches. The branch structure is comparable to Tree A's structure. The foliage is weak, with dead branch ends. This appearance indicates root problems; the roots cannot provide water and nutrients throughout the tree's crown.

The tree basin is nine feet by three feet, with the sewer cap two feet six inches to the tree. Some decay is evident in the stems; the trunk sounds hollow, similar to Tree A.

## Discussion

In looking at Tree Condition, there are three factors—Health, Structure, and Form.

I put Health and Structure above Form in importance. The breakdown is 40% Health, 40% Structure, and 20% Form.

The Tree Condition of Tree A is **Fair**.

Tree A's Health is Poor. There is decay from split-off branches, which runs unchecked up and down the tree. The lack of appropriate soil volume harms the roots.

The tree structure is Fair, with a balanced canopy and growth response to pruning—however, the apparent decay and dead branches are a structural concern. I rate the Form as Good with a distinct look for a London plane street tree.

The Tree Condition of Tree B is **Poor**.

Tree B's Health is poor, with a lack of foliar vigor and decay evident in some branches. The problem with the roots may be a lack of soil volume or stress-related. The drought and lack of supplemental water are contributing abiotic factors. The Tree Structure is fair with some overextended branches and weak attachments. The wood sounds hollow but typical of the species. The vascular system of Tree B is still functioning, and the wood with the decay is still structurally sound. Tree B's Form is Poor; the branches are overextended, and the canopy is unbalanced with more dead branches on the left side.

These two trees reveal some shortcomings to the initial planning of this area. The size of the planting strip is too small to accommodate a medium-size tree, let alone a London plane tree or cork oak. With concrete poured into the planting strip, the resulting tree basins are less likely to support a street tree for any significant time. The placement of utilities in the tree basins adds to the crowding.

Tree A has grown a full canopy, and Tree B has a decent branch structure with some green foliage. This picture says more about the London plane tree than the conditions for growth. This tree perseveres through heavy pruning, even to significant root pruning. However, decay often catches up to this tree in the long run.

## Conclusions

There are several options to look at in this 411 West Fifth Street situation. First, in dealing with Tree B, there is no option. This tree requires removal. However, if we look at the tree before the canopy removal, one option would be to reduce the entire canopy down to healthy branches and allow the tree to remain until the tree dies. Once Tree B is gone, a replacement can fill the same spot but choose a smaller maturing tree, better suited for a small basin.

Tree A with a growing canopy offers several options. Here are some scenarios in no particular order.



- Remove Tree A. Reassess the species' choices for this area. Species diversity is essential, so recommend two or three species. The choices must make sense for such a restricted planting area—small maturing trees, drought-tolerant, and an upright habit.
- Prune Tree A. Reduce the height and side spread by about five feet. Clean out all dead wood and prune for clearance around the wires. Select single branches for retention and eliminate multiple branches from the old heading cuts. Some safety pruning may be necessary for heavily decayed branches.
- Do nothing. I don't think that this is an option for Tree B. However, the risk of Tree B failing and striking a target is very low. Tree A has some small dead branches, which may or may not come down through the canopy. The risk of any consequences from these branches is very low over the next ten years. However, there is more risk of larger branches breaking off due to heartrot decay. These failures have the potential for hitting wires, vehicles, even pedestrians. The risk rating is still low over the next ten years. The chance of complete tree failure with subsequent significant damage is also very low for the ten years. The risk of tree roots damaging infrastructure is unknown. These impacts may have already happened with subsequent repairs. It seems likely that roots continue to disrupt the utilities and lift concrete sidewalks and driveways.

### Sources Used for this Arborist Report:

Costello, Laurence R., Jones, Katherine S., *Reducing Infrastructure Damage by Roots*, Western Chapter of the International Society of Arboriculture, 2003

Dujesiefkin, Dirk, Liese, Walter, *The Codit Principle Implications for Best Practices*, Martin One Source, Champaign, Illinois, US, 2015, ISBN: 978-1-881956-91-4

Dunster, Julian A, Smiley, Thomas E., Matheny, Nelda, Lilly, Sharon, *Tree Risk Assessment, Manual*, Second Edition, International Society of Arboriculture, 2017, ISBN: 978-1-881956-99-0

Gilman, Edward F., Lilly, Sharon J., *Best Management Practices, Tree Pruning*, International Society of Arboriculture, 2002

Matheny, Nelda P. and Clark, James R., *Evaluation of Hazard Trees in Urban Areas*, International Society of Arboriculture, 1991

Urban, James, *Up by Roots Healthy Soils and Trees in the Built Environment*, International Society of Arboriculture, 2008, ISBN: 1-881956-65-2

Submitted by Tony Wayne Wolcott

Registered Consulting Arborist #685 – American Society of Consulting  
Arborist  
Board Certified Master Arborist – WE 3284B ISA,  
Risk Assessment Qualified

Signed: *Tony Wayne Wolcott*  
959 Cheyenne Drive,  
Walnut Creek, CA, 94598  
Phone: 510.274.7367

Date: March 8, 2022

I hereby certify that I am the owner of the property described below:

Name: C. Diane Gibson-Gray Phone: 925.325.9897  
Address: 411 W. 5th ST Date: 2.23.22

I am requesting authorization to remove the following tree(s) from: ☐ City Property ☒ Private Property

Size and Type of tree(s): 2 Sycamores  
Location of tree(s): between sidewalk & street  
Reason for request: SAFETY - see emails & photos

**Mature** trees have a trunk diameter of 26 inches and/or 4 ½ feet above natural grade and **indigenous** trees of any size (see list below\*\*):

1. On City property, trees will be replaced at staff discretion with respect to tree status and budget.
2. On private property, this form must be approved by the City of Antioch, Public Works Department prior to removal.

If replacement is approved the tree may not be replanted in its original location. The City will arrange to have the tree planted and will require use your hose and water the day it is planted. Thereafter it is your responsibility to keep the tree watered, trimmed and otherwise maintained in a healthy state.

Trees will not be replaced: in parking strips narrower than 3'; over a tree stump unless it is completely removed, or ground to a depth of 18 inches; over gas lines.

If the City authorizes a replacement for the removed tree, your preference will be considered in selecting a type/species. Using the list below\*, please indicate the number assigned to the tree you prefer: \_\_\_\_\_

**Landmark and/or Heritage** trees have a trunk diameter of 48 inches and/or in excess of 40 feet above natural grade in height are protected trees and any activities related to these trees must be approved by the City's Tree Committee, for more information please contact [publicworks@ci.antioch.ca.us](mailto:publicworks@ci.antioch.ca.us) or 925-779-6950.

BY SIGNING and/or SUBMITTING THIS CONSENT FORM, YOU AGREE TO AND UNDERSTAND THE PROVISIONS SET FORTH IN THIS DOCUMENT:

Applicant's Name/Signature: C. Gibson-Gray

If you have any questions regarding tree removal or replacement, please email [publicworks@ci.antioch.ca.us](mailto:publicworks@ci.antioch.ca.us).

**DO NOT WRITE BELOW THIS LINE**

Tree(s) verified in field (size/type) by: 2-45' tall Platanus Occidentalis Date: 3.2.22

Removal Approved by: [Signature] Removal Denied by: \_\_\_\_\_

Forwarded to Engineering for sidewalk work: ☐ YES ☐ NO If yes, date forwarded: \_\_\_\_\_

Following conditions were noted: 2-Approx 45' tall Sycamore trees planted in front of the homeowners right of way. The trees have begun to severely lift the sidewalk, causing a tripping hazard to the public. The other tree has developed to rot, causing large limbs to become weak, and fall to the ground at random times. Recommendation is remove trees, grind stumps and replace with Lagerstroemia Hybrid 'TNT'

Tree Form 08/02/11

**Public Comment to Planning Commissioners sent via email 10/4/22.**

Diane Gibson-Gray, owner, TREE REMOVAL PERMIT request for 411 W. 5<sup>th</sup> Street

First of all, I apologize for the length of this communication. At the September meeting I had had surgery in the morning and I didn't want to reschedule the meeting as I wanted to resolve the issue and the arborist and city staff both agreed that the trees were not appropriate for the 3 ft. planting area. As such, I was not at my best, and would like to present additional information for consideration before a final decision is made. I am out of town until Friday and while it is my intention to attend the October 5<sup>th</sup> meeting, via zoom, this correspondence ensures my side of the story is in the record.

**BACKGROUND**

After purchasing the home in 2014, there has been at least 6 calls for service to clear out the sewer system. Around 2017-18, A plumber cut through the concrete to replace some of the pipe and clear the pipes as best as could be done without cutting out more concrete. The cost was around \$5,000. Service calls were reduced, but there was at least one call per year for the pipes to be cleaned out due to sewer backup.

My intention in February was to cut down the trees, replace sidewalk (lifting due to roots) and plant two new trees. The sidewalk was especially dangerous to the 93 year old who lived there and used a walker. He was concerned about the damage of the branches falling on him and his car. In addition, I was concerned that the roots would eventually cause structural damage to the beautiful brick retaining wall.

Below are the reasons and photos presented to city staff to support the Tree Removal Permit request.



1. *The sidewalk areas are impacted by the roots and I'm concerned about potential injury / liability issues.*
2. *Large holes in the branches are destroying the tree(s) from the inside out. I didn't know about this until the first tree branches were cut.*



3. Large branches from the top are falling and daily twigs (large and small) have been flying down during windy days, creating the possibility of injury / liability. See Photos below.

*The tipping point causing me to make the decision to hire a tree removal company was when a branch, the length of the front lawn in the first photo fell off. The thought of any size branch falling on my elderly bonus parents, a child or a car is horrifying. Unfortunately, I didn't think to take a photo before I had the gardener cut it up. I've already had to replace part of the sewer line, part of the driveway and paid for many "rooting" services due to roots in the pipes. I am concerned the water line will be next. In addition, there is a beautiful brick retaining wall around the front and I would be devastated if the roots went under the bricks and caused it to warp/pull apart.*

Photos of tree during removal process before work stoppage and brick retaining wall.



## TREE REMOVAL PERMIT PROCESS BACKGROUND

The city website <https://www.antiochca.gov/fc/public-works/Tree-Removal-Permit-Request.pdf> does not refer to [https://codelibrary.amlegal.com/codes/antioch/latest/antioch\\_ca/0-0-0-29020](https://codelibrary.amlegal.com/codes/antioch/latest/antioch_ca/0-0-0-29020) (Ord. 897-C-S, passed 10-25-94; Am. Ord. 928-C-S, passed 11-26-96).

## ARBORIST REPORT

Summary related to requested tree removal with financial considerations in yellow:

- Concrete sidewalk lifts and falls in several places. Different concrete colors reveal several previous repairs.
- The artificial lawn and raised brick retaining wall offer little root space and no water.
- The 411 driveway shows cracking as well as lifting.
- Both tree trunks are up against the sidewalk, with Tree B's trunk growing over the sidewalk.
- The tree basin is seven feet long by three feet wide, with water meter is in the tree basin one foot from the tree's trunk.
- A sewer line runs from the house to the street through the driveway. However, the sewer line is two feet from the tree basin and three feet nine inches from Tree A's trunk.
- Photos # 4 and #5 The Tree A decay into the heartwood is evident in the left photo. The photo on the right shows the water meter location with the concrete and the tree trunk.



- There is decay from split-off branches, which runs unchecked up and down the tree. The lack of appropriate soil volume harms the roots. The tree structure is Fair, with a balanced canopy and growth response to pruning— however, the apparent decay and dead branches are a structural concern. I rate the Form as Good with a distinct look for a London plane street tree
- However, there is more risk of larger branches breaking off due to heartrot decay. These failures have the potential for hitting wires, vehicles, even pedestrians. The risk rating is still low over the next ten years. The chance of complete tree failure with subsequent significant damage is also very low for the ten years. The risk of tree roots damaging infrastructure is unknown.



*These impacts may have already happened with subsequent repairs. It seems likely that roots continue to disrupt the utilities and lift concrete sidewalks and driveways.*

## MUNICIPAL CODE

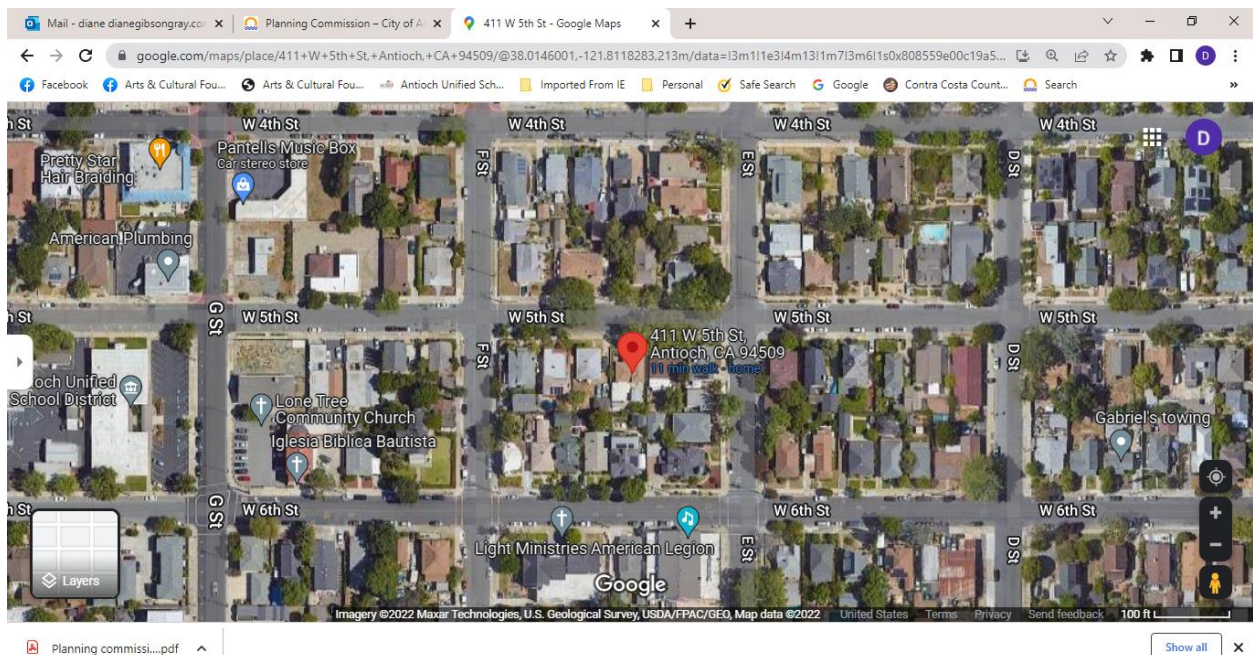
Article 12: Tree Preservation and Regulation has not been followed for at least 20 years. I spoke with various employees with tenure ranging from 2 years to 20 years who were unaware of the code. Part of the regulation is recognizing individuals' property rights and in this case, property rights have not been given enough consideration. Article 12 is not a policy that has been in place and adhered to since 1994; it's been brought forward to apply to this property only. The rules the neighbors want applied is more of a Home Owners Association (HOA) issue. A reason to act in the interest of the neighbors, who demand a consistent aesthetic appeal, is not in the 1994 ordinance.

In my case, I believe I am being held to a higher standard than any other property owner, because I live on the street occupied by the Motts family and members of the Rivertown Preservation Society, and clearly neighbors who discriminate against property owners who don't reside in their neighborhood. Three of the five public comments were by Motts / related Motts and two do not live on 5<sup>th</sup> Street.

- Appellant, Joy Motts
- Rachel Motts, Joy Motts's daughter who lives on 6<sup>th</sup> Street
- Rick Stradtlander, Joy Motts's brother-in-law who lives on E Street

The purchase of this home was to give my brother who, due to medical reasons, had a short period of life remaining. He complained about the tree and so did my bonus dad, who also had a limited time remaining due to age and the current resident is 87. Both my brother and father died frustrated with the condition of the tree.

Many trees have been removed in the downtown area as shown in the small section of the area by 5<sup>th</sup> Street. On 5<sup>th</sup> Street two homes do not have shade trees as shown on the google map below. Homes that intersect with 5<sup>th</sup> Street (F and E Streets) do not have shade trees or have had them replaced, probably due to the same reasons I want to replace them.



## ENFORCING ARTICLE 12

The Tree Preservation and Regulation, as written today, is not ready for implementation. There is conflicting language, such as the appeal process and noticing process. Notices are to go to adjoining properties, which using a reasonable standard, is to the right and left, and possibly directly across the Street. Those neighbors did not file an objection.

Appealing to the Board of Administrative Appeals is listed, yet the appeal was directed by the city attorney to the planning commission. Appealing a planning commission decision to the city council, in this case is \$2,340.00 and nonrefundable. I am unsure what the fee is to appeal Board of Administrative Appeals decision, but surely not a high, non-refundable fee. Planning Commission appeals are typically made by developers and businesses.

In this case, the cost to cut down the tree and pay the penalty is \$2,000 penalty based on the size of the tree, rather than go forward with an appeal. I've tried to pay the penalty to avoid the neighborhood drama; it can only be paid after the tree is removed. As the last plumbing repair was close to \$5,000 it is cheaper in the long run to pay the penalty.

One of the commissioners at the last meeting was concerned the decision may set a precedent. I agree and I request that you don't use this situation for that precedent and take the opportunity to review the 1994 municipal code and bring it up to date in the near future. If neighbor's consideration owner occupied status is part of the updated municipal code, as it should be, but it is not spelled out in the current code.

Appellant Joy Motts, who is also running for City Council, District 1, stated in comments, "The decision to buy a property in an older neighborhood, as its owner has done, comes with responsibility to maintain the essential character and standards of the neighborhood. The decision to willfully ignore this and the opinions and desires of their neighbors shows a lack of regard for our community. All of us that reside in the Rivertown District understand this and take our responsibilities seriously. Repair of city sidewalks and public infrastructure is just part of the bargain for us, for residents and for the city if someone does not want to have the expenditures. Their infrastructure and maintenance of an older property then I suggest they don't buy an investment property in an older neighborhood. In Kerry Motts, (signature "Planning Commissioner") and his bringing up the matter in the April Planning Commission Meeting, suggests that this ordinance will be applied to homes in "the Historic Rivertown/Downtown" neighborhoods, but it needs due process and a public hearing. Homeowners, regardless if they occupy the property, should have an opportunity to comment before the municipal code is updated and evenly and consistently applied. Not be blindsided with an outdated ordinance as I was in this situation.

## PLANNING COMMISSION

From the city's website, "The Antioch Planning Commission is a seven (7) member advisory body that makes recommendations to the City Council on the physical development of the City. The Commission reviews and makes recommendations on all provisions of the General Plan, land subdivisions, and zoning as specified by the Zoning Code and as set forth in the State Government Code and by the California Environmental Quality Act. Planning Commissioners are appointed by the Mayor to four (4) year terms".

The role of the Planning Commission is not to “enforce”, it is to plan. . The city attorney’s and city clerk’s decision to move the decision to the Planning Commission, in my opinion is wrong. The Planning Commission is not an enforcement arm of the city. Should the commission be enforcing a 1994 ordinance that blindsides city staff and residents? Does the body take on the role of a Home Owners Association to keep the same look and standards in the Rivertown/Downtown area? Is this situation discriminatory and targets one particular situation in time? The Planning Commission needs to look closely at Article 12 and define the difference between developers and residents and make the appeal process go to the administrative body, not a planning body.

## CLOSING

I ask you to allow the continuation of the removal of the trees at 411 W. 5<sup>th</sup> Street, then bring the municipal code language back to the Planning Commission for an update, public hearing and link it to the Tree Removal Permit, and apply the code with consistency. If the decision of the commission remains the same, and the tree remains standing, there will not be two trees of the same type and size in front of the home, and that could possibly impact the resale value.

Going forward, will the city or neighbors pay for my future plumbing and sidewalk issues which the arborist state is “... *likely that roots continue to disrupt the utilities and lift concrete sidewalks and driveways*”?

I have emailed public services requesting an invoice for the \$2,000 penalty so that I may remove the tree, but the city will not take an advance payment. It is after I cut the tree down which will most likely prove difficult, given the neighbor’s actions in February.

- Without a receipt showing payment of the \$2,000 penalty, will Joy Motts call / threaten to call APD again?
- Will the Mayor and City Council District 1 Council Member be called / emailed to stop the tree crew while they are cutting down the tree again? I received a copy of Joy Motts email to Lamar Thorpe and Tamisha Torres Walker a Request for Public Records.
- Will a car be placed under the tree to stop the process again?
- Will the 87 year-old resident, who has nothing to do with the decision to remove the tree, have to answer the door to a visibly upset Joy Motts.

Please consider what you would do if you were in my position? Incur costs to replace more sewer pipe and most likely water lines? Or pay a penalty to cut down the tree and place an appropriate tree in the space?

Appellant / city council candidate Joy Motts and Planning Commission Kerry Motts want to apply Article 12 to the Rivertown/Downtown District and as written. Should the planning commission be the enforcement body? The Planning Commission decision at the October 5<sup>th</sup> meeting has the potential to take away the property rights of current and future residents.

Please consider the impact of your decision today and the Rivertown / downtown community that it will impact in the future.

Thank you for your consideration.



### Public Comment Antioch City Council Meeting

Diane Gibson-Gray/Ken Gray, owners, TREE REMOVAL PERMIT request for 411 W. 5<sup>th</sup> Street

In addition to the communications sent to the Planning Commissioners for the October 4, 2022 and February 15, 2023 meetings, below are my continued reasons for requesting the City Council uphold the Tree Removal Permit and deny the Appeal. Three entities have concurred that the Trees should not remain due to safety and public interest: an Arborist, a city employee Tree Committee and the Planning Commission.

Summary from prior emails in priority order

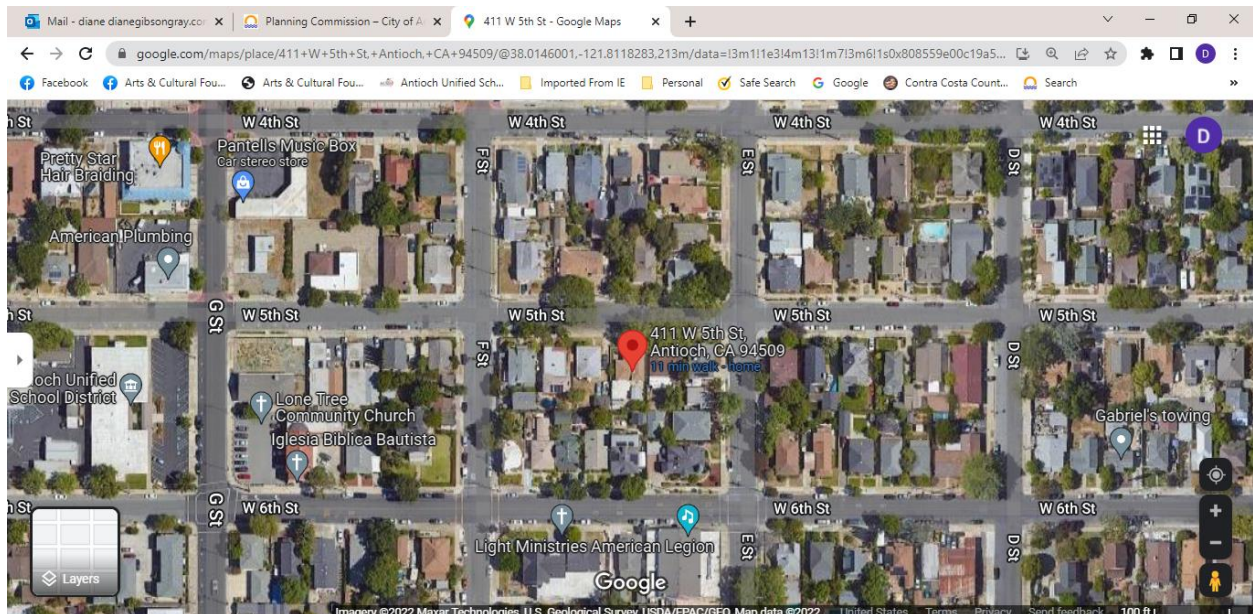
1. Arborist statement supports the removal: "However, there is more risk of larger branches breaking off due to heartrot decay. These failures have the potential for hitting wires, vehicles, even pedestrians. The risk rating is still low over the next ten years. The chance of complete tree failure with subsequent significant damage is also very low for the ten years. **The risk of tree roots damaging infrastructure is unknown.**"
2. From a liability, expense and safety perspective, it does not make sense, using a reasonable standard, to not replace the trees, as many residents of Antioch have done. We are seeking to protect ourselves and pedestrians from harm. The thought of continuing to have known risk and continued exposure to litigation if these two trees are protected; trees which **may possibly last an addition 10 years**, is unfair and apparently only applicable to my property.
3. The recent winter storms and high winds, especially in late December 2022 to current, have resulted in my experiencing many stressful days and sleepless nights. Most recently, a tree in Cupertino killed a woman in a park hiking with her son. Other horror stories involve trees crashing down on roofs and cars. In many other cities, highways and roadways, falling trees/branches caused and continue to cause damage and threats to human life.
4. On the impacted block there were four objections (O). Residents at 405, 408, 415 and 420 did not file an objection. Shared property lot lines are 405 and 415 (S), with 408 (D) the only property directly across from 411. Two addresses do not have street trees 415 and 420 (T).



The 1994 Ordinance has not been implemented in the past 20+ years, per public works employees, Planning Director Forrest Ebbs stated at the February meeting, he has not seen it during his tenure of 8 years and a Public Records Request didn't yield any use of the ordinance. I believe Joy and Kerry Motts had the "inside" knowledge to bring the Municipal Code forward due to their long term roles in the Rivertown Preservation Society, City Council Member (Joy 419 W 5th) and Planning Commissioner (Kerry 421 W. 5th). The Municipal Code is being used as a weapon solely to benefit the 500 Block of 5<sup>th</sup> Street, their downtown family, and friends.

It is my hope that my experience is used to protect the rights of homeowners when the Tree Removal Municipal Code is brought before the Planning Commission or when the General Plan is reviewed and updated. There is a need for clarity and equity in applicable standards. If a collective group of homeowners wish to have higher standards beyond the municipal code, such as the residents of 5th St and Rivertown District members are advocating for, perhaps establishing a homeowners association would be a solution to address the wants and costs of specific neighborhood desires.

A snap shot of the streets around the 500 block of 5<sup>th</sup> Street below show the lack of street trees in the area.



In closing, I urge the council to deny the appeal in order to keep the street safe from trees which are not in the best interest for many, not the few.

**STAFF REPORT TO THE CITY COUNCIL**

**DATE:** Regular Meeting of March 14, 2023

**TO:** Honorable Mayor and Members of the City Council

**SUBMITTED BY:** Scott Buening, Interim Public Works Director/City Engineer Thomas Lloyd Smith, City Attorney *7LS*

**SUBJECT:** Ordinance Forming a New Engineering Department and Modifying the Public Works and Community Development Departments

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**RECOMMENDED ACTION**

It is recommended that the City Council introduce, read by title only, and waive further reading of the ordinance amending and restating articles 1, 2, and 9 and adding article 10 to chapter 3 title 2 of the Antioch Municipal Code reorganizing the Public Works and Community Development Departments and creating a new Engineering Department.

**FISCAL IMPACT**

The City currently has a “Director of Public Works/City Engineer”. This ordinance divides the responsibilities of the position into two separate department head positions, which are entitled “Public Works Director” and the “City Engineer”. Therefore, the salary and benefits associated with the additional department head position will need to be budgeted and allocated. The current FY24 estimate in the draft budget for salary and benefits for this position is \$379,642. Additional staffing may also be required for the Engineering Department.

**DISCUSSION**

The Municipal Code ordinances for Article 1: Community Development and Article 2: Public Works were enacted on August 13, 1992. Since these ordinances were enacted, the City has experienced significant growth and changes. Staff has proposed updating and revising the ordinance to address the demands related to Public Works, Engineering and Community Development.

At the January 13, 2023 City Council meeting, the City Council directed City staff to prepare an ordinance (1) reorganizing the Public Works Department and changing the position and responsibilities of “Director of Public Works/City Engineer” to become a new position entitled, “Public Works Director”; (2) creating a new Engineering Department and position description for the City Engineer; (3) reorganizing the Community Development Department; and (4) implementing other actions necessary to carry out the reorganization.



The creation of an Engineering Department involves transferring certain engineering functions from the Community Development and Public Works Departments to the Engineering Department. The Engineering Department would be led by a City Engineer whose duties would include planning, directing, managing, and overseeing the activities and operations of the Department.

The proposed Engineering Department includes the following divisions, which will be operated under the supervision of the City Engineer:

- Engineering Services Division: The function of the Engineering Services Division is to provide professional and technical engineering services and support to all city departments related to development engineering in compliance with federal, state and local regulations and laws.
- Water Rights Division: The function of the Water Rights Division is to protect and defend the City's adjudicated pre-1914 appropriative water rights that include flows from both the San Joaquin and the Sacramento Rivers.
- Traffic Engineering Division: The function of the Transportation Division is to review and design for various transportation improvement projects; develop traffic signal timing schedules, oversee maintenance of all traffic control devices and conduct engineering studies of traffic and parking conditions.
- Land Development Division: The function of the Land Surveying Division is to perform topographic surveys; monitoring surveys, Right-of-Way surveys, and property surveys; to manage and preserve survey monuments; and to prepare legal descriptions of land.
- Land Surveying Division: The function of the Land Surveying Division is to perform topographic surveys; monitoring surveys, Right-of-Way surveys, and property surveys; to manage and preserve survey monuments; and to prepare legal descriptions of land.
- Permitting Division: The function of the Permitting Division is to develop, issue and administer encroachment and transportation permits in compliance with federal, state, and local regulations and laws.

The Public Works Department divisions will be revised to better segment the responsibilities handled by the department. The new divisions will include the following:

- Capital Improvements Division: The function of the Capital Improvements Division is to provide professional and technical engineering services and support to all city departments related to facility expansion and improvements, infrastructure rehabilitation and development in compliance with federal, state and local regulations and laws. The Capital Improvements Division shall be operated under the Public Works Director.
- Operations Division: The Operations Division shall have the following functions: facility repairs, maintenance of streets, alleys and public ways; planning, development, operation and maintenance of park and landscape facilities; Marina maintenance and leasehold; fuel dock operation and sales, RV storage facility oversight; vehicle purchases, fleet maintenance and graphic information services. The Operations Division shall be operated under the supervision of the Deputy Director of Public Works, subject to the direction of the Public Works Director.

- Water Division: The Water Division shall have the following functions: installation, maintenance, and repair of the City's water distribution system and non-potable water system, cross connection control program, water meter reading program, and warehouse operations; compliance with federal, state and local regulations and laws. The Water Division shall be operated under the supervision of the Deputy Director of Public Works, subject to the direction of the Public Works Director.
- Water Treatment Division: The Water Treatment Division shall have the following functions: operate, maintain, improve, construct and monitor all work concerning the City Water Treatment Plant in compliance with federal, state and local regulations and laws. The Water Treatment Division shall be operated under the supervision of the Deputy Director of Public Works, subject to the direction of the Public Works Director.
- Collections System/National Pollutant Discharge Elimination System (NPDES) Division: The Collections System/NPDES Division have the following functions: repair wastewater and storm water systems, facilities, and related equipment; comply with the Clean Water Act and federal, state and local regulations and laws for wastewater and point sources that discharge pollutants into waters of the United States. The Collections System/NPDES Division shall be operated under the supervision of the Deputy Director of Public Works, subject to the direction of the Public Works Director.
- Utility Engineering Division: The function of Utility Engineering Division shall be to maintain, improve, construct and monitor all utility related work. The Utility Engineering Division shall be operated under the Public Works Director.
- Public Works Inspection Services: The Public Works Inspection Division shall have the following functions: inspect the construction, repair, and/or alteration work on assigned public works; ensure materials, methods, and procedures conform with plans and specifications; enforce and observe testing of construction materials; identify, report, and resolve potential project hazards. The Public Works Inspection Division shall be operated under the Public Works Director.

The Community Development Department will continue to consist of the Building Inspection Services Division, Land Planning Division, and the Code Enforcement Division (formerly the Division of Neighborhood Improvement Services). The Division of Engineering Services/Land Development will be transferred to the Engineering Department.

The reorganization will reduce the span of responsibility to a more manageable size which will reduce inefficiencies, complete projects in a timelier manner and improve overall services to the community. When the reorganization is complete, the City will be well prepared to address the challenges into the future.

### **ATTACHMENTS**

A. Ordinance

B. Existing Antioch Municipal Code – Title 2 Chapter 3 Article 1 (Community Development) and Article 2 (Public Works Departments)

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANTIOCH AMENDING AND RESTATING ARTICLES 1, 2, AND 9 AND ADDING ARTICLE 10 TO CHAPTER 3 OF TITLE 2 OF THE ANTIOCH MUNICIPAL CODE REORGANIZING THE PUBLIC WORKS DEPARTMENT AND THE COMMUNITY DEVELOPMENT DEPARTMENT AND CREATING A NEW ENGINEERING DEPARTMENT**

WHEREAS, City staff have researched and made recommendations to the City Council on the potential reorganization of the Public Works Department in order to form an Engineering Department led by the City Engineer;

WHEREAS, at the January 13, 2023 City Council meeting, the City Council directed City staff to prepare an ordinance (1) reorganizing the Public Works Department and changing the position and responsibilities of “Director of Public Works/City Engineer” to become a new position entitled, “Public Works Director”; (2) creating a new Engineering Department and position description for the City Engineer; (3) reorganizing the Community Development Department; and (4) implementing other actions necessary to carry out the reorganization;

WHEREAS, the creation of an Engineering Department involves transferring certain engineering functions from the Community Development and Public Works Departments to the Engineering Department;

WHEREAS, the proposed Engineering Department includes an Engineering Services Division, a Water Rights Division, a Traffic Engineering Division, a Land Development Division, a Land Surveying Division, and a Permitting Division; and

WHEREAS, the Engineering Department would be led by a City Engineer whose duties would include planning, directing, managing, and overseeing the activities and operations of the Department.

The City Council of the City of Antioch, California, hereby ordains as follows:

**SECTION 1.** Recitals. The above recitals are incorporated as though set forth in this section.

**SECTION 2.** The table of contents for Chapter 3 of Title 2 of the Antioch Municipal Code is hereby amended and restated to add Articles 1, 2, 9, and 10 as follows:

## **CHAPTER 3: DEPARTMENTS**

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### **Section**

#### ***Article 1: Community Development***

§ 2-3.101 Created.

§ 2-3.102 Operation.

§ 2-3.103 Building Inspection Services Division.

§ 2-3.104 [Reserved]

§ 2-3.105 Land Planning Services Division.

§ 2-3.106 Code Enforcement Division (Division of Neighborhood Improvement Services).

§ 2-3.107 Community Development Director (Director of Community Development).

#### ***Article 2: Public Works***

§ 2-3.201 Created.

§ 2-3.202 Operation.

§ 2-3.203 Capital Improvements Division.

§ 2-3.204 Operations Division.

§ 2-3.205 Water Division.

§ 2-3.206 Water Treatment Division.

§ 2-3.207 Collections System/National Pollutant Discharge Elimination System (NPDES) Division.

§ 2-3.208 Utility Engineering Division.

§ 2-3.209 Public Works Inspection Services.

§ 2-3.210 Public Works Director (Director of Public Works)

#### ***Article 9: Engineering Department***

§ 2-3.901 Created.

§ 2-3.902 Operation.

§ 2-3.903 Engineering Services Division.

- § 2-3.904 Water Rights Division.
- § 2-3.905 Traffic Engineering Division.
- § 2-3.906 Land Development Division.
- § 2-3.907 Land Surveying Division
- § 2-3.908 Permitting Division.
- § 2-3.909 Keeping records of surveys.
- § 2-3.910 City surveyor.
- § 2-3.911 City Engineer.

### ***Article 9: Promulgation of Rules by Department Heads***

- § 2-3.1001 Authorization.

**SECTION 3.** Articles 1, 2, and 9 of Chapter 3 to Title 2 of the Antioch Municipal Code are hereby amended and restated to read as follows:

### **ARTICLE 1: COMMUNITY DEVELOPMENT**

- § 2-3.101 CREATED.

There is hereby created in the government of the city a Community Development Department (Department of Community Development) which shall consist of the following functions:

- (A) Building Inspection Services Division;
- (B) Land Planning Division;
- (C) Code Enforcement Division.

- § 2-3.102 OPERATION.

The Department of Community Development shall be operated under the authority of the Director of Community Development, subject to the direction of the City Manager. The Director shall be responsible for managing the divisions specified in this article.

- § 2-3.103 BUILDING INSPECTION SERVICES DIVISION.

The Building Inspection Services Division shall have the following functions: uniform building codes, permits and inspections, including building, plumbing, electrical insulation, heating and ventilation, and fences. The Building Inspection Services

Division shall be operated under the supervision of the Building Inspection Services Manager, subject to the direction of the Director of Community Development.

§ 2-3.104 [RESERVED]

§ 2-3.105 LAND PLANNING SERVICES DIVISION.

The functions of the Land Planning Services Division shall be to organize all materials and efforts required for the development, maintenance, implementation, and administration of a long-term General Plan and a zoning code for the city. The Division shall be operated under the supervision of the City Planner, subject to the direction of the Director of Community Development.

§ 2-3.106 CODE ENFORCEMENT DIVISION.

The function of the Code Enforcement Division shall be to enforce this code. The Division shall be operated under the supervision of the Code Enforcement Manager, subject to the direction of the Director of Community Development.

§ 2-3.107 COMMUNITY DEVELOPMENT DIRECTOR.

(A) The Community Development Director shall be appointed by, and serve at the pleasure of, the City Manager, and shall be paid such salary as may be fixed by the City Council.

(B) The Director shall have and perform the following duties:

- (1) Organize, manage and direct the Community Development Department;
- (2) Conduct studies and prepare maps, charts, reports, and recommendations for the City Manager, Council, and Planning Commission pertaining to elements of the General Plan and related activities;
- (3) Develop and maintain a comprehensive system of maps, charts, pertinent statistics, reports and records which will provide ready and up-to-date information on the status of the General Plan and each of the elements;
- (4) Prepare and submit to the City Manager and the Planning Commission as soon as practical after June 30 of each year, a summarized report of the activities of the Department for the preceding year with such recommendations pertaining to the future as may be necessary or useful in the development or administration of the General Plan;
- (5) Prepare and submit to the City Manager by May 1 of each year a budget for the following fiscal year covering the revenues and expenditures of the Planning Commission and the Department;



(6) Advise and meet with the Planning Commission and Design Review Board in the performance of their official functions;

(7) Perform the duties of the Zoning Administrator as set forth in Title 9 of this code; and

(8) Perform such other duties as may be assigned by the City Manager.

## **ARTICLE 2: PUBLIC WORKS**

### **§ 2-3.201 CREATED.**

(A) There is hereby created in the government of the city a Public Works Department (Department of Public Works), which shall consist of the following functions:

(1) Capital Improvements Division;

(2) Operations Division;

(3) Water Distribution Division;

(4) Water Treatment Division;

(5) Collections/National Pollutant Discharge Elimination System ("NPDES") Division;

(6) Utility Engineering Division;

(7) Public Works Inspection Services Division;

(8) Related operations.

### **§ 2-3.102 OPERATION.**

The Public Works Department shall be operated under the authority of the Public Works Director subject to the direction of the City Manager. The Public Works Director shall be responsible for managing the divisions specified in this article.

### **§ 2-3.203 CAPITAL IMPROVEMENTS DIVISION.**

The function of the Capital Improvements Division is to provide professional and technical engineering services and support to all city departments related to facility expansion and improvements, infrastructure rehabilitation and development in compliance with federal, state and local regulations and laws. The Capital Improvements Division shall be operated under the Public Works Director.

### **§ 2-3.204 OPERATIONS DIVISION.**

The Operations Division shall have the following functions: facility repairs, maintenance of streets, alleys and public ways; planning, development, operation and maintenance of park and landscape facilities; Marina maintenance and leasehold; fuel dock operation

and sales, RV storage facility oversight; vehicle purchases, fleet maintenance and graphic information services. The Operations Division shall be operated under the supervision of the Deputy Director of Public Works, subject to the direction of the Public Works Director.

#### § 2-3.205 WATER DIVISION.

The Water Division shall have the following functions: installation, maintenance, and repair of the City's water distribution system and non-potable water system, cross connection control program, water meter reading program, and warehouse operations; compliance with federal, state and local regulations and laws. The Water Division shall be operated under the supervision of the Deputy Director of Public Works, subject to the direction of the Public Works Director.

#### § 2-3.206 WATER TREATMENT DIVISION.

The Water Treatment Division shall have the following functions: operate, maintain, improve, construct and monitor all work concerning the City Water Treatment Plant in compliance with federal, state and local regulations and laws. The Water Treatment Division shall be operated under the supervision of the Deputy Director of Public Works, subject to the direction of the Public Works Director.

#### § 2-3.207 COLLECTIONS SYSTEM/NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) DIVISION.

The Collections System/NPDES Division have the following functions: repair wastewater and storm water systems, facilities, and related equipment; comply with the Clean Water Act and federal, state and local regulations and laws for wastewater and point sources that discharge pollutants into waters of the United States. The Collections System/NPDES Division shall be operated under the supervision of the Deputy Director of Public Works, subject to the direction of the Public Works Director.

#### § 2-3.208 UTILITY ENGINEERING DIVISION.

The function of Utility Engineering Division shall be to maintain, improve, construct and monitor all utility related work. The Utility Engineering Division shall be operated under the Public Works Director.

#### § 2-3.209 PUBLIC WORKS INSPECTION SERVICES.

The Public Works Inspection Division shall have the following functions: inspect the construction, repair, and/or alteration work on assigned public works; ensure materials, methods, and procedures conform with plans and specifications; enforce and observe testing of construction materials; identify, report, and resolve potential project hazards. The Public Works Inspection Division shall be operated under the Public Works Director.

#### § 2-3.210 DIRECTOR OF PUBLIC WORKS ("PUBLIC WORKS DIRECTOR").

(A) The Public Works Director shall be appointed by, and serve at the pleasure of, the City Manager, and shall be paid such salary as may be fixed by the Council.

- (B) The Public Works Director shall have and perform the following duties:
- (1) Organize, manage, and direct the Department of Public Works;
  - (2) Prepare reports and conduct studies in conformance with federal, state and local regulations and laws related to water treatment, water distribution, and wastewater activities;
  - (3) Monitor the condition of City facilities for maintenance, repair, and replacement;
  - (4) Prepare and submit a Capital Improvement Plan to the City Council;
  - (5) Prepare, direct, and administer the Capital Improvements budget;
  - (6) Implement, design, and construct Capital Improvement projects;
  - (7) Review and approve all contractual proposals for activities involving engineering and construction efforts;
  - (8) Establish and maintain systems and procedures for the control and administration of construction and professional contracts;
  - (9) Ensure maintenance activities conform to and meet regulatory compliance as required by federal, state, and local regulations and laws;
  - (7) Prepare and submit to the City Manager by May 1 of each year, a budget for the following fiscal year covering the revenues and expenditures of the Department of Public Works; and
  - (8) Perform such other duties as may be assigned by the City Manager.

## **ARTICLE 9: ENGINEERING DEPARTMENT**

### **§ 2-3.901 CREATED.**

(A) There is hereby created in the government of the city an Engineering Department, which shall consist of the following functions:

- (1) Engineering Services Division
- (2) Water Rights Division
- (3) Traffic Engineering Division
- (4) Land Development Division
- (5) Land Surveying Division
- (6) Permitting Division

### **§ 2-3.902 OPERATION.**

The Engineering Department shall be operated under the authority of the City Engineer subject to the direction of the City Manager. The City Engineer shall be responsible for managing the divisions specified in this article.

#### § 2-3.903 ENGINEERING SERVICES DIVISION.

The function of the Engineering Services Division is to provide professional and technical engineering services and support to all city departments related to development engineering in compliance with federal, state and local regulations and laws. The Engineering Services Division shall be operated under the supervision of the City Engineer.

#### § 2-3.204 WATER RIGHTS DIVISION.

The function of the Water Rights Division is to protect and defend the City's adjudicated pre-1914 appropriative water rights that include flows from both the San Joaquin and the Sacramento Rivers. The Water Rights Division shall be operated under the supervision of the City Engineer.

#### § 2-3.205 TRAFFIC ENGINEERING DIVISION.

The function of the Transportation Division is to review and design for various transportation improvement projects; develop traffic signal timing schedules, oversee maintenance of all traffic control devices and conduct engineering studies of traffic and parking conditions. The Traffic Engineering Division shall be operated under the supervision the City Engineer.

#### § 2-3.206 LAND DEVELOPMENT DIVISION.

The function of the Land Development Division is to review the design and construction of land development projects; to process development applications, and conditions of approval; and to exercise subdivision control over land in compliance with federal, state and local regulations and laws. The Land Development Division shall be operated under the supervision of the City Engineer.

#### § 2-3.207 LAND SURVEYING DIVISION

The function of the Land Surveying Division is to perform topographic surveys; monitoring surveys, Right-of-Way surveys, and property surveys; to manage and preserve survey monuments; and to prepare legal descriptions of land. The Land Surveying Division shall be operated under the supervision of the City Engineer.

#### § 2-3.208 PERMITTING DIVISION.

The function of the Permitting Division is to develop, issue and administer encroachment and transportation permits in compliance with federal, state and local regulations and laws. The Permitting Division shall be operated under the supervision of the City Engineer.

#### § 2-3.209 KEEPING RECORDS OF SURVEYS.

The city engineer shall keep a record of all surveys and measurements made under the provisions of this chapter in a book or books to be kept for that purpose. All records of surveys and all calculation books pertaining to street or other city work, with all maps, plans and profiles in which the city can in any manner be interested, shall be and remain the property of the city, and shall be kept in a secure place open to public inspection. All such books, plans, maps and profiles shall be carefully preserved by the City Engineer and transmitted to his successor in office.

#### § 2-3.910 CITY SURVEYOR.

The City Engineer may, from time to time, appoint or designate a City Surveyor. The City Engineer, in his or her discretion, may either (1) perform the duties of City Surveyor; (2) designate a qualified surveyor from the city staff; or (3) contract with an outside individual or firm qualified to perform the function of the City Surveyor.

For statutory provisions regarding the appointment of, inter alia, a city civil engineer, see Government Code § 36505.

#### § 2-3.911 CITY ENGINEER.

(A) The City Engineer shall be appointed by, and serve at the pleasure of, the City Manager, and shall be paid such salary as may be fixed by the Council.

(B) The City Engineer shall have and perform the following duties:

- (1) Organize, manage, and direct the Engineer Department;
- (2) To establish the proper grades, subject to the approval of the Council, for all streets, alleys and public ways in the city;
- (3) To prepare maps, plats, profiles, cross-sections, estimates, and other engineering data when required for public improvements;
- (4) To compile and maintain such engineering records, field notes, profiles, cross-sections, grade maps, contour maps, utility installation details, and other surveys, drawings, plans, specifications, estimates and computations as shall constitute a complete and comprehensive engineering record and file for the city;
- (5) To conduct the review of private land development projects in coordination with the Community Development Department;
- (6) To perform the duties specified in Title 7, Chapter 2 (Encroachments) and Title 9, Chapters 2 (Official Plan Lines) and 4 (Subdivisions),
- (7) To comply with, and require observance of, all engineering provisions of the subdivision laws;
- (8) To compile and maintain such engineering records, field notes, profiles, cross-sections, grade maps, contour maps, utility installation details, and other surveys, drawings, plans, specifications, estimates and computations as shall constitute a complete and comprehensive engineering record and file for the city;

(9) Prepare and submit to the City Manager by May 1 of each year, a budget for the following fiscal year covering the revenues and expenditures of the Engineering Department;

(10) Perform the duties of City Engineer as specified in state laws and municipal ordinances; and

(11) Perform such other duties as may be assigned by the City Manager.

**SECTION 4.** Article 10 of Chapter 3 to Title 2 of the Antioch Municipal Code is hereby created and stated to read as follows:

## **ARTICLE 10: PROMULGATION OF RULES BY DEPARTMENT HEADS**

### **§ 2-3.901 AUTHORIZATION.**

Each department head may prepare written rules and regulations for the conduct of his department. After approval by the City Manager, such rules and regulations shall be the policy of that department and shall be enforceable under the provisions of this code and the personnel rules. Such rules and regulations shall in no way conflict with the policies of the Council or the provisions of this code, the personnel rules of the city, or state laws, and any such conflict shall be resolved in favor of said latter policies, rules, and laws.

**SECTION 5. CEQA.** The adoption of this Ordinance is exempt from the provisions of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15061(b)(3), which provides that CEQA only applies to projects which have the potential for causing a significant effect on the environment. Where it can be determined that the proposed project will not have a significant adverse effect on the environment, the project is not subject to CEQA. This Ordinance authorizes the City Council to create an Engineering Department and to modify the Community Development and Public Works Departments, it does not propose nor authorize any action or specific project that would have the potential to cause a significant adverse effect on the environment.

**SECTION 6. Severability.** Should any provision of this Ordinance, or its application to any person or circumstance, be determined by a court of competent jurisdiction to be unlawful, unenforceable, or otherwise void, that determination shall have no effect on any other provision of this Ordinance or the application of this Ordinance to any other person or circumstance and, to that end, the provisions hereof are severable.

**SECTION 7. Publication; Effective Date.** This Ordinance shall take effect and be enforced within thirty (30) days from and after the date of its adoption by the City Council at a second reading and shall be posted and published in accordance with the California Government Code.



\* \* \* \* \*

**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 \_\_\_\_ day of \_\_\_\_\_, 2023 and passed and adopted at a regular meeting thereof held on the \_\_\_\_ day of \_\_\_\_\_, 2023, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

\_\_\_\_\_  
**Lamar A. Thorpe, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Elizabeth Householder, City Clerk**

**ARTICLE 1: COMMUNITY DEVELOPMENT****§ 2-3.101 CREATED.**

There is hereby created in the government of the city a Department of Community Development which shall consist of the following functions:

- (A) Building inspection services;
- (B) Economic development and redevelopment;
- (C) Development engineering;
- (D) Land planning;
- (E) Neighborhood improvement.

('66 Code, § 2-3.101) (Ord. 852-C-S, passed 8-13-92)

**§ 2-3.102 OPERATION.**

The Department of Community Development shall be operated under the authority of the Director of Community Development, subject to the direction of the City Manager. The Director shall be responsible for managing the divisions specified in this article.

('66 Code, § 2-3.102) (Ord. 852-C-S, passed 8-13-92)

**§ 2-3.103 DIVISION OF BUILDING INSPECTION SERVICES.**

The Division of Building Inspection Services shall have the following functions: uniform building codes, permits and inspections, including building, plumbing, electrical insulation, heating and ventilation, and fences. The Division of Building Inspection Services shall be operated under the supervision of the Chief Building Inspector, subject to the direction of the Director of Community Development.

('66 Code, § 2-3.103) (Ord. 852-C-S, passed 8-13-92)

**§ 2-3.104 DIVISION OF ENGINEERING SERVICES/LAND DEVELOPMENT.**

(A) The Division of Engineering Services/Land Development shall have the following functions:

- (1) Development engineering;
- (2) Subdivision control;
- (3) Encroachment and wide load permits;
- (4) Related operations.

(B) The Division shall be under the supervision of the Assistant City Engineer or a person who has been designated by the City Engineer to carry out the responsibilities of the City Engineer as specified in state law or this code, subject to the direction of the Director of Community Development.

('66 Code, § 2-3.104) (Ord. 852-C-S, passed 8-13-92)

**§ 2-3.105 DIVISION OF LAND PLANNING SERVICES.**

The functions of the Division of Land Planning Services shall be to organize all materials and efforts required for the development, maintenance, implementation, and administration of a long term

General Plan and a zoning code for the city. The Division shall be operated under the supervision of the City Planner, subject to the direction of the Director of Community Development.

('66 Code, § 2-3.105) (Ord. 852-C-S, passed 8-13-92)

### **§ 2-3.106 DIVISION OF NEIGHBORHOOD IMPROVEMENT SERVICES.**

The function of the Division of Neighborhood Improvement Services shall be to enforce this code. The Division shall be operated under the supervision of the Senior Neighborhood Improvement Coordinator, subject to the direction of the Director of Community Development.

('66 Code, § 2-3.106) (Ord. 852-C-S, passed 8-13-92)

### **§ 2-3.107 DIRECTOR OF COMMUNITY DEVELOPMENT.**

(A) The Director of Community Development shall be appointed by, and serve at the pleasure of, the City Manager, and shall be paid such salary as may be fixed by the City Council.

(B) The Director shall have and perform the following duties:

(1) Organize, manage and direct the Community Development Department;

(2) Conduct studies and prepare maps, charts, reports, and recommendations for the City Manager, Council, and Planning Commission pertaining to elements of the General Plan and related activities;

(3) Develop and maintain a comprehensive system of maps, charts, pertinent statistics, reports and records which will provide ready and up-to-date information on the status of the General Plan and each of the elements;

(4) Prepare and submit to the City Manager and the Planning Commission as soon as practical after June 30 of each year, a summarized report of the activities of the Department for the preceding year with such recommendations pertaining to the future as may be necessary or useful in the development or administration of the General Plan;

(5) Prepare and submit to the City Manager by May 1 of each year a budget for the following fiscal year covering the revenues and expenditures of the Planning Commission and the Department;

(6) Advise and meet with the Planning Commission and Design Review Board in the performance of their official functions;

(7) Perform the duties of the Zoning Administrator as set forth in Title 9 of this code;

(8) Perform such other duties as may be assigned by the City Manager.

('66 Code, § 2-3.107) (Ord. 852-C-S, passed 8-13-92)

## **ARTICLE 2: PUBLIC WORKS**

### **§ 2-3.201 CREATED.**

(A) There is hereby created in the government of the city a Department of Public Works, which shall consist of the following functions:

(1) Engineering;

(2) Capital improvements;

(3) Streets;

(4) Water/waste water;

- (5) Water treatment;
- (6) Related operations.
- (7) Park maintenance;
- (8) Marina.

(B) The Department shall be operated under the authority of the Director of Public Works/City Engineer subject to the direction of the City Manager. The Director/City Engineer shall be responsible for managing the following divisions.

('66 Code, § 2-3.201) (Ord. 852-C-S, passed 8-13-92; Am. Ord. 925-C-S, passed 7-23-96)

#### **§ 2-3.202 DIVISION OF ENGINEERING/ PROJECTS.**

The function of the Division of Engineering/ Projects shall be to maintain, improve, construct and monitor all work done on city properties. The Division shall be under the supervision of the Deputy Director of Public Works/Projects, subject to the direction of the Director/City Engineer.

('66 Code, § 2-3.202) (Ord. 852-C-S, passed 8-13-92)

#### **§ 2-3.203 DIVISION OF STREETS.**

(A) The Division of Streets shall consist of the following functions:

- (1) Streets, alleys and public ways;
- (2) Maintenance Service Center;
- (3) Vehicle maintenance;
- (4) Related functions.

(B) The Division shall be operated under the supervision of the Deputy Director of Public Works/Maintenance subject to the direction of the Director/City Engineer.

('66 Code, § 2-3.203) (Ord. 852-C-S, passed 8-13-92)

#### **§ 2-3.204 DIVISION OF WATER/WASTE WATER.**

(A) The Division of Water/Waste Water shall consist of the following functions:

- (1) Sanitary sewers;
- (2) Storm sewers and drains;
- (3) Water distribution;
- (4) Related operations.

(B) The Division shall be operated under the supervision of the Deputy Director of Public Works/Maintenance subject to the direction of the Director/City Engineer.

('66 Code, § 2-3.204) (Ord. 852-C-S, passed 8-13-92)

#### **§ 2-3.205 DIVISION OF WATER TREATMENT.**

The functions of the Division of Water Treatment shall be to operate, maintain, improve, construct and monitor all work concerning the City Water Treatment Plant. The Division shall be operated under

the supervision of the Deputy Director of Public Works/Maintenance subject to the direction of the Director/City Engineer.

('66 Code, § 2-3.205) (Ord. 852-C-S, passed 8-13-92)

### **§ 2-3.205.1 DIVISION OF PARKS.**

The function of the Park Division shall be to plan and develop new park facilities and to operate, maintain and improve existing facilities.

(Ord. 925-C-S, passed 7-23-96)

### **§ 2-3.206 DIRECTOR OF PUBLIC WORKS/CITY ENGINEER.**

(A) The Director of Public Works/City Engineer shall be appointed by, and serve at the pleasure of, the City Manager, and shall be paid such salary as may be fixed by the Council.

(B) The Director of Public Works/City Engineer shall have and perform the following duties:


- (1) Organize, manage, and direct the Department of Public Works;
- (2) To establish the proper grades, subject to the approval of the Council, for all streets, alleys and public ways in the city;
- (3) To prepare maps, plats, profiles, cross-sections, estimates, and other engineering data when required for public improvements;
- (4) To comply with, and require observance of, all engineering provisions of the subdivision laws;
- (5) To compile and maintain such engineering records, field notes, profiles, cross-sections, grade maps, contour maps, utility installation details, and other surveys, drawings, plans, specifications, estimates and computations as shall constitute a complete and comprehensive engineering record and file for the city;
- (6) Prepare and submit to the City Manager by May 1 of each year, a budget for the following fiscal year covering the revenues and expenditures of the Department of Public Works;
- (7) Perform the duties of City Engineer as specified in state laws and municipal ordinances;
- (8) Perform such other duties as may be assigned by the City Manager.

('66 Code, § 2-3.206) (Ord. 852-C-S, passed 8-13-92)

**STAFF REPORT TO THE CITY COUNCIL**

**DATE:** Regular Meeting of March 14, 2023

**TO:** Honorable Mayor and Members of the City Council

**SUBMITTED BY:** Brad Helfenberger, Parks and Recreation Director 

**SUBJECT:** Resolution Approving an Amendment to the 2022/23 Fiscal Year Budget to Include Expenditures for the July 4, 2023 Celebration in the Amount of \$110,000

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**RECOMMENDED ACTION**

It is recommended that the City Council adopt the attached resolution approving an amendment to the 2022/23 fiscal year budget to include expenditures for the July 4, 2023 Celebration in the amount of \$110,000.

**FISCAL IMPACT**

The proposed action will increase the General Fund budget in the amount of \$110,000.

**DISCUSSION**

This item is a continued discussion from the Regular Meeting of February 28, 2023. The annual July 4<sup>th</sup> Celebration has been Antioch's signature event for many years. Since 2012, the Celebrate Antioch Foundation has led the effort on planning and executing the event with City support, both from in-kind staff as well as direct financial support. Prior to 2021, the City was contributing funds to Celebrate Antioch via the Civic Enhancement Grant Program. In 2022, the City entered into a Memorandum of Understanding with Celebrate Antioch, which included \$145,000 in direct funding for the provision of the Sesquicentennial Event Series. These events culminated with the July 4<sup>th</sup> Celebration on July 4, 2022 and the majority of the funding provided was for that event.

In January 2023, Celebrate Antioch Foundation notified the City that it does not intend to continue leading the July 4<sup>th</sup> event. In order for the event to continue to enjoy a high level of success and quality, City staff proposes to take the lead role and is currently working on planning the event.

Staff have assembled a budget based on features that were included in the event since it was relocated to the downtown area in 2021. The breakdown detailed below includes anticipated direct costs for the event. Staff time is already included in the existing budget and will not be affected by this action.



Item Description	Proposed Cost
Fireworks	\$35,000
Barge to launch Fireworks	\$10,000
Security	\$15,000
Entertainment	\$15,000
Sound System	\$10,000
Kids Zone (Rides and Bounce Houses)	\$10,000
Electric Cart Rental	\$2,500
Marketing	\$2,500
Misc (including but not limited to)	\$10,000
Decorations	
Permit Fees	
Giveaways	
Chair/ Canopy Rental	
Other logistical supplies	
<b>Total</b>	<b>\$110,000</b>

Staff is also proposing to launch a sponsorship program for City events that aims to defray the costs. However, the amount of funding that can be generated from such a program is not known at this time.

## **ATTACHMENTS**

### A. Resolution

**RESOLUTION NO. 2023/\*\***

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH  
APPROVING AN AMENDMENT TO THE 2022/23 FISCAL YEAR BUDGET FOR THE  
JULY 4, 2023 EVENT IN THE AMOUNT OF \$110,000.**

**WHEREAS**, the July 4<sup>th</sup> Celebration has been Antioch's signature special event for many years;

**WHEREAS**, the Celebrate Antioch Foundation led the effort with City support from 2012-2022, but has informed the City that they do not intend to do so in 2023;

**WHEREAS**, the City of Antioch desires to continue to have a high-quality July 4<sup>th</sup> celebration; and

**WHEREAS**, City funding is needed to continue holding this event successfully.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Antioch hereby approves an amendment to the fiscal year 2022/23 General Fund budget for the July 4, 2023 event in the amount of \$110,000.

\* \* \* \* \*

**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 14th day of March 2023 by the following vote:

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

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**ELIZABETH HOUSEHOLDER  
CITY CLERK OF THE CITY OF ANTIOCH**

**STAFF REPORT TO THE CITY COUNCIL**

**DATE:** Regular Meeting of March 14, 2023

**TO:** Honorable Mayor and Members of the City Council

**SUBMITTED BY:** Thomas Lloyd Smith, City Attorney *745*

**SUBJECT:** Formation of a Human Rights and Racial Equity Ad Hoc Committee

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**RECOMMENDED ACTION**

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

- 1) Determine if the City Council wishes to form a Human Rights and Racial Equity Ad Hoc Committee for the purposes described in the resolution;
- 2) Confirm the appointment of two (2) members for the Human Rights and Racial Equity Ad Hoc Committee;
- 3) Confirm the duration of the Human Rights and Racial Equity Ad Hoc Committee; and
- 4) Adopt the resolution forming the Human Rights and Racial Equity Ad Hoc Committee ("Attachment A").

**FISCAL IMPACT**

The recommended action has no direct fiscal impact on City finances.

**DISCUSSION**

The Human Rights and Racial Equity Ad Hoc Committee would work with the City Manager and the City Attorney to propose an ordinance forming the Human Rights and Racial Equity Commission (the "Commission"), which would work to promote mutual respect, understanding and tolerance among all persons within the City.

The Commission would proactively engage in research, action planning, education, and community outreach to advance the rights of all persons to have an equal opportunity to live, work, and prosper within the City.

The Commission would work to build a community where relationships among diverse people are valued by all, the voices of underrepresented groups are heard, discrimination

is not tolerated, and residents can work together to resolve issues concerning discrimination and alienation.

The Human Rights and Racial Equity Commission could also plan, promote, and develop community-oriented education programs and events to foster positive human relations, equal opportunity, and greater understanding and appreciation of the City's cultural, ethnic, and racial diversity. The proposed educational programs and events developed by the Human Rights and Racial Equity Commission would be submitted to the City Council prior to the adoption of the budget for the fiscal year in which the proposed educational programs and events are planned to be held.

Access to remedies and resolutions under existing state and federal laws addressing unlawful discrimination may also be enhanced by providing a local forum to hear and work towards the advancement of human rights and racial equity goals.

#### **ATTACHMENT**

##### **A. Resolution**

**RESOLUTION NO. 2023/\*\***

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH TO FORM THE  
HUMAN RIGHTS AND RACIAL EQUITY AD HOC COMMITTEE  
FOR A PERIOD OF [REDACTED] MONTHS**

**WHEREAS**, on February 14, 2023, Mayor Pro Tempore Tamisha Torres-Walker requested a future agenda item regarding the potential creation of a Human Rights and Racial Equity Commission;

**WHEREAS**, a Human Rights and Racial Equity ad hoc committee ("**Ad Hoc Committee**") could work with the City Manager and the City Attorney to draft a proposed ordinance for the Human Rights and Racial Equity Commission (the "**Commission**"), which may include but shall not be limited to the Commission's purpose, functions, duties, and responsibilities;

**WHEREAS**, the Ad Hoc Committee would work with staff to propose the purpose and duties for the Human Rights and Racial Equity Commission;

**WHEREAS**, the purpose of the Human Rights and Racial Equity Commission may include promoting mutual respect, understanding and tolerance among all persons within the City;

**WHEREAS**, the Commission may work to build a community where relationships among diverse people are valued by all, the voices of underrepresented groups are heard, discrimination is not tolerated, and residents can identify and work together to resolve issues concerning human rights and racial equity;

**WHEREAS**, the City Council plans to have the Ad Hoc Committee report back to the City Council prior to and upon its planned termination in [REDACTED] months to determine if the Ad Hoc Committee should become a standing committee on a specific subject matter on a continual basis, continue as an ad hoc committee for a limited period of time to address a specific need or purpose, or be terminated; and

**WHEREAS**, the City Council seeks to confirm the appointment of committee members to the Human Rights and Racial Equity Ad Hoc Committee.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Antioch that [REDACTED] and [REDACTED] are appointed to the Human Rights and Racial Equity Ad Hoc Committee, which shall work to draft a an ordinance for a Human Rights and Racial Equity Commission and report back to the City Council prior to and upon the ad hoc committee's planned termination in [REDACTED] months.

\* \* \* \* \*

**ATTACHMENT A**

**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 14th day of March 2023, by the following vote:

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

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**ELIZABETH HOUSEHOLDER  
CITY CLERK OF THE CITY OF ANTIOCH**