



AGENDA

REGULAR MEETINGS

*** * ***

CLAYTON CITY COUNCIL and CLAYTON REDEVELOPMENT AGENCY

TUESDAY, NOVEMBER 18, 2008

7:00 p.m.

*Meeting Room, Clayton Community Library
6125 Clayton Road, Clayton, CA 94517*

Mayor: Gregory J. Manning

Vice Mayor: Julie K. Pierce

Council Members

David T. Shuey

Hank Stratford

William R. Walcutt

- A complete packet of information containing staff reports and exhibits related to each public item is available for public review in City Hall located at 6000 Heritage Trail on Monday prior to the Council meeting.
- Agendas are posted at: 1) City Hall, 6000 Heritage Trail; 2) Library, 6125 Clayton Road; 3) Ohm's Bulletin Board, 1028 Diablo Street, Clayton; and 4) City Website at www.ci.clayton.ca.us
- Any writings or documents provided to a majority of the City Council after distribution of the Agenda Packet and regarding any public item on this Agenda will be made available for public inspection in the City Clerk's office located at 6000 Heritage Trail during normal business hours.
- If you have a physical impairment that requires special accommodations to participate, please call the City Clerk's office at least 72 hours in advance of the meeting at (925) 673-7304.

*** CITY COUNCIL ***
November 18, 2008

7:00 P.M.

1. **CALL TO ORDER AND ROLL CALL** – Mayor Manning.

2. **CLOSED SESSION** - None.

3. **PLEDGE OF ALLEGIANCE** – led by Mayor Manning.

4. **CONSENT CALENDAR**

Consent Calendar items are typically routine in nature and are considered for approval by the City Council with one single motion. Members of the Council, Audience, or Staff wishing an item removed from the Consent Calendar for purpose of public comment, question or input may request so through the Mayor.

(a) **Information Only**

Results of 2008 survey on Traffic Counts and Intersection Levels of Service.
([View Here](#))

(b) Approve the minutes of the regular meeting of November 4, 2008 and the special meeting of November 12, 2008. ([View Here](#))

(c) Approve Financial Demands and Obligations of the City. ([View Here](#))

(d) Accept the City's Investment Portfolio Report for the First Quarter of Fiscal Year 2008-2009 ending September 30, 2008. ([View Here](#))

5. **RECOGNITIONS AND PRESENTATIONS**

(a) Presentation about Diablo Valley College (DVC).
(Judy Walters, President)

6. **REPORTS**

(a) Planning Commission – Chairperson Tuija Catalano

(b) Trails and Landscaping Committee – No meeting held to report.

(c) City Manager/Staff

(d) City Council - Reports from Council liaisons to Regional Committees,
Commissions and Boards.

(e) Other

7. **PUBLIC COMMENT ON NON-AGENDA ITEMS**

Citizens may address the City Council on items within the Council's jurisdiction, (which are not on the agenda) by completing a speaker card available on the Lobby table and forwarding it to the City Clerk. To assure an orderly meeting and an equal opportunity for everyone, each speaker is limited to 3 minutes, enforced at the Mayor's discretion. When one's name is called by the Mayor, the speaker shall advance to the public podium and adhere to the time limit. In accordance with State Law, no action may take place on any item not appearing on the posted agenda. The Council may respond to statements made or questions asked, or may request Staff to report back at a future meeting concerning the matter.

Public comment and input on Public Hearing, Action Items and other Agenda Items will be allowed when each item is considered by the City Council.

8. **PUBLIC HEARING**

(a) Introduction and First Reading of Ordinance 419 concerning a Planning Commission recommended amendment to Chapter 17.44 (Site Plan Review) of the *Clayton Municipal Code* to increase the dimensional thresholds allowing greater administrative review and approval of specified minor additions to residences (ZOA 02-08). ([View Here](#))
(Community Development Director)

Staff recommendations: **1).** Receive the staff report; **2).** Receive public comments; **3).** Approve a motion to have the City Clerk read Ordinance No. 419 by title and number only and waive further reading; **4).** Following the City Clerk's reading, approve Ordinance No. 419 for Introduction and First Reading.

9. **ACTION ITEMS** – None.

10. **COUNCIL ITEMS** – limited to requests and directives for future meetings.

11. **ADJOURNMENT**– the next regularly scheduled meeting of Tuesday, December 2, 2008

#

*** CLAYTON REDEVELOPMENT AGENCY ***

November 18, 2008

1. CALL TO ORDER AND ROLL CALL- Chairman Stratford.

2. PUBLIC COMMENTS

Citizens may address the Redevelopment Agency on items within the Agency's jurisdiction, (which are not on the agenda) by completing a speaker card and forwarding it to the Secretary. To assure an orderly meeting and an equal opportunity for everyone, each speaker is limited to 3 minutes, enforced at the Chair's discretion. When the Chair calls one's name, the speaker shall advance to the public podium and adhere to the time limit. In accordance with State Law, no action may take place on any item not appearing on the posted agenda. Board Members may respond to statements made or questions asked, or may request Staff to report back at a future meeting concerning the matter.

Public comment and input on Public Hearing, Action Items and other Agenda Items will be allowed as each item is considered.

3. CONSENT CALENDAR

Consent Calendar items are typically routine in nature and are considered for approval by the Board of Directors with one single motion. Members of the Board, Audience, or Staff wishing an item removed from the Consent Calendar for purpose of public comment or input may request so through the Chair.

- (a) Approve the minutes of the regular meeting of November 4, 2008.
([View Here](#))

4. PUBLIC HEARING- None.

5. ACTION ITEMS

- (a) Further review of Economic Development Systems' (EDS) final draft Retail Analysis, Strategies and Recommendations for the Clayton Town Center, including feedback from the City Planning Commission and one (1) Downtown Business/Property Owner, and discussion of next steps in recruitment and placement services. ([View Here](#))
(Jim Harrigan, Managing Principal, EDS)

Staff recommendations: That the Board consider approval of the Final Draft as the primary target for retail commercial focus on ground floor space in the Clayton Town Center, and provide policy guidance and direction concerning Phase II recruitment and placement services.

6. BOARD ITEMS – limited to requests and directives for future meetings.

7. ADJOURNMENT – the next regular Redevelopment Agency meeting will be scheduled as needed.

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Agenda Date: 11/18/08
Agenda Item: 4a

STAFF REPORT

INFORMATION ONLY

Approved:

Gary A. Napper
City Manager/Executive Director

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: RICK ANGRISANI, CITY ENGINEER

DATE: NOVEMBER 18, 2008

SUBJECT: TRAFFIC COUNTS AND INTERSECTION LEVELS OF SERVICE (LOS)

In order to receive Measure C funding, the City is required to confirm that the level of service at certain intersections is maintained at or above our stated goal of LOS D (Levels of service range from A to F). An LOS A indicates a free-flowing intersection while LOS F indicates complete gridlock during peak hours.

The intersections of interest are Clayton Road @ Washington Boulevard, Clayton Road @ Mitchell Canyon Road, Marsh Creek Road @ Regency Drive, and Oakhurst Drive @ Eagle Peak Avenue (easterly intersection). In order to make the required calculations to determine the level of service, it is necessary to perform peak hour counts in both the morning and the evening. The counts are made from 6 AM to 9 AM and 4 PM to 7PM on two consecutive weekdays. The counts are segregated by movement (left, through, and right) in every direction. The results are then entered into CCTA's software, along with information relating to the layout of the intersection, which then calculates the level of service.

Since we have not run 24 hour traffic counts on our major streets since 2003, we also asked the traffic consultant to perform 24 hour counts on Clayton Road (east of Washington Boulevard), Oakhurst Drive (north of Clayton Road), and Marsh Creek Road (east of Pine Lane). These counts were run for 7 days in order to calculate the average daily traffic (ADT) on these roads.

When we ran the LOS calculations, we noted that the volume/capacity ratios dropped on all of the intersections indicating a decrease in traffic volumes (and a resulting increase in the LOS). As you will note in the following table, all of our intersections continue to operate at LOS A.

Date: November 18, 2008

Page 2 of 2

Intersection	1996 V/C	1998 V/C	2000 V/C	2002 V/C	2004 V/C	2006 V/C	2008 V/C	2006 LOS
Washington/ Clayton	.48 am .51 pm	.41 am .54 pm	.57 am .55 pm	.61 am .64 pm	.51 am .63 pm	.44 am .59 pm	.46 am .55 pm	A A
Mitchell/ Clayton	.38 am .42 pm	.31 am .44 pm	.47 am .53 pm	.55 am .59 pm	.55 am .67 pm	.53 am .68 pm	.48 am .56 pm	A A
Regency/ Marsh Creek	.21 am .20 pm	.20 am .22 pm	.29 am .24 pm	.58 am .34 pm	.71 am .34 pm	.64 am .42 pm	.57 am .29 pm	A A
Eagle Peak /Oakhurst	.18 am .14 pm	.20 am .15 pm	.21 am .19 pm	.29 am .20 pm	.28 am .18 pm	.28 am .20 pm	.25 am .20 pm	A A

We then reviewed the 24 hour counts and found that there has been a significant drop in the volume of traffic on Clayton Road and Marsh Creek Road. While a slight drop in traffic volume would not be considered unusual due to the price of gas and the poor economy, we found the size of the decrease to be surprising. As is indicated in the following table, there has been a 20% drop in traffic volume from the East County resulting in a 10% decrease in the Clayton Road ADT volumes.

Location	Nov. 2003	Aug. 2006*	Nov. 2008	% Chg. 2003-08
Clayton Road	25,201	22,393	22,276	-11.6
Marsh Creek Road	9,485	-	7,503	-20.8
Oakhurst Drive	6,893	-	6,386	-7.3

*provided by Caltrans

-- END --

MINUTES
OF THE
REGULAR MEETING
CLAYTON CITY COUNCIL

Agenda Date: 11/18/08

Agenda Item: 4b

TUESDAY, November 4, 2008

1. **CALL TO ORDER & ROLL CALL** – the meeting was called to order at 7:03 p.m. by Mayor Manning in the Library Community Meeting Room, 6125 Clayton Road, Clayton, CA. Councilmembers present: Mayor Manning, Vice Mayor Pierce, Councilmembers Stratford and Walcutt. Absent: Councilmember Shuey. Staff present: City Manager Gary Napper, City Attorney Dan Adams and City Clerk Laci Jackson.

2. **CLOSED SESSION** - None.

3. **PLEDGE OF ALLEGIANCE** – Led by Mayor Manning.

4. **CONSENT CALENDAR-** It was moved by Councilmember Walcutt, seconded by Vice Mayor Pierce to approve the Consent Calendar (4-0 vote).

(a) Approved the minutes of the regular meeting of October 21, 2008.

(b) Approved Financial Demands and Obligations of the City.

(c) Adopted Resolution 58-2008 accepting the Clayton Community Park Renovation Project as complete and ordering the filing of a Notice of Completion (CIP No. 10407).

5. **RECOGNITIONS AND PRESENTATIONS**

(a) Mayor Manning read the Proclamation declaring November 5, 2008 as "Shelter in Place Education Day."

(b) Police Chief Dan Lawrence introduced Clayton's newest Police Officers: Shanna Decoite, Darren Billington, and Peter Hanft.

6. **REPORTS**

(a) Planning Commission – Commissioner Sandra Johnson reported on the October 28th meeting of the Planning Commission. The Commission discussed Municipal Code amendments for the Site Plan Review process and reviewed and provided comments on the Clayton Town Center Retail draft Study.

(b) Trails and Landscaping Committee – No meeting held to report.

(c) City Manager no report.

(d) City Council

Councilmember Walcutt had no report but noted that voter turnout seemed very high at the polls.

Councilmember Stratford- attended the CERT final and an event for elected officials hosted by the Contra Costa Association of Realtors (CCAR). He also attended Boo Night sponsored by the YMCA and the annual Clayton Ghost walk.

Vice Mayor Pierce attended the ABAG fall annual meeting, the CCAR event for elected officials, and the Route 4 Bypass opening. She also stated in order to provide the free New Year's Eve celebration the committee is in need of volunteers and donations. She also attended the CBCA candidate forum and thanked all of the candidates for their hard work. Lastly, Boy Scouts Troop 484 held their 20th anniversary party at Endeavor Hall and there were more than 100 people in attendance.

Mayor Manning attended the CBCA sponsored City Council candidates' forum. He also attended a County Connection special meeting to deal with the budget issues. He noted changes to routes would occur though the basic Route 110 would still be intact, and that Public Hearing would be held to address citizen concerns over cuts.

(e) Other – None.

7. **PUBLIC COMMENT ON NON-AGENDA ITEMS-**

Richard Taylor stated over 150 people attended the annual Ghost Walk. He thanked the Clayton Police Department for their help and presented Councilmember Stratford with a certificate for his participation as a celebrity ghost.

8. **PUBLIC HEARINGS-** None.

9. **ACTION ITEMS-** None.

10. **COUNCIL ITEMS** – None.

11. **ADJOURNMENT-** On call by Mayor Manning the meeting adjourned at 7:26 p.m.

Respectfully submitted,

Laci J. Jackson, City Clerk

APPROVED BY CLAYTON CITY COUNCIL

Gregory J. Manning, Mayor

MINUTES
OF THE
SPECIAL MEETING
CLAYTON CITY COUNCIL

Agenda Date: 11/18/08

Agenda Item: 4b

TUESDAY, November 12, 2008

1. **CALL TO ORDER & ROLL CALL** – the meeting was called to order at 5:02 p.m. by Mayor Manning in the 1st floor Conference Room of City Hall, 6000 Heritage Trail, Clayton, CA. Councilmembers present: Mayor Manning, Vice Mayor Pierce, Councilmembers Shuey, Stratford and Walcutt.

2. **PUBLIC COMMENT PERIOD**- None.

3. **CLOSED SESSION**- On call by Mayor Manning, the City Council adjourned into Closed Session for the stated purpose at 5:02 p.m.

- (a) Public Employee Annual Performance Evaluation, *CA Gov. Code Section 54957*
Position Title: City Manager.

Report Out from Closed Session – Mayor Manning announced the City Council reviewed and critiqued the City Manager's performance evaluation during the last 12 months and voted unanimously to provide a 2.0% Cost-of-Living salary adjustment (COLA) effective October 29, 2008.

4. **ADJOURNMENT**- On call by Mayor Manning the meeting adjourned at 5:32 p.m.

Respectfully submitted,

Laci J. Jackson, City Clerk

APPROVED BY CLAYTON CITY COUNCIL

Gregory J. Manning, Mayor



Agenda Date: 11/18/08

Agenda Item: 4c

Approved:

Gary A. Napper
City Manager/Executive Director

STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: MERRY PELLETIER, FINANCE MANAGER
DATE: NOVEMBER 18, 2008
SUBJECT: OBLIGATION SUMMARY

RECOMMENDATION Approve the following obligations.

<u>RUN DATE</u>	<u>OBLIGATION NUMBERS</u>	<u>TOTALS</u>
11/14/08	15267 – 15336	\$291,672.50

Note that we are trying new ways to communicate pertinent information for invoices the City pays:

- **Invoices - Summary Report**
 - o the current invoices by obligation number
 - o the vendor numbers and names
 - o brief descriptions of the invoice
 - o the amounts expensed for the current invoices
 - o invoice numbers
 - o a grand total on the last page
 - o the stage date is the date of input to the system
- **Invoice Distribution Report**
 - o the account numbers affected by the current invoices listed numerically, which are the "line item" numbers listed in the budget
 - o the account descriptions
 - o the obligation numbers
 - o the vendor numbers and names
 - o the amount of the invoices
 - o the invoice numbers
 - o a grand total on the last page

Attachments:

Invoices - Summary Report 11/14/08 (7 pages)

Invoice Distribution Report 11/14/08 (15 pages)

Run date: 11/14/2008 @ 09:50
 Bus date: 11/14/2008

City of Clayton
 Invoices - Summary Report

OTSUM.L02 Page 1

Vendor Name / Obligat'n Description	Pre-Encumbered	Encumbered	Expensed	Paid Stage	Stage Date
201 CalPERS 15267 Retirement PPE 11/2/08 Obligation.....: 15267	.00 Invoice number.: PPE 11/2/08	.00	22,187.69	.00 Inv	11/10/2008
2014 AT&T Yellow Pages 15268 EH Yellow Page Ad 10/08 Obligation.....: 15268	.00 Invoice number.: 10/08	.00	231.00	.00 Inv	11/10/2008
2205 Pacific Telemanagement Svc 15269 CH Outside Phone Booth 11/08 Obligation.....: 15269	.00 Invoice number.: 74310	.00	53.00	.00 Inv	11/10/2008
70 Diversified Risk Ins Brokers 15270 Special Event Insurance 10/08 Obligation.....: 15270	.00 Invoice number.: 10/08	.00	144.47	.00 Inv	11/10/2008
1223 Sprint Comm (PD) 15271 PD Cell Phones 10/08 Obligation.....: 15271	.00 Invoice number.: 083 10/08	.00	388.23	.00 Inv	11/10/2008
2115 AT&T YellowPages.com 15272 Yellow Pages. Com 10/08 Obligation.....: 15272	.00 Invoice number.: 10/08	.00	29.00	.00 Inv	11/10/2008
1459 Clean Street 15273 Street Sweeping 10/08 Obligation.....: 15273	.00 Invoice number.: 55094	.00	3,500.00	.00 Inv	11/10/2008
1459 Clean Street 15274 Street Sweeping 9/08 Obligation.....: 15274	.00 Invoice number.: 54722	.00	3,500.00	.00 Inv	11/10/2008
2110 Sprint Comm (PW & ADM) 15275 PW & Adm Cell Phones 10/08 Obligation.....: 15275	.00 Invoice number.: 078 10/08	.00	283.61	.00 Inv	11/10/2008
84 Hammons Supply Company 15276 Janitorial Supplies 10/08 Obligation.....: 15276	.00 Invoice number.: 51004	.00	234.12	.00 Inv	11/10/2008
84 Hammons Supply Company 15277 Janitorial Supplies 10/08 Obligation.....: 15277	.00 Invoice number.: 51003	.00	588.75	.00 Inv	11/10/2008

Run date: 11/14/2008 @ 09:50
 Bus date: 11/14/2008

City of Clayton
 Invoices - Summary Report

OTSUM.L02 Page 2

Vendor Name / Obligat'n Description	Pre-Encumbered	Encumbered	Expensed	Paid Stage	Stage Date
234 CCC General Services 15278 Traffic Signal Maintenance 9/ Obligation.....: 15278	.00 Invoice number.: 3316	.00	1,304.80	.00 Inv	11/10/2008
159 Turner, Huguet & Adams 15279 GHAD Legal Fees 10/08 Obligation.....: 15279	.00 Invoice number.: 21307	.00	333.00	.00 Inv	11/10/2008
898 CCC Library 15280 Additional Hrs of Svc 1Q 08-0 Obligation.....: 15280	.00 Invoice number.: 1Q 08-09	.00	1,692.57	.00 Inv	11/10/2008
65 Municipal Pooling Authority 15281 LTD, Life & ADD 12/08 Obligation.....: 15281	.00 Invoice number.: 12/08	.00	1,662.09	.00 Inv	11/10/2008
1160 Arlene H. Kikkawa-Nielsen 15282 Library Volunteer 11/08 Obligation.....: 15282	.00 Invoice number.: 11/08	.00	745.00	.00 Inv	11/10/2008
2370 Konica Minolta Bus Solutions 15283 Adm Copier Lease 11/08 Obligation.....: 15283	.00 Invoice number.: 010660509	.00	623.22	.00 Inv	11/10/2008
358 Waraner Brothers 15284 Tree Trimming Lydia Ln Trl 10 Obligation.....: 15284	.00 Invoice number.: 8279	.00	2,400.00	.00 Inv	11/10/2008
1255 Jim Diaz 15285 Candidate Stmt Reimb 11/08 Obligation.....: 15285	.00 Invoice number.:	.00	239.24	.00 Inv	11/10/2008
403 Julie Pierce 15286 Candidate Stmt Reimb 11/08 Obligation.....: 15286	.00 Invoice number.:	.00	232.97	.00 Inv	11/10/2008
2238 Joe Medrano 15287 Candidate Stmt Reimb 11/08 Obligation.....: 15287	.00 Invoice number.:	.00	243.42	.00 Inv	11/10/2008
2483 Howard Geller 15288 Candidate Stmt Reimb 11/08 Obligation.....: 15288	.00 Invoice number.:	.00	241.52	.00 Inv	11/10/2008

Vendor Name / Obligat'n Description	Pre-Encumbered	Encumbered	Expensed	Paid Stage	Stage Date
2482 Dan Richardson 15289 Candidate Stmt Reimb 11/08 Obligation.....: 15289	.00 Invoice number.:	.00	240.00	.00 Inv	11/10/2008
2481 Keith Haydon 15290 Candidate Stmt Reimb 11/08 Obligation.....: 15290	.00 Invoice number.:	.00	235.63	.00 Inv	11/10/2008
2480 Harun Simbirdi 15291 Candidate Stmt Reimb 11/08 Obligation.....: 15291	.00 Invoice number.:	.00	240.57	.00 Inv	11/10/2008
110 CCC Clerk Elections Division 15292 Candidate Stmt Fees 11/08 Obligation.....: 15292	.00 Invoice number.: 817	.00	2,106.65	.00 Inv	11/10/2008
2479 Quality Traffic Data LLC 15293 Traffic Counts 11/08 Obligation.....: 15293	.00 Invoice number.: 080245	.00	4,250.00	.00 Inv	11/10/2008
2478 Jeannette Streeter 15294 Refund SWP 08-10 11/08 Obligation.....: 15294	.00 Invoice number.: SWP 08-10	.00	500.00	.00 Inv	11/10/2008
2477 Susanne & Charles Renner 15295 Refund SWP 16-08 11/08 Obligation.....: 15295	.00 Invoice number.: SWP 16-08	.00	1,498.89	.00 Inv	11/10/2008
2070 John Deere Landscapes Inc 15296 PW Landscape Supplies 10/08 Obligation.....: 15296	.00 Invoice number.: 23269296	.00	285.42	.00 Inv	11/10/2008
167 Wally's Rental Center, Inc. 15297 PW Lawn Aerator Rntl 10/08 Obligation.....: 15297	.00 Invoice number.: 62761	.00	95.59	.00 Inv	11/10/2008
17 Bay Area Barricade Serv. 15298 PW Gloves 10/08 Obligation.....: 15298	.00 Invoice number.: 243282	.00	188.36	.00 Inv	11/10/2008
501 Contra Costa Trans. Authority 15299 CMA Fees 07-08 Obligation.....: 15299	.00 Invoice number.: 07-08	.00	589.77	.00 Inv	11/10/2008

Run date: 11/14/2008 @ 09:50
 Bus date: 11/14/2008

City of Clayton
 Invoices - Summary Report

OTSUM.L02 Page 4

Vendor Name / Obligat'n Description	Pre-Encumbered	Encumbered	Expensed	Paid Stage	Stage Date
170 Western Exterminator 15300 Monthly Svc 10/08 Obligation.....: 15300	.00 Invoice number.: 393722	.00	311.50	.00 Inv	11/10/2008
1243 AT&T/CalNet 15301 Local Phone Svc 10/08 Obligation.....: 15301	.00 Invoice number.: 10/08 B	.00	471.42	.00 Inv	11/10/2008
8 Alhambra & Sierra Springs 15302 Water Service-PD, Adm & PW 10 Obligation.....: 15302	.00 Invoice number.: 1108	.00	243.03	.00 Inv	11/10/2008
26 CCC Tax Collector 15303 Property Tax Assessments 08-0 Obligation.....: 15303	.00 Invoice number.:	.00	6,067.32	.00 Inv	11/10/2008
1966 CCC Office of the Sheriff-Fis 15304 PD Training Cnt-Billington 10 Obligation.....: 15304	.00 Invoice number.: 09-12566	.00	177.00	.00 Inv	11/10/2008
1538 All City Management Services, 15305 PD-Crossing Guard WE 10/25/08 Obligation.....: 15305	.00 Invoice number.: 14590	.00	428.93	.00 Inv	11/10/2008
2460 Globalstar LLC 15306 PD Command Trl Sat Phn 9/08 Obligation.....: 15306	.00 Invoice number.: 9/08	.00	42.82	.00 Inv	11/10/2008
1467 LarryLogic Productions 15307 Video City Council Mtg 11/4/0 Obligation.....: 15307	.00 Invoice number.: 904	.00	270.00	.00 Inv	11/10/2008
416 CCC Auditor-Controller 15308 Booking Fees 7-9/08 Obligation.....: 15308	.00 Invoice number.: 7-9/08	.00	152.00	.00 Inv	11/10/2008
2485 Cynthia Herrmann 15309 Refund EH 11/2/08 Dep Obligation.....: 15309	.00 Invoice number.: EH 11/2/08	.00	500.00	.00 Inv	11/10/2008
2484 Isaias Menchaca 15310 PD PreEmpl Screen Letts 9/08 Obligation.....: 15310	.00 Invoice number.: MIA-01	.00	175.00	.00 Inv	11/10/2008

Vendor Name / Obligat'n Description	Pre-Encumbered	Encumbered	Expensed	Paid Stage	Stage Date
1522 Contra Costa County Mayor's C 15311 Mayors Conference Dues 2009 Obligation.....: 15311	.00	.00	1,699.00	.00 Inv	11/10/2008
	Invoice number.: 11/7/08				
1874 Rural Pig Management, Inc 15312 Wild Pig Disposal 10/08 Obligation.....: 15312	.00	.00	2,180.00	.00 Inv	11/10/2008
	Invoice number.: 11/1/08				
2266 Rock N Waterfall Co 15313 OH Waterfall Mtn 11/08 Obligation.....: 15313	.00	.00	650.00	.00 Inv	11/12/2008
	Invoice number.: 600238				
2266 Rock N Waterfall Co 15314 OH Waterfall Repair 10/08 Obligation.....: 15314	.00	.00	280.00	.00 Inv	11/12/2008
	Invoice number.: 600231				
2070 John Deere Landscapes Inc 15315 PW Landscape Supplies 10/08 Obligation.....: 15315	.00	.00	1,487.56	.00 Inv	11/12/2008
	Invoice number.: 23291092				
1756 Contra Costa Tractor Mobile S 15316 PW Equipment Repair 10/08 Obligation.....: 15316	.00	.00	392.38	.00 Inv	11/12/2008
	Invoice number.: 013898				
1756 Contra Costa Tractor Mobile S 15317 PW Equipment Repair 10/08 Obligation.....: 15317	.00	.00	546.86	.00 Inv	11/12/2008
	Invoice number.: 013905				
2486 Carrier Corp. 15318 Libr Compressor Replacement 1 Obligation.....: 15318	.00	.00	17,707.10	.00 Inv	11/12/2008
	Invoice number.: B001866984				
2486 Carrier Corp. 15319 Libr Chiller Water Pump Repl Obligation.....: 15319	.00	.00	6,727.62	.00 Inv	11/12/2008
	Invoice number.: B001866985				
42 City of Concord 15320 PD Vehicle Maintenance 10/08 Obligation.....: 15320	.00	.00	1,825.67	.00 Inv	11/12/2008
	Invoice number.: 13415				
468 J & R Floor Services 15321 Janitorial Services for 10/08 Obligation.....: 15321	.00	.00	4,999.91	.00 Inv	11/12/2008
	Invoice number.: 080CT				

Run date: 11/14/2008 @ 09:50
 Bus date: 11/14/2008

City of Clayton
 Invoices - Summary Report

OTSUM.L02 Page 6

Vendor Name / Obligat'n Description	Pre-Encumbered	Encumbered	Expensed	Paid Stage	Stage Date
2188 Joe Pargett 15322 Yard Mtn-Stranahan Cir 11/08 Obligation.....: 15322	.00 Invoice number.: 2686	.00	200.00	.00 Inv	11/12/2008
2070 John Deere Landscapes Inc 15323 PW Remote Transmitter 11/08 Obligation.....: 15323	.00 Invoice number.: 23332243	.00	779.40	.00 Inv	11/13/2008
82 Grainger, Inc. 15324 PW Masks/Respirators 11/08 Obligation.....: 15324	.00 Invoice number.: 9772288362	.00	177.44	.00 Inv	11/13/2008
62 Concord Garden Equipment 15325 PW Equipment Mtn 10/08 Obligation.....: 15325	.00 Invoice number.: 371297-962	.00	1,733.46	.00 Inv	11/13/2008
2058 Lexipol LLC 15326 PD Policy Manual Updts 2008-0 Obligation.....: 15326	.00 Invoice number.: 2604	.00	2,450.00	.00 Inv	11/13/2008
2394 Emergency Vehicle Solutions, 15327 PD New Vehicle Outfitting 10/ Obligation.....: 15327	.00 Invoice number.: 6736	.00	6,996.64	.00 Inv	11/13/2008
2450 RGW Construction Inc 15328 2008 Pymt Rehab Retention 10/ Obligation.....: 15328	.00 Invoice number.: 107956 Ret	.00	111,806.43	.00 Inv	11/13/2008
1455 Berlogar Geotechnical Consult 15329 Pebble Beach Monit 10/08 Obligation.....: 15329	.00 Invoice number.: 214100	.00	1,197.39	.00 Inv	11/13/2008
509 CR Fireline Inc 15330 Sprinkler Insp: CH, Lib, EH 1 Obligation.....: 15330	.00 Invoice number.: 54764-66	.00	320.00	.00 Inv	11/13/2008
116 PERMCO, Inc. 15331 Eng Svc 10/24/08-11/7/08 Obligation.....: 15331	.00 Invoice number.: 8637-8648	.00	11,698.24	.00 Inv	11/13/2008
2343 CIT Technology Fin Serv, Inc. 15332 Adm Prop Tx on Old Copier 11/ Obligation.....: 15332	.00 Invoice number.: 12784065	.00	72.29	.00 Inv	11/13/2008

Run date: 11/14/2008 @ 09:50
 Bus date: 11/14/2008

City of Clayton
 Invoices - Summary Report

OTSUM.L02 Page 7

Vendor Name / Obligat'n Description	Pre-Encumbered	Encumbered	Expensed	Paid Stage	Stage Date
2349 US Bank Corp Pymt System 15333 Adm: Misc Charges 10/08 Obligation.....: 15333	.00 Invoice number.:	.00	3,223.12	.00 Inv	11/13/2008
2349 US Bank Corp Pymt System 15334 PW Misc Charges 10/08 Obligation.....: 15334	.00 Invoice number.: 10/22/08	.00	7,768.25	.00 Inv	11/13/2008
2349 US Bank Corp Pymt System 15335 PD Misc Charges 10/08 Obligation.....: 15335	.00 Invoice number.: 10/22/08	.00	3,654.50	.00 Inv	11/13/2008
67 Contra Costa Water Dist. 15336 City Water Usage 9/5/08-11/7/ Obligation.....: 15336	.00 Invoice number.: E Srs 9-10/08	.00	41,171.64	.00 Inv	11/13/2008
*** Report total ***	.00	.00	<u>291,672.50</u>	.00	

Run date: 11/14/2008 @ 09:55
Bus date: 11/14/2008

City of Clayton
Invoice Distribution Report

OTDIST.L02 Page 1

Obligat'n Description	Vendor Name	Stage	Amount
A101-5791-00.0.0-000 - Overhead cost recovery 15295 Refund SWP 16-08 11/08 Obligation.....: 15295	2477 Susanne & Charles Renner Invoice number.: SWP 16-08	Inv	-65.36
A101-7218-02.0.0-000 - Life and LTD Insurance 15281 LTD, Life & ADD 12/08 Obligation.....: 15281	65 Municipal Pooling Authority Invoice number.: 12/08	Inv	378.94
A101-7218-03.0.0-000 - Life and LTD Insurance 15281 LTD, Life & ADD 12/08 Obligation.....: 15281	65 Municipal Pooling Authority Invoice number.: 12/08	Inv	221.96
A101-7218-04.0.0-000 - Life and LTD Insurance 15281 LTD, Life & ADD 12/08 Obligation.....: 15281	65 Municipal Pooling Authority Invoice number.: 12/08	Inv	130.43
A101-7218-06.0.0-000 - Life and LTD Insurance 15281 LTD, Life & ADD 12/08 Obligation.....: 15281	65 Municipal Pooling Authority Invoice number.: 12/08	Inv	622.45
A101-7220-01.0.0-000 - PERS Retirement 15267 Retirement PPE 11/2/08 Obligation.....: 15267	201 CalPERS Invoice number.: PPE 11/2/08	Inv	323.90
A101-7220-02.0.0-000 - PERS Retirement 15267 Retirement PPE 11/2/08 Obligation.....: 15267	201 CalPERS Invoice number.: PPE 11/2/08	Inv	4,104.92
A101-7220-03.0.0-000 - PERS Retirement 15267 Retirement PPE 11/2/08 Obligation.....: 15267	201 CalPERS Invoice number.: PPE 11/2/08	Inv	2,411.90
A101-7220-04.0.0-000 - PERS Retirement 15267 Retirement PPE 11/2/08 Obligation.....: 15267	201 CalPERS Invoice number.: PPE 11/2/08	Inv	1,412.87
A101-7220-06.0.0-000 - PERS Retirement 15267 Retirement PPE 11/2/08 Obligation.....: 15267	201 CalPERS Invoice number.: PPE 11/2/08	Inv	12,992.78
A101-7246-02.0.0-000 - Benefit Insurance 15281 LTD, Life & ADD 12/08 Obligation.....: 15281	65 Municipal Pooling Authority Invoice number.: 12/08	Inv	61.50

Run date: 11/14/2008 @ 09:55
 Bus date: 11/14/2008

City of Clayton
 Invoice Distribution Report

OTDIST.L02 Page 2

Obligat'n Description	Vendor Name	Stage	Amount
A101-7246-03.0.0-000 - Benefit Insurance			
15281 LTD, Life & ADD 12/08	65 Municipal Pooling Authority	Inv	51.25
Obligation.....: 15281	Invoice number.: 12/08		
A101-7246-04.0.0-000 - Benefit Insurance			
15281 LTD, Life & ADD 12/08	65 Municipal Pooling Authority	Inv	20.50
Obligation.....: 15281	Invoice number.: 12/08		
A101-7246-06.0.0-000 - Benefit Insurance			
15281 LTD, Life & ADD 12/08	65 Municipal Pooling Authority	Inv	123.00
Obligation.....: 15281	Invoice number.: 12/08		
A101-7311-03.0.0-000 - General Supplies			
15298 PW Gloves 10/08	17 Bay Area Barricade Serv.	Inv	94.18
Obligation.....: 15298	Invoice number.: 243282		
15302 Water Service-PD, Adm & PW 10/	8 Alhambra & Sierra Springs	Inv	96.75
Obligation.....: 15302	Invoice number.: 1108		
15323 PW Remote Transmitter 11/08	2070 John Deere Landscapes Inc	Inv	389.70
Obligation.....: 15323	Invoice number.: 23332243		
15334 PW Misc Charges 10/08	2349 US Bank Corp Pymt System	Inv	995.11
Obligation.....: 15334	Invoice number.: 10/22/08		
A101-7311-03.0.0-000 - General Supplies	*** Account total ***		1,575.74
A101-7311-06.0.0-000 - General Supplies			
15335 PD Misc Charges 10/08	2349 US Bank Corp Pymt System	Inv	199.22
Obligation.....: 15335	Invoice number.: 10/22/08		
A101-7312-05.0.0-000 - Office Supplies/Expense			
15302 Water Service-PD, Adm & PW 10/	8 Alhambra & Sierra Springs	Inv	146.28
Obligation.....: 15302	Invoice number.: 1108		
15333 Adm: Misc Charges 10/08	2349 US Bank Corp Pymt System	Inv	337.59
Obligation.....: 15333	Invoice number.:		
A101-7312-05.0.0-000 - Office Supplies/Expense	*** Account total ***		483.87
A101-7312-06.0.0-000 - Office Supplies/Expense			
15335 PD Misc Charges 10/08	2349 US Bank Corp Pymt System	Inv	205.74
Obligation.....: 15335	Invoice number.: 10/22/08		
A101-7312-07.0.0-000 - Office Supplies/Expense			
15280 Additional Hrs of Svc 10 08-09	898 CCC Library	Inv	423.00
Obligation.....: 15280	Invoice number.: 1Q 08-09		

Run date: 11/14/2008 @ 09:55
Bus date: 11/14/2008

City of Clayton
Invoice Distribution Report

OTDIST.L02 Page 3

Obligat'n Description	Vendor Name	Stage	Amount
A101-7314-06.0.0-000 - Postage			
15335 PD Misc Charges 10/08 Obligation.....: 15335	2349 US Bank Corp Pymt System Invoice number.: 10/22/08	Inv	10.64
A101-7324-01.0.0-000 - Dues and Subscriptions			
15311 Mayors Conference Dues 2009 Obligation.....: 15311	1522 Contra Costa County Mayor's Co Invoice number.: 11/7/08	Inv	1,699.00
A101-7324-06.0.0-000 - Dues and Subscriptions			
15326 PD Policy Manual Updts 2008-09 Obligation.....: 15326	2058 Lexipol LLC Invoice number.: 2604	Inv	2,450.00
15335 PD Misc Charges 10/08 Obligation.....: 15335	2349 US Bank Corp Pymt System Invoice number.: 10/22/08	Inv	220.00
A101-7324-06.0.0-000 - Dues and Subscriptions *** Account total ***			2,670.00
A101-7329-09.0.0-000 - Park Supplies			
15296 PW Landscape Supplies 10/08 Obligation.....: 15296	2070 John Deere Landscapes Inc Invoice number.: 23269296	Inv	285.42
A101-7331-05.0.0-000 - Rentals/Leases			
15283 Adm Copier Lease 11/08 Obligation.....: 15283	2370 Konica Minolta Bus Solutions Invoice number.: 010660509	Inv	623.22
15332 Adm Prop Tx on Old Copier 11/0 Obligation.....: 15332	2343 CIT Technology Fin Serv, Inc. Invoice number.: 12784065	Inv	72.29
15333 Adm: Misc Charges 10/08 Obligation.....: 15333	2349 US Bank Corp Pymt System Invoice number.:	Inv	342.07
A101-7331-05.0.0-000 - Rentals/Leases *** Account total ***			1,037.58
A101-7332-02.0.0-000 - Telecommunications			
15269 CH Outside Phone Booth 11/08 Obligation.....: 15269	2205 Pacific Telemanagement Svc Invoice number.: 74310	Inv	53.00
15275 PW & Adm Cell Phones 10/08 Obligation.....: 15275	2110 Sprint Comm (PW & ADM) Invoice number.: 078 10/08	Inv	104.36
15301 Local Phone Svc 10/08 Obligation.....: 15301	1243 AT&T/CalNet Invoice number.: 10/08 B	Inv	170.63
A101-7332-02.0.0-000 - Telecommunications *** Account total ***			327.99
A101-7332-03.0.0-000 - Telephone			
15275 PW & Adm Cell Phones 10/08 Obligation.....: 15275	2110 Sprint Comm (PW & ADM) Invoice number.: 078 10/08	Inv	179.25

Run date: 11/14/2008 @ 09:55
 Bus date: 11/14/2008

City of Clayton
 Invoice Distribution Report

OTDIST.L02 Page 4

Obligat'n Description	Vendor Name	Stage	Amount
A101-7332-03.0.0-000 - Telephone		*** Continued ***	
15301 Local Phone Svc 10/08	1243 AT&T/CalNet	Inv	34.79
Obligation.....: 15301	Invoice number.: 10/08 B		
A101-7332-03.0.0-000 - Telephone		*** Account total ***	214.04
A101-7332-04.0.0-000 - Telephone			
15301 Local Phone Svc 10/08	1243 AT&T/CalNet	Inv	47.13
Obligation.....: 15301	Invoice number.: 10/08 B		
A101-7332-06.0.0-000 - Telephone			
15271 PD Cell Phones 10/08	1223 Sprint Comm (PD)	Inv	388.23
Obligation.....: 15271	Invoice number.: 083 10/08		
15301 Local Phone Svc 10/08	1243 AT&T/CalNet	Inv	113.20
Obligation.....: 15301	Invoice number.: 10/08 B		
15306 PD Command Trl Sat Phn 9/08	2460 Globalstar LLC	Inv	42.82
Obligation.....: 15306	Invoice number.: 9/08		
A101-7332-06.0.0-000 - Telephone		*** Account total ***	544.25
A101-7332-08.0.0-000 - Telephone			
15301 Local Phone Svc 10/08	1243 AT&T/CalNet	Inv	46.23
Obligation.....: 15301	Invoice number.: 10/08 B		
A101-7338-03.0.0-000 - Water Services			
15336 City Water Usage 9/5/08-11/7/0	67 Contra Costa Water Dist.	Inv	3,706.66
Obligation.....: 15336	Invoice number.: E Srs 9-10/08		
A101-7338-07.0.0-000 - Water Services			
15336 City Water Usage 9/5/08-11/7/0	67 Contra Costa Water Dist.	Inv	271.32
Obligation.....: 15336	Invoice number.: E Srs 9-10/08		
A101-7338-09.0.0-000 - Water Services			
15336 City Water Usage 9/5/08-11/7/0	67 Contra Costa Water Dist.	Inv	17,502.95
Obligation.....: 15336	Invoice number.: E Srs 9-10/08		
A101-7341-03.0.0-000 - Buildings/Grounds Maintenance			
15300 Monthly Svc 10/08	170 Western Exterminator	Inv	90.50
Obligation.....: 15300	Invoice number.: 393722		
15330 Sprinkler Insp: CH, Lib, EH 10	509 CR Fireline Inc	Inv	110.00
Obligation.....: 15330	Invoice number.: 54764-66		
15334 PW Misc Charges 10/08	2349 US Bank Corp Pymt System	Inv	30.94
Obligation.....: 15334	Invoice number.: 10/22/08		
A101-7341-03.0.0-000 - Buildings/Grounds Maintenance		*** Account total ***	231.44

Run date: 11/14/2008 @ 09:55
Bus date: 11/14/2008

City of Clayton
Invoice Distribution Report

OTDIST.L02 Page 5

Obligat'n Description	Vendor Name	Stage	Amount
A101-7341-07.0.0-000 - Buildings/Grounds Maintenance			
15300 Monthly Svc 10/08	170 Western Exterminator	Inv	93.50
Obligation.....: 15300	Invoice number.: 393722		
15330 Sprinkler Insp: CH, Lib, EH 10	509 CR Fireline Inc	Inv	110.00
Obligation.....: 15330	Invoice number.: 54764-66		
15334 PW Misc Charges 10/08	2349 US Bank Corp Pymt System	Inv	153.80
Obligation.....: 15334	Invoice number.: 10/22/08		
A101-7341-07.0.0-000 - Buildings/Grounds Maintenance			
	*** Account total ***		357.30
A101-7342-03.0.0-000 - Machinery/Equipment Maintenan			
15316 PW Equipment Repair 10/08	1756 Contra Costa Tractor Mobile Sv Inv		392.38
Obligation.....: 15316	Invoice number.: 013898		
15317 PW Equipment Repair 10/08	1756 Contra Costa Tractor Mobile Sv Inv		546.86
Obligation.....: 15317	Invoice number.: 013905		
15325 PW Equipment Mtn 10/08	62 Concord Garden Equipment	Inv	1,337.73
Obligation.....: 15325	Invoice number.: 371297-962		
15334 PW Misc Charges 10/08	2349 US Bank Corp Pymt System	Inv	952.19
Obligation.....: 15334	Invoice number.: 10/22/08		
A101-7342-03.0.0-000 - Machinery/Equipment Maintenan			
	*** Account total ***		3,229.16
A101-7343-03.0.0-000 - Vehicle Maintenance			
15334 PW Misc Charges 10/08	2349 US Bank Corp Pymt System	Inv	2,596.50
Obligation.....: 15334	Invoice number.: 10/22/08		
A101-7343-06.0.0-000 - Vehicle Maintenance			
15320 PD Vehicle Maintenance 10/08	42 City of Concord	Inv	1,825.67
Obligation.....: 15320	Invoice number.: 13415		
15335 PD Misc Charges 10/08	2349 US Bank Corp Pymt System	Inv	126.38
Obligation.....: 15335	Invoice number.: 10/22/08		
A101-7343-06.0.0-000 - Vehicle Maintenance			
	*** Account total ***		1,952.05
A101-7344-03.0.0-000 - Vehicles: Gas, Oil & Supplies			
15334 PW Misc Charges 10/08	2349 US Bank Corp Pymt System	Inv	1,896.20
Obligation.....: 15334	Invoice number.: 10/22/08		
A101-7344-06.0.0-000 - Vehicles: Gas, Oil & Supplies			
15335 PD Misc Charges 10/08	2349 US Bank Corp Pymt System	Inv	2,809.13
Obligation.....: 15335	Invoice number.: 10/22/08		
A101-7347-03.0.0-000 - Deferred Mtn Projects			
15318 Libr Compressor Replacement 10	2486 Carrier Corp.	Inv	17,707.10
Obligation.....: 15318	Invoice number.: 8001866984		

Run date: 11/14/2008 @ 09:55
 Bus date: 11/14/2008

City of Clayton
 Invoice Distribution Report

OTDIST.L02 Page 6

Obligat'n Description	Vendor Name	Stage	Amount
A101-7347-03.0.0-000 - Deferred Mtn Projects			
15319 Libr Chiller Water Pump Repl 1	2486 Carrier Corp.	Inv	6,727.62
Obligation.....: 15319	Invoice number.: 8001866985		
A101-7347-03.0.0-000 - Deferred Mtn Projects			
	*** Account total ***		24,434.72
A101-7351-05.0.0-000 - Insurance Premiums			
15270 Special Event Insurance 10/08	70 Diversified Risk Ins Brokers / Inv		144.47
Obligation.....: 15270	Invoice number.: 10/08		
A101-7373-06.0.0-000 - Education & Training			
15304 PD Training Cnt-Billington 10/	1966 CCC Office of the Sheriff-Fisc Inv		177.00
Obligation.....: 15304	Invoice number.: 09-12566		
15335 PD Misc Charges 10/08	2349 US Bank Corp Pymt System	Inv	83.39
Obligation.....: 15335	Invoice number.: 10/22/08		
A101-7373-06.0.0-000 - Education & Training			
	*** Account total ***		260.39
A101-7411-08.0.0-000 - Professional Services Retainer			
15331 Eng Svc 10/24/08-11/7/08	116 PERMCO, Inc.	Inv	2,905.00
Obligation.....: 15331	Invoice number.: 8637-8648		
A101-7412-08.0.0-000 - Engineering/Inspection Service			
15331 Eng Svc 10/24/08-11/7/08	116 PERMCO, Inc.	Inv	38.13
Obligation.....: 15331	Invoice number.: 8637-8648		
A101-7415-02.0.0-000 - Computer Services			
15333 Adm: Misc Charges 10/08	2349 US Bank Corp Pymt System	Inv	1,033.99
Obligation.....: 15333	Invoice number.:		
A101-7417-03.0.0-000 - Janitorial Service			
15277 Janitorial Supplies 10/08	84 Hammons Supply Company	Inv	117.75
Obligation.....: 15277	Invoice number.: 51003		
15321 Janitorial Services for 10/08	468 J & R Floor Services	Inv	449.91
Obligation.....: 15321	Invoice number.: 08OCT		
A101-7417-03.0.0-000 - Janitorial Service			
	*** Account total ***		567.66
A101-7417-06.0.0-000 - Janitorial Service			
15321 Janitorial Services for 10/08	468 J & R Floor Services	Inv	225.00
Obligation.....: 15321	Invoice number.: 08OCT		
A101-7417-07.0.0-000 - Janitorial Service			
15277 Janitorial Supplies 10/08	84 Hammons Supply Company	Inv	353.25
Obligation.....: 15277	Invoice number.: 51003		

Run date: 11/14/2008 @ 09:55
Bus date: 11/14/2008

City of Clayton
Invoice Distribution Report

OTDIST.L02 Page 7

Obligat'n Description	Vendor Name	Stage	Amount
A101-7417-07.0.0-000 - Janitorial Service *** Continued ***			
15321 Janitorial Services for 10/08	468 J & R Floor Services	Inv	2,175.00
Obligation.....: 15321	Invoice number.: 080CT		
A101-7417-07.0.0-000 - Janitorial Service *** Account total ***			2,528.25
A101-7417-09.0.0-000 - Janitorial Service			
15277 Janitorial Supplies 10/08	84 Hammons Supply Company	Inv	117.75
Obligation.....: 15277	Invoice number.: 51003		
15321 Janitorial Services for 10/08	468 J & R Floor Services	Inv	1,000.00
Obligation.....: 15321	Invoice number.: 080CT		
A101-7417-09.0.0-000 - Janitorial Service *** Account total ***			1,117.75
A101-7419-01.0.0-000 - Other Professional Services			
15307 Video City Council Mtg 11/4/08	1467 LarryLogic Productions	Inv	270.00
Obligation.....: 15307	Invoice number.: 904		
A101-7419-02.0.0-000 - Other Professional Services			
15333 Adm: Misc Charges 10/08	2349 US Bank Corp Pymt System	Inv	49.95
Obligation.....: 15333	Invoice number.:		
A101-7419-06.0.0-000 - Other Professional Services			
15305 PD-Crossing Guard WE 10/25/08	1538 All City Management Services,	Inv	428.93
Obligation.....: 15305	Invoice number.: 14590		
15310 PD PreEmpl Screen Letts 9/08	2484 Isaias Menchaca	Inv	175.00
Obligation.....: 15310	Invoice number.: MIA-01		
A101-7419-06.0.0-000 - Other Professional Services *** Account total ***			603.93
A101-7419-09.0.0-000 - Other Professional Services			
15300 Monthly Svc 10/08	170 Western Exterminator	Inv	40.50
Obligation.....: 15300	Invoice number.: 393722		
A101-7423-07.0.0-000 - Library Aide			
15280 Additional Hrs of Svc 1Q 08-09	898 CCC Library	Inv	1,269.57
Obligation.....: 15280	Invoice number.: 1Q 08-09		
A101-7426-06.0.0-000 - Jail Booking Fee			
15308 Booking Fees 7-9/08	416 CCC Auditor-Controller	Inv	152.00
Obligation.....: 15308	Invoice number.: 7-9/08		
A101-7429-09.0.0-000 - Animal Control Service			
15312 Wild Pig Disposal 10/08	1874 Rural Pig Management, Inc	Inv	2,180.00
Obligation.....: 15312	Invoice number.: 11/1/08		

Run date: 11/14/2008 @ 09:55
Bus date: 11/14/2008

City of Clayton
Invoice Distribution Report

OTDIST.L02 Page 8

Obligat'n Description	Vendor Name	Stage	Amount
A201-7327-00.0.0-000 - Street Maintenance Supplies			
15324 PW Masks/Respirators 11/08	82 Grainger, Inc.	Inv	152.68
Obligation.....: 15324	Invoice number.: 9772288362		
15334 PW Misc Charges 10/08	2349 US Bank Corp Pymt System	Inv	47.59
Obligation.....: 15334	Invoice number.: 10/22/08		
A201-7327-00.0.0-000 - Street Maintenance Supplies	*** Account total ***		200.27
A201-7345-00.0.0-000 - Traffic Signal Maintenance			
15278 Traffic Signal Maintenance 9/0	234 CCC General Services	Inv	1,304.80
Obligation.....: 15278	Invoice number.: 3316		
A201-7412-00.0.0-000 - Engineering/Inspection Service			
15331 Eng Svc 10/24/08-11/7/08	116 PERMCO, Inc.	Inv	640.50
Obligation.....: 15331	Invoice number.: 8637-8648		
A201-7423-00.0.0-000 - Congestion Mgmt Agency Fees			
15293 Traffic Counts 11/08	2479 Quality Traffic Data LLC	Inv	800.00
Obligation.....: 15293	Invoice number.: 080245		
15299 CMA Fees 07-08	501 Contra Costa Trans. Authority	Inv	589.77
Obligation.....: 15299	Invoice number.: 07-08		
A201-7423-00.0.0-000 - Congestion Mgmt Agency Fees	*** Account total ***		1,389.77
A210-7311-00.0.0-000 - General Supplies			
15298 PW Gloves 10/08	17 Bay Area Barricade Serv.	Inv	94.18
Obligation.....: 15298	Invoice number.: 243282		
15315 PW Landscape Supplies 10/08	2070 John Deere Landscapes Inc	Inv	1,487.56
Obligation.....: 15315	Invoice number.: 23291092		
15323 PW Remote Transmitter 11/08	2070 John Deere Landscapes Inc	Inv	389.70
Obligation.....: 15323	Invoice number.: 23332243		
15324 PW Masks/Respirators 11/08	82 Grainger, Inc.	Inv	24.76
Obligation.....: 15324	Invoice number.: 9772288362		
15334 PW Misc Charges 10/08	2349 US Bank Corp Pymt System	Inv	135.47
Obligation.....: 15334	Invoice number.: 10/22/08		
A210-7311-00.0.0-000 - General Supplies	*** Account total ***		2,131.67
A210-7338-00.0.0-000 - Water Services			
15336 City Water Usage 9/5/08-11/7/0	67 Contra Costa Water Dist.	Inv	17,410.08
Obligation.....: 15336	Invoice number.: E Srs 9-10/08		
A210-7342-00.0.0-000 - Machinery/Equip Maintenance			
15325 PW Equipment Mtn 10/08	62 Concord Garden Equipment	Inv	395.73
Obligation.....: 15325	Invoice number.: 371297-962		

Run date: 11/14/2008 @ 09:55
Bus date: 11/14/2008

City of Clayton
Invoice Distribution Report

OTDIST.L02 Page 9

Obligat'n Description	Vendor Name	Stage	Amount
A210-7344-00.0.0-000 - Vehicle Gas, Oil, and Supplies			
15334 PW Misc Charges 10/08	2349 US Bank Corp Pynt System	Inv	601.05
Obligation.....: 15334	Invoice number.: 10/22/08		
A210-7419-00.0.0-000 - Other Professional Services			
15284 Tree Trimming Lydia Ln Trl 10/	358 Waraner Brothers	Inv	2,400.00
Obligation.....: 15284	Invoice number.: 8279		
15313 OH Waterfall Mtn 11/08	2266 Rock N Waterfall Co	Inv	650.00
Obligation.....: 15313	Invoice number.: 600238		
15314 OH Waterfall Repair 10/08	2266 Rock N Waterfall Co	Inv	280.00
Obligation.....: 15314	Invoice number.: 600231		
A210-7419-00.0.0-000 - Other Professional Services	*** Account total ***		3,330.00
A210-7615-00.0.0-000 - CCC Property Tax			
15303 Property Tax Assessments 08-09	26 CCC Tax Collector	Inv	2,274.28
Obligation.....: 15303	Invoice number.:		
A211-7310-00.0.0-000 - Supplies and Equipment			
15276 Janitorial Supplies 10/08	84 Hammons Supply Company	Inv	234.12
Obligation.....: 15276	Invoice number.: 51004		
A211-7311-00.0.0-000 - General Supplies			
15297 PW Lawn Aerator Rntl 10/08	167 Wally's Rental Center, Inc.	Inv	95.59
Obligation.....: 15297	Invoice number.: 62761		
A211-7338-00.0.0-000 - Water Services			
15336 City Water Usage 9/5/08-11/7/0	67 Contra Costa Water Dist.	Inv	1,571.99
Obligation.....: 15336	Invoice number.: E Srs 9-10/08		
A211-7419-00.0.0-000 - Other Professional Services			
15321 Janitorial Services for 10/08	468 J & R Floor Services	Inv	1,000.00
Obligation.....: 15321	Invoice number.: 080CT		
A211-7615-00.0.0-000 - CCC Property Tax			
15303 Property Tax Assessments 08-09	26 CCC Tax Collector	Inv	404.88
Obligation.....: 15303	Invoice number.:		
A212-7413-00.0.0-000 - Legal Services			
15279 GHAD Legal Fees 10/08	159 Turner, Huguet & Adams	Inv	333.00
Obligation.....: 15279	Invoice number.: 21307		

Run date: 11/14/2008 @ 09:55
Bus date: 11/14/2008

City of Clayton
Invoice Distribution Report

OTDIST.L02 Page 10

Obligat'n Description	Vendor Name	Stage	Amount
A212-7520-00.0.0-060 - Pebble Beach subsurface invest			
15329 Pebble Beach Monit 10/08	1455 Berlogar Geotechnical Consulta Inv		1,197.39
Obligation.....: 15329	Invoice number.: 214100		
A214-7311-00.0.0-000 - General Supplies			
15334 PW Misc Charges 10/08	2349 US Bank Corp Pymt System	Inv	316.60
Obligation.....: 15334	Invoice number.: 10/22/08		
A216-7412-00.0.0-000 - Engineering/Inspection Service			
15331 Eng Svc 10/24/08-11/7/08	116 PERMCO, Inc.	Inv	1,037.00
Obligation.....: 15331	Invoice number.: 8637-8648		
A216-7419-00.0.0-000 - Other Professional Services			
15273 Street Sweeping 10/08	1459 Clean Street	Inv	3,500.00
Obligation.....: 15273	Invoice number.: 55094		
15274 Street Sweeping 9/08	1459 Clean Street	Inv	3,500.00
Obligation.....: 15274	Invoice number.: 54722		
A216-7419-00.0.0-000 - Other Professional Services	*** Account total ***		7,000.00
A216-7520-00.0.0-003 - Public Education& Ind Outreach			
15333 Adm: Misc Charges 10/08	2349 US Bank Corp Pymt System	Inv	978.37
Obligation.....: 15333	Invoice number.:		
A217-7615-00.0.0-000 - CCC Property Tax			
15303 Property Tax Assessments 08-09	26 CCC Tax Collector	Inv	2,131.00
Obligation.....: 15303	Invoice number.:		
A220-7419-00.0.0-000 - Other Professional Services			
15293 Traffic Counts 11/08	2479 Quality Traffic Data LLC	Inv	3,450.00
Obligation.....: 15293	Invoice number.: 080245		
A230-7218-00.0.0-000 - LTD Insurance-COPS			
15281 LTD, Life & ADD 12/08	65 Municipal Pooling Authority	Inv	41.81
Obligation.....: 15281	Invoice number.: 12/08		
A230-7220-00.0.0-813 - PERS Retirement-COPS			
15267 Retirement PPE 11/2/08	201 CalPERS	Inv	941.32
Obligation.....: 15267	Invoice number.: PPE 11/2/08		
A230-7246-00.0.0-000 - Benefit Insurance			
15281 LTD, Life & ADD 12/08	65 Municipal Pooling Authority	Inv	10.25
Obligation.....: 15281	Invoice number.: 12/08		

Run date: 11/14/2008 @ 09:55
Bus date: 11/14/2008

City of Clayton
Invoice Distribution Report

OTDIST.L02 Page 11

Obligat'n Description	Vendor Name	Stage	Amount
A301-7361-00.0.0-000 - Advertising			
15268 EH Yellow Page Ad 10/08	2014 AT&T Yellow Pages	Inv	231.00
Obligation.....: 15268	Invoice number.: 10/08		
15272 Yellow Pages. Com 10/08	2115 AT&T YellowPages.com	Inv	29.00
Obligation.....: 15272	Invoice number.: 10/08		
A301-7361-00.0.0-000 - Advertising *** Account total ***			260.00
A301-7419-00.0.0-000 - Other Professional Services			
15333 Adm: Misc Charges 10/08	2349 US Bank Corp Pymt System	Inv	461.20
Obligation.....: 15333	Invoice number.:		
A301-7520-00.0.0-003 - Concerts in the Grove Park			
15333 Adm: Misc Charges 10/08	2349 US Bank Corp Pymt System	Inv	19.95
Obligation.....: 15333	Invoice number.:		
A302-7520-00.0.0-008 - 280 Stranahan LMI-Bamberger			
15322 Yard Mtn-Stranahan Cir 11/08	2188 Joe Pargett	Inv	100.00
Obligation.....: 15322	Invoice number.: 2686		
15336 City Water Usage 9/5/08-11/7/0	67 Contra Costa Water Dist.	Inv	61.97
Obligation.....: 15336	Invoice number.: E Srs 9-10/08		
A302-7520-00.0.0-008 - 280 Stranahan LMI-Bamberger *** Account total ***			161.97
A302-7520-00.0.0-009 - 278 Stranahan Cir LMI House			
15303 Property Tax Assessments 08-09	26 CCC Tax Collector	Inv	654.16
Obligation.....: 15303	Invoice number.:		
15322 Yard Mtn-Stranahan Cir 11/08	2188 Joe Pargett	Inv	100.00
Obligation.....: 15322	Invoice number.: 2686		
15336 City Water Usage 9/5/08-11/7/0	67 Contra Costa Water Dist.	Inv	59.09
Obligation.....: 15336	Invoice number.: E Srs 9-10/08		
A302-7520-00.0.0-009 - 278 Stranahan Cir LMI House *** Account total ***			813.25
A303-7520-00.0.0-106 - Clayton Rd Trail Connection			
15331 Eng Svc 10/24/08-11/7/08	116 PERMCO, Inc.	Inv	3,107.05
Obligation.....: 15331	Invoice number.: 8637-8648		
A303-7520-00.0.0-108 - MarshCreekRd Retaining Wall			
15331 Eng Svc 10/24/08-11/7/08	116 PERMCO, Inc.	Inv	598.56
Obligation.....: 15331	Invoice number.: 8637-8648		
A303-7520-00.0.0-112 - Pavement Rehab Project 2008			
15328 2008 Pvmt Rehab Retention 10/0	2450 RGW Construction Inc	Inv	111,806.43
Obligation.....: 15328	Invoice number.: 107956 Ret		

Run date: 11/14/2008 @ 09:55
Bus date: 11/14/2008

City of Clayton
Invoice Distribution Report

OTDIST.L02 Page 12

Obligat'n Description	Vendor Name	Stage	Amount
A420-7615-00.0.0-000 - CCC Property Tax			
15303 Property Tax Assessments 08-09	26 CCC Tax Collector	Inv	603.00
Obligation.....: 15303	Invoice number.:		
A502-7485-00.0.0-000 - Capital Equipment			
15327 PD New Vehicle Outfitting 10/0	2394 Emergency Vehicle Solutions, I	Inv	6,996.64
Obligation.....: 15327	Invoice number.:		
A601-2730-00.0.0-007 - Candidate Stmt Deposit			
15285 Candidate Stmt Reimb 11/08	1255 Jim Diaz	Inv	239.24
Obligation.....: 15285	Invoice number.:		
15286 Candidate Stmt Reimb 11/08	403 Julie Pierce	Inv	232.97
Obligation.....: 15286	Invoice number.:		
15287 Candidate Stmt Reimb 11/08	2238 Joe Medrano	Inv	243.42
Obligation.....: 15287	Invoice number.:		
15288 Candidate Stmt Reimb 11/08	2483 Howard Geller	Inv	241.52
Obligation.....: 15288	Invoice number.:		
15289 Candidate Stmt Reimb 11/08	2482 Dan Richardson	Inv	240.00
Obligation.....: 15289	Invoice number.:		
15290 Candidate Stmt Reimb 11/08	2481 Keith Haydon	Inv	235.63
Obligation.....: 15290	Invoice number.:		
15291 Candidate Stmt Reimb 11/08	2480 Harun Simbirdi	Inv	240.57
Obligation.....: 15291	Invoice number.:		
15292 Candidate Stmt Fees 11/08	110 CCC Clerk Elections Division	Inv	2,106.65
Obligation.....: 15292	Invoice number.:		
A601-2730-00.0.0-007 - Candidate Stmt Deposit *** Account total ***			3,780.00
A601-2739-00.0.0-000 - Clayton Community Library Foun			
15282 Library Volunteer 11/08	1160 Arlene H. Kikkawa-Nielsen	Inv	745.00
Obligation.....: 15282	Invoice number.:		
A601-2740-00.0.0-097 - Cost Recov Dep - CCWD Minor EP			
15331 Eng Svc 10/24/08-11/7/08	116 PERMCO, Inc.	Inv	41.50
Obligation.....: 15331	Invoice number.:		
A601-2740-00.0.0-283 - Pine HollowEst Plan Ck Fee Dep			
15331 Eng Svc 10/24/08-11/7/08	116 PERMCO, Inc.	Inv	456.50
Obligation.....: 15331	Invoice number.:		

Run date: 11/14/2008 @ 09:55
Bus date: 11/14/2008

City of Clayton
Invoice Distribution Report

OTDIST.L02 Page 13

Obligat'n Description	Vendor Name	Stage	Amount
A601-2740-00.0.0-472 - OAK St. Mixed Use 01-08 15331 Eng Svc 10/24/08-11/7/08 Obligation.....: 15331	116 PERMCO, Inc. Invoice number.: 8637-8648	Inv	1,367.50
A601-2741-00.0.0-153 - Seeno Grading Insp (10351) 15331 Eng Svc 10/24/08-11/7/08 Obligation.....: 15331	116 PERMCO, Inc. Invoice number.: 8637-8648	Inv	41.50
A601-2744-00.0.0-077 - AD Seeno Oak Crk Cyn SW26-06 15331 Eng Svc 10/24/08-11/7/08 Obligation.....: 15331	116 PERMCO, Inc. Invoice number.: 8637-8648	Inv	41.50
A601-2744-00.0.0-189 - Riessen SW Permit 17-05 15331 Eng Svc 10/24/08-11/7/08 Obligation.....: 15331	116 PERMCO, Inc. Invoice number.: 8637-8648	Inv	41.50
A601-2744-00.0.0-288 - Flora Square SWP 47-07 15331 Eng Svc 10/24/08-11/7/08 Obligation.....: 15331	116 PERMCO, Inc. Invoice number.: 8637-8648	Inv	531.25
A601-2744-00.0.0-329 - Lemke Diablo Pt SW permit28-06 15331 Eng Svc 10/24/08-11/7/08 Obligation.....: 15331	116 PERMCO, Inc. Invoice number.: 8637-8648	Inv	41.50
A601-2744-00.0.0-381 - Gonzalez SW Permit 18-07 15331 Eng Svc 10/24/08-11/7/08 Obligation.....: 15331	116 PERMCO, Inc. Invoice number.: 8637-8648	Inv	41.50
A601-2744-00.0.0-434 - C. DeMonte SW Permit 29-07 15331 Eng Svc 10/24/08-11/7/08 Obligation.....: 15331	116 PERMCO, Inc. Invoice number.: 8637-8648	Inv	41.50
A601-2744-00.0.0-438 - Metro PCS SWP 13-08 15331 Eng Svc 10/24/08-11/7/08 Obligation.....: 15331	116 PERMCO, Inc. Invoice number.: 8637-8648	Inv	145.25
A601-2744-00.0.0-444 - Childs SW Permit 33-07 15331 Eng Svc 10/24/08-11/7/08 Obligation.....: 15331	116 PERMCO, Inc. Invoice number.: 8637-8648	Inv	41.50
A601-2744-00.0.0-449 - Switzer SW Permit 36-07 15331 Eng Svc 10/24/08-11/7/08 Obligation.....: 15331	116 PERMCO, Inc. Invoice number.: 8637-8648	Inv	41.50

Run date: 11/14/2008 @ 09:55
Bus date: 11/14/2008

City of Clayton
Invoice Distribution Report

OTDIST.L02 Page 14

Obligat'n Description	Vendor Name	Stage	Amount
A601-2744-00.0.0-461 - G Beckham SW Permit 45-07 15331 Eng Svc 10/24/08-11/7/08 Obligation.....: 15331	116 PERMCO, Inc. Invoice number.: 8637-8648	Inv	41.50
A601-2744-00.0.0-467 - P Hollingsworth SW Permit02-08 15331 Eng Svc 10/24/08-11/7/08 Obligation.....: 15331	116 PERMCO, Inc. Invoice number.: 8637-8648	Inv	41.50
A601-2744-00.0.0-487 - Lance Brick SWP 12-08 15331 Eng Svc 10/24/08-11/7/08 Obligation.....: 15331	116 PERMCO, Inc. Invoice number.: 8637-8648	Inv	41.50
A601-2744-00.0.0-492 - S.RennerSWP 16-08 15295 Refund SWP 16-08 11/08 Obligation.....: 15295	2477 Susanne & Charles Renner Invoice number.: SWP 16-08	Inv	1,564.25
15331 Eng Svc 10/24/08-11/7/08 Obligation.....: 15331	116 PERMCO, Inc. Invoice number.: 8637-8648	Inv	41.50
A601-2744-00.0.0-492 - S.RennerSWP 16-08	*** Account total ***		1,605.75
A601-2744-00.0.0-495 - D. Lombardo SWP 25-08 15331 Eng Svc 10/24/08-11/7/08 Obligation.....: 15331	116 PERMCO, Inc. Invoice number.: 8637-8648	Inv	41.50
A601-2744-00.0.0-502 - Hawkins Pool SWP 19-08 15331 Eng Svc 10/24/08-11/7/08 Obligation.....: 15331	116 PERMCO, Inc. Invoice number.: 8637-8648	Inv	41.50
A601-2744-00.0.0-503 - Jeanette Streeter M SWP 08-10 15294 Refund SWP 08-10 11/08 Obligation.....: 15294	2478 Jeannette Streeter Invoice number.: SWP 08-10	Inv	500.00
A601-2744-00.0.0-504 - Mikde Roberts SWP 26-08 15331 Eng Svc 10/24/08-11/7/08 Obligation.....: 15331	116 PERMCO, Inc. Invoice number.: 8637-8648	Inv	41.50
A601-2744-00.0.0-508 - Swan Pools SWP 22-08 15331 Eng Svc 10/24/08-11/7/08 Obligation.....: 15331	116 PERMCO, Inc. Invoice number.: 8637-8648	Inv	41.50
A601-2744-00.0.0-510 - Carol O'Neil SWP 23-08 15331 Eng Svc 10/24/08-11/7/08 Obligation.....: 15331	116 PERMCO, Inc. Invoice number.: 8637-8648	Inv	41.50

Run date: 11/14/2008 @ 09:55
Bus date: 11/14/2008

City of Clayton
Invoice Distribution Report

OTDIST.L02 Page 15

Obligat'n Description	Vendor Name	Stage	Amount
A601-2744-00.0.0-513 - West Valley Bldr SWP 24-08 15331 Eng Svc 10/24/08-11/7/08 Obligation.....: 15331	116 PERMCO, Inc. Invoice number.: 8637-8648	Inv	41.50
A601-2746-00.0.0-129 - Diablo Pt Grading Inspections 15331 Eng Svc 10/24/08-11/7/08 Obligation.....: 15331	116 PERMCO, Inc. Invoice number.: 8637-8648	Inv	83.00
A702-2730-00.0.0-002 - Endeavor Hall Cash Deposits 15309 Refund EH 11/2/08 Dep Obligation.....: 15309	2485 Cynthia Herrmann Invoice number.: EH 11/2/08	Inv	500.00
A702-7311-00.0.0-000 - General Supplies 15334 PW Misc Charges 10/08 Obligation.....: 15334	2349 US Bank Corp Pymt System Invoice number.: 10/22/08	Inv	42.80
A702-7332-00.0.0-000 - Telephone 15301 Local Phone Svc 10/08 Obligation.....: 15301	1243 AT&T/CalNet Invoice number.: 10/08 B	Inv	59.44
A702-7338-00.0.0-000 - Water Services 15336 City Water Usage 9/5/08-11/7/0 Obligation.....: 15336	67 Contra Costa Water Dist. Invoice number.: E Srs 9-10/08	Inv	587.58
A702-7341-00.0.0-000 - Buildings/Grounds Maintenance 15300 Monthly Svc 10/08 Obligation.....: 15300	170 Western Exterminator Invoice number.: 393722	Inv	87.00
15330 Sprinkler Insp: CH, Lib, EH 10 Obligation.....: 15330	509 CR Fireline Inc Invoice number.: 54764-66	Inv	100.00
A702-7341-00.0.0-000 - Buildings/Grounds Maintenance	*** Account total ***		187.00
A702-7417-00.0.0-000 - Janitorial Service 15321 Janitorial Services for 10/08 Obligation.....: 15321	468 J & R Floor Services Invoice number.: 08OCT	Inv	150.00
* Report total *	*** Total ***		291,672.50



Agenda Date: 11/18/08

Agenda Item: 4d

STAFF REPORT

Approved:

Gary A. Napper
City Manager/Executive Director

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: MERRY PELLETIER

DATE: NOVEMBER 18, 2008

SUBJECT: INVESTMENT PORTFOLIO REPORT FIRST QUARTER FY 2008-2009

RECOMMENDATION:

Accept the Investment Portfolio Report for the First Quarter Fiscal Year 2008-09 ending September 30, 2008.

BACKGROUND

With adoption of the revised Investment Policy reviewed on July 18, 2006, the Finance Manager is required to submit a quarterly investment report to the City Council. The First Quarter 2008-09 Fiscal Year report is provided herein.

FISCAL IMPACT

With the first quarter of the fiscal year completed, interest earnings for the General Fund are now at 19.35% of the '08-09 Budget for a total of \$29,031. Average annual interest yield for the past 3 months was 4.08% compared to 4.19% in the prior period however the interest yield has dropped 24% compared to a year ago when the rate was 5.4%. City interest earnings through the first quarter totaled \$113,783 compared to \$186,251 a year ago. This is a decrease of 38.9% and is a reflection of not only the declining rates but many investments being called that were at premium rates. Over 41.6% of the current investment portfolio is invested in Local Agency Investment Funds (LAIF) a decrease of 9.6% compared to the prior quarter. This decrease is primarily due to the reallocation of investments to Certificates of Deposit (CD) yielding better interest earnings than LAIF. The LAIF quarterly apportionment rate for September was 2.77% a decrease from 3.11% in the prior quarter. All of our bonds have been called due to the higher interest rates. Our Certificates of Deposit (CD) total 58.2% of our portfolio an increase of 10.7% from the prior quarter. Only .2% of our portfolio is temporarily held in a cash money market fund. (These funds are mainly due to maturing investments or interest allocations that have not been reinvested at this time). At this same time last

year, 57.5% of our investments were in LAIF with a rate of 5.24% interest. In the past twelve months the LAIF interest rate has dropped by 47% decreasing our rate of return substantially. The market value of the total investment portfolio as of September 30, 2008 was \$13,897,558 compared to \$14,244,076 in September 2007. Although the investment portfolio carrying value of \$14,010,258 is \$112,700 more than current market value, our policy to hold investments until maturity will produce a positive return.

CONCLUSION

As interest rates continue to decrease our interest revenues will be negatively impacted. LAIF interest rates have continued to decline to 2.77% in September. That rate is close to the same yield we earned in June 2005. Market yields for 12 month CD's have drastically decreased from a high of 5% in November 2007 to a low of 2.15% in November 2008. As interest rates have declined especially over the short term, we have recently seen rates increase over the long term (60 months). We have been diligent to diversify our portfolio with investments immediately available in LAIF and cash (41.6%) and then staggered less than one year (7%), two years (7%), three years (16.4%), 4 years (16%) and 5 years (12%). By staggering our investment portfolio in this manner the impact of rate changes will be lessened.

Respectively submitted,



Merry Pelletier
Finance Manager

Attachments:

City of Clayton Investment Portfolio First Quarter Fiscal Year 2008-2009 Report
(July 1, 2008 – September 30, 2008)

City of Clayton Investment Portfolio
July 1, 2008 - September 30, 2008

Investment Description	Carrying Value	Rate	Current Yield to Maturity	Purchase Date	Maturity Date	Market Value
Local Agency Investment Fund						
Account # 98-07-162						
TOTAL LAIF:	\$ 5,784,251.57	2.77%				\$ 5,779,263.79
Financial North Eastern CD's						
First National Bank of Forsyth Co.	\$ 100,000.00	5.40%	2.15%	11/09/06	11/10/08	\$ 100,001.00
Chestatee State Bank	\$ 100,000.00	4.90%	2.15%	11/17/06	11/17/08	\$ 100,006.00
Mountain Heritage Bank	\$ 100,000.00	4.65%	2.15%	11/22/06	11/21/08	\$ 100,007.00
1st Financial Bank USA	\$ 98,000.00	5.10%	4.74%	12/17/07	12/17/08	\$ 98,474.00
Discover Bank Greenwood DEL	\$ 99,000.00	5.00%	5.00%	12/27/06	12/29/08	\$ 99,447.00
Texas Community Bank	\$ 99,000.00	4.85%	4.50%	01/11/08	01/12/09	\$ 99,543.00
Pinnacle Bank	\$ 99,000.00	4.83%	4.50%	01/14/08	01/14/09	\$ 99,548.00
Tn Commerce Bank	\$ 100,000.00	4.50%	4.14%	01/22/08	01/22/09	\$ 100,469.00
Capital One FSB Falls Church	\$ 100,000.00	2.97%	2.92%	03/15/07	03/13/09	\$ 99,512.00
Advanta Bank	\$ 99,000.00	4.80%	4.50%	01/10/08	12/10/09	\$ 99,928.00
Columbia St Bank	\$ 100,000.00	4.00%	4.00%	02/01/08	02/01/10	\$ 99,802.00
NBT Bank Nail Assn Norwich	\$ 99,000.00	3.70%	3.70%	03/19/08	09/19/08	\$ 98,264.00
First St Bank Flagstaff	\$ 99,000.00	3.75%	3.75%	03/24/08	09/24/10	\$ 97,616.00
Select Bank Grand Rapids	\$ 99,000.00	3.65%	3.65%	03/28/08	09/28/10	\$ 97,410.00
State Bk India New York	\$ 100,000.00	5.00%	5.00%	10/30/07	11/01/10	\$ 100,939.00
Enterprise National Bank Palm Beach	\$ 100,000.00	5.00%	5.00%	10/07/07	11/08/10	\$ 100,936.00
Key Bank C/D	\$ 99,000.00	4.90%	4.80%	12/26/07	12/27/10	\$ 99,957.00
Washington Mut Bank Henderson	\$ 97,000.00	4.50%	4.50%	01/16/08	01/14/11	\$ 96,814.00
Newbank	\$ 100,000.00	4.25%	4.00%	01/23/08	01/24/11	\$ 99,193.00
Washington Mut Bank Park City	\$ 99,000.00	3.90%	3.90%	03/19/08	09/19/08	\$ 97,321.00
Bank Nev Las Vegas	\$ 99,000.00	3.75%	3.75%	03/26/08	03/28/11	\$ 96,919.00
Commerce Bank Geneva	\$ 99,000.00	3.60%	3.60%	03/28/08	03/28/11	\$ 96,572.00
Community First Bank Harrison	\$ 99,000.00	3.70%	3.70%	03/28/08	03/28/11	\$ 96,803.00
New Frontier Bank Colorado	\$ 99,000.00	3.85%	3.85%	03/31/08	07/01/11	\$ 96,800.00
Nicolet Ball Bank Wisconsin	\$ 100,000.00	4.00%	4.09%	03/14/08	09/14/11	\$ 97,842.00
Business First Bank Baton Rouge	\$ 99,000.00	4.00%	4.09%	03/26/08	09/26/11	\$ 96,815.00
Beach Business Bank Manhattan	\$ 100,000.00	5.00%	4.99%	11/23/07	11/23/11	\$ 100,252.00
First GTY Bank & Amp TR CO	\$ 99,000.00	5.00%	4.98%	12/15/06	12/15/11	\$ 99,441.00
Wachovia Bk FSB Houston	\$ 97,000.00	4.50%	4.55%	01/16/08	01/17/12	\$ 95,913.00
BMW Bk North America, Salt Lake	\$ 99,000.00	4.00%	4.12%	03/19/08	03/19/12	\$ 96,157.00
Imperial Capital Bank, La Jolla	\$ 99,000.00	4.00%	4.12%	03/28/08	03/28/12	\$ 96,121.00
Monona St Bank Wisconsin	\$ 99,000.00	3.80%	3.94%	03/28/08	03/28/12	\$ 95,462.00
National City Bank, Cleveland	\$ 99,000.00	4.00%	4.12%	03/31/08	04/02/12	\$ 96,102.00
Wachovia Mlg FSB Las Vegas	\$ 97,000.00	4.60%	4.60%	01/16/08	01/16/13	\$ 95,114.00
Baylake Bank Sturgeon Bay, Wis	\$ 99,000.00	3.60%	3.60%	04/28/08	10/28/09	\$ 98,590.00
Flushing Savings Bank, NY	\$ 99,000.00	3.65%	3.65%	04/30/08	04/30/09	\$ 98,037.00
Paragon Coml Bank, Raleigh NC	\$ 100,000.00	4.00%	4.00%	05/09/08	05/09/11	\$ 98,335.00
Peach State Bank, Gainesville	\$ 99,000.00	4.00%	4.00%	06/06/08	06/06/11	\$ 97,251.00
Investors Community Bank	\$ 99,000.00	3.90%	4.00%	04/18/08	10/18/11	\$ 96,452.00
Franklin Templeton Bank, SL City, Utah	\$ 99,000.00	4.00%	4.12%	04/18/08	04/18/12	\$ 96,005.00
Clayton Bk & TR Knoxville, TN	\$ 99,000.00	4.65%	4.71%	07/09/08	07/09/12	\$ 97,848.00
Primesouth Bank, Tallassee, ALA	\$ 99,000.00	4.05%	4.24%	04/18/08	04/18/13	\$ 94,561.00
Integrity First Bank WI	\$ 99,000.00	4.10%	4.28%	04/25/08	04/25/13	\$ 94,730.00
Goldman Sachs Bank SL City, Utah	\$ 99,000.00	4.45%	4.58%	05/07/08	05/07/13	\$ 96,115.00
M&T Bank	\$ 99,000.00	4.41%	4.51%	05/27/08	05/27/13	\$ 96,688.00
Lehman Coml Bank, Utah	\$ 100,000.00	5.00%	5.00%	06/30/08	07/01/13	\$ 98,704.00
Bank Fairfield Washington	\$ 99,000.00	4.50%	4.50%	07/18/08	07/18/11	\$ 98,383.00
Bay Cities Bank Tampa FL	\$ 99,000.00	4.55%	4.58%	09/02/08	09/02/11	\$ 98,393.00
Cole Taylor Bk Chicago, ILL	\$ 99,000.00	5.00%	5.04%	07/11/08	07/11/13	\$ 98,143.00
Flagstar Bk FSB Troy, Mich	\$ 99,000.00	5.00%	5.05%	09/19/08	09/19/13	\$ 97,947.00
Net credit balance	\$ 19,393.00					\$ 19,393.00
TOTAL Financial North Eastern	\$ 4,975,393.00					\$ 4,917,075.00
Multi-Bank Securities, Inc. CD's						
Cash Account	\$ 3,134.12					\$ 3,134.12
GMAC Automotive Bk Midvale	\$ 97,000.00	5.60%	5.60%	07/19/06	07/17/09	\$ 98,362.85
R-G Crown Casselberry, FL	\$ 100,000.00	5.40%	5.40%	11/22/06	11/23/09	\$ 100,119.00
Wachovia Bk FSB, Houston, TX	\$ 98,000.00	4.30%	4.30%	02/29/08	03/07/13	\$ 94,785.60
TOTAL Multi-Bank Securities:	\$ 298,134.12					\$ 296,401.57

City of Clayton Investment Portfolio
July 1, 2008 - September 30, 2008

Investment Description	Carrying Value	Rate	Current Yield to Maturity	Purchase Date	Maturity Date	Market Value
Morgan Stanley						
Cash Account	\$ 479.36					\$ 479.36
Republic Bank Inc Bountiful, UT	\$ 99,000.00	4.55%	4.53%	01/16/08	09/16/09	\$ 99,576.18
Tifton Bkg Co., GA	\$ 99,000.00	4.55%	4.53%	12/31/07	12/31/09	\$ 99,538.56
Franklin Bank, Houston, TX	\$ 97,000.00	4.40%	4.39%	01/16/08	01/19/10	\$ 97,319.13
Bank First National, WIS	\$ 98,000.00	3.70%	3.73%	03/13/08	03/12/10	\$ 97,298.32
Security Bank Gwinnett County	\$ 99,000.00	4.60%	4.59%	12/27/07	12/27/10	\$ 99,058.41
Commerce National Bk, Columbus, Ohio	\$ 99,000.00	4.50%	4.50%	01/10/08	01/10/11	\$ 98,821.80
American Chartered Bank	\$ 98,000.00	3.95%	4.01%	03/19/08	03/21/11	\$ 96,437.88
Capital One Bank, Glen Allen, VA	\$ 98,000.00	4.00%	4.12%	03/12/08	03/12/12	\$ 95,212.88
Byron Bank, Michigan	\$ 98,000.00	3.90%	4.03%	03/14/08	03/14/12	\$ 94,897.32
Alliance Bank, Syracuse, NY	\$ 98,000.00	4.05%	4.16%	03/24/08	03/21/12	\$ 95,333.42
Citizens Bank, Flint, Mich.	\$ 99,000.00	5.00%	5.00%	12/28/07	12/28/12	\$ 98,627.76
Capmark Bank, Midvale, UT	\$ 99,000.00	5.00%	5.02%	01/25/08	01/25/13	\$ 98,436.69
Bloomfield St Bank, IN	\$ 99,000.00	4.00%	4.03%	06/25/08	06/25/10	\$ 98,397.09
Southern Community Bank, Fayetteville	\$ 99,000.00	3.70%	3.76%	04/23/08	10/25/10	\$ 97,405.11
Crescent St Bank, North Carolina	\$ 99,000.00	3.75%	3.84%	04/23/08	04/22/11	\$ 96,817.05
Medallion Bank, Salt Lake City	\$ 98,000.00	3.90%	3.97%	04/25/08	04/25/11	\$ 96,197.78
Darby Bank, Vidalia, GA	\$ 98,000.00	3.90%	3.97%	04/23/08	04/25/11	\$ 96,198.76
M&I Marshall & Isley Bank	\$ 98,000.00	4.00%	4.07%	05/23/08	05/23/11	\$ 96,331.06
Merrick Bank, UT	\$ 97,000.00	4.30%	4.34%	06/20/08	06/20/11	\$ 95,978.59
Irwin Un BK & TR, Columbus, Ind	\$ 98,000.00	4.05%	4.14%	04/25/08	10/25/11	\$ 95,886.14
First Business BK, Madison, WI	\$ 98,000.00	4.10%	4.18%	05/16/08	11/16/11	\$ 95,947.88
Florida Cmnty BK, Immokalee, FL	\$ 99,000.00	4.50%	4.54%	06/27/08	12/27/11	\$ 97,943.67
Atlanta Business BK, GA	\$ 99,000.00	4.20%	4.31%	05/28/08	05/29/12	\$ 96,483.42
Centennial BK, Fountain Vy, CA	\$ 99,000.00	4.25%	4.35%	05/30/08	05/30/12	\$ 96,645.78
American Cmnty BK, Woodstock	\$ 99,000.00	4.10%	4.28%	04/25/08	04/25/13	\$ 94,730.13
Broadway Bk, Chicago, IL	\$ 99,000.00	4.15%	4.32%	04/30/08	04/30/13	\$ 94,909.32
Amcore Bk, Rockford, IL	\$ 97,000.00	4.25%	4.41%	04/25/08	04/25/13	\$ 93,439.13
Mutual BK, Harvey, IL	\$ 99,000.00	4.50%	4.62%	05/23/08	05/23/13	\$ 96,233.94
Washington TR RI	\$ 97,000.00	4.50%	4.52%	07/09/08	07/11/11	\$ 96,414.12
Queensborough Nat'l Bk	\$ 99,000.00	4.65%	4.70%	07/16/08	07/16/12	\$ 97,820.91
TOTAL Morgan Stanley	\$ 2,952,479.36					\$ 2,904,817.59

	Carrying Value	Percentage of Portfolio	Average Yield to Maturity	
Local Agency Investment Funds	\$ 5,784,251.57	41.58%	2.770%	\$ 5,779,263.79
Financial Northeastern	\$ 4,975,393.00	35.38%	4.148%	\$ 4,917,075.00
Multi-Bank Securities	\$ 298,134.12	2.13%	5.100%	\$ 296,401.57
Morgan Stanley	\$ 2,952,479.36	20.90%	4.299%	\$ 2,904,817.59

Grand Total Investment Portfolio: \$ 14,010,258.05 100.00% \$ 13,897,557.95

2008-09 Budgeted Interest-General Fund \$ 150,000
2008-09 Budgeted Interest Received-General Fund \$ 29,031
Percent of General Fund Budget Received 19.35%

2008-09 Average Annual Yield 4.08%
2008-09 Total Interest Income to date \$ 113,783

Murray P. ...

Finance Manager

[Signature]
City Treasurer

Date:

11/14/08
Date:

I verify that this investment portfolio is in conformity with State laws and the City of Clayton's investment policy. The City's cash management program provides sufficient liquidity to meet the next six month's expenditures



Agenda Date: 11/18/08

Agenda Item: 8a
Approved: [Signature]

Gary A. Napper
City Manager/Executive Director

AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: DAVID WOLTERING, COMMUNITY DEVELOPMENT DIRECTOR DW

DATE: 18 NOVEMBER 2008

SUBJECT: AMENDMENT TO SECTION 17.44.020 (SITE PLAN REVIEW PERMIT REQUIRED) OF THE CLAYTON MUNICIPAL CODE ALLOWING GREATER ADMINISTRATIVE REVIEW AND APPROVAL OF SPECIFIED ADDITIONS TO RESIDENCES (ZOA 02-08)

RECOMMENDATION

Approve Introduction and First Reading of Ordinance No. 419 to Amend Section 17.44.020 (Site Plan Review Permit Required) of the Clayton Municipal Code allowing greater administrative review and approval of specified additions to residences (ZOA 02-08)

BACKGROUND

Presently, Clayton's Municipal Code Chapter 17.44 (see **Exhibit B**) requires Planning Commission review and approval of Site Plan Review Permits for any construction exceeding 500 square feet in area and 12 feet in height. Pursuant to this requirement, many of the applications that have gone before the Planning Commission have involved relatively small additions to single-story, single-family residences. Staff has researched this category of applications since 2003 (see **Exhibit C** for September 9, 2008 Planning Commission Staff Report) and found that approximately 65-66% of the applications for Site Plan Review Permits within this category have involved additions 16 feet in height or less and 750 square feet in area or less. Generally, it has been found that the "Standards for Review" that exist within Chapter 17.44, along with staff review of the preliminary plans being developed for these applications, result in very few modifications to the actual applications and plans submitted for single-story, single-family residences during the Planning Commission review. The minimum deposit required for these applications going to the Planning Commission is \$1,000. Several past applicants, Commissioners, and staff members have commented on the possibility of amending the City's code to allow certain single-story, single-family additions that typically have less visual impact to be reviewed and processed by staff. This amendment would streamline the process by eliminating the need to bring these applications to the Planning Commission which would save on review,

noticing, and report preparation time and costs. There would be a time and cost savings for the applicant and staff could use its time on other projects.

This matter was reviewed by the Clayton Planning Commission at its meetings on September 9, October 14, and October 28, 2008 (see **Exhibits D, E, and F** for meeting minutes). The Planning Commission determined that it would be beneficial to streamline the City's review process to provide greater administrative review and approval of certain proposed additions to single-story, single-family residences. Accordingly, the Commission recommended City Council approval of an ordinance (see **Exhibit A** for proposed City Council Ordinance No. 419) to amend Section 17.44.020 of the Municipal Code to increase the basic threshold for Planning Commission review to 16 feet in height and 750 square feet in area for single-story, single-family additions. It should be noted that additions to single-story, single-family additions in front yard areas or exterior side yard (street side) areas over 12 feet in height or over 500 square feet in area would continue to be reviewed by the Planning Commission. Consequently, the focus of streamlining would be for proposed single-story, single family additions to rear and interior side yard elevations. Formal noticing would only be provided for those applications forwarded to the Planning Commission for review.

Exhibits:

- A Ordinance No. 419
- B Current Chapter 17.44 of the Municipal Code
- C September 9, 2008 Planning Commission Staff Report
- D September 9, 2008 Planning Commission Minutes (Excerpt)
- E October 14, 2008 Planning Commission Minutes (Excerpt)
- F October 28, 2008 Planning Commission Minutes (Excerpt)

ORDINANCE NO. 419

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLAYTON
AMENDING SECTION 17.44.020 (SITE PLAN REVIEW PERMIT REQUIRED) OF
THE CLAYTON MUNICIPAL CODE ALLOWING GREATER ADMINISTRATIVE
REVIEW AND APPROVAL OF SPECIFIED ADDITIONS TO RESIDENCES
(ZOA 02-08)**

**THE CITY COUNCIL
City of Clayton, California**

THE CITY COUNCIL OF THE CITY OF CLAYTON FINDS AS FOLLOWS:

WHEREAS, Ordinance No. 311 was adopted by the Clayton City Council on February 15, 1994, which provides dimensional threshold requirements of 500 square feet in area and 12 feet in height for Planning Commission review and approval of site plan review permits; and

WHEREAS, there exists a need for streamlining the Site Plan Review Permit process to allow administrative review and approval for more routine residential construction applications, while still assuring that an adequate level of review occurs given that Standards of Review are stipulated in the Municipal Code; and

WHEREAS, an amended version of 17.44.020 has been prepared to modify the dimensional threshold requirements to allow administrative review of site plan review permits up to 750 square feet in area and 16 feet in height, generally; and

WHEREAS, Chapter 17.56 of the Municipal Code authorizes the City Council to amend Title 17 (Zoning) of the Municipal Code; and

WHEREAS, the Clayton Planning Commission held a duly-noted public hearing on October 28, 2008 on amending Section 17.44.020 of the Municipal Code; determined that the amendment would be in conformance with the General Plan; determined that the public necessity, convenience, and general welfare would require adoption of the amendment; and recommended City Council approval of the amendment; and

WHEREAS, on November 18, 2008 and December 2, 2008, the City Council held duly-noticed public hearings and gave due consideration to all testimony, comments, and documents received; and

WHEREAS, the public necessity, conveniences, and general welfare require the adoption of the following amendment; and

WHEREAS, the following amendments are in general conformance with the General Plan; and

WHEREAS, the following amendment of the Municipal Code are minor alterations of land use limitations which would not result in any changes in land use or density and therefore qualify for categorical exemptions from the California Environmental Quality Act in accordance with

WHEREAS, there is no evidence that the amendments will have the potential for any individual or cumulative adverse effects on fish and wildlife resources or their habitat, as defined in Section 711.2 of the Fish and Game Code.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CLAYTON DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 17.44.020 of the Municipal Code is amended to read as follows:

“17.44.020 Site Plan Review Permit Required. A Site Plan Review Permit shall be required in any zoning District for the design of all new development within the City (new construction, remodeling, additions, etc.) that meets any of the following criteria:

- A. Construction (enclosed or unenclosed) over 16 feet in height except for an extension of an existing single-story roofline;
- B. Construction (enclosed or unenclosed) encompassing an area greater than 750 square feet;
- C. Construction (enclosed or unenclosed) proposed on a front and/or exterior side elevation measuring over 12 feet in height or encompassing an area of 500 square feet or greater;
- D. Construction over four (4) feet in height (other than fences) encompassing an area of ten (10) square feet or greater located within the upper two-thirds of a slope which exceeds either:
 - 1. A grade equal to or greater than 1 foot vertical to 4 feet horizontal, or
 - 2. A grade change greater than ten (10) feet; (Ord. 375, 2004)
- E. Any balcony, deck, or other similar structure, whose floor elevation is over 4 feet in height from the underlying grade encompassing an area of 10 square feet or greater;
- F. Retaining walls needing a building permit and observable from public streets and/or sidewalks;
- G. Construction that, in the judgement of the Community Development Director, does not comply with the purpose of this Chapter as stated above or with the standards of review as stated herein. (Ord. 311, 1994, Ord. 375, 2004, Ord. 325, 1996)”

SECTION 2. Severability. If any section, subsection, sentence, clause, or phrase of this Ordinance, or the application thereof to any person or circumstances, is held to be unconstitutional or to be otherwise invalid by any court competent jurisdiction, such invalidity shall not affect other provisions or clauses of this Ordinance or application thereof which can be implemented without the invalid provisions, clause, or application, and to this end such provisions and clauses of the Ordinance are declared to be severable.

SECTION 3. Conflicting Ordinances Repealed. Any ordinance or part thereof, or regulations in conflict with the provisions of this Ordinance, are hereby repealed. The provisions of this Ordinance shall control with regard to any provision of the Clayton Municipal Code that may be inconsistent with the provisions of this Ordinance.

SECTION 4. Effective Date and Publication. This Ordinance shall become effective thirty (30) days from and after its passage. Within fifteen (15) days after the passage of the Ordinance, the City Clerk shall cause it to be posted in three (3) public places heretofore designated by resolution by the City Council for the posting of ordinances and public notices. Further, the City

Clerk is directed to cause Section 1 of this Ordinance to be entered into the City of Clayton Municipal Code.

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Clayton held on November 18, 2008.

Passed, adopted, and ordered posted by the City Council of the City of Clayton at a regular meeting thereof held on December 2, 2008, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

THE CITY COUNCIL OF CLAYTON

Gregory J. Manning, Mayor

ATTEST

Laci J. Jackson, City Clerk

APPROVED AS TO FORM

APPROVED BY ADMINISTRATION

Dan Adams, City Attorney

Gary A. Napper, City Manager

I hereby certify that the foregoing Ordinance was duly introduced at a regular meeting of the City Council of the City of Clayton held on November 18, 2008, and was duly adopted, passed, and ordered posted at a regular meeting of the City Council held on December 2, 2008.

Laci J. Jackson, City Clerk

ZOA\2008\02-08.ord2

Chapter 17.44SITE PLAN REVIEWSection:

17.44.010	Purpose
17.44.020	Site Plan Review Permit Required
17.44.030	Exemptions
17.44.040	Standards of Review

17.44.010 Purpose. The purpose of the Site Plan Review is to ensure that the design of all new development is compatible with Clayton's character and that the design and location of new development does not impose significant negative impacts on neighboring property owners and/or occupants. To achieve this purpose, the community's character and any specific neighborhood impacts shall be balanced with an owner's right to develop property. (Ord. 311, 1994) (Ord 325, 1996)

17.44.020 Site Plan Review Permit Required. A Site Plan Review Permit shall be required in any zoning District for the design of all new development within the City (new construction, remodeling, additions, etc.) that meets any of the following criteria:

- A. Construction (enclosed or unenclosed) over 12 feet in height or encompassing an area of 500 sq. ft. or greater;
- B. Construction over four (4) feet in height (other than fences) encompassing an area of ten (10) square feet or greater located within the upper two-thirds of a slope which exceeds either: (Ord 375, 2004)
 - 1. A grade equal to or greater than 1 foot vertical to 4 feet horizontal, or
 - 2. A grade change greater than ten (10) feet.
- C. Any balcony, deck or other similar structure, whose floor elevation is over 4 feet in height from the underlying grade encompassing an area of 10 sq. ft. or greater;
- D. Retaining walls needing a building permit and observable from public streets and/or sidewalks;;
- E. Construction of more than one (1) exempt structure (as herein defined) within any 5-year time period;
- F. Construction that, in the judgment of the Community Development Director, does not comply with the purpose of this Chapter as stated above or with the standards of review as stated herein. (Ord 311, 1994, Ord. 375, 2004, Ord 325, 1996)

17.44.030 Exemptions. Any new development meeting one of the following characteristics shall be exempt from a Site Plan Review Permit. Such exempt development may directly apply for a building permit which is administratively reviewed by staff.

- A. Construction not meeting one of the criteria listed above;
- B. Construction receiving specific design authorization pursuant to an approved:
 - 1. Development Plan Permit;
 - 2. Vesting Tentative Map;
 - 3. Development Agreement. (Ord. 311, 1994)
- C. Second dwelling units administratively approved in accordance with Section 17.47.020. (Ord 373, 2004)
(Ord 325, 1996)

17.44.040 Standards of Review. The factors to be reviewed by the Planning Commission (or City Council upon appeal) shall include, but are not limited to:

- A. Conformity with the General Plan and any applicable Specific Plan (e.g. Town

Center, Marsh Creek Road).

B. Conformity with any applicable City adopted architectural and/or design standards (e.g. Oakhurst Country Club, Oakwood Subdivision, Clayton Station).

C. Preservation of general safety (e.g. seismic, landslide, flooding, fire, traffic).

D. Maintenance of solar rights to adjacent properties.

E. The reasonable maintenance of the privacy of adjacent property owners and/or occupants.

F. The reasonable maintenance of existing views of adjacent property owners and/or occupants.

G. The new development, taken as a whole, need not be identical, but should be complementary with the adjacent existing structures in terms of materials, colors, size, and bulk. (Ord. 325, 1996; Ord. 311, 1994, Ord 325, 1996)

PLANNING COMMISSION STAFF REPORT

Meeting Date: September 9, 2008

From: Milan J. Sikela, Jr.
Assistant Planner

Subject: Study Session for Administrative Approval of Minor Additions
(CDD 10-08)

BACKGROUND

Section 17.44.020.A of the Municipal Code currently requires any applicant proposing to construct an addition measuring “over 12 feet in height or encompassing an area of 500 square feet or greater” to obtain a Site Plan Review Permit from the Planning Commission (see **Exhibit**). The Site Plan Review Permit process requires that the applicant submit a \$1,000 deposit for staff processing as well as 12 sets of plans and a preliminary title report. In addition, the Site Plan Review Permit process involves staff mailing out and posting notices for the public hearing as well as preparing and presenting the staff report. It has become increasingly apparent that this process may be overly-burdensome to applicants (in terms of time, money, and effort) who are proposing to construct single-story additions that are minor in nature.

The characteristics of these minor additions include the addition being located on the interior side or rear elevation of the residence (effectively screening the addition from public areas) and involving an extension of the existing roofline (effectively providing project integration and minimizing visual obtrusiveness). Furthermore, it should be noted that the lowest height of even the shallowest roof pitch (such as a 4:12 pitch)—when combined with the height of the foundation, wall, and top plate—would still bring the height of a minor addition to 12 feet or more, thereby triggering Planning Commission review of the project. In order to avoid over-burdening applicants proposing to construct minor additions, it has been suggested that these minor additions should not have to go through the Planning Commission review process but, instead, could be reviewed and approved by staff. By allowing these more benign additions to be administratively reviewed and approved, the applicant would avoid having to go through the longer and more costly Planning Commission Site Plan Review Permit process and staff would be better able to facilitate project processing, while still assuring a thorough review of the proposal. Additionally, staff time and resources expended to bring these matters to the Planning Commission could be re-allocated to other staff responsibilities.

ANALYSIS

Staff has analyzed 34 Planning Commission-approved Site Plan Review Permits dating back to 2003. The research was conducted to analyze single-story additions based on height and area. Staff has compiled the following information for Commission review.

Height

A total of 34 Planning Commission-approved single-story additions were analyzed, based on the height of each addition. Staff notes that 22 of the 34 additions (or 64.71 %) were 16 feet in height or less. The remaining 12 (or 35.29 %) measured between 16 and 23 feet. In looking at these numbers, staff notes that a majority of the additions were less than four feet taller than the current 12-foot threshold.

Height Range (in feet)	Number of additions within height range	Percentage of total
12 - 12.99	4	11.76 %
13 - 13.99	3	8.82 %
14 - 14.99	6*	17.66 %
15 - 15.99	5	14.72 %
16 - 16.99	4**	11.76 %
17 - 17.99	3	8.82 %
18 - 18.99	1	2.94 %
19 - 19.99	0	0.00 %
20 - 20.99	2	5.88 %
21 - 21.99	3	8.82 %
22 - 22.99	1	2.94 %
23 - 23.99	2	5.88 %
Total	34	100.00 %

*Two of the six projects measuring 14 feet in height are detached structures.

**One of the four projects measuring 16 feet in height is a detached structure.

Area

Staff also analyzed 34 Planning Commission-approved single-story additions, based on the area of each addition. Staff found that the additions were evenly distributed between those additions measuring less than 500 square feet, 500 to 750 square feet, and over 750 square feet with approximately one-third of the additions falling under each of the three area categories.

Area Range (in square feet)	Number of additions within area range	Percentage of total
< 500	12	35.30 %
500 - 750	11	32.35 %
> 750	11	32.35 %
Total	34	100.00 %

Options

Based on the above analyses, staff has listed the following options for Commission consideration.

Option A

Leave the Site Plan Review Permit thresholds as they are currently. By keeping the thresholds at 500 square feet in area and 12 feet in height, the Commission would have more proposals brought before them and, as a result, would be better able to more directly review and regulate development within the City. The inherent drawbacks with leaving the thresholds as they currently are, as stated above, would be greater cost, time, and personnel resources by the applicant and the City.

Option B

Increase the threshold height. The threshold height could be increased to 16 feet; it should be noted that detached accessory structures are allowed presently to be up to 16 feet in height. The benefit of raising the threshold height would be, as suggested above, decreased cost, time, and resource impacts to the applicant and increased facilitation of project processing by staff. However, the Commission would not be able to review minor additions below the threshold and, therefore, would not directly regulate the smaller developments that occur within the City.

Option C

Another alternative to consider is increasing both the threshold height and area. The threshold height could be increased, as discussed in Option B, as well as the threshold area. Staff notes that detached second dwelling units are allowed presently to be administratively reviewed and approved up to 750 square feet in area. The benefit of raising the threshold height and area would be an even further decrease in cost, time, and resource impacts to the applicant and the City. Naturally, with this option, fewer of the smaller projects would be reviewed by the Planning Commission.

RECOMMENDATION

Staff recommends that the Planning Commission choose Option C and provide direction to staff regarding the amendment of the Municipal Code to raise the thresholds for Planning Commission review of minor single-story additions.

EXHIBIT

Chapter 17.44 of the Clayton Municipal Code (Site Plan Review)

CDD\2008\10-08.sr1

Minutes
City of Clayton Planning Commission Special Meeting
Tuesday, September 9, 2008
(Excerpt)

Call to Order

Chair Catalano called the meeting to order at 7:00 p.m. at the Library Meeting Room, Clayton Community Library, 6125 Clayton Road, Clayton.

Present: Chair Tuija Catalano, Commissioner Bob Armstrong, Commissioner Keith Haydon, Commissioner Sandra Johnson

Absent: Vice Chair Ed Hartley

Staff: Community Development Director David Woltering
 Planning Intern Kristin Burger

New Business

5. **CDD 10-08, City of Clayton.** Study session item regarding possible amendments of Chapter 17.44 of the Municipal Code to increase the thresholds for administrative review of minor additions to residences.

Director Woltering presented the staff report.

Commission comments and questions included:

- How does the noticing process work for administrative site plan reviews? *Director Woltering responded that administrative site plan reviews could be handled in the same manner as tree removal permits by noticing the homes that immediately surround the subject property rather than the homes with 300 feet of the subject property. The noticed property owners have ten days to respond, and if they do, the project will be brought before the Commission. In the notice, staff would explain that it intends to approve that project with conditions, and the conditions would be listed in the notice.*
- What happens if the applicant applies for a variance? *Director Woltering indicated that a standard Variance would go to the Planning Commission, with the more standard 300' noticing.*
- It would be helpful to add to the prerequisites for administrative review that the additions must be located on the interior side or rear elevation of the existing residence.
- A prerequisite could be that the addition should match the existing roof line or roof pitch to possibly eliminate the height threshold of 16 feet.
- Currently, only one-story additions are being proposed. Should we not consider two-story additions, if the existing home is already two stories? *Director Woltering clarified that, as of now, two-story additions must go to the Commission and, typically, are of greater concern to surrounding residents.*
- The City's Municipal Code currently gives authority for administrative review and approval of second welling units up to 750 square feet in area and 16 feet in height. It could be the same with administrative review of additions.

- A single-story addition may be a concern, if the applicant is raising the level of the lot. The Planning Commission should review these projects. *Director Woltering responded that the existing site plan review permit process addresses changes in topography. It indicates that if there is a grade change over 10 feet in height, the project is subject to a site plan review before the Planning Commission.*
- One of the prerequisites for allowing administrative review and approval of larger site plan review projects is that the addition entails an extension of the existing roof line.
- The Commissioners indicated consensus on the following related to increasing thresholds for administrative review:
 - Option C looks the best as a base. Option C allows administrative review up to, and including, 16 feet in height and 750 square feet in area.
 - A 16-foot height may be okay since it is consistent with the second dwelling unit standards.
 - Continuing the existing roof line, even if it is higher than 16 feet, may be okay.
 - All single-story additions up to 750 square feet in area should be reviewed and approved administratively.
 - A prerequisite should be that the addition is at an interior side or rear elevation.
 - Any project involving a change in topography over a certain threshold should be reviewed by the Commission.
 - Any project involving a two-story addition should be reviewed by the Commission.
 - Notices should be sent to all property owners that are in the immediate vicinity of the addition (i.e., those whose properties abut the subject property as well as those whose properties are directly across the street, similar to the noticing process for Tree Removal Permits.).
 - Is a motion needed regarding the direction being provided? *Director Woltering indicated that a motion would not be needed and that he would take the Commissioners integrate them into a draft ordinance and then have the City Attorney review them. He also noted that the draft ordinance would be brought back before the Commission in approximately 60 days.*
 - Are two City Council readings needed before the ordinance takes effect? *Director Woltering confirmed that, when amending the code, two readings would be required at the City Council, followed by a 30-day period before the ordinance would officially become effective.*

Plng Comm\2008\Minutes\0909-excerpt

**Minutes
City of Clayton Planning Commission Special Meeting
Tuesday, October 14, 2008
(Excerpt)**

Call to Order

Chair Catalano called the meeting to order at 7:00 p.m. at Endeavor Hall, 6008 Center Street, Clayton.

Present: Chair Tuija Catalano, Vice Chair Ed Hartley, Commissioner Bob Armstrong, Commissioner Keith Haydon, Commissioner Sandra Johnson

Absent: None

Staff: Community Development Director David Woltering
Assistant Planner Milan Sikela, Jr.
Planning Intern Kristin Burger

- 5B. **ZOA 02-08, Municipal Code Amendment, City of Clayton.** Study session item regarding possible amendments of Chapter 17.44 (Site Plan Review) of the Municipal Code to increase the thresholds for administrative review of minor additions to residences.

Assistant Planner Sikela presented the staff report.

Commission comments included:

- Clarification of Section 17.44.020.A is needed.
- The clause relating to construction of more than one exempt structure in a five-year period (Section 17.44.020.E) should be deleted.
- Once these changes are made, when will you return with a finalized draft ordinance? *Director Woltering indicated that staff would return with a finalized draft ordinance at the Commission meeting of October 28, 2008.*

**Minutes
City of Clayton Planning Commission Meeting
Tuesday, October 28, 2008
(Excerpt)**

Call to Order

Chair Catalano called the meeting to order at 7:00 p.m. at the Library Meeting Room, Clayton Community Library, 6125 Clayton Road, Clayton.

Present: Chair Tuija Catalano, Vice Chair Ed Hartley, Commissioner Bob Armstrong, Commissioner Keith Haydon, Commissioner Sandra Johnson

Absent: None

Staff: Community Development Director David Woltering
Assistant Planner Milan Sikela, Jr.

Administrative

1A. Review of agenda items.

1B. Commissioner Johnson to report at the November 4, 2008 City Council meeting.

Public Comment**Approval of Minutes**

2. Approval of minutes from the meeting of October 14, 2008.

Commissioner Armstrong moved and Commissioner Haydon seconded a motion to approve the minutes from the meeting of October 14, 2008, as amended. The motion passed 5-0.

Public Hearings

3. **ZOA 02-08, Municipal Code Amendment, City of Clayton.** An amendment of Chapter 17.44 (Site Plan Review) of the Clayton Municipal Code to increase the dimensional thresholds to allow for greater administrative review and approval of minor additions to residences.

The public hearing was opened. Assistant Planner Sikela presented the staff report.

Commissioner Armstrong asked if the amendment addresses extension of rooflines that are over 16 feet in height. *Director Woltering responded that the amended wording addresses that issue.*

Vice Chair Hartley moved and Chair Haydon seconded a motion to approve Resolution No. 04-08 which recommends City Council approval of an ordinance to amend Section 17.44.020 of the Municipal Code to allow for greater administrative review and approval of minor additions. The motion passed 5-0.

MINUTES
OF THE
REGULAR MEETING

CLAYTON REDEVELOPMENT AGENCY

November 4, 2008

Agenda Date: 11/18/08
Agenda Item: 3a RDA

1. **CALL TO ORDER & ROLL CALL** - the meeting was called to order at 7:27 p.m. by Chairman Stratford in the Library Community Room, 6125 Clayton Road, Clayton, CA. Boardmembers present: Chairman Stratford, Board Members Manning, Pierce and Walcutt. Absent: Vice Chairman Shuey. Staff present: Executive Director, Secretary, and General Counsel.
2. **PUBLIC COMMENTS**- None.
3. **CONSENT CALENDAR** – It was moved by Boardmember Pierce, seconded by Boardmember Manning to approve the Consent Calendar as submitted (4-0 vote).
 - (a) Approved the minutes of the regular meeting of October 21, 2008.
 - (b) Approved the Agreement of Purchase and Sale and Joint Escrow Instructions with Barnaby and Rachel Gloger for the Agency's sale of 278 Stranahan Circle, Clayton, CA (APN 119-620-040-4) in the amount of \$280,000.00 as a Moderate Income Affordable Housing Unit for forty-five (45) years.
4. **PUBLIC HEARINGS**- None.
5. **ACTION ITEMS**- None.
6. **BOARD ITEMS**- None.
7. **ADJOURN** – on call by Chairman Stratford the meeting adjourned at 7:28 p.m.

Respectfully submitted,

Laci J. Jackson, Secretary

Clayton Redevelopment Agency Board

Ross "Hank" Stratford, Chairman



Agenda Date: 11/18/08

Agenda Item: 5a RDA

Approved:


Gary A. Napper
City Manager/Executive Director

AGENDA REPORT

TO: HONORABLE CHAIRMAN AND BOARD MEMBERS

FROM: EXECUTIVE DIRECTOR

DATE: 18 NOVEMBER 2008

**SUBJECT: FURTHER REVIEW OF FINAL DRAFT – DOWNTOWN RETAIL ANALYSIS
ECONOMIC DEVELOPMENT SYSTEMS (EDS)**

RECOMMENDATION

It is recommended the Board consider approval of the Final Draft recommendations as the primary targets for retail commercial emphasis on the ground floor space in the Clayton Town Center, and provide any policy guidance and direction concerning Phase II recruitment services and placement efforts.

BACKGROUND

Within the last year, the City Planning Commission and the City Council amended sections of its Town Center Specific Plan and its General Plan to limit ground floor commercial space in Town Center developments to retail commercial uses (other commercial uses allowed by Use Permit approved by the Planning Commission). At that time it was generally accepted the City and its Downtown area envisioned a more vibrant future for the Town Center that involved a mixture of retail commercial on the ground floor coupled with office or residential uses on the second story of buildings. In fact, development incentives (e.g. on-site parking relief; lot line to lot line coverage) were embraced and offered to Downtown property owners of certain sized properties to facilitate and encourage the establishment of additional retail commercial uses and mass in the Clayton Town Center.

Based on this evidence of actions that ground floor retail commercial was the primary target for future of its Town Center, a logical next step in this continuum of bolstering economic life into Downtown was to retain a retail commercial expert to examine the existing conditions of the Town Center and to make experienced recommendations as to what could Clayton and its Downtown reasonably expect to attract in terms of viable retail commercial uses.

At its public meeting of 15 January 2008, the Board considered a proposal by Economic Development Systems (EDS) to assist the Agency in its objective to enhance and revitalize retail commercial opportunities in the Clayton Town Center. EDS not only demonstrated substantial and successful experiences performing traditional retail market studies of commercial business sectors in California but also offered unique retail implementation/recruitment services and actual commercial placement in those business sectors following adoption of the recommended marketing plan. Based in part on Mr. Jim Harrigan's proposal and the joint recommendations of the City Council's Economic Development Subcommittee (Ms. Pierce and Mr. Shuey) and the Executive Director, the Board adopted action approving a Consultant Services Agreement with EDS.

The first milestones of performance were for Mr. Harrigan to analyze current retail market conditions within the Clayton Town Center and its competing market areas, and to contact (and hopefully meet with) each commercial property owner in the Downtown Area. In addition, compilation of retail data from various sources was obtained and critiqued for application to the geographic location of the Clayton Town Center for development of a draft Retail Report. The preliminary Report and findings were submitted to the Agency in late May 2008, followed by a meeting with Mr. Harrigan, the Economic Development Subcommittee and the Executive Director on June 12th to review the recommendations, which resulted in requests for further information. The draft Downtown Retail Report with its Executive Summary was received by the Agency during the week of July 21st.

On August 19th, the Board met in a public meeting with Mr. Harrigan and reviewed his draft Retail Analysis and Recommendations. Suggestions were accepted to incorporate into the Draft brief summaries of the consultant's meetings with certain Downtown property and commercial business owners and to expound on Phase II implementation services for recruitment and placement.

A cover letter from the Executive Director with a full copy of the amended Draft Retail Analysis was then mailed on September 30th to each of the property owners and all businesses in the Clayton Town Center.

Downtown Property Owners:	20
Business Owners:	<u>34</u>
Total No.	54

Each was asked to review the details, analysis and recommendations in the Draft Report and provide written reactions, reflections or comments back to the Agency by October 31st. In addition, the City Planning Commission received a presentation of the Draft Report by Mr. Harrigan on October 14th and the Commission completed its review and feedback at its following meeting on October 28th.

To date, the Agency received only two (2) written responses to the draft analysis and recommendations provided by EDS:

1. Stephen J. Coates Managing Agent for Village Oaks
2. Clayton Planning Commission

It is unknown whether this lack of responses indicates universal acceptance of the expert's recommendations and emphasis for the Clayton Town Center, universal apathy, disagreement yet reluctance to get involved or "go public", or public skepticism of the process and effort.

REVIEW OF FEEDBACK

Each of the written replies has been attached to this Staff Report.

1. In order received, Mr. Coates provided 5 reflections regarding review of EDS's analysis and recommendations, of which the second one generally noted he does not believe there is a demonstrated demand for more restaurants in the Town Center (see "b."). Mr. Coates further notes existing buildings are not necessarily suited to attract or accommodate restaurant uses and that marketing his Village Oaks vacancies for retail commercial uses has not produced corresponding inquiries. Therefore he asserts the combination of past and present history of retail commercial/restaurant uses results in his determination that the recommendations in the Draft Retail Analysis are dim prospects for the Clayton Town Center.

Whether this conclusion is correct and is sufficient to surrender the future of the Town Center's retail commercial attraction to developers and patrons are fundamental questions. Certainly the bleak and protracted economy does not offer immediate hope for Clayton to fulfill EDS's recommendations and corresponding retail commercial developments. But, is that our Plan and vision – abandon what we could become, namely a niche "restaurant row" with accompanying retail shops of interest and variety? Or, should the Agency and City continue in stride its effort to become a magnet for an appealing small base of viable shops and restaurants that will draw patrons from a 10-mile radius?

The remaining comments carry the underlying general interest of the Village Oaks' Managing Agent to fill vacancies and sustain full occupancy of his building with leased tenants, including *non-retail* commercial uses on the ground floor. These sentiments of Mr. Coates were articulated when the Planning Commission and City Council were considering its actions to push ground floor retail commercial uses in the Town Center. It was noted in the *Town Center Parking Study* (May 2006), the prelude study to recent amendments to the *Town Center Specific Plan* (2008), the land available (defined as vacant and under-utilized land) for commercial development in the Clayton Town Center is 111,500 sq. ft. (Page 6). Without the enacted on-site parking relief standards, the land availability was 45,700 sq. ft.

2. The City Planning Commission submitted a thoughtful examination of both the process and product of the Draft Retail Analysis. Generally, the Commission's perspectives questioned the scope of work effort and expressed intrigue as to how the consultant will actually accomplish the intended objective to entice retail commercial ventures to the Town Center. It sought more quantifiable data and analysis to support the consultant's recommendation to seek an expanded variety of restaurants coupled with an appropriately-scaled entertainment venue.

Much of the Commission's queries can be addressed by understanding Economic Development Systems was not retained to poll public opinion or initiate a process to generate a comprehensive Downtown Economic Development Plan with accompanying marketing and branding plans. As noted recently by the North Star Company in recent solicitation for destination strategy business, *"The key to an effective brand is to hone in on the single greatest defining factor in a community"*. Extrapolating that principle, the question posed to EDS and their answer is: the Clayton Town Center should try to establish its small identity as an upper-scale restaurant arena in a superb geographic setting. If not restaurants as the repeat-business magnet, what are the alternatives and targets for the Agency's and City's economic development efforts and incentives?

CONCLUSIONS

Now is the time to invest in our future and plan for the inevitable yet unknown timing of retail commercial expansion. The Buxton Report (November 2008) indicates, *"Retailers and restaurants are still expanding, filling their real estate pipelines for 2009, 2010 and 2011."* Cities and business sector management firms are getting increasingly aggressive in outreach methods to snag the attention of retail commercial investments in this tough economy. While not wishing to rush to action without a target, the prevailing policy sentiment was not to abide inaction while we huddle yet again to generate an "economic development plan" and associated lengthy processes.

The retention of EDS assumed ground floor retail commercial uses in the Town Center was indeed the universal target; the retention of EDS's expertise was an action measure to more narrowly define what type(s) of "retail commercial" our geographic and small scale Downtown could expect to attract and sustain as its core center; the expertise of EDS was retained to collapse the divide between mere public wishes for the Clayton Town Center in contrast to how the retail commercial industry truthfully eyes the commercial potential for Downtown Clayton.

The limited community dialogue generated by this outreach exercise remains useful in the never-ending community debate over what the Town Center will and can ultimately become. The purpose of the Retail Analysis study was to bring in outside assistance to view its potential objectively, absent emotion or turf protectionism. The concept of "restaurant row" is not new and is successful (e.g. food courts at malls; Walnut Creek; Old Town Pasadena, etc.); additional eateries bring additional patronage for existing restaurants as well as for the new establishments. If not restaurants, then what, exactly?

- Attachments:
1. Written Responses (2) to Draft Report [9 pp.]
 2. EDS commentary on Responses
 3. Executive Summary – EDS Final Draft II [13 pp.]

WRITTEN RESPONSES

TO

DRAFT RETAIL ANALYSIS

1. COATES & SOWARDS, INC. [2 PP.]
2. CITY PLANNING COMMISSION [7 PP.]



October 28, 2008

Mailed and Facsimile (925) 672-4917

Mr. Gary A. Napper
Executive Director, Clayton Redevelopment
City Manager
City of Clayton
6000 Heritage Trail
Clayton, California 94517-1250

Received

OCT 29 2008

City of Clayton

Re: Downtown Retail Study
Comments and Reflections

Dear Mr. Napper:

Thank you for the opportunity to comment on the Final Draft of the Downtown Retail Study which I received in the mail. I believe my thoughts and comments will be pertinent since I was personally contacted by Economic Development Systems and I am part owner and Manager/Leasing Agent for Village Oaks Center.

It is my understanding from reading the report a few times that EDS believes that downtown Clayton needs more destination retail uses with the emphasis on "traditional retail stores, restaurants and entertainment venues. My thoughts and comments on this point and their report are as follows:

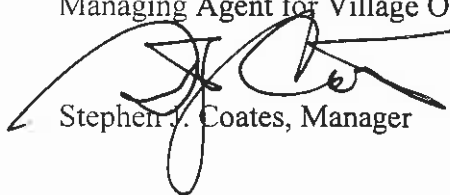
- a. **Inventory of Buildings Needed.** An inventory of all properties in downtown should be taken to determine which properties are good candidates for restaurants or other destination retail. Village Oaks currently has only one tenant, Ed's Mudville Grill that meets the criteria of "Permitted Uses" under the Town Center Specific Plan Update. We have had to request a Use Permit for two tenants this year – Snap Fitness a fitness business, and Clayton Mind and Body which is relocating in the downtown.
- b. **Lack of Demand for More Restaurants.** I do not believe there is an unmet demand for additional food establishments in Clayton. Prior to becoming involved with Village Oaks there was an Irish Pub, Bar-b-Q business and breakfast establishment that all failed. Only Ed's Mudville Grill has succeeded. It is my understanding that his new restaurant is not doing as well as projected so additional competition would only make matters worse. I have been attempting to lease space at Village Oaks for nearly five years and I have yet to receive an inquiry for a restaurant. On my own, I contacted Englund's Tear Cottage and they informed me that they relocated from Clayton Station because there was not enough business during the week.



- c. **Restaurants are Inappropriate Use in Many Buildings.** Village Oaks would be very reluctant to place more food uses in our building because of the myriad of problems associated with restaurants. Mixed use of office tenants and food uses (which we have at Village Oaks) creates problems with parking demand, deliveries, refuse, odors, sewer back ups from grease and heavy use, and customer wear and tear.
- d. **Retail Uses.** We are currently advertising our two vacant units in the Clayton Pioneer, The Concordian and on the internet. We note: "Retail Preferred" in our ads but so far we have had no inquiries for any retail uses. The economy is now turning bleak and we will be lucky to find anyone who can pay a reasonable rent. I expect to be back before the Planning Commission with a request for a Use Permit since it will be highly unlikely that a retail use will be interested in either of our two vacancies.
- e. **Leasing in Downtown.** Recently a 'For Lease' sign went up on the office building at 6160 Center Street across the street from Village Oaks. The sign has since come down so the store was most likely leased but nobody has applied for a Use Permit for this first floor space. We would like to make sure that all property owners are treated the same in Clayton. Also, it should be noted that Village Oaks is not allowed to have a free standing "For Lease" sign on our property yet the aforementioned property is allowed to do so and the newest building at 1026 Oak Street has two large 4' x 8' signs on the property.

We will continue to seek out and work with retail tenants should they show any interest in our building but we need to keep our property full. Thank you for the opportunity to express my thoughts on the Downtown Retail Report

Sincerely yours,
Coates & Sowards, Inc.
Managing Agent for Village Oaks



Stephen J. Coates, Manager

Memorandum

Received

OCT 31 2008

City of Clayton

To: Honorable Mayor Manning and City Council Members

From: Chair Catalano and Planning Commissioners

Date: October 31, 2008

Subject: *City of Clayton Downtown Retail Report (Final Draft II)*

The Planning Commission understands that in January 2008, the Clayton City Council contracted with Economic Development Systems (EDS) to prepare a Retail Analysis of the Clayton Town Center (downtown) area. According to information provided to us, there are multiple aspects to this analysis as follows: 1) to analyze and determine possible retail expansion opportunities in the Town Center area; 2) to determine a strategy to attract or otherwise realize those retail expansion opportunities in this area; and 3) to assist with the implementation of the strategy. Essentially, this work has been divided into two phases: the first phase includes 1) and 2) above, and the second phase includes 3). Phase 2 is referred to as the implementation of a recruitment action plan.

Phase 1 resulted in a report titled the *City of Clayton Downtown Retail Report (Final Draft II)* ("Report"). The Report was prepared by Mr. James Harrigan, Managing Principal, with EDS. The Report suggests that a key retail strategy for the development and redevelopment Clayton's Town Center would be to attract perhaps six to eight independent, full-service restaurants over time, with an entertainment venue as the anchor. Besides addressing the leakage of revenues, the anchor restaurants would become the catalyst for other retail development. The Report includes considerable demographic data and interview summaries with local property owners, merchants, staff members, and others.

Mr. Harrigan appeared before the Clayton Planning Commission on October 14, 2008 and presented the Report and findings and received comments and questions from the Planning Commission (see attached minutes from that meeting). The Clayton City Council asked for formal comments from the Planning Commission about the Report. During the October 28, 2008 meeting, the Planning Commission formally discussed the Report and formulated its comments for submission to the City Council.

It is important to note that the Commission's comments should be viewed similarly to those originating from any other members of the public. The Commission was not privy to the contract negotiations with EDS, has not received or reviewed the EDS contract, and was not involved in whatever strategy meetings were held that resulted in the Report. This is not a criticism, but serves only to set the proper context in which these comments should be viewed. Thus, one or more of the comments and suggestions provided herein may already have been the subject of considerable discussion between the City and EDS as this process moves forward into the implementation stage.

Summarized below are the Planning Commission's comments on the Report:

1. Although the Report raises more questions than it answers, it provides a foundation for moving forward in the important goal of attracting new businesses to downtown Clayton;
2. Though the forward looking goal of the Report is understandable, and needed, there is no discussion (other than anecdotal comments from conversations) of why downtown development is in the condition it presently finds itself and how that impacts further development. Did EDS consider, for example, past polling of residents as to what they would like to see in downtown? How does Clayton's geography (in a valley with no significant commercial development to the immediate south, east, or west) impact the willingness of people to go further down Clayton Rd. past the Clayton Station and Ygnacio Valley shopping centers?
3. Based only on a review of the Report, EDS does not appear to have any accountability in terms of recruitment of new "destination" retail outlets. While EDS will be expected to expend some budgeted effort to attract potential businesses, there is no apparent incentive for delivering any new business, and no measurable deliverables. While the Commission understands that this effort will take time (Mr. Harrigan suggested that convincing one new business to locate in Clayton as a result of EDS's efforts may take a year) it believes that the arrangement with EDS should consider such incentives. The Report also could explore how, specifically, viable applicants and new business can be generated. If marketing material has been or will be developed to attract potential businesses, EDS should obtain input at least from the subcommittee that is working on the implementation of the Report;
4. The suggested anchor of the vitalization of downtown Clayton, an entertainment/night club venue, was provided with little analysis of why that should be an anchor and what options are available. For example, will EDS try to attract a specific type of venue (e.g., comedy, dinner theater, jazz/blues)? Where are these establishments presently located? What makes them successful (or not) in the locations where they exist? What is it about Clayton's location, access, and demographics that could possibly attract one of these establishments?
5. Although one of the goals is to "find new ways for the locally owned retail businesses to reach new customers" (p. 5) the Report provides no further discussion of this goal and Mr. Harrigan stated that there is no plan to find new ways for the locally owned retail business to reach new customers. Perhaps not surprisingly, the current downtown restaurant owners do not appear to be overjoyed with an effort to bring more restaurants to downtown that, in their view, could further dilute their customer base;
6. It is apparent that any effort to entice new businesses to downtown Clayton will require private downtown property owners other than the City of Clayton to either agree to develop their property, or sell their property to someone who will develop it. Based on the anecdotal comments of the conversations with downtown property owners, the interest of such owners to develop their property appears lukewarm at best. The Report does not discuss how this potential logjam can be broken;

7. Neither the Report, nor Mr. Harrigan's comments to the Commission, suggests how the Town Center Specific Plan, the parking requirement waiver, or the planning and permit process can impact EDS's ability to attract new businesses to downtown Clayton. Neither is there any discussion of how the Redevelopment Agency may assist this recruitment effort (e.g., eminent domain, tax incentives, low interest loans). For example, the TCSP sets forth a plan for two-story developments, with ground floor retail, and second floor commercial or residential. Mr. Harrigan's comments to the Commission suggested that there should be more of an emphasis of attracting downtown residents. This suggests perhaps less of a focus on second-floor commercial offices downtown and more of an effort at high density residential development. While the last paragraph of the report suggests that such items will be taken into account, the Commission feels that this is critical if an out-of-town establishment is going to be attracted to a downtown property such that the downtown property owner will be sufficiently motivated to develop or sell their property;
8. Based on Mr. Harrigan's comments to the Commission, the Commission is concerned that this may be the first time EDS has tried recruiting out of town business for a town as small as Clayton;
9. The presumption that there is \$59 million in 'leakage' within a 10-mile radius of town appears misleading as to the potential opportunity for attracting some of these dollars into Clayton. There is little development south of town (out Marsh Creek Road), no development south and west (Mt. Diablo), or due east (Kirker Pass Road). Thus the real area of attraction is down Clayton Rd. In this regard, the Commission believes it would be useful to understand who actually comes to downtown Clayton to eat or shop. Particularly, there should be an understanding whether the customer base comes from within Clayton versus outside of the City's boundaries. This could come from credit/debit card receipts sorted by zip code. If the results show that Clayton residents are not currently frequenting the establishments within Town Center, the Report should explore how and whether Clayton residents can be enticed to shop and dine in Clayton, and whether use of the Downtown establishments by the City's own residents is vital to the success. The Report could also explore what the competition for Clayton's Town Center is?
10. The Commission suggests that one of its members be appointed to serve on the subcommittee that is working with EDS on the implementation phase of its engagement.

In summary, the sense of the Commission was that Clayton needs to do something more than what has been done in the recent past if the goal of having a vibrant downtown Clayton is to become a reality. In order to do this, there needs to be a deeper understanding of why downtown development is stagnant (or appears to be), what our realistic capacity is for further development, what assets can be marshaled in order to attract new development, and what the plan is for attracting that development. If the purpose of this Report is limited only to potential targets for future recruitment, then it is a start. But the actual implementation of trying to attract more and other businesses needs to reflect a more comprehensive understanding of Clayton's town center commercial realities and potential.

Attachment: Minutes from the October 14, 2008 Planning Commission Meeting

Minutes
City of Clayton Planning Commission Special Meeting
Tuesday, October 14, 2008

Call to Order

Chair Catalano called the meeting to order at 7:00 p.m. at Endeavor Hall, 6008 Center Street, Clayton.

Present: Chair Tuija Catalano, Vice Chair Ed Hartley, Commissioner Bob Armstrong, Commissioner Keith Haydon, Commissioner Sandra Johnson

Absent: None

Staff: Community Development Director David Woltering
Assistant Planner Milan Sikela, Jr.
Planning Intern Kristin Burger

Administrative

1A. Review of agenda items.

1B. Commissioner Haydon to report at the October 21, 2008 City Council meeting.

1C. Introduction of "Guide to Participation at Clayton Planning Commission Meetings" brochure. (Planning Intern Kristin Burger)

Planning Intern Kristin Burger presented the report.

The Commission commented that they were impressed with the quality and professional appearance of the brochure. Commissioner Haydon suggested that the brochure could be revised to indicate that the Planning Commission agenda typically does not include "consent calendar" items.

Public Comment

Approval of Minutes

2. Approval of minutes from the meeting of September 9, 2008.

Chair Catalano moved and Commissioner Haydon seconded a motion to approve the minutes from the meeting of September 9, 2008, as amended. The motion passed 5-0.

Public Hearings

3. None.

Old Business

4. None.

New Business

5A. **Clayton Town Center Retail Study (Final Draft), City of Clayton.** Presentation of "Clayton Town Center Retail Study" prepared by Jim Harrigan, Managing Principal, Economic Development Systems.

Director Woltering introduced Jim Harrigan, Managing Principal, Economic Development Systems and explained that the City Council wants comments from the Planning Commission regarding the "Clayton Town Center Retail Study".

Jim Harrigan presented the Retail Study and noted the following:

- Clayton experiences an approximate \$59,000,000 "leakage" annually in full-service restaurant sales.
- The establishment of a limited number of independent restaurants within the Town Center would help in capturing lost sales in the full-service restaurant category and bring people, energy, and potential retail shoppers to that area.
- Independent restaurants are preferred over chain restaurants because independent restaurants generally use less square footage and, therefore, would be more conducive to the smaller commercial spaces sizes available within the Town Center. Moreover, independent restaurants often have lesser trade area requirements.

Commission questions and comments included:

- Why would restaurateurs locate in the Town Center when Clayton Station already has restaurants? *Jim Harrigan indicated that a cluster of restaurants would bring an identity to downtown Clayton. We need to bring in non-Clayton residents into Clayton's downtown to be successful.*
- What is the supporting data for your conclusion? *Jim Harrigan responded that the calculations were based on the "Claritus" data search. This data identifies opportunities when demand exceeds sales.*
- You should look at trying to bring in a wine bar.
- How would you attract independent restaurants to downtown Clayton? *Jim Harrigan responded that a list of local independent restaurants within eight to ten miles has been compiled. Now, we just have to knock on doors and talk to restaurateurs to entice them to come to the Town Center.*
- Do you have examples of your work in other cities? *Jim Harrigan replied that he has had success working in 46 cities including San Jose, Hollister, and Ripon.*
- Do you use incentives to draw potential retailers? *Jim Harrigan answered no, not typically. However, we supported offering \$500,000 to Crate and Barrel to stay in Long Beach. Also, facade improvement programs can be helpful in attracting tenants.*
- How many restaurants could be brought to Clayton? *Jim Harrigan responded that, based on full-service restaurant sales, theoretically 59 restaurants could be brought to Clayton doing \$1,000,000 each. At this point, however, up to eight restaurants would be realistic, even though the current amount of available retail space within the Town Center would need to be expanded to support these restaurants.*
- Have you talked to any wineries about coming to Clayton? *Jim Harrigan replied that, yes, he had talked to wineries in Livermore and Menlo Park. However, the primary focus is on recruiting independent restaurants.*
- Do restaurants attract related businesses? *Jim Harrigan responded no, not directly, except for entertainment businesses. However, as more people are in the Town Center area, there is greater opportunity for standard retail to be successful.*
- We need incentives. Napa has wine. Martinez has antiques. There is a need to have a reason to come to Clayton. *Jim Harrigan indicated that there is a real need to have a "varied palette" in terms of attracting different types of restaurants. I have never known a*

successful downtown that focuses development on antique stores. Generally, as soon as the downtown begins to flourish, the antique stores are moved to areas with lower rents.

- *Is part of your charge to assist existing businesses? Jim Harrigan answered no, the focus is to bring in new businesses that would not duplicate what existing businesses offer.*
- *What is your reaction to 100% retail in ground-floor commercial spaces? Jim Harrigan answered that the objective would be 100% retail because it would support the "browsing effect" wherein people browse by various stores that are located adjacent to each other.*
- *What are your thoughts on mixed-use development? Jim Harrigan replied that he prefers second-floor residential above ground-floor retail fir Clayton's Town Center.*
- *What is the process to recruit new restaurants? Jim Harrigan indicated that promotional materials are provided that market the City by selling the demographics and surroundings.*
- *Do existing planning requirements hamper this recruitment process? Jim Harrigan responded that a quicker planning process is always helpful.*
- *A restaurant similar to Back Forty Barbecue might be successful in the Town Center.*
- *You may want to discuss a five-year waiver on parking for new retail businesses with the City Manager.*
- *How long does it take to attract restaurants? Jim Harrigan replied that a tangible contract with one new restaurant should be established within one year. Our objective is to attract independent restaurants, not franchises or chain restaurants, since independent restaurateurs seem to take care of their restaurants better and are, generally, more committed.*

Director Woltering indicated the following:

- Restaurants such as Johnny Garlics, Tex Wasabe, and Omelette Express in Sonoma County are examples of independent, successful, high-quality restaurants. The success of these types of establishments is based on the owner's love of their business. The owners of these types of restaurants are generally exhuberant and charismatic.
- The Commission's suggestions on successful independent restaurants in Contra Costa County would be useful to help Jim Harrigan to refine his work.

The meeting was recessed at 8:25 p.m. and reconvened at 8:34 p.m.

- 5B. **ZOA 02-08, Municipal Code Amendment, City of Clayton.** Study session item regarding possible amendments of Chapter 17.44 (Site Plan Review) of the Municipal Code to increase the thresholds for administrative review of minor additions to residences.

Assistant Planner Sikela presented the staff report.

Commission comments included:

- Clarification of Section 17.44.020.A is needed.
- The clause relating to construction of more than one exempt structure in a five-year period (Section 17.44.020.E) should be deleted.
- Once these changes are made, when will you return with a finalized draft ordinance? *Director Woltering indicated that staff would return with a finalized draft ordinance at the Commission meeting of October 28, 2008.*

Communications

6A. Staff – Determination of first Planning Commission meeting in November 2008.

Director Woltering indicated that, per Section 2.12.080 of the Clayton Municipal Code, whenever a Tuesday set for a regular meeting lands on a holiday, the meeting shall be held on the next following day.

6B. Staff – Determine Planning Commission availability and remaining Commission meeting dates in 2008.

The remaining Commission meetings dates in 2008 were determined to be scheduled as follows:

- Tuesday, October 28, 2008;
- Wednesday, November 12, 2008;
- Tuesday, November 25, 2008;
- Tuesday, December 9, 2008; and
- Wednesday, December 17, 2008.

6C. Commission

Director Woltering indicated that the General Plan Housing Element update will occur in 2009. One of the items we need to address is the availability of affordable housing opportunity sites.

Commission Armstrong asked if the "old fire station" (at Mitchell Canyon Road and Clayton Road) is one of the affordable housing opportunity sites. *Director Woltering replied "yes."*

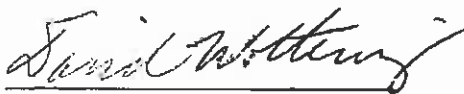
Commissioner Johnson asked how many affordable housing units are we talking about. *Director Woltering answered that there are approximate 15 in the Town Center and 20 at the old fire station.*

Commissioner Armstrong asked if there was any progress made on having the City of Concord issue building permits for the City of Clayton rather than the Contra Costa County Building Department. *Director Woltering indicated that, at this time, the City Manager wished to remain in contract with the County Building Department.*

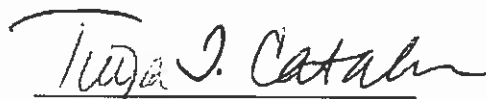
Commissioner Armstrong indicated that, at his last TRANSPAC meeting, there was discussion regarding a BART proposal to increase their rates during peak periods of useage. This has caused concern that the increased rates will force riders to use other means of transportation, thereby defeating the purpose of encouraging the use of public transportation systems such as BART.

Adjournment

7. The meeting was adjourned at 9:30 p.m.



Submitted by
David Woltering, AICP
Community Development Director



Approved by
Tuija Catalano
Chair

Plng Comm\2008\Minutes\1014

EDS' COMMENTARY

ON

WRITTEN RESPONSES

1. COATES & SOWARDS, INC. [1 PG.]
2. CITY PLANNING COMMISSION [7 PP.]

Gary...as the Stephen J. Coates letter regarding *Downtown Retail Study – Comments and Reflections* was in a PDF file, I will not be able to comment directly on his document. Please note my thoughts on his:

Preamble

"EDS believes that downtown Clayton needs more destination retail uses with the emphasis on 'traditional retail stores, restaurants and entertainment venues'."

EDS recommends, at this time, independent, full-service restaurants and one jazz/blues entertainment venue.

a. Inventory of Buildings Needed

EDS has a firm knowledge of the commercial building inventory/developable sites in the Town Center and will be receiving updates from the City on a regular basis. I have no doubt that, if needed, our recommendations of "restaurants and an entertainment venue" will receive full support under "Permitted Uses" by Council.

b. Lack of Demand for More Restaurants

I appreciate Mr. Coates opinion that there is no *"unmet demand for additional food establishments in Clayton"*, but our statistical analysis shows a severe "opportunity gap/leakage" in the 3-mile trade area (\$28,000,000) and the 5-mile trade area (\$59,000,000). These numbers tell us that in the 3-mile (38,000+ population) and the 5-mile (97,000+ population) trade areas, these consumers are either traveling beyond 5-miles to dine at full-service restaurants or they are eating at home.

Further, Mr. Coates cites examples of restaurants failing at the Village Oaks Center. The reason for these failures could be due to the restaurant management, under-capitalization, secondary site location, etc., etc. It is the strategy of EDS to establish a "restaurant/club" district or "niche" where the Clayton Town Center would, because of the quality and quantity of these restaurants, become a "sum greater than its parts" and, become a regional restaurant draw versus the quaint, under-producing commercial district that it is today.

c. Restaurants are Inappropriate Use in Many Buildings

I agree. Restaurant tenants have many atypical demands associated with their tenancy. But, the positives of restaurant placement in the revitalization of stagnate commercial districts is indisputable.

d. Retail Uses

Mr. Coates assertion that *"it will be highly unlikely that a retail use will be interested in either of our two vacancies"* may be true...due to a myriad of reasons that, while interesting, should not be construed as a justification for the further retail stagnation in the Town Center.

e. Leasing in Downtown

The plea of Mr. Coates that *"We would like to make sure that all property owners are treated the same in Clayton."*, should go without saying.

Date: November 13, 2008

To: Gary Napper, Clayton City Manager

From: Jim Harrigan, Managing Principal
Economic Development Systems ("EDS")

Subject: Thoughts on Planning Committee's Comments on the
City of Clayton Downtown Retail Report (Final Draft II)

As promised, Gary, below please find my initial thoughts in response to the City of Clayton Planning Commission's comments (below) of the EDS *City of Clayton Downtown Retail Report (Final Draft II)*...with the hope these thoughts will lead to further discussion during our meeting with Council on November 18th.

In order to reduce the production time of this response, Gary, I have taken the liberty to add these thoughts, if any, **in bold**, following each paragraph:

Memorandum

To: Honorable Mayor Manning and City Council Members

From: Chair Catalano and Planning Commissioners

Date: October 31, 2008

Subject: *City of Clayton Downtown Retail Report (Final Draft II)*

The Planning Commission understands that in January 2008, the Clayton City Council contracted with Economic Development Systems (EDS) to prepare a Retail Analysis of the Clayton Town Center (downtown) area. According to information provided to us, there are multiple aspects to this analysis as follows: 1) to analyze and determine possible retail expansion opportunities in the Town Center area; 2) to determine a strategy to attract or otherwise realize those retail expansion opportunities in this area; and 3) to assist with the implementation of the strategy. Essentially, this work has been divided into two phases: the first phase includes 1) and 2) above, and the second phase includes 3). Phase 2 is referred to as the implementation of a recruitment action plan.

Phase 1 resulted in a report titled the *City of Clayton Downtown Retail Report (Final Draft II)* ("Report"). The Report was prepared by Mr. James Harrigan, Managing Principal, with EDS. The Report suggests that a key retail strategy for the development and redevelopment Clayton's Town Center would be to attract perhaps six to eight independent, full-service restaurants over time, with an entertainment venue as the anchor. Besides addressing the leakage of revenues, the anchor restaurants would become the catalyst for other retail development. The Report includes considerable demographic data and interview summaries with local property owners, merchants, staff members, and others.

Mr. Harrigan appeared before the Clayton Planning Commission on October 14, 2008 and presented the Report and findings and received comments and questions from the Planning Commission (see attached minutes from that meeting). The Clayton City Council asked for formal comments from the Planning Commission about the Report. During the October 28, 2008 meeting, the Planning Commission formally discussed the Report and formulated its comments for submission to the City Council.

It is important to note that the Commission's comments should be viewed similarly to those originating from any other members of the public. The Commission was not privy to the contract negotiations with EDS, has not received or reviewed the EDS contract, and was not involved in whatever strategy meetings were held that resulted in the Report. This is not a criticism, but serves only to set the proper context in which these comments should be viewed. Thus, one or more of the comments and suggestions provided herein may already have been the subject of considerable discussion between the City and EDS as this process moves forward into the implementation stage.

Summarized below are the Planning Commission's comments on the Report:

1. Although the Report raises more questions than it answers, it provides a foundation for moving forward in the important goal of attracting new businesses to downtown Clayton;

Below please find our contracted **SCOPE OF WORK**:

1. Kick-Off Meeting with City management and staff to discuss assistance, goals and timetables.
2. Compile provided inventory within the Program Area and review area retail uses.
3. Analyze existing retail sales tax data for the Program Area. (It is understood that EDS will be provided by the City with a detailed itemization of sales tax information for all uses within the Program Area to be analyzed on a confidential basis.)
4. Review provided listings of competition in key shopping areas and centers that provide competitive shopping, dining and/or entertainment.

5. Prepare a demographic overview of the greater Clayton area residents and daytime workers.
6. Conduct selected interviews with knowledgeable real estate and retail management and/or leasing contacts who are familiar with Program Area and its competition.
7. Prepare a concise retail voids overview.
8. Prepare preliminary retail concept recommendations.
9. Research select local, regional and national retailers.
10. Recommend the highest and best use for Program Area's vacant spaces and development sites.
11. Prepare and implement a marketing and leasing plan that outlines the following:
 - (a) A strategy for the Program Area to determine what retail is needed to satisfy the voids in the Program Area;
 - (b) Identify "Key Tenants" that would be successful and draw other successful retailers to the Program Area;
 - (c) Identify possible locations for "Key Tenants";
 - (d) Vacant building use strategy, and;
 - (e) Provide plans for a mix of "traditional" retail, restaurant and possible entertainment usage to complement the existing successes of the Program Area.
12. Present a concise, written outline and verbal report of market research findings, conclusions and recommendations relating Steps 1-11 above to City management and staff.
13. Create and implement a marketing/promotions action plan for recruiting the target market businesses and attractions. This will include direct contact with potential tenants, developers and/or their respective brokers; production of specific market information per tenant request; ongoing, monthly review of City staff's maintenance and update of a Retail Vacancy Roster; ongoing effort to expand the original prospective tenant roster; coordinate tours and meetings with potential tenants and/or developers; describe all economic incentives; and, assist throughout negotiation/ occupancy as necessary.

2. Though the forward looking goal of the Report is understandable, and needed, there is no discussion (other than anecdotal comments from conversations) of why downtown development is in the condition it presently finds itself and how that impacts further development. Did EDS consider, for example, past polling of residents as to what they would like to see in downtown? How does Clayton's geography (in a valley with no significant commercial development to the immediate south, east, or west) impact the willingness of people to go further down Clayton Rd. past the Clayton Station and Ygnacio Valley shopping centers?

The conditions and reasons that "downtowns", in general, find themselves today is explained on pages three, four and five in subject report.

Merely polling people as to what they "want" in downtown could have been accomplished by the City itself or by an opinion consultant. It is uncertain and unproven that public opinion polls match developer realities. EDS's retention and expertise is to recruit retail commercial, and of what type to emphasize, as consistent with the City's Town Center Specific Plan and General Plan.

Our analysis of the Clayton Town Center did not specifically focus on the history of this district. Our analysis focuses on the current situation and how/what we can accomplish to increase, upgrade and/or diversify the current retail mix in order to make the Clayton Town Center more successful.

3. Based only on a review of the Report, EDS does not appear to have any accountability in terms of recruitment of new "destination" retail outlets. While EDS will be expected to expend some budgeted effort to attract potential businesses, there is no apparent incentive for delivering any new business, and no measurable deliverables. While the Commission understands that this effort will take time (Mr. Harrigan suggested that convincing one new business to locate in Clayton as a result of EDS's efforts may take a year) it believes that the arrangement with EDS should consider such incentives. The Report also could explore how, specifically, viable applicants and new business can be generated. If marketing material has been or will be developed to attract potential businesses, EDS should obtain input at least from the subcommittee that is working on the implementation of the Report;

EDS is a retail recruitment consultant, not commercial real estate brokers that would be compensated based on a percentage of the value of the each transaction. EDS is compensated through an hourly rate budgeted by the City for, approximately, ten hours weekly.

The process of generating viable applicants and new businesses

is explained on page eight of subject report under Phase II - Implementation Scope of Work. A comprehensive "marketing plan" of fancy brochures and community profile is a different set of services and expertise.

4. The suggested anchor of the vitalization of downtown Clayton, an entertainment/night club venue, was provided with little analysis of why that should be an anchor and what options are available. For example, will EDS try to attract a specific type of venue (e.g., comedy, dinner theater, jazz/blues)? Where are these establishments presently located? What makes them successful (or not) in the locations where they exist? What is it about Clayton's location, access, and demographics that could possibly attract one of these establishments?

The analysis of "why" EDS recommended independent, full service restaurants and a jazz/blues entertainment venue for the Clayton Town Center is explained on pages seven and eight of subject report.

EDS did not suggest the "Jazz/Blues Entertainment Venue" as an anchor...but as a complementary business to the independent, full service restaurants that we also recommended.

EDS is presently canvassing San Francisco jazz/blues entertainment venues for viable candidates. We will expand this search area as necessary.

5. Although one of the goals is to "find new ways for the locally owned retail businesses to reach new customers" (p. 5) the Report provides no further discussion of this goal and Mr. Harrigan stated that there is no plan to find new ways for the locally owned retail business to reach new customers. Perhaps not surprisingly, the current downtown restaurant owners do not appear to be overjoyed with an effort to bring more restaurants to downtown that, in their view, could further dilute their customer base;

The recruitment plan that EDS has recommended, e.g., the placement of "destination" businesses in order to increase and regionalize the consumer base (page seven) will provide the new customers that the present retailers and restaurateurs should be able to exploit.

The establishment of a restaurant district "by cuisine that is not currently represented in Downtown Clayton" (page eight), should be embraced by the current downtown restaurant owners as an opportunity they do not now have.

If it is true that they are not "overjoyed" to be part of this district transformation...then I suggest, perhaps not surprisingly, that they do not appreciate the proven rationale for retail "niche"

marketing (page eight) that would be exhibited in this "restaurant row" concept to enlarge the commercial "pie", not slice it up more thinly.

Many, many cities that have successfully employed the utilization of niche restaurant districts vary from San Diego to San Jose... Santa Barbara to Santa Monica.

6. It is apparent that any effort to entice new businesses to downtown Clayton will require private downtown property owners other than the City of Clayton to either agree to develop their property, or sell their property to someone who will develop it. Based on the anecdotal comments of the conversations with downtown property owners, the interest of such owners to develop their property appears lukewarm at best. The Report does not discuss how this potential logjam can be broken;

There is always a "chicken/egg" conundrum to commercial development that would explain why a property owner, as an inexperienced commercial developer, would have hesitations in any type of "speculative" development.

It is the EDS implementation plan, however, to provide these property owners with prospective tenant and/or investor possibilities that could provide the impetus to break this psychological "logjam".

7. Neither the Report, nor Mr. Harrigan's comments to the Commission, suggests how the Town Center Specific Plan, the parking requirement waiver, or the planning and permit process can impact EDS's ability to attract new businesses to downtown Clayton. Neither is there any discussion of how the Redevelopment Agency may assist this recruitment effort (e.g., eminent domain, tax incentives, low interest loans). For

example, the TCSP sets forth a plan for two-story developments, with ground floor retail, and second floor commercial or residential. Mr. Harrigan's comments to the Commission suggested that there should be more of an emphasis of attracting downtown residents. This suggests perhaps less of a focus on second-floor commercial offices downtown and more of an effort at high density residential development. While the last paragraph of the report suggests that such items will be taken into account, the Commission feels that this is critical if an out-of-town establishment is going to be attracted to a downtown property such that the downtown property owner will be sufficiently motivated to develop or sell their property;

8. Based on Mr. Harrigan's comments to the Commission, the Commission is concerned that this may be the first time EDS has tried recruiting out of town business for a town as small as Clayton;

The EDS scope of work for both Phases I and II does not change because of the population of the contract city. Our analysis, etc.,

is geared more toward trade areas than city boundaries. The principles of retail commercial recruitment remain the same irrespective of total size. Often, larger cities have multiple retail commercial "zones" that have demonstrated similar needs and successes.

9. The presumption that there is \$59 million in 'leakage' within a 10-mile radius of town appears misleading as to the potential opportunity for attracting some of these dollars into Clayton. There is little development south of town (out Marsh Creek Road), no development south and west (Mt. Diablo), or due east (Kirker Pass Road). Thus the real area of attraction is down Clayton Rd. In this regard, the Commission believes it would be useful to understand who actually comes to downtown Clayton to eat or shop. Particularly, there should be an understanding whether the customer base comes from within Clayton versus outside of the City's boundaries. This could come from credit/debit card receipts sorted by zip code. If the results show that Clayton residents are not currently frequenting the establishments within Town Center, the Report should explore how and whether Clayton residents can be enticed to shop and dine in Clayton, and whether use of the Downtown establishments by the City's own residents is vital to the success. The Report could also explore what the competition for Clayton's Town Center is?

"Leakage" is based on the current population of the trade area and their spending habits. The lack of population on undeveloped land has no bearing on this "opportunity gap" analysis. The same could be said for a coastal community with 50% of their trade area radius under water.

EDS believes that our recruitment plan will entice repeat regional (0-10 mile) consumers to the Clayton Town Center. If this includes the Clayton resident...all the better.

10. The Commission suggests that one of its members be appointed to serve on the subcommittee that is working with EDS on the implementation phase of its engagement.

In summary, the sense of the Commission was that Clayton needs to do something more than what has been done in the recent past if the goal of having a vibrant downtown Clayton is to become a reality. In order to do this, there needs to be a deeper understanding of why downtown development is stagnant (or appears to be), what our realistic capacity is for further development, what assets can be marshaled in order to attract new development, and what the plan is for attracting that development. If the purpose of this Report is limited only to potential targets for future recruitment, then it is a start. But the actual implementation of trying to attract more and other businesses needs to reflect a more comprehensive understanding of Clayton's town center commercial realities and potential.

EXECUTIVE SUMMARY

FINAL DRAFT II

DOWNTOWN RETAIL REPORT

ECONOMIC DEVELOPMENT SYSTEMS (EDS)

Date: September 1, 2008

"Final" Draft II

To: Gary Napper
City Manager
The City of Clayton

From: Jim Harrigan
Managing Principal
Economic Development Systems

Re: Downtown Clayton Retail Project Area
Retail Analysis, Strategies and Recommendations

City of Clayton Downtown Retail Report

Definitions and Delineations

The City of Clayton commercial district that is being analyzed by Economic Development Systems ("EDS") in the following Retail Analysis, Retail Strategies and Retail Concept Recommendations will be delineated as follows:

Commercially zoned properties/parcels that are located in:

- **Historical Downtown Clayton.**

Before preparing the following retail report and determining the recommended retail category increases, upgrades and diversifications, as listed below, the following protocols, definitions, sources and methodologies were applied:

- Careful consideration was given to the increase, upgrade and diversification recommendations for the shopping and/or dining uses in Downtown Clayton that have previously been commercially developed. The reason for this concern is to validate that the upgrades and diversifications within Downtown Clayton would be complementary, rather than competitive, to the existing *successful* retail businesses;
- The recommendations given for the commercially undeveloped parcels in Downtown Clayton were made knowing that "time is

money" when it comes to the "carry" on all such properties;

- When the term "retail" is used, we include the categories of "traditional" retail stores, restaurants and entertainment venues;
- The inventories of available retail space opportunities were determined by a field survey by Economic Development Systems and supplemented with property owner and commercial real estate broker information. (Further inventory review and analysis will follow final receipt of the Property Owner Questionnaires. Cover letter and questionnaire example attached.);
- Direct and paraphrased excerpts in this report were gathered from statistical provider Claritas, Inc.; the International Council of Shopping Centers' Reference Center; the Arlington, Virginia based CLUE Marketing Group; the Solimar Research Group; the United States Census Bureau, and; Hyett-Palma and Associates;
- EDS has used Claritas information services for all demographic and psychographic source information used in this report. Since 1971, Claritas has been the pre-eminent source of accurate, up-to-date demographic data and target marketing information about the population, consumer behavior, consumer spending, households and businesses within any specific geographic market area in the United States. Claritas demographic data estimates include US demographic data, market demographic data and demographic/psychographic population estimates;

The result of Claritas marketing research analysis, market demographic data and psychographic population information allowed EDS to go beyond conventionally accepted target marketing strategies to capitalize on new market segment opportunities and existing market potentials;

- EDS working knowledge of retail trends in other downtowns, commercial corridors and neighborhood shopping districts were applied, and;
- Many interviews, to identify market perceptions and conditions, were held with professionals knowledgeable with Downtown Clayton including brokers, tenants, property owners, developers and representatives of the City of Clayton.

It should be prominently noted that the assistance provided by the City of Clayton City Manager Gary Napper was invaluable in the support given during this fact-gathering and analysis phase.

Executive Summary

Historical Downtown Clayton

Since the Middle Ages, downtowns functioned as the commercial, government, and social hubs of their communities - the places where people came together to conduct business, shop and dine, administer government, relax, and celebrate.

But, communities throughout America have gone through a series of profound transformations over the past several decades that have changed the economies of the nation's downtowns and, as a microcosm, Downtown Clayton.

Many of these transformations are a consequence of the expanding highway system, that has stimulated suburban development and made it possible for people to move farther away from town centers. As people have moved outward, the retail industry - always a market follower, rather than a market leader - has moved outward, also. With the advent of regional shopping malls like Walnut Creek's Broadway Plaza outdoor mall and Somersville Towne Center and discount superstores like Fry's or Best Buy, downtown retailing - the bedrock of a traditional main street district's economic foundation - has slowly eroded...yet, the three historical retail categories are still valid:

- Convenience: Retail goods and services for which shoppers tend to patronize the closest business, like gas stations, dry cleaners, and the "neighborhood" grocery store. "Impulse" retail - like card shops, florists, and gourmet cookies - also fall into this category;
- Comparison: Retail goods and services for which shoppers like to compare styles, brands and prices before making a purchase, like apparel, shoes, automobiles, electronics and (sometimes) furniture. For this reason, comparison retail businesses tend to cluster together (e.g., clothing stores in traditional shopping malls; car dealers in auto malls), and a comparison business is likely to be more successful if located in a cluster than if it is freestanding, without related businesses nearby. Internet shopping has also exploited the comparison category;
- Destination: Retail goods and services for which shoppers will travel significant distances. These might include specialty businesses (like western wear), large clusters of related businesses (like restaurants or antiques), or businesses that offer exceptional products/services and that have developed a very loyal clientele.

In the mid-twentieth century, following World War II, many downtowns offered a blend of businesses in all three categories. Shopping malls, though, specialize in comparison retail businesses (particularly apparel and apparel accessories, like shoes and jewelry) and typically offer enough of a concentration of these businesses to dominate the local market and make it very difficult for downtowns like Clayton to successfully compete in this category. Subsequently...we have to find another way.

Discount superstores and "category killers", which began appearing in the 1970s and 1980s, respectively, have created additional challenges for traditional Main Street districts by saturating additional retail niches. Discount superstores offer such a broad range of merchandise that they put a broad range of existing businesses in the community at risk. By siphoning away even relatively small percentages of sales from existing downtown businesses, discount superstores often make it difficult or impossible for those businesses to achieve the gross sales levels needed to remain in business.

These late twentieth century-shopping options also coincided with the fact that consumer buying power – the amount of money people have available to spend on retail goods and services – has not kept up with the rate of growth in the amount of retail space that has been built. This economic fact has exacerbated the "leakage" of consumers and sales, further diminishing the collective downtown.

This effect has not only affected the profitability of the downtown retailer...but it also drove down rental rates, leading to property / building owners' deferring or ignoring maintenance responsibilities (as well as decreasing the feasibility for new construction). The result of this syndrome has been the physical and visual blight to the downtown shopping district/shopping experience.

Interestingly, lower rental rates, while attractive to the under-performing retailer, is no panacea to the successful businessperson who understands that fair rental rates are a necessary component to a successful business district. (It is not coincidental that the most successful retail districts in the world also have the highest rental rates...although, one could argue the primacy order of the "chicken-egg/rental rates-success" theory.)

Another historic feature of an under-performing / low rental rate commercial district is the influx of service businesses (e.g., medical/dental; insurance; real estate offices, etc.), non-profit institutions (city halls, churches, libraries, etc.) and /or strictly office-type uses in what one would consider "first-floor retail" locations.

The mixing of these "non-retail" business categories (that in more successful retail districts would - because of the higher retail and lower office rent structure - be located above the first-floor or on secondary / tertiary streets) has the detrimental effect of limiting the "browsing" factor that every successful retail district exhibits.

This fragile retail consumer trait of browsing (e.g., the store-to-store strolling of both casual and serious shoppers) is upset if the retail line-up on the street is interrupted with the aforementioned non-retail business storefronts, vacant stores, non-profits and / or even the lack of attractive / interesting window displays / merchandising.

In communities similar to Clayton - that have experienced steady, sustained residential growth and increasing demand for retail goods and services - the typical evidence of change in these downtowns has been most apparent in the same changing types of retail businesses, with community-serving retail businesses that provide the staples of everyday living - like supermarkets, hardware and department stores - gradually giving way to the aforementioned office and service businesses. In Downtown Clayton these phenomena are present...but will start to change as our recruitment program is effected through the development of undeveloped land and the natural rise in retail rental rates as the increase, upgrade and diversification of retailers occurs.

This shift that communities have undergone for the last fifty years - from concentrating retail activity in a central business district to diffusing retail activity throughout a number of commercial centers and along highway strips - transformed downtowns like Clayton into districts that are unable to support the number and mix of retail businesses they once embraced. This means that:

- We must find new combinations of "destination" retail uses to occupy Downtown Clayton's first-floor retail spaces and developable retail land as fully and as soon as possible...followed by new neighborhood-serving "convenience" shopping and service businesses;
- We must find new ways for the locally owned retail businesses to reach new customers, and;
- We must be very strategic in implementing our retail revitalization program.

It is therefore the charge of EDS, in the building of Downtown Clayton's economic viability, to restructure the economy of the district, focusing intently on one or two specific, tightly coordinated economic development goals.

Fortunately, there are many opportunities available for older and traditional downtowns like Downtown Clayton. Among the many paths other California districts have successfully pursued:

- A district might develop one or more retail niches unique within a 0 to 10-mile radius. Many districts have focused on gourmet

food items, books, neighborhood-serving and regional restaurant opportunities, home furnishings or any number of other niches with little regional competition.

- A district might create or expand a group of restaurants and after-hours live, club entertainment.
- A district might create enough residential units and small industries or professional offices (on second floors or on secondary / tertiary streets) within the district to provide enough "captive" customers (residents and workers) to support convenience-oriented businesses in many or most of the district's retail storefront spaces. (An added benefit: because this path does not depend on attracting many customers from outside the district, it does not increase demand on parking and traffic infrastructure.)
- A district might intensively target a particular demographic segment whose needs are not being well met within the community or region - "Generation Xers", for example, or "empty nesters" - and might provide an array of housing, shopping, work, and appropriate entertainment options for them.

Each of these is an example of a market-based strategy - a strategy that is based on the district's specific economic opportunities - that has a specific economic goal. Many districts can successfully pursue more than one market-based strategy simultaneously - but it is unlikely that a district can successfully implement more than two market-based strategies without losing focus and diluting the impact of their work.

Successfully implementing these market-based strategies involves thinking and acting locally and regionally; marketing the district and its businesses creatively and collaboratively by:

- Creating and implementing an effective, professional, district-wide retail recruitment plan as in what Clayton has contracted with EDS to provide;
- Building strong, collaborative partnerships between the many organizations, agencies and constituents with vested interests in the district, like the Summer Concert Series at The Grove, the weekly Farmer's Market, and;
- Crafting a carefully synchronized work plan that reinforces the district's market-based strategies, has the strong support

and involvement of all the district's partners, and helps ensure that all the downtown-related tasks undertaken by the district's partners focus tightly on these strategies.

With this charge clarified...the EDS goal for Downtown Clayton will be to initially increase, upgrade and diversify the current tenant mix with destination retail businesses that are listed as a retail category void - or a void within a sub-category - as listed in the 0 to approximately 10-mile "opportunity gap" trade areas.

And why do we want to "increase, upgrade and diversify the current tenant mix with 'destination' retail businesses" rather than recruit "comparison" or "convenience" retail?...because, at this time, EDS believes that the "comparison" consumer (e.g., ...retail goods and services for which shoppers like to compare styles, brands and prices before making a purchase) is being served by East Bay regional malls and the aforementioned ubiquitous Internet...while the "convenience" consumer (represented by just 14,044 households in a 3-mile radius) is being served by larger neighborhood centers like the two retail locations at Clayton and Kirker Pass Roads.

Even though Downtown Clayton is somewhat of a cul-de-sac – with limited regional access to the district from the south and east - it is the charge of EDS to find a way to turn Downtown Clayton into this 0 to 10-mile retail destination rather than the largely neighborhood serving retail/office/service business district that it is today.

With this methodology established...from our analysis and interviews with knowledgeable Downtown Clayton stakeholders...at this time, EDS, with knowledge of retail space opportunities today and projecting into the future, has culled the *Claritas Opportunity Gap* listings into the following Downtown Clayton retail category recommendations:

- Independent Full-Service Restaurants
 - Seafood
 - Barbecue/Cajun
 - Asian
 - French
 - Latin/South American
 - Indian
 - Thai
 - Vegetarian, etc.
- Breakfast Eatery
- Jazz/Blues Entertainment Venue

The recruitment of independent "destination" restaurants, by cuisine that is not currently represented in Downtown Clayton, will provide the critical mass for establishing a "restaurant district" and, therefore, the "niche" that the Downtown does not now have and will differentiate itself from other downtowns and shopping districts in the East Bay.

It is the belief of EDS that independent destination restaurants (1,500 to 2,500 square feet), and the aforementioned recommendation of a small, club entertainment venue (3,000 to 5,000 square feet), will be especially important draws for consumers from outside the City's resident population and will assist in establishing longer hours of operation for the Downtown into the mid-to-later evening with that entertainment venue complementing the restaurants...and the restaurants complementing that entertainment venue. We also believe that our recommendation for a "breakfast eatery" will fill an additional restaurant sub-category void that exists for both residents and visitors.

Independent restaurants - versus national and regional restaurants - are being recommended, first, because the "footprint/square footage" of the independent is usually smaller and has a more conducive "scale" for a downtown... especially for a downtown with a limited size, retail district like Downtown Clayton and, second, the demographic profile of the 14,044 households in Clayton's primary trade area does not reach these national/regional restaurants' minimum requirement.

EDS also believes that, although this retail strategy is valid, credible and sustainable, the implementation will take a number of business cycles to complete. Vacancies are now at a premium, but our instinct and research tells us that a majority of leases are on a month-to-month basis or will be coming to term within a two years period, including first-floor office and service uses. (Our property owner questionnaire results, template attached, has verified that feeling.)

EDS will also emphasize to the property ownership of the Downtown that, to validate this retail strategy, the lease of future vacant first-floor retail space, and the build-out of all Downtown developable land, should be made with their and the Downtown's "long-term" goals in mind, rather than offering the space/land to whomever first shows up on their doorstep with counter-productive, non-retail plans. The incentive to the landlord will be an increase in property rental rates and sale prices, but...a heightened awareness of Downtown real estate market potential and patience will be needed.

Phase II - Implementation Scope of Work

The action plan for recruiting target breakfast, lunch and dinner-house restaurants and entertainment venue will include direct contact with

potential tenants, developers and/or their respective brokers initially through proprietary EDS information, followed by, if necessary, recruitment information that has been developed only for the Clayton market; production and delivery of specific Clayton market and trade area information per tenant request; ongoing, monthly review of City staff's maintenance and update of a Retail Vacancy Roster for the Clayton Town Center; ongoing effort to expand the tenant roster to include recommendations received from City Council, management and staff; conduct and/or coordinate tours and meetings with potential tenants with Town Center landlords or property owners/developers; describe all Clayton Redevelopment Agency economic incentives that are available; and, assist landlords and property owners throughout lease negotiation/occupancy as necessary.

This long-term recruitment action plan will initially focus on Bay Area restaurateurs and San Francisco entertainment impresarios then expand the search parameters as necessary. If possible, in order to cut expense costs to the City, this recruitment effort will emanate from our Redondo Beach offices, with follow-up trips, if necessary, to both areas of recruitment concentration.

Meetings and Phone Conversations Summary

with:

- Clayton Developers and Building Owners;
- Clayton Restaurateurs and "Traditional" Retailers;
- Clayton Property Owners;
- Clayton Commercial Real Estate Brokers;
- Clayton Ex-City Officials;
- Clayton Residents, and;
- Clayton Visitors.

Economic Development Systems ("EDS") held twenty-three meetings/telephone conversations with the above Clayton Town Center stakeholders, other interested parties (and City committees, administration and staff). The following re-creations about topics discussed during these meetings and conversations are from memory/recollections. One meeting with a Town Center retailer has yet to take place.

During all of these meetings/interviews I outlined to these Town Center interested parties the reasons for Council's pro-active venture into increasing, upgrading and diversifying the Town Center retail mix and the agreed upon EDS scope of work.

To a person, the enthusiasm for the retail revitalization of the Clayton Town Center was evident, although the recommended retail increase/mix of restaurants and an entertainment venue was questioned by an ex-City official who believed more "traditional" retail stores should take priority.

Please note the following synopsis of comments made by each of the above noted stakeholder groups:

- Clayton Developers and Building Owners

Town Center Clayton's primary developer has already voiced his affirmation of the direction of the Town Center by his investment of his time, money and sweat. I have met with this gentleman on over five separate occasions and been constantly amazed by the depth of his positive feelings about the Town Center (and life in general). I feel that Clayton is very fortunate to have him invested in the Town Center's future.

I have also interviewed a major Town Center building owner and manager. This sophisticated investor/owner, while generally applauding the City's efforts in assisting in the revitalization of the Town Center, had pointed questions regarding the City's Specific Plan requirements; the time involved in securing a Use Permit; the City's sign

restrictions, and; the seemingly waiving of parking requirements for new construction. These comments were forwarded to City Manager Napper.

A long-term Clayton building owner, landowner and "retired" restaurateur had very specific, positive comments regarding the short and long-term development of the Town Center. This very successful businessman believes that the Town Center primarily needs a more varied "palette" of restaurant fare than the Town Center has at the present time. He also voiced the fact that at some time in the future he would look at the development/redevelopment of his own Town Center holdings. A short meeting was also held with this gentleman's business partner, who deferred any comments back to his co-partner.

- Clayton Restaurateurs and "Traditional" Retailers

One restaurateur has made a long-term commitment through his investment in his Town Center restaurant yet, had little to say other than that he was looking forward to the influx of residents and visitors to the Town Center with the hope that he would not face future competition in the type of cuisine that he was offering.

Through many (five or six) personal contacts at lunches and dinners, I attempted to set meetings or engage another Town Center restaurateur in informal discussions regarding his feelings about the direction of the Town Center. Each time I was politely "put-off" and have no feeling whether this was due to his full schedule or a lack of concern about the future of the Town Center.

A casual meeting with a Town Center retailer had him also looking forward to more Town Center activity because of the new park. He voiced concern, and hope, that the "new" drug store just out of the Town Center would not negatively hurt his business.

- Clayton Property Owners

Four Town Center property owners of either undeveloped or under-developed commercial land were contacted. These long-time Clayton property owners each had different reasons for originally coming into possession of the land and each have different plans/motives for the future of their Town Center parcels. They all were pleased that the City is doing "something" in the Town Center:

One of these owners, because of a personal loss, is not doing anything with the property until sometime "later".

One owner has already contracted with an architect for a commercial

development and would possibly be amenable to doing a joint venture with the contiguous property.

One owner would like to do a mixed-use development, retail under residential, and has hired a real estate broker for consultation.

And, one owner doesn't know what to do with the property, would like to defer to a son for counsel...and has missed two planned meetings with me to discuss our program and my thoughts on the potential of the property. I will continue my attempts to meet, as it is my opinion that a telephone conversation will not be productive.

I have marked my calendar to re-contact these property owners on a regular basis.

- Clayton Commercial Real Estate Brokers

I met with the real estate agent for the commercial development that is currently under construction. She outlined her marketing plan for the retail and office space while giving me her views on the Clayton trade areas. I questioned various aspects of her stated goals and scope of work...some of which I agreed with and some that I felt needed more emphasis. I subsequently discussed these differences with the aforementioned developer.

I also had the occasion to meet with the Director of Retail for this same agent's real estate firm. I took the time to outline our goals and scope of work for the Town Center and asked him if there was anything else he could assist us with...following an explanation by him of the strengths of his company's other retail/office agents...he deferred my question to the previously mentioned project's agent.

One of the owners of the undeveloped parcels in the Town Center has employed a real estate broker that contacted me for a subsequent meeting. Following a very short back-and-forth discussion about the need for his services, I'm still not sure why the property owner has a need for these services. I subsequently recommended to this property owner that a good mixed-use architect might better serve her.

- Clayton Ex-City Officials

Had a simple lunch with one ex-City official and discussed his complex ideas regarding the Town Center. He, respectfully, doesn't believe that we need any more restaurants in town, at this time...and believes that developing the "church" property as a house of worship - or some other

institutional use - would be detrimental to the short and long-term development of a retail and restaurant district for the City of Clayton's Town Center.

We also discussed the history of Clayton, the various factions in town and the various personalities underneath those factions....all in all, a very interesting afternoon.

My phone conversation with another ex-City official focused on why he believes that the church property should be sold to a commercial developer because he believes that a retail anchor at that end of town is a necessity. We also discussed the history of the town and why it incorporated. Again, time well spent.

- Clayton Residents and Clayton Visitors

I spent a very enjoyable evening with a Clayton resident and two Clayton visitors, one of which used to be a Clayton resident. The occasion was one of the Concerts in the Park earlier this summer. We met at a packed Town Center restaurant and were lucky enough to reserve an outside table so we could enjoy the Beatles tribute band.

All three of my guests marveled at not only the evening at the restaurant and the concert, but also that the City had the foresight to plan a park in the center of town. We followed up dinner with a trip across the street to the Clayton Club...one of the more "unique" establishments of this type that I have ever frequented.