



AGENDA

REGULAR MEETINGS

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CLAYTON CITY COUNCIL and CLAYTON REDEVELOPMENT AGENCY

TUESDAY, February 17, 2009

6:00 p.m.

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

Mayor: Julie K. Pierce
Vice Mayor: Hank Stratford

Council Members

Howard Geller
Joseph A. Medrano
David T. Shuey

- 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 ***

February 17, 2009

6:00 P.M.

1. **CALL TO ORDER AND ROLL CALL** – Mayor Pierce.
2. **CLOSED SESSION**
 - (a) *Government Code Section 54956.9*, Conference with Legal Counsel
Pending Litigation: *Katzman, et al. v. City of Clayton, et al.* Coordinated Cases
Master/C07-01461/C07-00707, Superior Court of CA, Contra Costa County
 - (b) *Government Code Section 54956.9(b)(1)*, Conference with Legal Counsel
Anticipated Litigation: One (1) case.

Report out of Closed Session: Mayor Pierce.

7:00 P.M.

3. **PLEDGE OF ALLEGIANCE** – led by Mayor Pierce.
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) Approve the minutes of the regular and special meetings of February 3, 2009. ([View Here](#))
 - (b) Approve Financial Demands and Obligations of the City. ([View Here](#))
 - (c) Accept the City's Investment Portfolio Report for the Second Quarter of Fiscal Year 2008-2009 ending December 31, 2008. ([View Here](#))
 - (d) Adopt a Resolution adding the 2009 Arterial Overlay Project to the City's Capital Improvement Program (No. 10412), obligating \$25,000 in Gas Tax funds for the preliminary work and plan preparation, and authorizing the City Manager to advertise for bids and to award a construction contract to the lowest responsible bidder for the 2009 Arterial Overlay Project using the federal Economic Stimulus Fund allocation of \$550,000. ([View Here](#))
 - (e) Authorize notification to the Contra Costa County Auditor that the City of Clayton intends to remit the state-imposed theft of Clayton Redevelopment Agency local funds in the amount of \$404,570 for FY 2008-2009 to assist State Budget deficits. ([View Here](#))

5. RECOGNITIONS AND PRESENTATIONS - None.

6. REPORTS

- (a) Planning Commission – Commissioner Sandy Johnson.
- (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 submitting 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 approach 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 as each item is considered by the City Council.

8. PUBLIC HEARING

- (a) Introduction and First Reading of Ordinance No. 421 amending Section 17.44.020 A. (Site Plan Review Permit Required) of the *Clayton Municipal Code* for the purpose of adding clarification that allowing administrative approval of specified minor additions to single-story single-family residences also applies to specified minor additions to multi-story single-family residences. ([View Here](#))
(Community Development Director)

Staff recommendations: **1).** Receive the staff report; **2).** Open the Public Hearing and receive public comments; **3).** Close the Public Hearing; **4).** Approve a motion to have the City Clerk read Ordinance No. 421 by title and number only and waive further reading; **5).** Following the City Clerk's reading, approve Ordinance No. 421 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, March 3, 2009.

#

*** CLAYTON REDEVELOPMENT AGENCY ***

February 17, 2009

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

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 February 3, 2009. ([View Here](#))

4. PUBLIC HEARING - None.

5. ACTION ITEMS

- (a) Consideration and approval of Phase III – Retail Recruitment Implementation services by Economic Development Systems (Jim Harrigan, Managing Principal) regarding the Commercial Retail Strategy Plan for the Clayton Town Center. (Executive Director) ([View Here](#))

Staff recommendation: Following public comment, that the Board approve the Phase III – Retail Recruitment Implementation Plan services to be provided by Economic Development Systems during the next 12 months, and authorize an amount not to exceed \$99,960 (\$84,000 + expense cap) from Capital Improvement Project No. 10400 – Downtown Economic Development (source of funds: Clayton Redevelopment Agency).

6. BOARD ITEMS – limited to requests and directives for next meeting.

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

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MINUTES
OF THE
REGULAR MEETING
CLAYTON CITY COUNCIL

Agenda Date: 2-17-09

Agenda Item: 4a

TUESDAY, February 3, 2009

1. **CALL TO ORDER & ROLL CALL** – The meeting was called to order at 7:07 p.m. by Mayor Pierce in the Library Community Meeting Room, 6125 Clayton Road, Clayton, CA. Councilmembers present: Mayor Pierce, Vice Mayor Stratford, Councilmembers Geller, Medrano, and Shuey. Staff present: City Manager Gary Napper, City Attorney Dan Adams, Finance Manager Merry Pelletier and City Clerk Laci Jackson.

2. **CLOSED SESSION** – None.

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

Mayor Pierce stated a matter of urgency occurred after the Agenda was posted on January 30th and deals with the City's access to federal Economic Stimulus monies. Mayor Pierce requested the Urgency be placed on the Agenda as Action Item 9(c). It was moved by Councilmember Shuey, seconded by Councilmember Geller to place Item 9(c) on the Agenda as a Resolution approving the filing of a City application for federal Economic Stimulus funds (Passed; 5-0 vote).

4. **CONSENT CALENDAR**- It was moved by Councilmember Shuey, seconded by Vice Mayor Stratford to approve the Consent Calendar as submitted (Passed; 5-0 vote).

(a) Approved the minutes of the regular meeting of January 20, 2009.

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

5. **RECOGNITIONS AND PRESENTATIONS** - None

6. **REPORTS**

(a) Planning Commission – Chairperson Catalano reported on the Planning Commissions January 27 meeting. The Commission conducted a Site Plan review for an addition to a home on Southbrook Drive and reviewed a minor change to an Ordinance which will come to the City Council concerning minor additions to 2nd-story single-family residences.

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

(c) City Manager - no report.

(d) City Council

Councilmember Medrano attended the orientation for new Councilmembers put on by the Contra Costa Mayors' Conference and stated it was an informative day.

Councilmember Stratford attended the Clayton Cleans Up planning meeting, and reminded citizens that April 25th is the date for the Clayton Cleans Up. He also attended the East Contra Costa Habitat Conservancy Board meeting and the Citizens Corp Council, and stated the new CERT class would begin May 4th.

Councilmember Geller worked on the sound needs for the Concerts in The Grove with Don Stone, and continued work on a "Shop Clayton First" program.

Mayor Pierce attended a meeting for the League of California Cities subcommittee on local speed limits and attended a new Mayors' meeting at the home of Vice Mayor Sue Rainey in Walnut Creek. She was also a presenter at the new Councilmembers meeting held by the Mayors' Conference.

(e) Other – None.

7. **PUBLIC COMMENT ON NON-AGENDA ITEMS**- None.

8. **PUBLIC HEARINGS** – None.

9. **ACTION ITEMS**

(a) Presentation of City's Audited Financial Statement for Fiscal Year 2007-2008 prepared by Moss, Levy and Hartziem, Certified Public Accountants.

The Finance Manager presented the staff report. She stated the Audited Financials were prepared by Moss, Levy and Hartziem as independent auditors and the report was delayed because of the auditor's and City's consultant is numbers not matching. She stated the auditors are very good and taxpayers should feel confident because they are extremely detailed. Overall, the process went fairly smooth. She stated in the City's General Fund the revenues exceeded the expenditures by \$64,000 and outlined many of the other funds. She stated the City's reserve status is very healthy because of the prudence of elected officials and staff. Due to this the City is well prepared to respond to the recent economic events.

The City has received the highest rating possible on its Audited Financial Statements for the Fiscal Year of 2007-2008, an "Unqualified Opinion" but the Auditors. The Finance Manager noted on Page 14 of the Audited Statements that..."Overall since 2001 City expenditures have increased by 21% while during the same time period the Consumer Price Index increased by 22.6%. Clearly, the City has done a great job at controlling expenses.

Councilmember Medrano asked the Finance Manager how many journal entries she has to do. The Finance Manager responded that because the City does not have an integrated cash receipts system she has to do all of the journal entries. She also noted the City Treasurer reviews all of the reports and the staff tries to have a separation of duties but with the minimal level of staff positions at City Hall it is very difficult to implement.

No public comments were received.

It was moved by Councilmember Geller, seconded by Councilmember Shuey to approve the FY 2007-2008 Audited Financial Statement as submitted by the independent auditors (Passed; 5-0 vote).

- (b) Consideration of recommendation to name and sign the Clayton Community Library Meeting Room as "Hoyer Hall" after the first mayor and first lady of Clayton, Bob & Eldora Hoyer.

Mayor Pierce asked the Council to consider naming the meeting room in the Clayton Community Library in honor of Bob and Eldora Hoyer. She proposed simple letters above the entry and a small plaque in the Room itself. She stated a small recognition ceremony would be done before the March 17th City Council meeting, a day before the 45th anniversary of the incorporation of the City of Clayton.

Under Public Comment, Pete Laurence stated he agreed with the idea because the Hoyers have been involved since the Founding of the City of Clayton.

It was moved by Mayor Pierce, seconded by Councilmember Shuey to approve the recommendation to name and sign the Clayton Community Library Room as "Hoyer Hall" after Bob and Eldora Hoyer, and to have a presentation before the March 17th City Council meeting (Passed; 5-0 vote).

- (c) Consider a Resolution approving Local Support American Recovery and Reinvestment Act of 2009 (ARA) Funding and Authorizing the Filing of an Application for Federal American Recovery and Reinvestment Act of 2009 (ARRA) Funding and Stating the Assurance to Complete the Project.

City Engineer stated the federal government is in the process of approving an economic stimulus package that would enable local agencies to apply for money to be used on special projects. The stimulus package is only open for projects which can be started very quickly, and can have contracts awarded within 90 days. The City of Clayton will be eligible for approximately \$550,000, and the design is for use as a pavement overlay project on portions of Clayton Road and Oakhurst Drive. He noted federal money could only be used for major arterials that require no significant environmental review. He asked the City Council to approve the Resolution in front of them as it is the standard Resolution required by the Metropolitan Transportation Commission (MTC) in order to move forward with the project. The MTC's requirement to have this Resolution adopted arose today.

The City Manager asked if this is the authorization for filing the application or if the project would still come back to the Council for approval of the contracts? The City Engineer stated the award of contract must still come before the City Council but the contract must be awarded within 90 days.

Mayor Pierce stated these local projects would keep people employed and money flowing into the marketplace.

City Manager stated the City would still be moving forward with its annual streets repaving project and this federal project would be in addition to those already approved in the City Budget.

It was moved by Councilmember Geller, seconded by Vice Mayor Stratford to adopt Resolution 02-2009 (Passed; 5-0 vote).

10. **COUNCIL ITEMS** –None.

11. **ADJOURNMENT**– On call by Mayor Pierce the meeting adjourned at 7:47 p.m.

Respectfully submitted,

Laci J. Jackson, City Clerk

APPROVED BY CLAYTON CITY COUNCIL

Julie K. Pierce, Mayor

**MINUTES
OF THE
SPECIAL MEETING OF THE
CLAYTON CITY COUNCIL**

February 3, 2009

1. **CALL TO ORDER & ROLL CALL** – the special meeting was called to order at 4:40 p.m. by Mayor Pierce in the 3rd Floor Conference Room, Clayton City Hall, 6000 Heritage Trail, Clayton, CA. Council Members present: Mayor Pierce, Vice Mayor Stratford, Councilmembers Geller, Medrano and Shuey. Staff present: City Manager, City Clerk.

2. **PUBLIC COMMENTS** – None.

3. **ACTION ITEM**

(a) ***Discussion and establishment of Council-Manager Goals and Objectives for Calendar Year 2009.***

The City Manager updated the City Council as to progress made and achievements obtained regarding the goals set from previous annual sessions. After considerable discussion and exchange of ideas, the City Council outlined the following Goals and Objectives for upcoming year:

- Coordinate work with Economic Development Systems on Phase 3 of the Economic Development Plan for downtown Clayton.
- Inventory the remaining unused public properties and determine if each should remain as open space or targeted for public recreation uses.
- Begin General Plan Update.
- Review Local Parking Code Updates.
- Timely Monthly Financial Statements available.
- Work to make Endeavor Hall more Profitable.
- Aid Existing Downtown Businesses
- Create a "Shop Clayton First" program with in conjunction with CBCA.
- Review the RDA 5-Year Plan and Phase Out
- Research the Feasibility of a Gas Station in Clayton
- Paperless Council Meetings
- Solar Energy for City Facilities
- Use Morris & Diablo Streets for additional Retail Commercial space in Downtown.
- Teen Center in Clayton
- Plan for Future Use of Easley Ranch
- Promote & Assist High-Density Housing in the Downtown Area.
- Become more Community minded
- Downtown Gateway Beautification Project & Signs, joint project with the CBCA.

- Purchase the former Buscaglia property in the Downtown.
- Examine volume-based rates for residential trash can service to encourage more recycling by residents to meet 50% diversion state law.
- Bocce Court Center on public property (private construction).
- Investigate sports field lights and all weather turf at the Community Park.
- Sale and development of the City's Oak Street buildings and property.
- Emergency Preparedness Training (CERT) for public and remaining City Council Members.
- Develop a "Building a Community of Character" partnership with the schools to emphasize valued character traits.
- Reinforce the sharing of official City reply communications.
- Continuous increased traffic enforcement.
- Promotion of Clayton events and activities on cable Channel 26.

4. **ADJOURN** – on call by Mayor Pierce, the meeting adjourned at 6:45 p.m.

Respectfully submitted,

Laci J. Jackson, City Clerk

APPROVED BY CLAYTON CITY COUNCIL

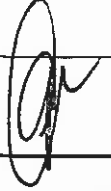
Julie K. Pierce, Mayor



Agenda Date: 02/17/09

Agenda Item: 4b

Approved:



Gary A. Napper
City Manager/Executive Director

STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: MERRY PELLETIER, FINANCE MANAGER
DATE: FEBRUARY 17, 2009
SUBJECT: OBLIGATION SUMMARY

RECOMMENDATION Approve the following obligations.

<u>RUN DATE</u>	<u>OBLIGATION NUMBERS</u>	<u>TOTALS</u>
02/13/09	15564 - 15619	\$481,161.33

- **Invoices - Summary Report**
 - o the current invoices by obligation number
 - o the vendor numbers and names
 - o brief descriptions of the invoices
 - o the amounts expensed or paid for the current invoices
 - o vendor invoice numbers (if any)
 - o grand totals on the last page, may be a combination of expensed & paid
 - 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; these numbers correspond to the "line item" numbers listed in the City's budget
 - o the account descriptions
 - o the obligation numbers
 - o the vendor numbers and names
 - o the amount of the invoices
 - o a grand total of all invoices on the last page

Attachments:

Invoices - Summary Report 02/13/09 (6 page)

Invoice Distribution Report 02/13/09 (17 pages)

Run date: 02/13/2009 @ 13:37
 Bus date: 02/13/2009

City of Clayton
 Invoices - Summary Report

OTSUM.L02 Page 1

Vendor Name / Obligat'n Description	Pre-Encumbered	Encumbered	Expensed	Paid	Stage	Stage Date
2506 Sandy & George Beckham 15564 SWP45-07 & C&D Refund Obligation.....: 15564	.00 Invoice number.: 15564	.00	.00	3,297.06	Paid	02/02/2009
170 Western Exterminator 15565 Monthly Svc 1/09 Obligation.....: 15565	.00 Invoice number.: 413902	.00	311.50	.00	Inv	02/10/2009
8 Alhambra & Sierra Springs 15566 Water Service-PD, Adm & PW 1/ Obligation.....: 15566	.00 Invoice number.: 0209	.00	157.87	.00	Inv	02/10/2009
159 Turner, Huguet & Adams 15567 GHAD Legal Fees 1/09 Obligation.....: 15567	.00 Invoice number.: 1116	.00	888.00	.00	Inv	02/10/2009
416 CCC Auditor-Controller 15568 Booking Fees 12/08 Obligation.....: 15568	.00 Invoice number.: 12/08	.00	114.00	.00	Inv	02/10/2009
416 CCC Auditor-Controller 15569 Booking Fees 11/08 Obligation.....: 15569	.00 Invoice number.: 11/08	.00	76.00	.00	Inv	02/10/2009
2110 Sprint Comm (PW & ADM) 15570 PW & Adm Cell Phones 1/09 Obligation.....: 15570	.00 Invoice number.: 081 1/09	.00	509.47	.00	Inv	02/10/2009
2266 Rock N Waterfall Co 15571 OH Waterfall Mtn & Rpr 1/09 Obligation.....: 15571	.00 Invoice number.: 220888	.00	791.14	.00	Inv	02/10/2009
2133 American Cleanway Inc 15572 PW Wash Rack Mtn 1/09 Obligation.....: 15572	.00 Invoice number.: 36086	.00	225.00	.00	Inv	02/10/2009
1467 LarryLogic Productions 15573 Video City Council Mtg 2/3/09 Obligation.....: 15573	.00 Invoice number.: 922	.00	337.50	.00	Inv	02/10/2009

Run date: 02/13/2009 @ 13:37
 Bus date: 02/13/2009

City of Clayton
 Invoices - Summary Report

OTSUM.L02 Page 2

Vendor Name / Obligat'n Description	Pre-Encumbered	Encumbered	Expensed	Paid Stage	Stage Date
512 Mt. Diablo Unified School Dis 15574 DV Gym Janitorial NYE 12/08 Obligation.....: 15574	.00	.00	584.00	.00 Inv	02/10/2009
	Invoice number.: AR200027				
641 CCC Office of the Sheriff-Cor 15575 PD-Crime Lab 10-12/08 Obligation.....: 15575	.00	.00	721.93	.00 Inv	02/10/2009
	Invoice number.: CLPD-408				
1404 US Bank Trust National Assoc 15576 CFD 90-1 Debt Svc Int 3/09 Obligation.....: 15576	.00	.00	152,007.65	.00 Inv	02/10/2009
	Invoice number.: 95442900 3/09				
113 PG&E 15577 Service 1/09 (Small Master) Obligation.....: 15577	.00	.00	1,835.78	.00 Inv	02/10/2009
	Invoice number.: 01/09				
2370 Konica Minolta Bus Solutions 15578 Adm Copier Lease 2/09 Obligation.....: 15578	.00	.00	623.22	.00 Inv	02/10/2009
	Invoice number.: 010798271-39				
2460 Globalstar LLC 15579 PD Command Trl Sat Phn 1/09 Obligation.....: 15579	.00	.00	11.02	.00 Inv	02/10/2009
	Invoice number.: 01/16/09				
1223 Sprint Comm (PD) 15580 PD Cell Phones 1/09 Obligation.....: 15580	.00	.00	371.05	.00 Inv	02/10/2009
	Invoice number.: 086 1/09				
1538 All City Management Services. 15581 PD-Crossing Guard WE 1/31/09 Obligation.....: 15581	.00	.00	406.35	.00 Inv	02/10/2009
	Invoice number.: 15508				
2371 Konica Minolta Bus Sol-Copies 15582 Admin Copier Copies 1/09 Obligation.....: 15582	.00	.00	228.55	.00 Inv	02/10/2009
	Invoice number.: 211668620				
468 J & R Floor Services 15583 Janitorial Services for 1/09 Obligation.....: 15583	.00	.00	4,948.74	.00 Inv	02/10/2009
	Invoice number.: Jan2009				

Run date: 02/13/2009 @ 13:37
 Bus date: 02/13/2009

City of Clayton
 Invoices - Summary Report

OTSUM.L02 Page 3

Vendor Name / Obligat'n Description	Pre-Encumbered	Encumbered	Expensed	Paid Stage	Stage Date
2014 AT&T Yellow Pages 15584 EH Yellow Page Ad 2/09 Obligation.....: 15584	.00	.00	232.00	.00 Inv	02/10/2009
Invoice number.: 01/25/09					
2205 Pacific Telemanagement Svc 15585 CH Outside Phone Booth 2/09 Obligation.....: 15585	.00	.00	53.00	.00 Inv	02/10/2009
Invoice number.: 94820					
1160 Arlene H. Kikkawa-Nielsen 15586 Library Volunteer 2/09 Obligation.....: 15586	.00	.00	745.00	.00 Inv	02/10/2009
Invoice number.: 02/09					
201 CalPERS 15587 Retirement PPE 2/8/09 Obligation.....: 15587	.00	.00	21,563.74	.00 Inv	02/10/2009
Invoice number.: PPE 2/8/09					
113 PG&E 15588 Service LMI 280 Stranahan 1/0 Obligation.....: 15588	.00	.00	10.04	.00 Inv	02/10/2009
Invoice number.: 01/09					
1750 Wells Fargo Bank, N.A. 15589 Debt Svc IMP 8-02 3/09 Obligation.....: 15589	.00	.00	6,099.75	.00 Inv	02/11/2009
Invoice number.: 03/09					
2469 Michel & Fackler APC 15590 Legal Svcs 1/09 Obligation.....: 15590	.00	.00	705.82	.00 Inv	02/11/2009
Invoice number.: 10397					
677 Burris Window Shades 15591 Libr Shades Replacement 12/08 Obligation.....: 15591	.00	.00	683.00	.00 Inv	02/11/2009
Invoice number.: 11710					
358 Waraner Brothers 15592 Tree Trimming & Removal 1/09 Obligation.....: 15592	.00	.00	1,200.00	.00 Inv	02/11/2009
Invoice number.: 8341					
146 Sierra Pacific 15593 Comm Pk Turf 1/09 Obligation.....: 15593	.00	.00	8,869.44	.00 Inv	02/11/2009
Invoice number.: 0296153-IN					

Run date: 02/13/2009 @ 13:37
 Bus date: 02/13/2009

City of Clayton
 Invoices - Summary Report

OTSUM.L02 Page 4

Vendor Name / Obligat'n Description	Pre-Encumbered	Encumbered	Expensed	Paid Stage	Stage Date
167 Wally's Rental Center, Inc. 15594 Comm Pk Equip Rental 1/09 Obligation.....: 15594	.00 Invoice number.: 66410	.00	185.70	.00 Inv	02/11/2009
167 Wally's Rental Center, Inc. 15595 Ballfield Equip Rnt- Dirt 1/0 Obligation.....: 15595	.00 Invoice number.: 66676	.00	399.82	.00 Inv	02/11/2009
2339 Ace Towing Road Service 15596 PD Vehicle Tow 1/09 Obligation.....: 15596	.00 Invoice number.: 39534	.00	45.00	.00 Inv	02/11/2009
2339 Ace Towing Road Service 15597 PD Vehicle Tow 1/09 Obligation.....: 15597	.00 Invoice number.: 39504	.00	40.00	.00 Inv	02/11/2009
2507 Stericycle Inc 15598 PD Medical Wst Disp 2-4/09 Obligation.....: 15598	.00 Invoice number.: 3000333817	.00	165.84	.00 Inv	02/11/2009
110 CCC Clerk Elections Division 15599 General Election 11/08 Obligation.....: 15599	.00 Invoice number.: 863	.00	13,738.98	.00 Inv	02/11/2009
2102 CCC Treasurer 15600 BAROC Waste Prev Camp 2008 Obligation.....: 15600	.00 Invoice number.: 01/26/09	.00	43.00	.00 Inv	02/11/2009
2508 Michael Roberts 15601 Refund SWP 26-08 Dep 2/09 Obligation.....: 15601	.00 Invoice number.: SWP 26-08	.00	1,427.30	.00 Inv	02/11/2009
2133 American Cleanway Inc 15602 PW Wash Rack Repair 2/09 Obligation.....: 15602	.00 Invoice number.: 36170	.00	123.41	.00 Inv	02/11/2009
2266 Rock N Waterfall Co 15603 OH Waterfall Mtn 2/09 Obligation.....: 15603	.00 Invoice number.: 220898	.00	650.00	.00 Inv	02/11/2009

Run date: 02/13/2009 @ 13:37
 Bus date: 02/13/2009

City of Clayton
 Invoices - Summary Report

OTSUM.L02 Page 5

Vendor Name / Obligat'n Description	Pre-Encumbered	Encumbered	Expensed	Paid	Stage	Stage Date
1243 AT&T/CalNet						
15604 Local Phone Svc 1/09	.00	.00	857.40	.00	Inv	02/11/2009
Obligation.....: 15604	Invoice number.: 01/09					
509 CR Fireline Inc						
15605 Sprinkler Insp: CH, Lib, EH 1	.00	.00	820.00	.00	Inv	02/11/2009
Obligation.....: 15605	Invoice number.: 55774-6					
1779 Access One						
15606 Long Distance 1/09	.00	.00	47.35	.00	Inv	02/11/2009
Obligation.....: 15606	Invoice number.: 883211					
67 Contra Costa Water Dist.						
15607 City Water Usage 12/08-1/09	.00	.00	3,571.97	.00	Inv	02/11/2009
Obligation.....: 15607	Invoice number.: H Sr 12/08-1/09					
1176 Contra Costa Topsoil						
15608 Comm Pk-Sand for Pig Dmg 1/09	.00	.00	5,910.45	.00	Inv	02/11/2009
Obligation.....: 15608	Invoice number.: 82700-61					
1265 ACCO Engineered Systems						
15609 Libr HVAC Rpr Actuators 12/08	.00	.00	2,199.86	.00	Inv	02/11/2009
Obligation.....: 15609	Invoice number.: 1352421					
1265 ACCO Engineered Systems						
15610 CH HVAC Rpr Wtr Pump 12/08	.00	.00	370.00	.00	Inv	02/11/2009
Obligation.....: 15610	Invoice number.: 1352811					
116 PERMCO, Inc.						
15611 Eng Svc 1/24-2/6/09	.00	.00	16,306.58	.00	Inv	02/11/2009
Obligation.....: 15611	Invoice number.: 8738-8750					
2469 Michel & Fackler APC						
15612 Legal Services 1/09	.00	.00	183.84	.00	Inv	02/13/2009
Obligation.....: 15612	Invoice number.: 10409					
2510 Clayton Mind & Body						
15613 Refund UP 04-08 Deposit 2/09	.00	.00	996.53	.00	Inv	02/13/2009
Obligation.....: 15613	Invoice number.: Ref UP 04-08					

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Vendor Name / Obligat'n Description	Pre-Encumbered	Encumbered	Expensed	Paid	Stage	Stage Date
1929 Focus Realty Service, Inc. 15614 Pine Hollow Est Proj Refund 2 Obligation.....: 15614	.00	.00	74.50	.00	Inv	02/13/2009
Invoice number.:						
2509 Lenox Homes 15615 Pine Hollow Est Proj Refund 2 Obligation.....: 15615	.00	.00	6,535.79	.00	Inv	02/13/2009
Invoice number.:						
2349 US Bank Corp Pymt System 15616 Adm: Misc Charges 1/09 Obligation.....: 15616	.00	.00	4,916.24	.00	Inv	02/13/2009
Invoice number.: 1/22/09						
2349 US Bank Corp Pymt System 15617 PW Misc Charges 1/09 Obligation.....: 15617	.00	.00	9,853.94	.00	Inv	02/13/2009
Invoice number.: 1/09						
2349 US Bank Corp Pymt System 15618 PD Misc Charges 1/09 Obligation.....: 15618	.00	.00	3,090.21	.00	Inv	02/13/2009
Invoice number.: 01/22/09						
1168 Diamond Terrace c/o PAM 15619 Loan Payment #6 2/09 Obligation.....: 15619	.00	.00	200,000.00	.00	Inv	02/13/2009
Invoice number.: 2/13/09 #6						

** Report total **

.00

477,864.27

.00

3,297.06

TOTAL \$481,161.33

Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A101-5301-00.0.0-000 - Planning Services			
15564 SWP45-07 & C&D Refund	2506 Sandy & George Beckham		
Invoice number.:	2 L.Hoffmeister Stafftime2/19/08 Paid		-53.19
Invoice number.:	3 L.Hoffmeister stafftime1/28/09 Paid		-53.19
A101-5301-00.0.0-000 - Planning Services	*** Account total ***		-106.38
A101-5791-00.0.0-000 - Overhead cost recovery			
15564 SWP45-07 & C&D Refund	2506 Sandy & George Beckham		
Invoice number.:	6 15% Overhead Recov SW45-07 Paid		-77.81
15601 Refund SWP 26-08 Dep 2/09	2508 Michael Roberts		
Invoice number.: SWP 26-08	2 OH Rec SWP 26-08 Inv		-74.70
A101-5791-00.0.0-000 - Overhead cost recovery	*** Account total ***		-152.51
A101-7220-01.0.0-000 - PERS Retirement			
15587 Retirement PPE 2/8/09	201 CalPERS		
Invoice number.: PPE 2/8/09	1 Legislative 2/8/09 Inv		421.06
A101-7220-01.0.0-000 - PERS Retirement	*** Account total ***		421.06
A101-7220-02.0.0-000 - PERS Retirement			
15587 Retirement PPE 2/8/09	201 CalPERS		
Invoice number.: PPE 2/8/09	2 Admin 2/8/09 Inv		4,186.88
A101-7220-02.0.0-000 - PERS Retirement	*** Account total ***		4,186.88
A101-7220-03.0.0-000 - PERS Retirement			
15587 Retirement PPE 2/8/09	201 CalPERS		
Invoice number.: PPE 2/8/09	3 PW 2/8/09 Inv		2,460.09
A101-7220-03.0.0-000 - PERS Retirement	*** Account total ***		2,460.09
A101-7220-04.0.0-000 - PERS Retirement			
15587 Retirement PPE 2/8/09	201 CalPERS		
Invoice number.: PPE 2/8/09	4 Planning 2/8/09 Inv		1,441.20
A101-7220-04.0.0-000 - PERS Retirement	*** Account total ***		1,441.20

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Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A101-7220-06.0.0-000 - PERS Retirement			
15587 Retirement PPE 2/8/09	201 CalPERS		
Invoice number.: PPE 2/8/09	5 Police 2/8/09	Inv	13,054.51
A101-7220-06.0.0-000 - PERS Retirement	*** Account total ***		13,054.51
A101-7311-03.0.0-000 - General Supplies			
15566 Water Service-PD, Adm & PW 1/0	8 Alhambra & Sierra Springs		
Invoice number.: 0209	3 PW Water Service 1/09	Inv	55.95
15617 PW Misc Charges 1/09	2349 US Bank Corp Pymt System		
Invoice number.: 1/09	2 PW Gen Sup 1/09	Inv	209.47
A101-7311-03.0.0-000 - General Supplies	*** Account total ***		265.42
A101-7311-04.0.0-000 - General Supplies			
15616 Adm: Misc Charges 1/09	2349 US Bank Corp Pymt System		
Invoice number.: 1/22/09	1 CDD Camera 1/09	Inv	301.86
A101-7311-04.0.0-000 - General Supplies	*** Account total ***		301.86
A101-7311-06.0.0-000 - General Supplies			
15618 PD Misc Charges 1/09	2349 US Bank Corp Pymt System		
Invoice number.: 01/22/09	3 PD Keys & ID Cards 1/09	Inv	93.10
A101-7311-06.0.0-000 - General Supplies	*** Account total ***		93.10
A101-7312-05.0.0-000 - Office Supplies/Expense			
15566 Water Service-PD, Adm & PW 1/0	8 Alhambra & Sierra Springs		
Invoice number.: 0209	1 Admin Water Service 1/09	Inv	40.97
15616 Adm: Misc Charges 1/09	2349 US Bank Corp Pymt System		
Invoice number.: 1/22/09	2 Adm Office Supplies 1/09	Inv	208.61
A101-7312-05.0.0-000 - Office Supplies/Expense	*** Account total ***		249.58
A101-7312-06.0.0-000 - Office Supplies/Expense			
15566 Water Service-PD, Adm & PW 1/0	8 Alhambra & Sierra Springs		
Invoice number.: 0209	2 PD-Water Service 1/09	Inv	60.95
15618 PD Misc Charges 1/09	2349 US Bank Corp Pymt System		
Invoice number.: 01/22/09	2 PD Office Supplies 1/09	Inv	423.75
A101-7312-06.0.0-000 - Office Supplies/Expense	*** Account total ***		484.70

Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A101-7314-05.0.0-000 - Postage			
15616 Adm: Misc Charges 1/09	2349 US Bank Corp Pymt System		
Invoice number.: 1/22/09	3 Neopost Lease 1/09	Inv	225.88
A101-7314-05.0.0-000 - Postage	*** Account total ***		225.88
A101-7314-06.0.0-000 - Postage			
15618 PD Misc Charges 1/09	2349 US Bank Corp Pymt System		
Invoice number.: 01/22/09	4 PD Postage 1/09	Inv	13.90
A101-7314-06.0.0-000 - Postage	*** Account total ***		13.90
A101-7324-01.0.0-000 - Dues and Subscriptions			
15616 Adm: Misc Charges 1/09	2349 US Bank Corp Pymt System		
Invoice number.: 1/22/09	4 ICMA Membership Dues 1/09	Inv	1,400.00
A101-7324-01.0.0-000 - Dues and Subscriptions	*** Account total ***		1,400.00
A101-7328-03.0.0-000 - Park Services			
15592 Tree Trimming & Removal 1/09	358 Waraner Brothers		
Invoice number.: 8341	2 Tree Removal 1/09	Inv	300.00
A101-7328-03.0.0-000 - Park Services	*** Account total ***		300.00
A101-7329-09.0.0-000 - Park Supplies			
15593 Comm Pk Turf 1/09	146 Sierra Pacific		
Invoice number.: 0296153-IN	1 Comm Pk Turf 1/09	Inv	8,869.44
A101-7329-09.0.0-000 - Park Supplies	*** Account total ***		8,869.44
A101-7331-05.0.0-000 - Rentals/Leases			
15578 Adm Copier Lease 2/09	2370 Konica Minolta Bus Solutions		
Invoice number.: 010798271-39	1 Adm Copier Lease 2/09	Inv	623.22
15582 Admin Copier Copies 1/09	2371 Konica Minolta Bus Sol-Copies		
Invoice number.: 211668620	1 Adm Copier Copies 1/09	Inv	228.55
A101-7331-05.0.0-000 - Rentals/Leases	*** Account total ***		851.77
A101-7331-09.0.0-000 - Rental/Lease			
15595 Ballfield Equip Rnt- Dirt 1/09	167 Wally's Rental Center, Inc.		
Invoice number.: 66676	1 Ballfield Equip Rnt- Dirt 1/09	Inv	399.82
A101-7331-09.0.0-000 - Rental/Lease	*** Account total ***		399.82

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Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A101-7332-02.0.0-000 - Telecommunications			
15570 PW & Adm Cell Phones 1/09	2110 Sprint Comm (PW & ADM) 2 Adm Cell Phns & New Cell 1/09	Inv	286.82
Invoice number.: 081 1/09			
15585 CH Outside Phone Booth 2/09	2205 Pacific Telemanagement Svc 1 CH Outside Phone Booth 2/09	Inv	53.00
Invoice number.: 94820			
15604 Local Phone Svc 1/09	1243 AT&T/CalNet 2 CH Local Phone 1/09	Inv	168.05
Invoice number.: 01/09			
15606 Long Distance 1/09	1779 Access One 1 City Hall Svc 1/09	Inv	6.21
Invoice number.: 883211			
A101-7332-02.0.0-000 - Telecommunications	*** Account total ***		514.08
A101-7332-03.0.0-000 - Telephone			
15570 PW & Adm Cell Phones 1/09	2110 Sprint Comm (PW & ADM) 1 PW Cell Phones 1/09	Inv	222.65
Invoice number.: 081 1/09			
15604 Local Phone Svc 1/09	1243 AT&T/CalNet 1 PW-Local Phone 1/09	Inv	33.08
Invoice number.: 01/09			
15606 Long Distance 1/09	1779 Access One 2 PW Svc 1/09	Inv	2.80
Invoice number.: 883211			
A101-7332-03.0.0-000 - Telephone	*** Account total ***		258.53
A101-7332-04.0.0-000 - Telephone			
15604 Local Phone Svc 1/09	1243 AT&T/CalNet 3 PIng Local Phone 1/09	Inv	41.12
Invoice number.: 01/09			
15606 Long Distance 1/09	1779 Access One 3 Planning Svc 1/09	Inv	11.18
Invoice number.: 883211			
A101-7332-04.0.0-000 - Telephone	*** Account total ***		52.30
A101-7332-06.0.0-000 - Telephone			
15579 PD Command Trl Sat Phn 1/09	2460 Globalstar LLC 1 PD Command Trl Sat Phn 1/09	Inv	11.02
Invoice number.: 01/16/09			

Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A101-7332-06.0.0-000 - Telephone	*** Continued ***		
15580 PD Cell Phones 1/09	1223 Sprint Comm (PD)		
Invoice number.: 086 1/09	1 PD Cell Phones 1/09	Inv	371.05
15604 Local Phone Svc 1/09	1243 AT&T/CalNet		
Invoice number.: 01/09	7 PD Local Phone 1/09	Inv	556.27
15606 Long Distance 1/09	1779 Access One		
Invoice number.: 883211	6 Police Dept Svc 1/09	Inv	26.51
A101-7332-06.0.0-000 - Telephone	*** Account total ***		964.85
A101-7332-07.0.0-000 - Telephone			
15606 Long Distance 1/09	1779 Access One		
Invoice number.: 883211	4 Library Svc 1/09	Inv	.65
A101-7332-07.0.0-000 - Telephone	*** Account total ***		.65
A101-7335-03.0.0-000 - Gas & Electricity			
15577 Service 1/09 (Small Master)	113 PG&E		
Invoice number.: 01/09	1 City Hall Svc 1/09	Inv	1,295.44
A101-7335-03.0.0-000 - Gas & Electricity	*** Account total ***		1,295.44
A101-7338-03.0.0-000 - Water Services			
15607 City Water Usage 12/08-1/09	67 Contra Costa Water Dist.		
Invoice number.: H Sr 12/08-1/09	10 No Valley Park 12/08-1/09	Inv	152.18
A101-7338-03.0.0-000 - Water Services	*** Account total ***		152.18
A101-7341-03.0.0-000 - Buildings/Grounds Maintenance			
15565 Monthly Svc 1/09	170 Western Exterminator		
Invoice number.: 413902	1 City Hall Ext Svc 1/09	Inv	90.50
15605 Sprinkler Insp: CH, Lib, EH 1/	509 CR Fireline Inc		
Invoice number.: 55774-6	3 CH Sprk Insp Qtr 1/09	Inv	310.00
15617 PW Misc Charges 1/09	2349 US Bank Corp Pymt System		
Invoice number.: 1/09	3 PW Library Lights 1/09	Inv	148.61
A101-7341-03.0.0-000 - Buildings/Grounds Maintenance	*** Account total ***		549.11

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Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A101-7341-07.0.0-000 - Buildings/Grounds Maintenance			
15565 Monthly Svc 1/09	170 Western Exterminator		
Invoice number.: 413902	2 Library Ext Svc 1/09	Inv	93.50
15591 Libr Shades Replacement 12/08	677 Burris Window Shades		
Invoice number.: 11710	1 Libr Shades Replacement 12/08	Inv	683.00
15605 Sprinkler Insp: CH, Lib, EH 1/	509 CR Fireline Inc		
Invoice number.: 55774-6	1 Libr Sprk Insp Otr 1/09	Inv	310.00
A101-7341-07.0.0-000 - Buildings/Grounds Maintenance	*** Account total ***		1,086.50
A101-7343-03.0.0-000 - Vehicle Maintenance			
15617 PW Misc Charges 1/09	2349 US Bank Corp Pymt System		
Invoice number.: 1/09	6 PW Veh Mtn 1/09	Inv	754.93
A101-7343-03.0.0-000 - Vehicle Maintenance	*** Account total ***		754.93
A101-7343-06.0.0-000 - Vehicle Maintenance			
15596 PD Vehicle Tow 1/09	2339 Ace Towing Road Service		
Invoice number.: 39534	1 PD Vehicle Tow 1/09	Inv	45.00
15597 PD Vehicle Tow 1/09	2339 Ace Towing Road Service		
Invoice number.: 39504	1 PD Vehicle Tow 1/09	Inv	40.00
15618 PD Misc Charges 1/09	2349 US Bank Corp Pymt System		
Invoice number.: 01/22/09	5 PD Car Washes & Fluid 1/09	Inv	35.21
A101-7343-06.0.0-000 - Vehicle Maintenance	*** Account total ***		120.21
A101-7344-03.0.0-000 - Vehicles: Gas, Oil & Supplies			
15617 PW Misc Charges 1/09	2349 US Bank Corp Pymt System		
Invoice number.: 1/09	1 PW Gas 1/09	Inv	1,168.73
A101-7344-03.0.0-000 - Vehicles: Gas, Oil & Supplies	*** Account total ***		1,168.73
A101-7344-06.0.0-000 - Vehicles: Gas, Oil & Supplies			
15618 PD Misc Charges 1/09	2349 US Bank Corp Pymt System		
Invoice number.: 01/22/09	1 PD Gas 1/09	Inv	1,393.37
A101-7344-06.0.0-000 - Vehicles: Gas, Oil & Supplies	*** Account total ***		1,393.37

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Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A101-7346-03.0.0-000 - HVAC Mtn & Repairs 15610 CH HVAC Rpr Wtr Pump 12/08 Invoice number.: 1352811	1265 ACCO Engineered Systems 1 CH HVAC Rpr Wtr Pump 12/08	Inv	370.00
A101-7346-03.0.0-000 - HVAC Mtn & Repairs	*** Account total ***		370.00
A101-7346-07.0.0-000 - HVAC Mtn & Repairs 15609 Libr HVAC Rpr Actuators 12/08 Invoice number.: 1352421	1265 ACCO Engineered Systems 1 Libr HVAC Rpr Actuators 12/08	Inv	2,199.86
A101-7346-07.0.0-000 - HVAC Mtn & Repairs	*** Account total ***		2,199.86
A101-7373-03.0.0-000 - Education & Training 15617 PW Misc Charges 1/09 Invoice number.: 1/09	2349 US Bank Corp Pymt System 4 PW Renewal Memberships 1/09	Inv	645.00
A101-7373-03.0.0-000 - Education & Training	*** Account total ***		645.00
A101-7373-06.0.0-000 - Education & Training 15618 PD Misc Charges 1/09 Invoice number.: 01/22/09	2349 US Bank Corp Pymt System 6 PD Ammo 1/09	Inv	1,130.88
A101-7373-06.0.0-000 - Education & Training	*** Account total ***		1,130.88
A101-7382-05.0.0-000 - Election Services 15599 General Election 11/08 Invoice number.: 863	110 CCC Clerk Elections Division 1 General Election 11/08	Inv	13,738.98
A101-7382-05.0.0-000 - Election Services	*** Account total ***		13,738.98
A101-7411-08.0.0-000 - Professional Services Retainer 15611 Eng Svc 1/24-2/6/09 Invoice number.: 8738-8750	116 PERMCO, Inc. 1 Eng Svc 1/24-2/6/09	Inv	2,789.50
Invoice number.: 8738-8750	3 Reverse #8738	Inv	387.50
Invoice number.: 8738-8750	6 Clytn Comm Ch P1 #8747	Inv	387.50
A101-7411-08.0.0-000 - Professional Services Retainer	*** Account total ***		3,564.50
A101-7417-03.0.0-000 - Janitorial Service 15583 Janitorial Services for 1/09 Invoice number.: Jan2009	468 J & R Floor Services 3 City Hall 1/09	Inv	449.87

Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A101-7417-03.0.0-000 - Janitorial Service	*** Account total ***		449.87
A101-7417-06.0.0-000 - Janitorial Service			
15583 Janitorial Services for 1/09	468 J & R Floor Services 5 PD 1/09	Inv	225.00
Invoice number.: Jan2009			
A101-7417-06.0.0-000 - Janitorial Service	*** Account total ***		225.00
A101-7417-07.0.0-000 - Janitorial Service			
15583 Janitorial Services for 1/09	468 J & R Floor Services 2 Library 1/09	Inv	2,175.00
Invoice number.: Jan2009			
A101-7417-07.0.0-000 - Janitorial Service	*** Account total ***		2,175.00
A101-7417-09.0.0-000 - Janitorial Service			
15583 Janitorial Services for 1/09	468 J & R Floor Services 1 Comm Pk Svc 1/09	Inv	1,000.00
Invoice number.: Jan2009			
	7 Comm Pk Supplies 1/09	Inv	98.87
Invoice number.: Jan2009			
A101-7417-09.0.0-000 - Janitorial Service	*** Account total ***		1,098.87
A101-7419-01.0.0-000 - Other Professional Services			
15573 Video City Council Mtg 2/3/09	1467 LarryLogic Productions 1 Video CC Mtg 2/3/09	Inv	337.50
Invoice number.: 922			
A101-7419-01.0.0-000 - Other Professional Services	*** Account total ***		337.50
A101-7419-06.0.0-000 - Other Professional Services			
15581 PD-Crossing Guard WE 1/31/09	1538 All City Management Services, 1 PD-Crossing Guard WE 1/31/09	Inv	406.35
Invoice number.: 15508			
15598 PD Medical Wst Disp 2-4/09	2507 Stericycle Inc 1 PD Medical Wst Disp 2-4/09	Inv	165.84
Invoice number.: 3000333817			
A101-7419-06.0.0-000 - Other Professional Services	*** Account total ***		572.19
A101-7419-09.0.0-000 - Other Professional Services			
15565 Monthly Svc 1/09	170 Western Exterminator 3 Park-Ext Svc 1/09	Inv	40.50
Invoice number.: 413902			
A101-7419-09.0.0-000 - Other Professional Services	*** Account total ***		40.50

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Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A101-7421-03.0.0-000 - Greenwaste Recycling 15600 BAROC Waste Prev Camp 2008 Invoice number.: 01/26/09	2102 CCC Treasurer 1 BAROC Waste Prev Camp 2008	Inv	43.00
A101-7421-03.0.0-000 - Greenwaste Recycling	*** Account total ***		43.00
A101-7425-06.0.0-000 - Crime Lab 15575 PD-Crime Lab 10-12/08 Invoice number.: CLPD-408	641 CCC Office of the Sheriff-Coro 1 PD Crime Lab 10-12/08	Inv	721.93
A101-7425-06.0.0-000 - Crime Lab	*** Account total ***		721.93
A101-7426-06.0.0-000 - Jail Booking Fee 15568 Booking Fees 12/08 Invoice number.: 12/08	416 CCC Auditor-Controller 1 Booking Fees 12/08	Inv	114.00
15569 Booking Fees 11/08 Invoice number.: 11/08	416 CCC Auditor-Controller 1 Booking Fees 11/08	Inv	76.00
A101-7426-06.0.0-000 - Jail Booking Fee	*** Account total ***		190.00
A101-7430-08.0.0-000 - Well Monitoring Fee 15616 Adm: Misc Charges 1/09 Invoice number.: 1/22/09	2349 US Bank Corp Pymt System 5 Well Monitoring 12/09	Inv	1,546.50
A101-7430-08.0.0-000 - Well Monitoring Fee	*** Account total ***		1,546.50
A201-7335-00.0.0-000 - Gas & Electricity 15577 Service 1/09 (Small Master) Invoice number.: 01/09	113 PG&E 5 Traffic Sgn & St Lt 1/09	Inv	221.00
A201-7335-00.0.0-000 - Gas & Electricity	*** Account total ***		221.00
A201-7412-00.0.0-000 - Engineering/Inspection Service 15611 Eng Svc 1/24-2/6/09 Invoice number.: 8738-8750	116 PERMCO, Inc. 4 Gas Tax Insp #8739	Inv	823.50
Invoice number.: 8738-8750	7 Pavement Proj #8748	Inv	2,379.69
Invoice number.: 8738-8750	8 2009 Arterial Overlay #8749	Inv	2,874.38
Invoice number.: 8738-8750	9 Reverse Billing #8730	Inv	1,125.06

Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A201-7412-00.0.0-000 - Engineering/Inspection Service	*** Account total ***		7,202.63
A210-7335-00.0.0-000 - Gas & Electricity			
15577 Service 1/09 (Small Master)	113 PG&E		
Invoice number.: 01/09	2 Clock Service 1/09	Inv	29.44
Invoice number.: 01/09	3 Outdoor Lt Service 1/09	Inv	115.02
Invoice number.: 01/09	4 Irrigation Service 1/09	Inv	174.88
A210-7335-00.0.0-000 - Gas & Electricity	*** Account total ***		319.34
A210-7338-00.0.0-000 - Water Services			
15607 City Water Usage 12/08-1/09	67 Contra Costa Water Dist.		
Invoice number.: H Sr 12/08-1/09	9 No Vally Park 12/08-1/09	Inv	38.05
Invoice number.: H Sr 12/08-1/09	11 City Irrigation 12/08-1/09	Inv	3,381.74
A210-7338-00.0.0-000 - Water Services	*** Account total ***		3,419.79
A210-7419-00.0.0-000 - Other Professional Services			
15571 OH Waterfall Mtn & Rpr 1/09	2266 Rock N Waterfall Co		
Invoice number.: 220888	1 OH Waterfall Mtn 1/09	Inv	650.00
Invoice number.: 220888	2 OH Waterfall Rpr 1/09	Inv	141.14
15592 Tree Trimming & Removal 1/09	358 Waraner Brothers		
Invoice number.: 8341	1 Tree Trimming & Removal 1/09	Inv	900.00
15603 OH Waterfall Mtn 2/09	2266 Rock N Waterfall Co		
Invoice number.: 220898	1 OH Waterfall Mtn 2/09	Inv	650.00
A210-7419-00.0.0-000 - Other Professional Services	*** Account total ***		2,341.14
A211-7419-00.0.0-000 - Other Professional Services			
15583 Janitorial Services for 1/09	468 J & R Floor Services		
Invoice number.: Jan2009	6 Grove Park Janitorial 1/09	Inv	1,000.00
A211-7419-00.0.0-000 - Other Professional Services	*** Account total ***		1,000.00

Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A212-7412-00.0.0-000 - Engineering/Inspection Service 15611 Eng Svc 1/24-2/6/09 Invoice number.: 8738-8750	116 PERMCO, Inc. 2 OH GHAD #8750	Inv	638.38
Invoice number.: 8738-8750	10 Reverse Billing #8730	Inv	-1,125.06
A212-7412-00.0.0-000 - Engineering/Inspection Service	*** Account total ***		-486.68
A212-7413-00.0.0-000 - Legal Services 15567 GHAD Legal Fees 1/09 Invoice number.: 1116	159 Turner, Huguet & Adams 1 GHAD Legal Fees 1/09	Inv	888.00
A212-7413-00.0.0-000 - Legal Services	*** Account total ***		888.00
A214-7311-00.0.0-000 - General Supplies 15617 PW Misc Charges 1/09 Invoice number.: 1/09	2349 US Bank Corp Pymt System 5 PW Streetlight Parts 1/09	Inv	30.06
A214-7311-00.0.0-000 - General Supplies	*** Account total ***		30.06
A216-7412-00.0.0-000 - Engineering/Inspection Service 15564 SWP45-07 & C&D Refund Invoice number.:	2506 Sandy & George Beckham 5 Inspections11/10-1/26/09	Paid	269.75
A216-7412-00.0.0-000 - Engineering/Inspection Service	*** Account total ***		269.75
A216-7419-00.0.0-000 - Other Professional Services 15572 PW Wash Rack Mtn 1/09 Invoice number.: 36086	2133 American Cleanway Inc 1 PW Wash Rack Mtn 1/09	Inv	225.00
15602 PW Wash Rack Repair 2/09 Invoice number.: 36170	2133 American Cleanway Inc 1 PW Wash Rack Repair 2/09	Inv	123.41
A216-7419-00.0.0-000 - Other Professional Services	*** Account total ***		348.41
A222-7612-00.0.0-000 - Interest Payment 15589 Debt Svc IMP 8-02 3/09 Invoice number.: 03/09	1750 Wells Fargo Bank, N.A. 1 Debt Svc IMP 8-02 3/09	Inv	6,099.75
A222-7612-00.0.0-000 - Interest Payment	*** Account total ***		6,099.75

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Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A301-7361-00.0.0-000 - Advertising			
15584 EH Yellow Page Ad 2/09	2014 AT&T Yellow Pages 1 EH Yellow Page Ad 2/09	Inv	232.00
Invoice number.: 01/25/09			
A301-7361-00.0.0-000 - Advertising	*** Account total ***		232.00
A302-1362-00.0.0-000 - Note Receivable P.A.M.			
15619 Loan Payment #6 2/09	1168 Diamond Terrace c/o PAM 1 Loan Payment #6 2/09	Inv	200,000.00
Invoice number.: 2/13/09 #6			
A302-1362-00.0.0-000 - Note Receivable P.A.M.	*** Account total ***		200,000.00
A302-7520-00.0.0-008 - 280 Stranahan LMI-Bamberger			
15588 Service LMI 280 Stranahan 1/09	113 PG&E 1 Service LMI 280 Stranahan 1/09	Inv	10.04
Invoice number.: 01/09			
15616 Adm: Misc Charges 1/09	2349 US Bank Corp Pymt System 6 Fed EX Mailing 1/09	Inv	21.68
Invoice number.: 1/22/09			
A302-7520-00.0.0-008 - 280 Stranahan LMI-Bamberger	*** Account total ***		31.72
A303-7520-00.0.0-106 - Clayton Rd Trail Connection			
15611 Eng Svc 1/24-2/6/09	116 PERMCO, Inc. 11 Eng Svc #8746	Inv	5,418.13
Invoice number.: 8738-8750			
A303-7520-00.0.0-106 - Clayton Rd Trail Connection	*** Account total ***		5,418.13
A420-7612-00.0.0-000 - Interest Payment			
15576 CFD 90-1 Debt Svc Int 3/09	1404 US Bank Trust National Assoc 1 CFD 90-1 Debt Svc Int 3/09	Inv	152,007.65
Invoice number.: 95442900 3/09			
A420-7612-00.0.0-000 - Interest Payment	*** Account total ***		152,007.65
A501-7413-00.0.0-000 - Legal Services			
15590 Legal Svcs 1/09	2469 Michel & Fackler APC 1 Legal Svcs 1/09	Inv	705.82
Invoice number.: 10397			
15612 Legal Services 1/09	2469 Michel & Fackler APC 1 Legal Services 1/09	Inv	183.84
Invoice number.: 10409			
A501-7413-00.0.0-000 - Legal Services	*** Account total ***		889.66

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 Invoice Distribution Report

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Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A601-2730-00.0.0-000 - Deposits In Trust			
15613 Refund UP 04-08 Deposit 2/09	2510 Clayton Mind & Body		
Invoice number.: Ref UP 04-08	1 Refund UP 04-08 Deposit 2/09	Inv	996.53
A601-2730-00.0.0-000 - Deposits In Trust	*** Account total ***		996.53
A601-2731-00.0.0-283 - Pine HollowEstCashBondLenox Ho			
15615 Pine Hollow Est Proj Refund 2/	2509 Lenox Homes		
Invoice number.:	2 Pine Hollow Est Proj Rfnd 2/09	Inv	1,000.00
A601-2731-00.0.0-283 - Pine HollowEstCashBondLenox Ho	*** Account total ***		1,000.00
A601-2739-00.0.0-000 - Clayton Community Library Foun			
15586 Library Volunteer 2/09	1160 Arlene H. Kikkawa-Nielsen		
Invoice number.: 02/09	1 Library Volunteer 2/09	Inv	745.00
A601-2739-00.0.0-000 - Clayton Community Library Foun	*** Account total ***		745.00
A601-2740-00.0.0-139 - Community Svc Reimbursement			
15594 Comm Pk Equip Rental 1/09	167 Wally's Rental Center, Inc.		
Invoice number.: 66410	1 Comm Pk Equip Rental 1/09	Inv	185.70
15608 Comm Pk-Sand for Pig Dmg 1/09	1176 Contra Costa Topsoil		
Invoice number.: 82700-61	1 Comm Pk-Sand for Pig Dmg 1/09	Inv	5,910.45
15617 PW Misc Charges 1/09	2349 US Bank Corp Pymt System		
Invoice number.: 1/09	7 Ballfield Sod 1/09	Inv	6,897.14
A601-2740-00.0.0-139 - Community Svc Reimbursement	*** Account total ***		12,993.29
A601-2740-00.0.0-179 - PineHollow SPR09-04,ZOA 06-04			
15615 Pine Hollow Est Proj Refund 2/	2509 Lenox Homes		
Invoice number.:	4 Pine Hollow Est Proj Rfnd 2/09	Inv	-1,599.42
A601-2740-00.0.0-179 - PineHollow SPR09-04,ZOA 06-04	*** Account total ***		-1,599.42
A601-2740-00.0.0-472 - OAK St. Mixed Use 01-08			
15611 Eng Svc 1/24-2/6/09	116 PERMCO, Inc.		
Invoice number.: 8738-8750	5 Reverse #8730	Inv	-387.50
A601-2740-00.0.0-472 - OAK St. Mixed Use 01-08	*** Account total ***		-387.50

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Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A601-2741-00.0.0-077 - Oak Creek Canyon Plan Ck Dep 15611 Eng Svc 1/24-2/6/09 Invoice number.: 8738-8750	116 PERMCO, Inc. 12 Eng Svc #8742	Inv	300.00
A601-2741-00.0.0-077 - Oak Creek Canyon Plan Ck Dep	*** Account total ***		300.00
A601-2741-00.0.0-153 - Seeno Grading Insp (10351) 15611 Eng Svc 1/24-2/6/09 Invoice number.: 8738-8750	116 PERMCO, Inc. 13 Eng Svc #8740	Inv	41.50
A601-2741-00.0.0-153 - Seeno Grading Insp (10351)	*** Account total ***		41.50
A601-2741-00.0.0-179 - Pine Hollow Est Envir Deposit 15615 Pine Hollow Est Proj Refund 2/ Invoice number.:	2509 Lenox Homes 3 Pine Hollow Est Proj Rfnd 2/09 Inv	Inv	76.75
A601-2741-00.0.0-179 - Pine Hollow Est Envir Deposit	*** Account total ***		76.75
A601-2742-00.0.0-179 - Pine Hollow Estates Plan Ck 15614 Pine Hollow Est Proj Refund 2/ Invoice number.:	1929 Focus Realty Service, Inc. 1 Pine Hollow Est Proj Rfnd 2/09 Inv	Inv	74.50
15615 Pine Hollow Est Proj Refund 2/ Invoice number.:	2509 Lenox Homes 1 Pine Hollow Est Proj Rfnd 2/09 Inv	Inv	7,058.46
A601-2742-00.0.0-179 - Pine Hollow Estates Plan Ck	*** Account total ***		7,132.96
A601-2744-00.0.0-077 - AD Seeno Oak Crk Cyn SW26-06 15611 Eng Svc 1/24-2/6/09 Invoice number.: 8738-8750	116 PERMCO, Inc. 14 Eng Svc #8743	Inv	41.50
A601-2744-00.0.0-077 - AD Seeno Oak Crk Cyn SW26-06	*** Account total ***		41.50
A601-2744-00.0.0-189 - Riessen SW Permit 17-05 15611 Eng Svc 1/24-2/6/09 Invoice number.: 8738-8750	116 PERMCO, Inc. 17 Eng Svc #8741	Inv	41.50
A601-2744-00.0.0-189 - Riessen SW Permit 17-05	*** Account total ***		41.50
A601-2744-00.0.0-288 - Flora Square SWP 47-07 15611 Eng Svc 1/24-2/6/09 Invoice number.: 8738-8750	116 PERMCO, Inc. 15 Eng Svc #8745	Inv	197.50
A601-2744-00.0.0-288 - Flora Square SWP 47-07	*** Account total ***		197.50

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Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A601-2744-00.0.0-329 - Lemke Diablo Pt SW permit28-06 15611 Eng Svc 1/24-2/6/09 Invoice number.: 8738-8750	116 PERMCO, Inc. 16 Eng Svc #8744	Inv	41.50
A601-2744-00.0.0-329 - Lemke Diablo Pt SW permit28-06	*** Account total ***		41.50
A601-2744-00.0.0-381 - Gonzalez SW Permit 18-07 15611 Eng Svc 1/24-2/6/09 Invoice number.: 8738-8750	116 PERMCO, Inc. 18 Eng Svc #8741	Inv	41.50
A601-2744-00.0.0-381 - Gonzalez SW Permit 18-07	*** Account total ***		41.50
A601-2744-00.0.0-399 - T. Dudley SW Permit 39-07 15611 Eng Svc 1/24-2/6/09 Invoice number.: 8738-8750	116 PERMCO, Inc. 19 Eng Svc #8741	Inv	41.50
A601-2744-00.0.0-399 - T. Dudley SW Permit 39-07	*** Account total ***		41.50
A601-2744-00.0.0-461 - G Beckham SW Permit 45-07 15564 SWP45-07 & C&D Refund Invoice number.:	2506 Sandy & George Beckham 4 Refund SW45-07 deposit	Paid	1,211.50
A601-2744-00.0.0-461 - G Beckham SW Permit 45-07	*** Account total ***		1,211.50
A601-2744-00.0.0-467 - P Hollingsworth SW Permit02-08 15611 Eng Svc 1/24-2/6/09 Invoice number.: 8738-8750	116 PERMCO, Inc. 20 Eng Svc #8741	Inv	41.50
A601-2744-00.0.0-467 - P Hollingsworth SW Permit02-08	*** Account total ***		41.50
A601-2744-00.0.0-487 - Lance Brick SWP 12-08 15611 Eng Svc 1/24-2/6/09 Invoice number.: 8738-8750	116 PERMCO, Inc. 21 Eng Svc #8741	Inv	41.50
A601-2744-00.0.0-487 - Lance Brick SWP 12-08	*** Account total ***		41.50
A601-2744-00.0.0-495 - D. Lombardo SWP 25-08 15611 Eng Svc 1/24-2/6/09 Invoice number.: 8738-8750	116 PERMCO, Inc. 22 Eng Svc #8741	Inv	41.50
A601-2744-00.0.0-495 - D. Lombardo SWP 25-08	*** Account total ***		41.50

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 Invoice Distribution Report

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Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A601-2744-00.0.0-504 - Mikde Roberts SWP 26-08			
15601 Refund SWP 26-08 Dep 2/09	2508 Michael Roberts		
Invoice number.: SWP 26-08	1 Refund SWP 26-08 Dep 2/09	Inv	1,502.00
15611 Eng Svc 1/24-2/6/09	116 PERMCO, Inc.		
Invoice number.: 8738-8750	23 Eng Svc #8741	Inv	41.50
A601-2744-00.0.0-504 - Mikde Roberts SWP 26-08	*** Account total ***		1,543.50
A601-2744-00.0.0-510 - Carol O'Neil SWP 23-08			
15611 Eng Svc 1/24-2/6/09	116 PERMCO, Inc.		
Invoice number.: 8738-8750	24 Eng Svc #8741	Inv	41.50
A601-2744-00.0.0-510 - Carol O'Neil SWP 23-08	*** Account total ***		41.50
A601-2744-00.0.0-513 - West Valley Bldr SWP 24-08			
15611 Eng Svc 1/24-2/6/09	116 PERMCO, Inc.		
Invoice number.: 8738-8750	25 Eng Svc #8741	Inv	41.50
A601-2744-00.0.0-513 - West Valley Bldr SWP 24-08	*** Account total ***		41.50
A601-2745-00.0.0-461 - Beckham C&D Deposit			
15564 SWP45-07 & C&D Refund	2506 Sandy & George Beckham		
Invoice number.:	1 C&D Refund	Paid	2,000.00
A601-2745-00.0.0-461 - Beckham C&D Deposit	*** Account total ***		2,000.00
A601-2750-00.0.0-001 - Clayton First Night Fund			
15574 DV Gym Janitorial NYE 12/08	512 Mt. Diablo Unified School Dist		
Invoice number.: AR200027	1 DV Gym Janitorial NYE 12/08	Inv	584.00
15616 Adm: Misc Charges 1/09	2349 US Bank Corp Pymt System		
Invoice number.: 1/22/09	7 Misc NYE Supplies 12/09	Inv	1,211.71
A601-2750-00.0.0-001 - Clayton First Night Fund	*** Account total ***		1,795.71
A702-7332-00.0.0-000 - Telephone			
15604 Local Phone Svc 1/09	1243 AT&T/CalNet		
Invoice number.: 01/09	6 EH Local Phone 1/09	Inv	58.88
A702-7332-00.0.0-000 - Telephone	*** Account total ***		58.88

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City of Clayton
Invoice Distribution Report

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Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A702-7341-00.0.0-000 - Buildings/Grounds Maintenance			
15565 Monthly Svc 1/09	170 Western Exterminator		
Invoice number.: 413902	4 End Hall Ext Svc 1/09	Inv	87.00
15605 Sprinkler Insp: CH, Lib, EH 1/	509 CR Fireline Inc		
Invoice number.: 55774-6	2 EH Sprk Insp Qtr 1/09	Inv	200.00
A702-7341-00.0.0-000 - Buildings/Grounds Maintenance	*** Account total ***		287.00
* Report total *	*** Total ***		481,161.33



Agenda Date: 2-17-09

Agenda Item: 4c

STAFF REPORT

Approved:

Gary A. Napper
City Manager/Executive Director

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: MERRY PELLETIER

DATE: FEBRUARY 17, 2009

SUBJECT: INVESTMENT PORTFOLIO REPORT SECOND QUARTER FY 2008-2009

RECOMMENDATION:

Accept the Investment Portfolio Report for the Second Quarter Fiscal Year 2008-09 ending December 31, 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 Second Quarter 2008-09 Fiscal Year report is provided herein.

FISCAL IMPACT

With the second quarter of the fiscal year completed, interest earnings for the General Fund are now at 28.28% of the '08-09 Budget for a total of \$42,425. Average annual interest yield for the past 3 months was 3.98% compared to 4.19% in the prior period however the interest yield has dropped 22.3% compared to a year ago when the rate was 5.25%. City interest earnings through the second quarter totaled \$378,821 compared to \$526,472 a year ago. This is a decrease of 28% and is a reflection of not only the declining rates but many investments being called that were at premium rates. Over 43.9% of the current investment portfolio is invested in Local Agency Investment Funds (LAIF) an increase of 25.5% compared to the prior quarter. This increase is temporary due to the receipt of our property tax allocation received on December 16th. The LAIF quarterly apportionment rate for December was 2.54% a decrease from 2.77% in the prior quarter. Our Certificates of Deposit (CD) total 55.9% of our portfolio a decrease of 2.3% 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, 69% of our investments were in LAIF with a rate of 4.8% interest. In the past

twenty four 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 December 31, 2008 was \$16,529,594 compared to \$16,639,651 in December 2007. Our investment portfolio carrying value of \$16,344,304 is \$185,290 less than current market value showing the strength of our investments in a rapidly declining economy.

CONCLUSION

As interest rates continue to decrease our interest revenues will be negatively impacted. LAIF interest rates have continued to decline to 2.54% in December. 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 1.74% in December 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 (46%) and then staggered less than one year (7%), two years (9%), three years (19%), 4 years (9%) and 5 years (10%). 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 Second Quarter Fiscal Year 2008-2009 Report
(October 1, 2008 – December 31, 2008)

City of Clayton Investment Portfolio
October 1, 2008 - December 31, 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:	\$ 7,232,684.35	2.54%				\$ 7,254,479.40
Financial North Eastern CD's						
Texas Community Bank	\$ 99,000.00	4.85%	4.50%	01/11/08	01/12/09	\$ 99,111.00
Pinnacle Bank	\$ 99,000.00	4.83%	4.50%	01/14/08	01/14/09	\$ 99,129.00
Tn Commerce Bank	\$ 100,000.00	4.50%	4.14%	01/22/08	01/22/09	\$ 100,184.00
Capital One FSB Falls Church	\$ 100,000.00	2.97%	2.92%	03/15/07	03/13/09	\$ 99,971.00
Baylake Bank Sturgeon Bay, Wis	\$ 99,000.00	3.60%	3.60%	04/28/08	10/28/09	\$ 100,083.00
Advantia Bank	\$ 99,000.00	4.80%	4.50%	01/10/08	12/10/09	\$ 100,982.00
Texas Community Bank	\$ 100,000.00	3.72%	3.72%	12/19/08	12/18/09	\$ 100,870.00
Columbia St Bank	\$ 100,000.00	4.00%	4.00%	02/01/08	02/01/10	\$ 101,445.00
NBT Bank Natl Assn Norwich	\$ 99,000.00	3.70%	3.70%	03/19/08	09/19/08	\$ 100,111.00
Flushing Savings Bank, NY	\$ 99,000.00	3.65%	3.65%	04/30/08	04/30/09	\$ 100,027.00
First St Bank Flagstaff	\$ 99,000.00	3.75%	3.75%	03/24/08	09/24/10	\$ 100,047.00
Select Bank Grand Rapids	\$ 99,000.00	3.65%	3.65%	03/28/08	09/28/10	\$ 99,879.00
State Bk India New York	\$ 100,000.00	5.00%	5.00%	10/30/07	11/01/10	\$ 103,237.00
Enterprise National Bank Palm Beach	\$ 100,000.00	5.00%	5.00%	10/07/07	11/08/10	\$ 103,250.00
First Fed Bank CA	\$ 100,000.00	4.35%	4.35%	11/26/08	11/24/10	\$ 102,088.00
1st Financial Bank USA	\$ 98,000.00	5.10%	4.74%	12/17/07	12/17/08	\$ 99,787.00
Key Bank C/D	\$ 99,000.00	4.90%	4.80%	12/26/07	12/27/10	\$ 102,908.00
Washington Mut Bank Henderson	\$ 97,000.00	4.50%	4.50%	01/16/08	01/14/11	\$ 99,318.00
Newbank	\$ 100,000.00	4.25%	4.00%	01/23/08	01/24/11	\$ 102,484.00
Washington Mut Bank Park City	\$ 99,000.00	3.90%	3.90%	03/19/08	09/19/08	\$ 100,130.00
Bank Nev Las Vegas	\$ 99,000.00	3.75%	3.75%	03/26/08	03/28/11	\$ 99,809.00
Commerce Bank Geneva	\$ 99,000.00	3.60%	3.60%	03/28/08	03/28/11	\$ 99,491.00
Community First Bank Harrison	\$ 99,000.00	3.70%	3.70%	03/28/08	03/28/11	\$ 99,703.00
Paragon Coml Bank, Raleigh NC	\$ 100,000.00	4.00%	4.00%	05/09/08	05/09/11	\$ 101,289.00
Peach State Bank, Gainesville	\$ 99,000.00	4.00%	4.00%	06/06/08	06/06/11	\$ 100,228.00
New Frontier Bank Colorado	\$ 99,000.00	3.85%	3.85%	03/31/08	07/01/11	\$ 99,821.00
Bank Fairfield Washington	\$ 99,000.00	4.50%	4.50%	07/18/08	07/18/11	\$ 101,342.00
Bay Cities Bank Tampa FL	\$ 99,000.00	4.55%	4.58%	09/02/08	09/02/11	\$ 101,395.00
Nicolet Natl Bank Wisconsin	\$ 100,000.00	4.00%	4.09%	03/14/08	09/14/11	\$ 101,020.00
Business First Bank Baton Rouge	\$ 99,000.00	4.00%	4.09%	03/26/08	09/26/11	\$ 99,979.00
Investors Community Bank	\$ 99,000.00	3.90%	4.00%	04/18/08	10/18/11	\$ 99,659.00
Beach Business Bank Manhattan	\$ 100,000.00	5.00%	4.99%	11/23/07	11/23/11	\$ 100,389.00
First GTY Bank & Amp TR CO	\$ 99,000.00	5.00%	4.98%	12/15/06	12/15/11	\$ 102,504.00
VIST Bank	\$ 99,000.00	3.75%	3.75%	12/29/08	12/29/11	\$ 100,695.00
City Bank Lynnwood, WA	\$ 100,000.00	3.00%	3.00%	12/31/08	12/30/11	\$ 97,893.00
Wachovia Bk FSB Houston	\$ 97,000.00	4.50%	4.55%	01/16/08	01/17/12	\$ 99,037.00
BMW Bk North America, Salt Lake	\$ 99,000.00	4.00%	4.12%	03/19/08	03/19/12	\$ 99,609.00
Imperial Capital Bank, La Jolla	\$ 99,000.00	4.00%	4.12%	03/28/08	03/28/12	\$ 99,598.00
Monona St Bank Wisconsin	\$ 99,000.00	3.80%	3.94%	03/28/08	03/28/12	\$ 99,007.00
National City Bank, Cleveland	\$ 99,000.00	4.00%	4.12%	03/31/08	04/02/12	\$ 99,592.00
Franklin Templeton Bank, SL City, Utah	\$ 99,000.00	4.00%	4.12%	04/18/08	04/18/12	\$ 99,581.00
Clayton Bk & TR Knoxville, TN	\$ 99,000.00	4.65%	4.71%	07/09/08	07/09/12	\$ 101,559.00
GE Money Bk Salt Lake City, UT	\$ 99,000.00	4.15%	4.15%	07/09/08	12/18/12	\$ 99,742.00
GE CAP FINL Inc	\$ 99,000.00	4.15%	4.15%	12/18/08	12/18/12	\$ 99,742.00
Wachovia Mtg FSB Las Vegas	\$ 97,000.00	4.60%	4.60%	01/16/08	01/16/13	\$ 99,260.00
Primesouth Bank, Tallassee, ALA	\$ 99,000.00	4.05%	4.24%	04/18/08	04/18/13	\$ 98,929.00
Integrity First Bank WI	\$ 99,000.00	4.10%	4.28%	04/25/08	04/25/13	\$ 99,094.00
Goldman Sachs Bank SL City, Utah	\$ 99,000.00	4.45%	4.58%	05/07/08	05/07/13	\$ 100,402.00
M&T Bank	\$ 99,000.00	4.41%	4.51%	05/27/08	05/27/13	\$ 105,353.00
Lehman Coml Bank, Utah	\$ 100,000.00	5.00%	5.00%	06/30/08	07/01/13	\$ 102,831.00
Cole Taylor Bk Chicago, ILL	\$ 99,000.00	5.00%	5.04%	07/11/08	07/11/13	\$ 102,386.00
Flagstar Bk FSB Troy, Mich	\$ 99,000.00	5.00%	5.05%	09/19/08	09/19/13	\$ 102,215.00
Worlds Foremost	\$ 100,000.00	5.40%	5.06%	11/10/08	11/12/13	\$ 109,895.00
Sallie Mae Bk, Murray, UT	\$ 100,000.00	5.00%	5.00%	12/05/08	12/05/13	\$ 103,000.00
Discover Bank Greenwood DEL	\$ 100,000.00	4.50%	4.16%	12/18/08	12/18/13	\$ 105,933.00
Accrued Interest	\$ -					\$ 25,113.00
Net credit balance	\$ 14,001.00					\$ 14,001.00
TOTAL Financial North Eastern	\$ 5,468,001.00					\$ 5,586,137.00

City of Clayton Investment Portfolio
October 1, 2008 - December 31, 2008

Investment Description	Carrying Value	Rate	Current Yield to Maturity	Purchase Date	Maturity Date	Market Value
Multi-Bank Securities, Inc. CD's						
Cash Account	\$ 4,482.62					\$ 4,482.62
GMAC Automotive Bk Midvale	\$ 97,000.00	5.60%	5.60%	07/19/06	07/17/09	\$ 98,773.16
R-G Crown Casselberry, FL	\$ 100,000.00	5.40%	5.40%	11/22/06	11/23/09	\$ 100,149.00
Wachovia Bk FSB, Houston, TX	\$ 98,000.00	4.30%	4.30%	02/29/08	03/07/13	\$ 99,029.98
TOTAL Multi-Bank Securities:	\$ 299,482.62					\$ 302,434.76
Morgan Stanley						
Cash Account	\$ 135.57					\$ 135.57
Republic Bank Inc Bountiful, UT	\$ 99,000.00	4.55%	4.47%	01/16/08	09/16/09	\$ 100,669.14
Tifton Bkg Co., GA	\$ 99,000.00	4.55%	4.46%	12/31/07	12/31/09	\$ 100,925.55
Bank First National, WIS	\$ 98,000.00	3.70%	3.65%	03/13/08	03/12/10	\$ 99,098.58
Bloomfield St Bank, IN	\$ 99,000.00	4.00%	3.94%	06/25/08	06/25/10	\$ 100,443.42
Southern Community Bank, Fayetteville	\$ 99,000.00	3.70%	3.66%	04/23/08	10/25/10	\$ 99,938.52
Security Bank Gwinnett County	\$ 99,000.00	4.60%	4.48%	12/27/07	12/27/10	\$ 101,562.12
Commerce National Bk, Columbus, Ohio	\$ 99,000.00	4.50%	4.39%	01/10/08	01/10/11	\$ 101,378.97
American Chartered Bank	\$ 98,000.00	3.95%	3.90%	03/19/08	03/21/11	\$ 99,219.12
Crescent St Bank, North Carolina	\$ 99,000.00	3.75%	3.72%	04/23/08	04/22/11	\$ 99,757.35
Medallion Bank, Salt Lake City	\$ 98,000.00	3.90%	3.85%	04/25/08	04/25/11	\$ 99,056.44
Darby Bank, Vidalia, GA	\$ 98,000.00	3.90%	3.85%	04/23/08	04/25/11	\$ 99,057.42
M&I Marshall & Isley Bank	\$ 98,000.00	4.00%	3.95%	05/23/08	05/23/11	\$ 99,228.92
Merrick Bank, UT	\$ 97,000.00	4.30%	0.19%	06/20/08	06/20/11	\$ 98,845.91
Washington TR RI	\$ 97,000.00	4.50%	4.39%	07/09/08	07/11/11	\$ 99,282.41
Irwin Un BK & TR, Columbus, Ind	\$ 98,000.00	4.05%	4.00%	04/25/08	10/25/11	\$ 99,011.36
First Business BK, Madison, WI	\$ 98,000.00	4.10%	4.05%	05/16/08	11/16/11	\$ 99,084.86
Morgan Stanley Bank, SLC, UT	\$ 97,000.00	4.45%	4.36%	11/28/08	11/28/11	\$ 98,981.71
American Express Centurion, SLC, UT	\$ 98,000.00	3.75%	3.74%	12/24/08	12/27/11	\$ 98,016.66
Florida Cmnty BK, Immokalee, FL	\$ 99,000.00	4.50%	4.40%	06/27/08	12/27/11	\$ 101,103.75
Capital One Bank, Glen Allen, VA	\$ 98,000.00	4.00%	3.97%	03/12/08	03/12/12	\$ 98,610.54
Byron Bank, Michigan	\$ 98,000.00	3.90%	3.88%	03/14/08	03/14/12	\$ 98,316.54
Alliance Bank, Syracuse, NY	\$ 98,000.00	4.05%	4.01%	03/24/08	03/21/12	\$ 98,746.76
Allianta Business BK, GA	\$ 99,000.00	4.20%	4.15%	05/28/08	05/29/12	\$ 100,159.29
Centennial BK, Fountain Vy, CA	\$ 99,000.00	4.25%	4.19%	05/30/08	05/30/12	\$ 100,315.71
Queensborough Natl Bk	\$ 99,000.00	4.65%	4.53%	07/16/08	07/16/12	\$ 101,580.93
Citizens Bank, Flint, Mich.	\$ 99,000.00	5.00%	4.81%	12/28/07	12/28/12	\$ 102,824.37
Capmark Bank, Midvale, UT	\$ 99,000.00	5.00%	4.99%	01/25/08	01/25/13	\$ 99,149.49
American Cmnty BK, Woodstock	\$ 99,000.00	4.10%	4.09%	04/25/08	04/25/13	\$ 99,094.05
Broadway Bk, Chicago, IL	\$ 99,000.00	4.15%	4.13%	04/30/08	04/30/13	\$ 99,268.29
Amcore Bk, Rockford, IL	\$ 97,000.00	4.25%	4.22%	04/25/08	04/25/13	\$ 97,654.75
Mutual BK, Harvey, IL	\$ 99,000.00	4.50%	4.43%	05/23/08	05/23/13	\$ 100,558.26
American Express Bank, SLC, UT	\$ 97,000.00	4.75%	4.66%	12/24/08	12/24/13	\$ 98,748.91
TOTAL Morgan Stanley	\$ 3,147,135.57					\$ 3,189,825.67
RBC Wealth Management						
Temecula VY Bank	\$ 99,000.00	3.25%	3.25%	12/18/08	06/28/10	\$ 99,370.26
North Milwaukee Stk Bank, WI	\$ 98,000.00	3.50%	3.50%	12/18/08	12/23/11	\$ 97,347.32
Total RBC Wealth Management	\$ 197,000.00					\$ 196,717.58

	Carrying Value	Percentage of Portfolio	Average Yield to Maturity		
Local Agency Investment Funds	\$ 7,232,684.35	43.89%	2.540%	\$	7,254,479.40
Financial Northeastern	\$ 5,468,001.00	33.79%	4.242%	\$	5,586,137.00
Multi-Bank Securities	\$ 299,482.62	1.83%	5.100%	\$	302,434.76
Morgan Stanley	\$ 3,147,135.57	19.30%	4.047%	\$	3,189,825.67
RBC Dain Rauscher	\$ 197,000.00	1.19%	3.375%	\$	196,717.58
Grand Total Investment Portfolio:	\$ 16,344,303.54	100.00%		\$	16,529,594.41

2008-09 Budgeted Interest-General Fund \$ 150,000
2008-09 Budgeted interest Received-General Fund \$ 42,425
Percent of General Fund Budget Received 28.28%

2008-09 Average Annual Yield 4.83%
2008-09 Total Interest Income to date \$ 378,821

Finance Manager *Mary Pickett* Date: *2/13/09*
City Treasurer *[Signature]* Date: *2/13/09*

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: 2-19-09

Agenda Item: 4d

STAFF REPORT

Approved: _____

Gary A. Napper
City Manager/Executive Director

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: RICK ANGRISANI, CITY ENGINEER

DATE: FEBRUARY 17, 2009

SUBJECT: RESOLUTION ADDING THE 2009 ARTERIAL OVERLAY PROJECT TO THE CITY'S CAPITAL IMPROVEMENT PROGRAM, OBLIGATING GAS TAX FUNDS FOR PRELIMINARY WORK AND PLAN PREPARATION, AND AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS AND TO AWARD A CONSTRUCTION CONTRACT TO THE LOWEST RESPONSIBLE BIDDER.

RECOMMENDATION

Adopt Resolution.

BACKGROUND

The City submitted an application to the Metropolitan Transportation Commission (MTC) for \$550,000 in funding from the federal American Recovery and Reinvestment Act of 2009 (ARRA) for the 2009 Arterial Overlay Project.

The regulations of ARRA require that a construction contract be awarded within 90 days of enactment. It is anticipated that the Act will be signed on or around February 16th which means that the contract must be awarded by May 16th.

Since these are federal funds, we are required to process the plans and environmental reviews through Caltrans. Upon approval of the Final Environmental Clearance by Caltrans, we can submit the plans, specifications and estimate (PS&E) to Caltrans. Upon approval of the PS&E, Caltrans will issue a federal Authorization to Proceed (E-76) and we can then advertise for bids. We are required to allow a minimum of three weeks for bid submittals (though there is a possibility that Caltrans may be able to reduce this to two weeks).

Based upon discussions with Caltrans, the time schedule is as follows:

Date: February 17, 2009

Page 2 of 2

Feb. 16 (0 days)	Submit draft Final Environmental Clearance for Caltrans review/approval
March 16 (30 days)	Receive Final Environmental Clearance and submit PS&E and E-76 request to Caltrans
April 16 (60 days)	Obligation of funds (receive E-76) and advertise for bids
May 7 (81 days)	Open bids (assumes 3-week bid period)
May 15 (89 days)	Award contract

With only 8 days between the bid opening and the mandated contract award date, the imposed time constraint is extremely tight and difficult, and it would require a special Council meeting to evaluate the bids and present a contract to the City Council for award. Therefore, Caltrans has recommended City Councils authorize their City Manager to award the contract to the lowest responsible bidder and execute the contract on behalf of the City in order to accomplish the requirements within the timeline. This authorization is, of course, based upon the contract, and related construction costs, not exceeding the grant amount. While unusual in process, staff recommends in this instance that the City Manager be granted this one-time authorization with the caveat that he shall subsequently cause to be prepared and presented a written report to the Council regarding the bids received and the contract award at the first regularly scheduled Council meeting after the actual award of contract.

FISCAL IMPACT

The requested funding from the ARRA is \$550,000 and is based upon the allocation determined by MTC for all Bay Area cities and counties. While there is no local match requirement for this grant, federal funds cannot be used for expenses prior to issuance of an E-76. Therefore, the City must pay for the application, processing and plan preparation using its own funds. It is estimated that these costs will not exceed \$25,000.

Staff recommends that Gas Tax funds be used for these preliminary costs as they are the appropriate source of monies for street improvement purposes. The allocation of such funds in this Fiscal Year may cause a short-term deficit in Gas Tax monies until next fiscal year's disbursements are made.

CONCLUSION

Based upon the circumstances above, Staff recommends approval of this Resolution adding the 2009 Arterial Overlay Project to the Capital Improvement Program as CIP Project No. 10412, allocating funding in the amount of \$25,000 from Gas Tax Funds and authorizing the City Manager to advertise for bids and to award a construction contract to the lowest responsible bidder.

Attachments: Resolution

RESOLUTION NO. -2009

A RESOLUTION ADDING THE 2009 ARTERIAL OVERLAY PROJECT TO THE CITY'S CAPITAL IMPROVEMENT PROGRAM, OBLIGATING GAS TAX FUNDING FOR THE PRELIMINARY WORK AND PLAN PREPARATION, AND AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS AND TO AWARD A CONSTRUCTION CONTRACT TO THE LOWEST RESPONSIBLE BIDDER FOR THE 2009 ARTERIAL OVERLAY PROJECT USING THE FEDERAL ECONOMIC STIMULUS FUND ALLOCATION

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

WHEREAS, the City has submitted an application to the Metropolitan Transportation Commission (MTC) for \$550,000 in funding from the federal American Recovery and Reinvestment Act of 2009 (ARRA) for a 2009 Arterial Overlay Project; and

WHEREAS, the regulations of ARRA require that a construction contract be awarded within 90 days of enactment which enactment is expected to be on or around February 16th; and

WHEREAS, the City is responsible for the costs of the application and preparation of the construction plans and bid package which are not anticipated to exceed \$25,000; and

WHEREAS, the required plan processing and bid advertising time makes it impractical to open bids and present a contract to the City Council for formal award within the specified 90 day period.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Clayton, California does hereby order a 2009 Arterial Overlay Project be added to the City's Capital Improvement Program as CIP Project No. 10412 and that \$25,000 in funds be allocated from the City's Gas Tax fund account; and

IT IS FURTHER RESOLVED that the City Manager is hereby authorized to advertise for construction bids, award a construction contract to the lowest responsible bidder and execute the said contract on behalf of the City of Clayton, provided such contract does not increase the obligations of the City beyond the amount of the final ARRA grant. The City Manager is herewith directed to cause the preparation and presentation of a written report to the City Council regarding the bid results and the award of the contract at the first regularly scheduled meeting of the City Council after the contract is awarded.

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California at a regular public meeting thereof held on the 17th day of February 2009 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

THE CITY COUNCIL OF CLAYTON, CA

JULIE K. PIERCE, Mayor

ATTEST:

Laci J. Jackson, City Clerk

I hereby certify that the foregoing resolution was duly and regularly passed by the City Council of the City of Clayton at a regular meeting held on February 17, 2009.

Laci J. Jackson, City Clerk



Agenda Date: 2-19-09

Agenda Item: 4e

Approved:

Gary A. Napper
City Manager/Executive Director

AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: CITY MANAGER

DATE: 17 FEBRUARY 2009

SUBJECT: REMITTANCE OF STATE – IMPOSED SHIFT OF REDEVELOPMENT FUNDS

RECOMMENDATION

It is recommended the City Council approve and authorize the Mayor to inform the Contra Costa County Auditor in writing that the Clayton Redevelopment Agency will remit the shift of \$404,570.00 in local redevelopment agency funds to the County on or before 10 May 2009, in compliance with a California State Budget mandate for FY 2008-09.

BACKGROUND

On 23 September 2008, approximately 84 days late, California Governor Arnold Schwarzenegger signed a State Budget that at the time had a deficit of \$15.2 billion. Despite opposition from cities with redevelopment agencies, part of the State's solution to close its financial gap was to take yet another sum of local redevelopment monies from cities and counties that have redevelopment agencies. Ignoring the fiscal irresponsibility of this action, the theft also lacked equity in applying the pain to all local governments as those cities and local public agencies not having redevelopment agencies were not affected financially by this State Budget adoption.

At its regular meeting held on 07 October 2008, the City Council was forced by this State action to adopt a Resolution amending its City Budget (adopted in June 2008) to address the questionable theft of redevelopment monies. City Resolution No. 54-2008 ordered Capital Improvement Project No. 10400 – Downtown Economic Development reduced by \$406,515 in this year's Budget since the monies in this CIP account are transferred tax increment revenues of the Agency for eligible capital improvements. It was noted the amount of seized monies were the best projection known at the time, awaiting ultimate calculation by the State Department of Finance. The \$406,515 constituted nearly 50% of the net discretionary monies the Clayton Redevelopment Agency expected in FY 2008-09.

STATE DEPARTMENT OF FINANCE NOTIFICATION

On 12 November 2008, the City of Clayton and its Redevelopment Agency received official notification from the State Department of Finance that our local obligation in this statewide shift of \$350 million in redevelopment agency revenues will amount to \$404,570.00 [see letter – Attachment 1].

The legislative statute imposing the seizure of local funds further requires the legislative body of each redevelopment agency (i.e. its city council or board of supervisors) to formally report to its county auditor by 01 March 2009 as to how the agency intends to remit the required amount. It is noted in the law, and in the letter, that an agency's failure to remit the required amount by 10 May 2009 will automatically cause the county auditor to withhold the like amount of monies from the property tax allocation due the legislative body (the city). And finally, a redevelopment agency cannot remit its share of State Budget funds from its Low – Moderate Income Housing set-aside revenues.

The Clayton Redevelopment Agency always requests the County disperse 100% of our local tax increment revenues due the Agency to allow the Agency to earn interest income on the full amount for FY 2008-09. Therefore, consistent with City Budget action occurring in October 2008, it is recommended the Mayor be authorized by the City Council to inform the County Auditor in writing that the City of Clayton will, reluctantly and under protest, remit its \$404,570.00 to the County Auditor on or before 10 May 2009.

FISCAL IMPACT

The Clayton Redevelopment Agency, and by extension the City of Clayton, will lose the opportunity to use \$404,570 in redevelopment agency monies available this fiscal year for the purpose of improving economic health and vitality in the Clayton Town Center.

By this continuing action of the State of California, since 1991 the City of Clayton has now lost approximately \$5 million in local taxpayers' monies to the State of California to aid the state's chronic fiscal mismanagement [see Attachment 2].

- Attachments:
1. November 2008 letter from CA Dept. of Finance [2 pp.]
 2. Chart of Clayton's net loss of local revenues since 1991 [1 pg.]



DEPARTMENT OF
FINANCE
OFFICE OF THE DIRECTOR

ARNOLD SCHWARZENEGGER, GOVERNOR
STATE CAPITOL ■ ROOM 1145 ■ SACRAMENTO CA ■ 95814-4998 ■ WWW.DOF.CA.GOV

November 12, 2008

TO ALL COUNTY AUDITORS, REDEVELOPMENT AGENCIES, AND THEIR LEGISLATIVE BODIES:

Chapter 751, Statutes of 2008, requires redevelopment agencies to shift \$350 million in property tax revenues to K-12 schools and community colleges during the 2008-09 fiscal year. The Director of Finance is required to determine an amount each redevelopment agency shall transfer to the Education Revenue Augmentation Fund (ERAF). It further requires the Director of Finance to notify each redevelopment agency and legislative body of the amount determined.

In accordance with the above requirements, the attached document provides the amount determined for your redevelopment agency.

Each agency must allocate the specified amount to the county auditor for deposit into the ERAF on or before May 10, 2009. By March 1, the legislative body shall report to the county auditor how the agency intends to remit the amount required, or that the legislative body intends to remit the amount in lieu of the agency pursuant to Section 33687 of the Health and Safety Code. If an agency determines that it will not be able to allocate the full amount required, it may enter into an agreement with its legislative body by February 15, 2009, to fund the difference between the full amount required and the amount available for allocation by the agency.

If the legislative body, pursuant to Section 33685 of the Health and Safety Code, reported to the county auditor that it intended to remit the amount in lieu of the agency and the legislative body fails to transmit the full amount as authorized by May 10, 2009, the county auditor, no later than May 15, 2009, shall transfer an amount necessary to meet the obligation from the legislative body's allocations pursuant to Chapter 6 (commencing with Section 95) of Part 0.5 of Division 1 of the Revenue and Taxation Code. If the amounts of the legislative body's allocation are not sufficient to meet this obligation, the county auditor shall transfer an additional amount necessary to meet this obligation from the property tax increment revenue apportioned to the agency pursuant to Section 33670, provided that no moneys allocated to the agency's Low and Moderate Income Housing Fund shall be used for this purpose.

If you have any questions regarding this matter, please contact Chris Hill, Principal Program Budget Analyst, at (916) 322-2263.

MICHAEL C. GENEST
Director
By:

ANA MATOSANTOS
Chief Deputy Director

Attachment

Received

NOV 12 2008

City of Clayton

STATE MONETARY "TAKE AWAYS"

1991 through 2008-09

<u>CITY</u>	NET LOSS 1991 THRU FY 07-08	ERAF SHIFT FY 08- 09	NET LOSS
CLAYTON	(\$4,548,839)*	(\$404,570)	-\$4,953,409

* DATA TALLIED AND SUPPLIED BY THE LEAGUE OF CA CITIES. NUMBER ACTUALLY HIGHER IF NO STATE CREDIT TAKEN FOR VOTER-APPROVED PROPOSITION 172 (PUBLIC SAFETY) FUNDS.

ERAF = EDUCATIONAL RELIEF AUGMENTATION FUND (STATE'S OBLIGATION TO FUND PUBLIC SCHOOLS)



Agenda Date: 2-19-09

Agenda Item: 8a

Approved:

Gary A. Napper
City Manager/Executive Director

AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: DAVID WOLTERING, COMMUNITY DEVELOPMENT DIRECTOR 

DATE: 17 FEBRUARY 2009

SUBJECT: AMENDMENT TO SECTION 17.44.020A. (SITE PLAN REVIEW PERMIT REQUIRED) OF THE *CLAYTON MUNICIPAL CODE* FOR THE PURPOSE OF ADDING CLARIFICATION THAT ALLOWING ADMINISTRATIVE APPROVAL OF SPECIFIED MINOR ADDITIONS TO SINGLE-STORY SINGLE-FAMILY RESIDENCES ALSO APPLIES TO SPECIFIED MINOR ADDITIONS TO MULTI-STORY SINGLE-FAMILY RESIDENCES (ZOA 02-08)

RECOMMENDATION

Approve Introduction and First Reading of Ordinance No. 421 amending Section 17.44.020A. (Site Plan Review Permit Required) of the *Clayton Municipal Code* for the purpose of adding clarification to allow administrative approval of specified minor additions to multi-story single-family residences (ZOA 02-08)

BACKGROUND

On December 2, 2008, the City Council formally adopted Ordinance No. 419, which had been recommended for approval by the City's Planning Commission. Adoption of this Ordinance allowed for greater administrative review and approval of specified minor additions to single-family residences. Essentially, the scope of administrative review and approval of minor additions to single-family residences was expanded to include those proposed additions at rear and interior side elevations up to 16 feet in height or extension of existing single-story rooflines and up to 750 square feet in area from the prior thresholds of 12 feet in height and 500 square feet in area, respectively. It is anticipated that increasing the thresholds will result in more applications for Site Plan Review Permit approval to be handled administratively by staff without additional review by the Planning Commission. These applications will still need to comply with the "Standards for Review" described in Chapter 17.44 and the applicable development standards (e.g., setback requirements, lot coverage restrictions, etc.) stated in the zoning district standards applicable to the project being reviewed. It had been the experience of the staff and the Planning Commission that the range of projects that will be added for administrative review had been non-controversial

and that the applicable standards and staff-level review had appropriately addressed the review requirements for those projects. Moreover, it was anticipated that the approval of this amendment would streamline the permitting process for the specified projects, resulting in reduced costs and processing time for applicants and the opportunity for staff to allocate its time to other activities as opposed to bringing these applications for additional review by the Planning Commission.

AMENDMENT PROPOSAL

Subsequently, at the City Council meeting of January 6, 2009, there was discussion among Council members about whether Ordinance No. 419 was clear that administrative review and approval would apply to minor additions meeting all stated criteria (e.g., up to 750 square feet in area, up to 16 feet in height or involving the extension of a single-story roofline, etc.) for multi-story as well as single-story residences. The City Council concluded that Chapter 17.44 of the Clayton Municipal Code should be further amended to clarify that administrative review and approval would apply to multi-story as well as single-story residences that satisfy the stated criteria. Consequently, the Council directed staff to prepare and process an amendment to consider the necessary clarification.

Staff has prepared the needed amendment and presented it to the City's Planning Commission at a noticed public hearing on January 27, 2009. The Commission unanimously recommended City Council approval of that amendment. The amendment is now before the City Council for first reading and introduction. If the Council approves this reading and introduction, the Ordinance would be brought back to the Council for second reading and adoption. The amendment would then become effective 30 days later.

Again, this proposed amendment simply adds clarification that the Chapter Section 17.44.020 provisions apply to minor additions ***"whether to a single-story or a multi-story single-family residence"*** as long as the stated criteria are satisfied. In conclusion, both the Planning Commission and staff are recommending that the City Council take the necessary actions to adopt proposed Ordinance No. 421.

Attachments:

- A Proposed Ordinance No. 421
- B Recently Adopted Ordinance No. 419 that Amended Chapter 17.44 of the Municipal Code
- C Excerpt from January 27, 2009 Planning Commission Minutes
- D Chapter 17.44

ORDINANCE NO. 421

**AN ORDINANCE
AMENDING SECTION 17.44.020A. (SITE PLAN REVIEW PERMIT REQUIRED) OF
THE CLAYTON MUNICIPAL CODE FOR THE PURPOSE OF ADDING
CLARIFICATION TO ALLOW ADMINISTRATIVE APPROVAL OF SPECIFIED
MINOR ADDITIONS TO MULTI-STORY SINGLE-FAMILY 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 provided 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, Chapter 17.56 of the Municipal Code authorizes the City Council to amend Title 17 (Zoning) of the Municipal Code; and

WHEREAS, an amended version of Section 17.44.020 was 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, the Clayton Planning Commission held a duly-noted public hearing on October 28, 2008 to consider the amendment to 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 that 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 pertaining to the amendment to Section 17.44.020; and

WHEREAS, on December 2, 2008, the City Council adopted the amendment in the form of Ordinance No. 419, determining the following: the amendment to be in conformance with the General Plan; adoption of the ordinance supports the public necessity, convenience, and general welfare; the adoption of the amendment qualifies as a minor alteration of land use limitation for a categorical exemption from the California Environmental Quality Act in accordance with Section 15305 of the State CEQA Guidelines; and found there was 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; and

WHEREAS, on January 6, 2009, at a regular meeting of the City Council, Council members raised concerns that Ordinance No. 419 may not have sufficient clarification that the provisions of the amendment allowing expanded administrative review of minor additions to single-family residences applies to both single-story as well as multi-story single-family residences when stated criteria are satisfied and, accordingly, Council directed staff to prepare a further amendment to Section 17.44.020 to provide the needed clarification; and

WHEREAS, staff prepared and presented to the City's Planning Commission at a duly noticed public hearing on January 27, 2009 an amendment to Section 17.44.020 to provide the needed clarification; and

WHEREAS, the Planning Commission considered all testimony, comment and documents pertaining to amendment of 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; determined the adoption of the amendment qualified as a minor alteration of land use limitation for a categorical exemption from the California Environmental Quality Act in accordance with Section 15305 of the State CEQA Guidelines; and found there was no evidence that the amendment 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; and, therefore, recommended City Council approval of the amendment; and

WHEREAS, at duly noticed public hearings on February 17, 2009, and on _____ 2009, the City Council received the recommendation of the Planning Commission, the related staff report and other documents and public testimony concerning the amendment and 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; determined the adoption of the amendment qualified as a minor alteration of land use limitation for a categorical exemption from the California Environmental Quality Act in accordance with Section 15305 of the State CEQA Guidelines; and found there was no evidence that the amendment 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 17.44.020A. 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, *whether to a single-story or a multi-story single-family residence* (enclosed or unenclosed) over 16 feet in height except for an extension of an existing single-story roofline;...." [Italics added only to clarify text change (addition)]

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 February 17, 2009.

Passed, adopted, and ordered posted by the City Council of the City of Clayton at a regular meeting thereof held on _____, 2009, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

THE CITY COUNCIL OF CLAYTON

Julie K. Pierce, Mayor

ATTEST

Laci J. Jackson, City Clerk

APPROVED AS TO FORM

APPROVED BY ADMINISTRATION

J. Daniel 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 February 17, 2009, and was duly adopted, passed, and ordered posted at a regular meeting of the City Council held on _____, 2009.

Laci J. Jackson, City Clerk

ZOA\2008\02-08.ord4

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 Section 15305 of the State CEQA Guidelines; and

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: Mayor Pierce, Vice Mayor Stratford, Councilmembers Geller, Medrano and Shuey.

NOES: None.

ABSENT: None.

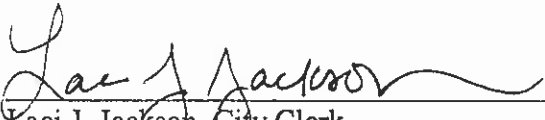
ABSTAIN: None.

THE CITY COUNCIL OF CLAYTON



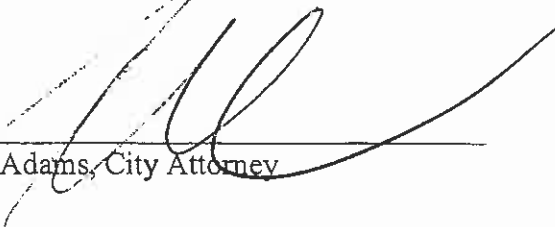
Julie K. Pierce, Mayor

ATTEST



Laci J. Jackson, City Clerk

APPROVED AS TO FORM



Dan Adams, City Attorney

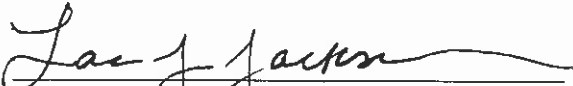
APPROVED BY ADMINISTRATION



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

Minutes
City of Clayton Planning Commission Meeting
Thursday, January 27, 2009

Attachment C

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.

By consensus, the Planning Commission moved Item 3B ahead of Item 3A.

1B. Chair Catalano to report at the February 3, 2009 City Council meeting.

Approval of Minutes

2. Approval of minutes from the meeting of January 13, 2009.

Chair Catalano moved and Commissioner Haydon seconded a motion to approve the minutes from the meeting of December 18, 2008, as amended. The motion passed 5-0.

Public Hearings

3B. **ZOA 02-08, Municipal Code Amendment, City of Clayton.** An amendment of Chapter 17.44 (Site Plan Review Permits) of the Clayton Municipal Code to allow for administrative review and approval of specified minor single-story additions to multi-story single family residences.

The public hearing was opened. Director Woltering presented the staff report.

Vice Chair Hartley inquired about the proposed clarification wording.

Commissioner Armstrong indicated that the clarification wording conveys what the Commission initially intended.

Chair Catalano moved and Commissioner Haydon seconded a motion to recommend City Council adoption of the proposed replacement ordinance to Ordinance No. 419. The motion passed 5-0.

Chair Haydon recused himself from the meeting because he resides within 500 feet of the location of the Site Plan Review being considered under Item 3A.

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)

MINUTES
OF THE
REGULAR MEETING
CLAYTON REDEVELOPMENT AGENCY

Agenda Date: 2-19-09

Agenda Item: 3a RDA

February 3, 2009

1. **CALL TO ORDER & ROLL CALL** - the meeting was called to order at 7:47 p.m. by Chairman Shuey at the Library Community Room, 6125 Clayton Road, Clayton, CA. **Boardmembers present:** Chairman Shuey, Vice Chairman Medrano, Geller, Stratford, and Pierce. **Staff present:** Executive Director Napper, City Engineer Angrisani, Secretary Jackson, and General Counsel Adams.

2. **PUBLIC COMMENTS** – None.

3. **CONSENT CALENDAR-** It was moved by Boardmember Pierce, seconded by Boardmember Geller to approve the Consent Calendar as submitted (Passed; 5-0 vote).

(a) Approved the minutes of the regular meeting of January 20, 2008.

4. **PUBLIC HEARING** – None.

5. **ACTION ITEMS**

(a) Presentation, review and Board approval of final design plans for Daffodil Hill joint Beautification Project with Clayton Business and Community Association (CBCA), modification and installation of new Downtown gateway signage, construction of new Trail segment from the Longs Drug Store site westward to intersect with the existing path at the Clayton Road – old Marsh Creek Road intersection, and placement of two tractors donated by CBCA at designated sites on public properties (CIP Project Nos. 10402 and 10403).

The City Engineer presented the staff report stating two years ago the CBCA approached the City about a beautification project on the hill near the town center area. The expanded project is to include new Town Center directional signs, a sitting/contemplation area, lighting, and landscaping. The multi-purpose project has been incorporated with the Trail connection from Longs Drug store to achieve economies of scale.

There are two different CBCA committees, the Tractor Committee and the Beautification Committee and each of these committees would like to see some things done differently with the hill. The Tractor Committee proposed two tractors be placed in the City, one on the hill and one near the Clayton Community Library. The Beautification committee does not believe the tractor is appropriate for the hillside and suggests the tractor be moved to the Black Diamond Plaza area in the corral so it will be visible to patrons at The Grove park. The second tractor would be placed on side of the Library adjacent to the flag pole area. City Maintenance staff has provided preliminary maintenance plans for the hillside

and has suggested low maintenance and drought resistant plant along with heat resistant concrete for the sitting area.

The Redevelopment Agency allocated \$150,000 for the trail connection, and Town Center directional signs; CBCA has voted to donate \$60,000 to the beautification project and has allocated \$10,000 for the tractors. The City Engineer stated due to the water rationing expected to take place in the near future it is suggested by staff not to plant landscaping until the drought is over.

Boardmember Pierce asked if the sign on the hill and the directional signs had two different kinds of stone? The City Engineers stated the large sign was to be ledge stone and the directional signs were to have river rock for harmony with the rest of the Town Center area.

Boardmember Pierce also asked why the fence was moved from corral area? The City Engineer stated the tractor would be less visible if the fence remains where it is but the tractor could be moved further from the road if the Board prefers.

Boardmember Geller inquired about the slope of the pad for the tractor placement. The City Engineer stated the pad is near the sidewalk.

Boardmember Pierce stated since the beginning she has been troubled by the library entrance location for the tractor and wondered if the City Engineer had looked at the south side of the Library as a possible location? The City Engineer responded he would have to look into the specifics of the area.

Public Comments

Dee Munk, Contra Costa County Farm Bureau, stated the Farm Bureau wanted to see the tractors in town at visible locations because it represents the agrarian history of Clayton.

Synthia Harolao, President of the Mt. Diablo Trail Riders Association, stated her group would like to see the corral kept the way it is now [without a tractor].

Boardmember Geller and Chairman Shuey questioned Ms. Harola about the present-day use of the corral for horses and the history of use.

Dale Brooks stated he had been a citizen of Clayton and in the Clayton area for a long time. He worked on the Black Diamond Plaza and the trails system. He stated he was 100% for the tractors in fairness to the people who had already paid for them, and urged the Board to consider how the plaza/corral area was developed and reasons for having it there.

Chairman Shuey asked Mr. Brooks how often he used the corral. Mr. Brooks stated approximately 4-5 times a year with never less than 5 horses and never more than 8 horses at one time.

Susan Fossan, CBCA Beautification Committee, stated the committee began working on this project in the summer of 2005. The Committee was formed in order to beautify the entrance to the City, add new signage, plant drought resistant plants, and overall, make the hillside more appealing. She stated the committee worked diligently with the City Manager and the City Engineer on plans for the project. They also received approval from the CBCA for \$60,000 to be used for the project. The Committee was not aware

until after the fact that the City Council had approved the tractors to be placed in the project area. She stated the Committee was afraid the tractor would change the focus from the sign to the tractor and asked the Board to revoke the tractors placement on the hill. She stated the Committee realizes the tractor is a reference to Clayton's agrarian past but the Committee was hoping to bring the City into the 21st century. She stated the tractor would be better suited for the Library and the corral area. She concluded by thanking the City for their work on the project.

Pete Laurence, CBCA Tractor Committee, presented the Board with a handout and a book showing Clayton's rural agricultural past. He stated the tractor which is to be placed on the hillside is earth tone and should blend in well. He stated he did not believe the corral would be a bad location for the tractor but he was afraid people might think it is junk since it is old and rusted. He stated the tractors have already been purchased and they are a great reminder of the history of Clayton.

Janice Trezise stated she likes the idea of the tractors though she is concerned about the safety at the library site. She stated the project contains too much landscaping and lighting, and believes the hardscape should be omitted in favor of natural grasses. She commented it is difficult to get the City to take care of existing landscaping. She does like the decomposed granite on the trail.

Vice Chairman Medrano thanked the committees for their hard work. He stated he likes the signage directing people to downtown but believes the estimated \$20,000 to maintain the landscaping is not logical especially during a drought. He stated as a Risk Manager, he is not comfortable with the tractors because of liability and maintenance issues they will create over time. He stated as a newer resident of Clayton he believes our heritage has already been preserved and he is against the tractors.

Boardmember Stratford stated he wants the directional signs to have arrows pointing people to the Town Center and to have the signs read "Clayton Town Center" instead of "Clayton". He stated he likes the ideas of the tractors but struggles with where they should be located. He thinks the tractor would look nice on the hill but is not excited about the one at the library.

Boardmember Pierce stated a lot of hard work has gone into the plans. She stated she has struggled since the beginning with the library location for the tractor and would like to see the tractor in the Black Diamond Plaza corral. She thinks it should be placed toward the back side of the corral where it is visible but not too close to the street. She suggested the Library Courtyard as a possible location for the tractor and stated an alternate location could be established. She really likes the landscaping but does not think it should be planted until the water issues are solved and believes the rocks and hardscape are a great addition to the hill without the tractor.

Boardmember Geller agreed there should be arrows on the directional signs. He stated his first concern with the plans was the tractor placement at the Library because it is too close to the road. He stated he liked the idea of placing the tractor behind the library near the creek where it would be seen from Clayton Road. He stated the hillside location for the tractor was interesting but he was concerned with the slope. He stated tractors will take away from the look and the corral seems like it would be a good place for one of the tractors.

Chairman Shuey stated current council's can not bind future council's decisions. He stated he believes the Library spot is great and there is still a sidewalk in between the driveway and the tractor. He stated he is satisfied the prior Council looked at all possible

locations and he stated he recalls the corral area being discussed. He stated he likes the idea of the tractor being in the corral area.

Vice Chairman Medrano stated he believes the corral site is an attractive nuisance.

Boardmember Stratford believes remembering the past is important and he is okay with both tractors locations as proposed so long as they are placed somewhere.

Pete Laurence stated given the extra cost to put in the resilient surfacing the Committee hoped the tractor would be more visible. He noted in front of the Library closer to the building might be an option and it might not even require special lighting in that location since there is a light pole there. He then added the Committee was okay with the corral.

The City Engineer stated the location near the front of the Library would be a good location.

The Executive Director stated at a minimum the Project's hardscape should be installed with irrigation and electrical lines stubbed out, but watering and landscaping should wait for the final phase of the Project.

The Board discussed the stone faces of the two directional signs. Boardmember Stratford thinks the rocks should remain as proposed.

Jim Seven, Beautification Committee, stated after further reflection he did not see the point of the contemplation area.

It was moved by Boardmember Pierce, seconded by Vice Chairman Medrano to approve the combined Project as submitted without the tractor on the hill, use ledge stone for the large Clayton sign and river rock for Clayton Town Center directional signs, add arrows to the directional signs, and authorize construction drawings and bidding of the Project bids documents (Passed; 5-0 vote).

It was moved by Boardmember Pierce, seconded by Boardmember Geller to approve the tractor locations: 1) in the corral back from the street, with cleaned up the vegetation so they are visible; 2) at the library but closer to the building on the south side (Passed; 4-1 vote, Medrano-no).

6. **BOARD ITEMS** – None.

7. **ADJOURN** – on call by Chairman Shuey the meeting adjourned at 9:40 p.m.

Respectfully submitted,

Laci J. Jackson, Secretary

Clayton Redevelopment Agency Board

David T. Shuey, Chairman



Agenda Date: 2-19-09

Agenda Item: 5a RDA

Approved:

Gary A. Napper
City Manager/Executive Director

AGENDA REPORT

TO: HONORABLE CHAIRMAN AND BOARD MEMBERS

FROM: EXECUTIVE DIRECTOR

DATE: 17 FEBRUARY 2009

SUBJECT: CONSIDERATION OF PHASE III PROPOSAL – RETAIL RECRUITMENT
CLAYTON TOWN CENTER RETAIL STRATEGY

RECOMMENDATION

It is recommended by the Council Economic Development Sub-Committee (Mayor Pierce and Council Member Shuey) and the City Manager/Executive Director that the Agency Board of Directors approve and allocate funding of the Phase III Proposal by Economic Development Systems (EDS) for retail commercial recruitment and implementation services, pursuant to the City of Clayton's Retail Strategy for the Clayton Town Center.

The action includes modified acceptance of the Phase III Proposal by EDS (Attachment 1) and authorization of funding allocation in the amount of \$99,960.00 (\$84,000 + expense cap) from Capital Improvement Project No. 10400 – Downtown Economic Development, which source of funds is tax increment revenue of the Clayton Redevelopment Agency. The Phase III Proposal is mutually modified (and agreeable by EDS) as follows:

1. EDS will prepare and submit a concise Quarterly Report of activity to the Agency; and
2. EDS will provide on-going brief and informal emails and/or telephone updates to the Executive Director regarding activities and progress.

BACKGROUND

On 15 January 2008, the Board of Directors of the Clayton Redevelopment Agency approved the retention of Economic Development Systems (Mr. Jim Harrigan, Managing Principal) to perform a retail marketing opportunities analysis of the Clayton Town Center. Phase I encompassed the research and analysis while Phase II resulted in EDS's submittal of a "Downtown Retail Report" considered by the Board on 18 November 2008. EDS's

conclusions for focus emphasis in the Clayton Town Center were the following retail category recommendations:

1. Recruit independent full-service restaurants (offering cuisine not in direct competition with existing restaurants in the Town Center);
2. Recruit a breakfast eatery; and
3. Recruit a jazz/blues entertainment venue.

EDS's action plan for recruiting target breakfast, lunch and dinner-house restaurants and entertainment venue will entail direct contact with potential tenants, developers and/or their respective brokers. The long-term recruitment action plan will initially focus on Bay Area restaurateurs and San Francisco entertainment impresarios, then expansion of the search parameters as necessary [ref. pages 7 through 9, Executive Summary].

At its public meeting on 18 November 2008, the RDA Board unanimously accepted the Final Draft recommendations of EDS.

PHASE III PROPOSAL

As envisioned during the initial critique of the professional services offered by EDS in 2008, the key component to be provided by EDS was the consultant's active recruitment and placement of retail businesses recommended by the consultant to revitalize the Clayton Town Center. That Phase would follow City/Agency acceptance of the Final Recommendations proposed by EDS, distinctly differentiated from past and competing consultant services offering market analyses of downtowns. The tangible benefit of Phase III is EDS's history of success in other cities bringing its market recommendations to reality, namely the recruitment and placement of its target retail businesses to the target area. Since release of the Draft Final Recommendations to the City in May 2008, EDS has been implementing this recruitment phase. The Phase III Proposal is the formal arrangement for continuation of their services.

Attachment 1 outlines the Recruitment Implementation Plan proposed by EDS for the continuing recruitment of target restaurateurs and entertainment venues to the Clayton Town Center. In recognition of Clayton's lower population base, Mr. Harrigan offers again to discount EDS's usual rate by 30% to set the hourly rate at \$175.00 (identical to Phases I & II). However, in recognition the actual recruitment efforts will require face-to-face meetings and appointments at target Bay Area independent proprietors, the expense cap has been elevated from 16% to 19% of the total hourly contract. The 480 anticipated work hours spread over 48 weeks of the ensuing year equates to an average workweek in the City's behalf of ten (10) hours per week. Attachment 2 provides a summary table of actual hours and expenses incurred to date by EDS. The January 2009 billing is expected to include EDS's listing of prospects and identification of those entities that have shown initial interest in locating in downtown Clayton.

The Council Sub-Committee on Economic Development met with the Executive Director on 03 February 2009 to review the Phase III Proposal and has recommended its approval to the full Board with the modifications as noted above.

FISCAL IMPACT

The Capital Improvement Project No. 10400 – Downtown Economic Development fund presently contains \$2,035,081 as of 31 January 2009. Since this CIP's source of funds is tax increment revenue of the Clayton Redevelopment Agency, allocation of monies from this fund for Phase III – Recruitment Implementation Plan services provided by Economic Development Systems for the Clayton Town Center is a permissible expenditure consistent with the Agency's adopted 5-Year Implementation Plan.

Attachments: 1. EDS Phase III Proposal – Recruitment Implementation Plan [3 pp.]
 2. Summary Table of Professional Service expenses in 2008 [1 pg.]

Presented

to

The City of Clayton



Jim Harrigan

and

Pat Hurst

Principals

Economic Development Systems

January 6, 2009

**PROPOSAL FOR A PHASE III - RECRUITMENT
IMPLEMENTATION OF THE EDS - CITY
OF CLAYTON RETAIL STRATEGY
IN THE CLAYTON TOWN
CENTER**

INTRODUCTION

Economic Development Systems ("EDS") is pleased to submit this proposal for professional services with respect to the above subject. It is understood that the City of Clayton wishes to hire a Retail Recruitment Consultant to recruit for the various retail components within the designated City of Clayton's commercial districts ("Program Areas").

SCOPE OF WORK

The purpose of this Phase III - Recruitment Implementation Plan will be to provide the desirable increase, upgrade and diversity in the mix of retail uses that have been recommended in the previously submitted, and accepted, *EDS - City of Clayton Retail Strategy*.

Specific goals of the program include the following:

- To implement the previously completed EDS action plan for the continuing recruitment of target restaurateurs and entertainment venues; including, if necessary, developers and/or investors.

This action plan for the recruitment of recommended target restaurateurs and entertainment venues will include direct contact with these retail categories or their respective brokers; production and delivery of specific market information per their request; ongoing, monthly review of City staff's maintenance and update of a Retail Vacancy Roster; ongoing effort to expand the original tenant roster; conduct and/or coordinate tours and meetings with potential tenants with Clayton landlords, developers or property owners; describe all Clayton Redevelopment Agency economic incentives; and, assist throughout any lease negotiation and occupancy if needed and as necessary.

PROJECT TEAM MEMBERS

Jim Harrigan (primary) and Pat Hurst (secondary), Principals of Economic Development Systems will be personally responsible for conducting and supervising the production of the assignment.

FEE SCHEDULE

January, 2009 rates for a minimum 480-hour, long-term assignment are \$250 per hour, Principal billing rate, **plus expenses**.

For Clayton, because of its lower population base, EDS will discount these rates by 30%. This reduction will set the hourly rate for Principals at \$175.00 for the term of this initial agreement, plus expenses:

Implementation - Phase III 48 Weeks - 480 Hours	
Recruitment Implementation:	\$84,000.
Total of 480 Contract Hours:	\$84,000.

EXPENSES

Direct "reimbursable expenses", include, but are not limited to, air fares; hotels; travel time; ground transportation/mileage; delivery services; demographic and/or psychographic reports; graphics, binding and printing; meals while traveling; postage; client/retailer entertainment/meals; the pro-ration, if necessary, with other client Cities/Agencies/ Associations, of costs for regional and national retail conferences (e.g., ICSC Conferences; Trade Conventions, etc.). **The maximum amount of these expenses will not exceed 19% of total hourly contract.**

ECONOMIC DEVELOPMENT SYSTEMS (EDS)

2008

	WORK HOURS	COMPENSATION	EXPENSES	CAP ON EXPENSES	TOTAL COST
Contract Allowance	500	\$ 86,000	\$ 13,760	16%	\$ 99,760
Actual	447	\$ 76,884	\$ 11,503.67	14.96%	\$ 88,387.67

Purpose

Development of Retail Strategy Plan for Clayton Town Center and Retail Recruitment Services