



AGENDA
REGULAR MEETING
* * *
CLAYTON CITY COUNCIL
TUESDAY, May 5, 2009
6:30 p.m.

*Hoyer Hall, 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 pertaining to 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 ***
May 5, 2009

6:30 p.m.

1. **CALL TO ORDER AND ROLL CALL** – Mayor Pierce.
2. **CLOSED SESSION** -Conference with Labor Negotiator
Government Code Section 54957.6.
Instructions to City-designated negotiator: City Manager
 - (a) Employee Organization: Clayton Police Officers Association (CPOA)
 - (b) Employee Organization: Undesignated City Employees Unit

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 meeting of April 7, 2009. ([View Here](#))
 - (b) Approve Financial Demands and Obligations of the City. ([View Here](#))
 - (c) Adopt a Resolution calling for the preparation of the annual Engineer's Report for levy of FY 2009-2010 assessments in the Clayton Street Lighting Assessment District (pursuant to the Street Lighting Act of 1919). ([View Here](#))
 - (d) Adopt a Resolution approving a California Department of Transportation Disadvantaged Business Enterprise Program (DBE) Implementation Agreement for Local Agencies. ([View Here](#))
5. **RECOGNITIONS AND PRESENTATIONS**
 - (a) Presentation on the proposed Reuse Plan for the Concord Naval Weapons Station. (Michael Wright, Director - Community Reuse Plan, City of Concord) ([View Here](#))

6. REPORTS

- (a) Planning Commission – no meeting held to report.
- (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 HEARINGS - None.

9. ACTION ITEMS

- (a) Discuss the scope and cost of improvements in the low bid for the proposed Town Center Entry Improvements Project (CIPs No. 10402 & 10403), and then approve the award of contract to Maxicrete, Inc. in the amount of \$199,167 for the Improvement Project. ([View Here](#))
(City Engineer)

Staff recommendation: Following discussion and Council direction concerning which elements of the Improvement Project shall be installed using Clayton Redevelopment Agency (CIP) funds and donated Clayton Business and Community Association (CBCA) monies, adopt the Resolution awarding a contract to Maxicrete, Inc. in the amount of \$199,167 as the lowest responsible bidder, and authorize the allocation of additional CIP monies to the Project.

- (b) Consider and approve the City's required Water Conservation Plan for irrigation of City facility grounds and public landscaped areas during the declared drought period starting May 1, 2009. ([View Here](#))
(Mark Janney, Maintenance Supervisor)

Staff recommendation: Following discussion and comments, approve the City's Water Conservation Plan for City facility grounds and public landscaped areas.

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

11. ADJOURNMENT – in memory of Dee Munk (1942 – 2009).
The next regularly scheduled City Council meeting is May 19, 2009.

#

MINUTES
OF THE
REGULAR MEETING
CLAYTON CITY COUNCIL

TUESDAY, April 21, 2009

Agenda Date: 5-5-09

Agenda Item: 4a

1. **CALL TO ORDER & ROLL CALL** – The meeting was called to order at 6:32 p.m. by Mayor Pierce in the Library Community Meeting Room, 6125 Clayton Road, Clayton, CA. Councilmembers present: Mayor Pierce, Vice Mayor Stratford, Councilmembers Medrano, Geller (arrived at 6:50 p.m.), and Shuey (arrived at 7:42 p.m.). Staff present: City Manager Gary Napper, Assistant City Attorney Maury Huguet, Police Chief Dan Lawrence, and City Clerk Laci Jackson.

2. **CLOSED SESSION**

- (a) *Government Code Section 54956.9(c)*, Conference with Legal Counsel
Consider Initiation of Litigation – 1 case

7:01- Report out of Closed Session: Mayor Pierce stated the three Councilmembers present for the Closed Session voted unanimously in favor of authorizing City Manager to sign an agreement with Contra Costa County and the cities of Contra Costa County to toll the statutes of limitations for claims regarding Property Tax Administration Fees. (Passed; 3-0 vote).

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

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

(a) **Information Only**

1. Notification by City of Concord announcing proposed sewer services rate increase of 4.1% (\$12 per year; from \$294 to \$306) on real property ownership in the city of Clayton.
2. Property Owner information regarding Water Conservation impacts to landscaped areas and City Code Enforcement standards.

(b) Approved the minutes of the regular meeting of April 7, 2009.

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

(d) Set April 28, 2009 at 7:00 pm in Hoyer Hall of the Clayton Community Library as the date, time and location for a joint Special Meeting with the Clayton Planning Commission to discuss and provide general instructions on a Housing Element Update required by state law.

(e) Approved a multi-year award of contract to Waraner Brothers Tree Service (Clayton) in the 3-year total amount of \$91,181.00 to perform citywide annual weed abatement services on public real properties.

5. RECOGNITIONS AND PRESENTATIONS

- (a) Proclamation declaring May 3, 2009 as "Skipolini's Day" celebrating 35 years in Clayton as the original Skipolini's Pizza Restaurant. Mayor Pierce stated the Ipsen's are out of town and could not receive the Proclamation today but that it would be presented to them upon their return.

6. REPORTS

- (a) Planning Commission – Commissioner Keith Haydon reported on the April 14th Planning Commission meeting. The Commission approved a new Sign Permit for CVS/Pharmacy at the former Longs Drug store.
- (b) Trails and Landscaping Committee –No meeting held to report.
- (c) The City Manager reported the City website has been updated and refreshed. The site now features slide shows of some of the city's parks and facilities. He thanked the City Clerk and the City's IT Consultant Jason Delmar for their hard work on the project. He reminded everyone the Clayton Cleans Up is April 25th. When asked by Mayor Pierce, he reported the Longs/ CVS in Clayton is exceeding sales expectations according to a manager who spoke with Planning Commissioner Bob Armstrong. Vice Mayor Stratford asked how the store was affecting the sales tax. The City Manager reported sales tax is up a little and stated this shows there is a market for people to shop locally.
- (d) City Council
- Councilmember Geller stated he had been working on the Shop Clayton First program with the CBCA and they are working on creating a webpage and program details.
- Vice Mayor Stratford stated the new CERT class starts on May 4th and anyone who wants more information should call 673-7355 or visit www.ClaytonCERT.org.
- Mayor Pierce attended meetings of the CCTA and Transpac where "hot lanes" for local freeways were discussed. She will be attending the ABAG General Assembly.
- (e) Other – None.

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

8. PUBLIC HEARINGS – None.

9. **ACTION ITEMS**

- (a) Consider a Resolution increasing the City's local parking ticket fee to comply with a new mandated state law (SB 1407) that imposes a state fee on each local parking citation to fund the planning, design, construction, rehabilitation, renovation, replacement, leasing or acquisition of court facilities.

The Police Chief presented the staff report and stated the purpose of the Resolution was to pass on costs and fees imposed by the State and other agencies to the violators (fee payers). He stated staff is recommending the Council adopt the Resolution to include additional fee increases required by other entities in order to allow the City to retain its share of the fees.

No public comments were offered on this subject.

It was moved by Councilmember Geller, seconded by Vice Mayor Stratford to adopt Resolution 07-2009 (Passed; 4-0 vote).

- (b) Discuss concept proposal for an Amnesty Period on "back taxes" concerning unpaid or undocumented businesses operating within the City limits without a valid City Business License.

The City Manager presented background information related to the City's Business License tax. He stated Business Licenses bring in approximately \$98,000 of revenue this year. He stated anyone doing business in the City of Clayton is required to have a license. He also stated anyone working from their home must have a Business License and a Home Occupation Permit.

Vice Mayor Stratford stated he wanted to provide amnesty for non-tax payers. He stated it would be an incentive to get more people on the tax roll because they will not have to fear back taxes. Mayor Pierce questioned whether the program would relieve the business owner of back penalties or actual back taxes owed, as each are separate. Vice Mayor Stratford stated both should be waived.

Councilmember Geller stated this program could help create more income for the City and could be tied into a Shop Clayton First program.

Councilmember Medrano stated he is completely against the idea because he does not think it is fair to businesses owners who have paid on time each year. He stated it encourages people to ignore the law.

Mayor Pierce stated anyone opening a business should know that a business license is required because it is basic "starting a Business 101". She stated she might be in favor of waiving the penalties but not the back taxes. Mayor Pierce and Councilmember Medrano stated the penalties were not an exorbitant amount of money when considering the total operations and receipts of a business.

Councilmember Shuey arrived at 7:42 p.m.

Vice Mayor Stratford stated this would not be forgiving penalties or taxes for any business already in the system yet delinquent. The program would be for anyone who was not yet in the system as a way to get them on the tax roll going forward.

Councilmember Medrano stated this program was unfair and other business owners he spoke with believed the program was unfair.

Councilmember Shuey asked what staff's opinion is about the program and how it might help to provide more income to the City. The City Manager responded staff currently seeks out new businesses in the newspaper but assigned staff also has a multitude of other tasks to accomplish and therefore can not chase every business.

Councilmember Shuey stated he does not like to see people disobeying the law but was interested in going forward with the amnesty period for a six month period. Vice Mayor Stratford and Councilmember Shuey stated that if anyone was added to the rolls the program would be worth it.

Councilmember Medrano stated this program was sending currently-licensed businesses and scofflaws a bad message.

It was moved by Vice Mayor Stratford, seconded by Councilmember Geller to approve a 6-month amnesty period beginning May 1, 2009 and ending November 1, 2009 for newly registered businesses only, exempting them from back taxes and penalties (Passed 3-2; Noes- Mayor Pierce and Councilmember Medrano).

10. **COUNCIL ITEMS** – None.

11. **ADJOURNMENT**– On call by Mayor Pierce the meeting adjourned at 8:07 p.m.

Respectfully submitted,

Laci J. Jackson, City Clerk

APPROVED BY CLAYTON CITY COUNCIL

Julie K. Pierce, Mayor



Agenda Date: 05/05/09

Agenda Item: 4b

Approved:

Gary A. Napper
City Manager/Executive Director

STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: MERRY PELLETIER, FINANCE MANAGER
DATE: May 5, 2009
SUBJECT: OBLIGATION SUMMARY

RECOMMENDATION Approve the following obligations.

<u>RUN DATE</u>	<u>OBLIGATION NUMBERS</u>	<u>TOTALS</u>
05/01/09	15821 – 15880	\$670,759.99

- **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 05/01/09 (6 pages)

Invoice Distribution Report 05/01/09 (17 pages)

Run date: 05/01/2009 @ 09:43
 Bus date: 05/01/2009

City of Clayton
 Invoices - Summary Report

OTSUM.L02 Page 1

Vendor Name / Obligat'n Description	Pre-Encumbered	Encumbered	Expensed	Paid	Stage	Stage Date
2508 Michael Roberts 15821 Refund C&D (SPR 05-08) 4/09 Obligation.....: 15821	.00	.00	.00	1,893.62	Paid	04/28/2009
	Invoice number.: C&D (SPR 05-08)					
540 Health Care Dental Trust 15822 Dental Premium 5/09 Obligation.....: 15822	.00	.00	2,243.63	.00	Inv	04/28/2009
	Invoice number.: 88652					
1316 CalPERS Health 15823 Health Insurance 5/09 Obligation.....: 15823	.00	.00	24,887.88	.00	Inv	04/28/2009
	Invoice number.: 361					
116 PERMCO, Inc. 15824 Eng Svc 4/11/09-4/24/09 Obligation.....: 15824	.00	.00	10,854.26	.00	Inv	04/28/2009
	Invoice number.: 8817-8829					
2181 CSAC Excess Insurance Authori 15825 EAP Insurance Premium 4-6/09 Obligation.....: 15825	.00	.00	321.36	.00	Inv	04/28/2009
	Invoice number.: 0920217-IN					
509 CR Fireline Inc 15826 Sprinkler Insp: CH, Lib, EH 4 Obligation.....: 15826	.00	.00	320.00	.00	Inv	04/28/2009
	Invoice number.: 56886-8					
67 Contra Costa Water Dist. 15827 City Water Usage 2-3/09 Obligation.....: 15827	.00	.00	3,915.32	.00	Inv	04/28/2009
	Invoice number.: J Series 2-3/09					
113 PG&E 15828 Svc: Irrig & Signal 4/09 (Mst Obligation.....: 15828	.00	.00	424.02	.00	Inv	04/28/2009
	Invoice number.: 4/09					
113 PG&E 15829 Service 3/09 (Small Master) Obligation.....: 15829	.00	.00	1,669.49	.00	Inv	04/28/2009
	Invoice number.: 3/09					
113 PG&E 15830 Service 4/09 (Master) Obligation.....: 15830	.00	.00	16,321.82	.00	Inv	04/28/2009
	Invoice number.: 4/09					

Run date: 05/01/2009 @ 09:43
 Bus date: 05/01/2009

City of Clayton
 Invoices - Summary Report

OTSUM.L02 Page 2

Vendor Name / Obligat'n Description	Pre-Encumbered	Encumbered	Expensed	Paid Stage	Stage Date
1243 AT&T/ CalNet 2 15831 Local Phone Svc 4/09 Obligation.....: 15831	.00 Invoice number.: 4/09	.00	913.28	.00 Inv	04/28/2009
65 Municipal Pooling Authority 15832 LTD, Life & ADD 5/09 Obligation.....: 15832	.00 Invoice number.: 5/09	.00	1,683.51	.00 Inv	04/28/2009
1966 CCC Office of the Sheriff-Fis 15833 PD Training Course White 4/09 Obligation.....: 15833	.00 Invoice number.: 09-13142	.00	206.00	.00 Inv	04/28/2009
42 City of Concord 15834 PD Vehicle Maintenance 3/09 Obligation.....: 15834	.00 Invoice number.: 14905	.00	1,677.40	.00 Inv	04/28/2009
416 CCC Auditor-Controller 15835 Booking Fees 3/09 Obligation.....: 15835	.00 Invoice number.: 3/09	.00	95.00	.00 Inv	04/28/2009
1538 All City Management Services, 15836 PD-Crossing Guard WE 4/11/09 Obligation.....: 15836	.00 Invoice number.: 16219	.00	451.50	.00 Inv	04/28/2009
201 CalPERS 15837 Retirement PPE 4/19/09 Obligation.....: 15837	.00 Invoice number.: PPE 4/19/09	.00	22,052.22	.00 Inv	04/28/2009
1467 LarryLogic Productions 15838 Video City Council Mtg 4/21/0 Obligation.....: 15838	.00 Invoice number.: 948	.00	292.50	.00 Inv	04/28/2009
898 CCC Library 15839 Additional Hrs of Svc 3rd Q 0 Obligation.....: 15839	.00 Invoice number.: 3Q 08-09	.00	1,686.82	.00 Inv	04/28/2009
2110 Sprint Comm (PW & ADM) 15840 PW & Adm Cell Phones 3/09 Obligation.....: 15840	.00 Invoice number.: 083 3/09	.00	281.83	.00 Inv	04/28/2009

Run date: 05/01/2009 @ 09:43
 Bus date: 05/01/2009

City of Clayton
 Invoices - Summary Report

OTSUM.L02 Page 3

Vendor Name / Obligat'n Description	Pre-Encumbered	Encumbered	Expensed	Paid Stage	Stage Date
641 CCC Office of the Sheriff-Cor 15841 PD-Crime Lab 3/09 Obligation.....: 15841	.00	.00	270.00	.00 Inv	04/28/2009
	Invoice number.: ClaytPD-0903				
113 PG&E 15842 LMI 280 Stranahan Svc 3/09 Obligation.....: 15842	.00	.00	8.97	.00 Inv	04/28/2009
	Invoice number.: 3/09				
113 PG&E 15843 Svc: Irrig & Signal 2/09 (Mst Obligation.....: 15843	.00	.00	442.18	.00 Inv	04/28/2009
	Invoice number.: 2/09				
1265 ACCO Engineered Systems 15844 Library, City Hall EMS 4/09 Obligation.....: 15844	.00	.00	700.00	.00 Inv	04/28/2009
	Invoice number.: 504299-301				
2533 John & Yvonne Delbene 15845 Refund EH Deposit 4/18/09 Obligation.....: 15845	.00	.00	500.00	.00 Inv	04/29/2009
	Invoice number.: EH 4/18/09				
2532 Hector & Gaylan Tovar 15846 Refund EH fees 4/17/09 Obligation.....: 15846	.00	.00	120.00	.00 Inv	04/29/2009
	Invoice number.: EH Fees 4/17/09				
2531 Pacific Sod 15847 PW Grove Sports Turf 4/09 Obligation.....: 15847	.00	.00	133.59	.00 Inv	04/29/2009
	Invoice number.: 507256				
1926 CCC Auditor-Controller 15848 RDA ERAF Shift 08-09 Obligation.....: 15848	.00	.00	404,570.00	.00 Inv	04/29/2009
	Invoice number.: 08-09				
2070 John Deere Landscapes Inc 15849 PW Landscape Supp 4/09 Obligation.....: 15849	.00	.00	855.84	.00 Inv	04/29/2009
	Invoice number.: 50767736				
133 Rex Lock & Safe, Inc. 15850 Grove Electronic Locks 4/09 Obligation.....: 15850	.00	.00	3,031.63	.00 Inv	04/29/2009
	Invoice number.: 83107				

Run date: 05/01/2009 @ 09:43
 Bus date: 05/01/2009

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. 15851 Grove Equip Rental 4/09 Obligation.....: 15851	.00 Invoice number.: 69182	.00	65.46	.00 Inv	04/29/2009
1176 Contra Costa Topsoil 15852 Grove Cedar Bark 4/09 Obligation.....: 15852	.00 Invoice number.: 83441	.00	830.30	.00 Inv	04/29/2009
11 Arcom 15853 PD Labor Sales Tax 4/09 Obligation.....: 15853	.00 Invoice number.:	.00	208.31	.00 Inv	04/29/2009
1460 Contra Costa Water District 15854 Refund EH Deposit 4/22/09 Obligation.....: 15854	.00 Invoice number.: EH 4/22/09	.00	500.00	.00 Inv	04/29/2009
45 City of Hercules 15855 Mayors Conference 5/09 Obligation.....: 15855	.00 Invoice number.: 5/09	.00	150.00	.00 Inv	04/29/2009
2376 Don Stone 15856 Grove Concert Sound Svc 5/16/ Obligation.....: 15856	.00 Invoice number.: 5/16/09	.00	500.00	.00 Inv	04/29/2009
2530 Delbert E Ojeda 15857 Concert In the Grove 5/16/09 Obligation.....: 15857	.00 Invoice number.: 5/16/09	.00	900.00	.00 Inv	04/29/2009
2534 James & Jane Leonard 15858 Refund EH Dep 4/25/09 Obligation.....: 15858	.00 Invoice number.: EH 4/25/09	.00	500.00	.00 Inv	04/29/2009
2115 AT&T YellowPages.com 15859 Yellow Pages. Com 4/09 Obligation.....: 15859	.00 Invoice number.: 4/09	.00	39.00	.00 Inv	04/29/2009
113 PG&E 15860 Service 4/09 (Individual Inv) Obligation.....: 15860	.00 Invoice number.: 4/09	.00	448.38	.00 Inv	04/29/2009

Vendor Name / Obligat'n Description	Pre-Encumbered	Encumbered	Expensed	Paid Stage	Stage Date
641 CCC Office of the Sheriff-Cor 15861 PD-Crime Lab-Blood 1-3/09 Obligation.....: 15861	.00 Invoice number.: CLPD-109	.00	558.64	.00 Inv	04/29/2009
1966 CCC Office of the Sheriff-Fis 15862 CLETS Fees 08-09 Obligation.....: 15862	.00 Invoice number.: 08/09	.00	772.38	.00 Inv	04/29/2009
1223 Sprint Comm (PD) 15863 PD Cell Phones 4/09 Obligation.....: 15863	.00 Invoice number.: 089 4/09	.00	297.98	.00 Inv	04/30/2009
2070 John Deere Landscapes Inc 15864 Grove Cast Iron Gate 4/09 Obligation.....: 15864	.00 Invoice number.: 50831873	.00	99.66	.00 Inv	04/30/2009
2070 John Deere Landscapes Inc 15865 Grove Gate & Boxes 4/09 Obligation.....: 15865	.00 Invoice number.: 50787041	.00	183.07	.00 Inv	04/30/2009
2070 John Deere Landscapes Inc 15866 Grove Drain Box 4/09 Obligation.....: 15866	.00 Invoice number.: 50788024	.00	238.89	.00 Inv	04/30/2009
1195 Boething Treeland Farms, Inc. 15867 Grove Trees 4/09 Obligation.....: 15867	.00 Invoice number.: LV045951	.00	636.93	.00 Inv	04/30/2009
2107 WK McLellan Co 15868 Grove Concrete 4/09 Obligation.....: 15868	.00 Invoice number.: 12115	.00	3,035.00	.00 Inv	04/30/2009
84 Hammons Supply Company 15869 Library Janitorial Supplies 4 Obligation.....: 15869	.00 Invoice number.: 53632	.00	397.87	.00 Inv	04/30/2009
2540 Rich Veal 15870 Reimb -CERT Supplies 4/09 Obligation.....: 15870	.00 Invoice number.:	.00	440.90	.00 Inv	04/30/2009

Run date: 05/01/2009 @ 09:43
Bus date: 05/01/2009

City of Clayton
Invoices - Summary Report

OTSUM.L02 Page 6

Vendor Name / Obligat'n Description	Pre-Encumbered	Encumbered	Expensed	Paid Stage	Stage Date
2161 Financial Northeastern Corp 15871 CD Investment 4/30/09 Obligation.....: 15871	.00 Invoice number.: CD 4/30/09	.00	.00	99,020.00 Paid	04/30/2009
2014 AT&T Yellow Pages 15872 EH Yellow Page Ad 4/09 Obligation.....: 15872	.00 Invoice number.: 4/09	.00	232.00	.00 Inv	04/30/2009
2527 Star Media Consultants 15873 Hoyer H1 Audio/Visual Upgrd 4 Obligation.....: 15873	.00 Invoice number.: IS980807-1A	.00	49,833.39	.00 Inv	04/30/2009
2527 Star Media Consultants 15874 Hoyer H1 Aud/Vis Upgrd 5/09 Obligation.....: 15874	.00 Invoice number.: IS980807-1B	.00	5,250.00	.00 Inv	04/30/2009
2111 Neopost (Supplies) 15875 Postage Machine Supplies 4/09 Obligation.....: 15875	.00 Invoice number.: 12877307	.00	157.33	.00 Inv	04/30/2009
71 Devils' Mountain Trophy 15876 Empl Recog Yrly Plaque 4/09 Obligation.....: 15876	.00 Invoice number.: 10192	.00	155.14	.00 Inv	04/30/2009
2371 Konica Minolta Bus Sol-Copies 15877 Admin Copier Copies 4/09 Obligation.....: 15877	.00 Invoice number.: 212233463	.00	212.87	.00 Inv	04/30/2009
113 PG&E 15878 Service 4/09 (Small Master) Obligation.....: 15878	.00 Invoice number.: 4/09	.00	1,894.14	.00 Inv	04/30/2009
1303 CCC Office of Revenue Collect 15879 Electronic Assessment Roll 4/ Obligation.....: 15879	.00 Invoice number.: 235601	.00	.00	234.21 Paid	04/30/2009
70 HUB Inter of CA Ins Svc 15880 Special Event Insurance 12/08 Obligation.....: 15880	.00 Invoice number.: 12/08	.00	144.47	.00 Inv	04/30/2009

** Report total **

.00

569,612.16

.00

101,147.83

TOTAL

\$670,759.99

Run date: 05/01/2009 @ 09:44
Bus date: 05/01/2009

City of Clayton
Invoice Distribution Report

OTDIST.L02 Page 1

Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A101-5304-00.0.0-000 - Planning Fees (Public Hearing) 15821 Refund C&D (SPR 05-08) 4/09 Invoice number.: C&D (SPR 05-08)	2508 Michael Roberts 1 C&D Admin Fees 4/09	Paid	-106.38
A101-5304-00.0.0-000 - Planning Fees (Public Hearing)	*** Account total ***		-106.38
A101-7218-02.0.0-000 - Life and LTD Insurance 15832 LTD, Life & ADD 5/09 Invoice number.: 5/09	65 Municipal Pooling Authority 1 Adm LTD 5/09	Inv	389.09
A101-7218-02.0.0-000 - Life and LTD Insurance	*** Account total ***		389.09
A101-7218-03.0.0-000 - Life and LTD Insurance 15832 LTD, Life & ADD 5/09 Invoice number.: 5/09	65 Municipal Pooling Authority 2 PW LTD 5/09	Inv	226.41
A101-7218-03.0.0-000 - Life and LTD Insurance	*** Account total ***		226.41
A101-7218-04.0.0-000 - Life and LTD Insurance 15832 LTD, Life & ADD 5/09 Invoice number.: 5/09	65 Municipal Pooling Authority 3 Planning LTD 5/09	Inv	133.04
A101-7218-04.0.0-000 - Life and LTD Insurance	*** Account total ***		133.04
A101-7218-06.0.0-000 - Life and LTD Insurance 15832 LTD, Life & ADD 5/09 Invoice number.: 5/09	65 Municipal Pooling Authority 4 PD LTD 5/09	Inv	626.04
A101-7218-06.0.0-000 - Life and LTD Insurance	*** Account total ***		626.04
A101-7220-02.0.0-000 - PERS Retirement 15837 Retirement PPE 4/19/09 Invoice number.: PPE 4/19/09	201 CalPERS 2 Admin 4/19/09	Inv	4,214.87
A101-7220-02.0.0-000 - PERS Retirement	*** Account total ***		4,214.87
A101-7220-03.0.0-000 - PERS Retirement 15837 Retirement PPE 4/19/09 Invoice number.: PPE 4/19/09	201 CalPERS 3 PW 4/19/09	Inv	2,460.09
A101-7220-03.0.0-000 - PERS Retirement	*** Account total ***		2,460.09

Run date: 05/01/2009 @ 09:44
Bus date: 05/01/2009

City of Clayton
Invoice Distribution Report

OTDIST.L02 Page 2

Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A101-7220-04.0.0-000 - PERS Retirement			
15837 Retirement PPE 4/19/09	201 CalPERS		
Invoice number.: PPE 4/19/09	4 Planning 4/19/09	Inv	1,441.20
A101-7220-04.0.0-000 - PERS Retirement	*** Account total ***		1,441.20
A101-7220-06.0.0-000 - PERS Retirement			
15837 Retirement PPE 4/19/09	201 CalPERS		
Invoice number.: PPE 4/19/09	5 Police 4/19/09	Inv	12,995.09
A101-7220-06.0.0-000 - PERS Retirement	*** Account total ***		12,995.09
A101-7246-01.0.0-000 - Benefit Insurance			
15822 Dental Premium 5/09	540 Health Care Dental Trust		
Invoice number.: 88652	6 CC Geller Dental 5/09	Inv	43.43
A101-7246-01.0.0-000 - Benefit Insurance	*** Account total ***		43.43
A101-7246-02.0.0-000 - Benefit Insurance			
15822 Dental Premium 5/09	540 Health Care Dental Trust		
Invoice number.: 88652	1 Admin Dental 5/09	Inv	492.04
15823 Health Insurance 5/09	1316 CalPERS Health		
Invoice number.: 361	1 Admin 5/09	Inv	6,173.84
Invoice number.: 361	6 Adm Fees Health 5/09	Inv	121.02
15832 LTD, Life & ADD 5/09	65 Municipal Pooling Authority		
Invoice number.: 5/09	6 Adm Life, ADD 5/09	Inv	61.50
A101-7246-02.0.0-000 - Benefit Insurance	*** Account total ***		6,848.40
A101-7246-03.0.0-000 - Benefit Insurance			
15822 Dental Premium 5/09	540 Health Care Dental Trust		
Invoice number.: 88652	2 PW Dental 5/09	Inv	525.86
15823 Health Insurance 5/09	1316 CalPERS Health		
Invoice number.: 361	2 PW 5/09	Inv	4,916.80
15832 LTD, Life & ADD 5/09	65 Municipal Pooling Authority		
Invoice number.: 5/09	7 PW Life, ADD 5/09	Inv	51.25
A101-7246-03.0.0-000 - Benefit Insurance	*** Account total ***		5,493.91

Run date: 05/01/2009 @ 09:44
 Bus date: 05/01/2009

City of Clayton
 Invoice Distribution Report

OTDIST.L02 Page 3

Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A101-7246-04.0.0-000 - Benefit Insurance			
15822 Dental Premium 5/09	540 Health Care Dental Trust 3 Planning Dental 5/09	Inv	202.59
Invoice number.: 88652			
15823 Health Insurance 5/09	1316 CalPERS Health 3 Planning 5/09	Inv	2,338.18
Invoice number.: 361			
15832 LTD, Life & ADD 5/09	65 Municipal Pooling Authority 8 Planning Life, ADD 5/09	Inv	20.50
Invoice number.: 5/09			
A101-7246-04.0.0-000 - Benefit Insurance	*** Account total ***		2,561.27
A101-7246-06.0.0-000 - Benefit Insurance			
15822 Dental Premium 5/09	540 Health Care Dental Trust 4 Police Dept Dental 5/09	Inv	859.03
Invoice number.: 88652			
15823 Health Insurance 5/09	1316 CalPERS Health 4 Police Dept 5/09	Inv	9,849.81
Invoice number.: 361			
Invoice number.: 361	5 ER Share -retired PD 5/09	Inv	166.65
15832 LTD, Life & ADD 5/09	65 Municipal Pooling Authority 9 PD Life, ADD 5/09	Inv	123.00
Invoice number.: 5/09			
A101-7246-06.0.0-000 - Benefit Insurance	*** Account total ***		10,998.49
A101-7312-07.0.0-000 - Office Supplies/Expense			
15839 Additional Hrs of Svc 3rd Q 08	898 CCC Library 2 Office Expense 3rd Q 08-09	Inv	395.00
Invoice number.: 3Q 08-09			
A101-7312-07.0.0-000 - Office Supplies/Expense	*** Account total ***		395.00
A101-7314-05.0.0-000 - Postage			
15875 Postage Machine Supplies 4/09	2111 Neopost (Supplies) 1 Postage Machine Supplies 4/09	Inv	157.33
Invoice number.: 12877307			
A101-7314-05.0.0-000 - Postage	*** Account total ***		157.33
A101-7329-09.0.0-000 - Park Supplies			
15849 PW Landscape Supp 4/09	2070 John Deere Landscapes Inc 1 PW Landscape Supp 4/09	Inv	855.84
Invoice number.: 50767736			
A101-7329-09.0.0-000 - Park Supplies	*** Account total ***		855.84

Run date: 05/01/2009 @ 09:44
Bus date: 05/01/2009

City of Clayton
Invoice Distribution Report

OTDIST.L02 Page 4

Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A101-7331-05.0.0-000 - Rentals/Leases			
15877 Admin Copier Copies 4/09	2371 Konica Minolta Bus Sol-Copies 1 Adm Copier Copies 4/09	Inv	212.87
Invoice number.: 212233463			
A101-7331-05.0.0-000 - Rentals/Leases	*** Account total ***		212.87
A101-7332-02.0.0-000 - Telecommunications			
15831 Local Phone Svc 4/09	1243 AT&T/ CalNet 2 2 CH Local Phone 4/09	Inv	168.73
Invoice number.: 4/09			
15840 PW & Adm Cell Phones 3/09	2110 Sprint Comm (PW & ADM) 2 Adm Cell Phones 3/09	Inv	101.13
Invoice number.: 083 3/09			
A101-7332-02.0.0-000 - Telecommunications	*** Account total ***		269.86
A101-7332-03.0.0-000 - Telephone			
15831 Local Phone Svc 4/09	1243 AT&T/ CalNet 2 1 PW-Local Phone 4/09	Inv	33.03
Invoice number.: 4/09			
15840 PW & Adm Cell Phones 3/09	2110 Sprint Comm (PW & ADM) 1 PW Cell Phones 3/09	Inv	180.70
Invoice number.: 083 3/09			
A101-7332-03.0.0-000 - Telephone	*** Account total ***		213.73
A101-7332-04.0.0-000 - Telephone			
15831 Local Phone Svc 4/09	1243 AT&T/ CalNet 2 3 PIng Local Phone 4/09	Inv	42.38
Invoice number.: 4/09			
A101-7332-04.0.0-000 - Telephone	*** Account total ***		42.38
A101-7332-06.0.0-000 - Telephone			
15831 Local Phone Svc 4/09	1243 AT&T/ CalNet 2 7 PD Local Phone 4/09	Inv	542.29
Invoice number.: 4/09			
15863 PD Cell Phones 4/09	1223 Sprint Comm (PD) 1 PD Cell Phones 4/09	Inv	297.98
Invoice number.: 089 4/09			
A101-7332-06.0.0-000 - Telephone	*** Account total ***		840.27
A101-7332-08.0.0-000 - Telephone			
15831 Local Phone Svc 4/09	1243 AT&T/ CalNet 2 5 Eng Local Phone 4/09	Inv	68.42
Invoice number.: 4/09			
A101-7332-08.0.0-000 - Telephone	*** Account total ***		68.42

Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A101-7335-03.0.0-000 - Gas & Electricity			
15829 Service 3/09 (Small Master)	113 PG&E		
Invoice number.: 3/09	1 City Hall Svc 3/09	Inv	1,264.33
15830 Service 4/09 (Master)	113 PG&E		
Invoice number.: 4/09	1 City Hall 4/09	Inv	645.95
Invoice number.: 4/09	3 Lydia Pump Station 4/09	Inv	13.31
Invoice number.: 4/09	12 Westwood Pk Well 4/09	Inv	18.80
15860 Service 4/09 (Individual Inv)	113 PG&E		
Invoice number.: 4/09	1 PW Bldg Svc 4/09	Inv	55.82
Invoice number.: 4/09	5 1005 Oak St 4/09	Inv	26.38
Invoice number.: 4/09	6 1007 Oak St 4/09	Inv	8.87
15878 Service 4/09 (Small Master)	113 PG&E		
Invoice number.: 4/09	1 City Hall Svc 4/09	Inv	1,490.28
A101-7335-03.0.0-000 - Gas & Electricity	*** Account total ***		3,523.74
A101-7335-07.0.0-000 - Gas & Electricity			
15830 Service 4/09 (Master)	113 PG&E		
Invoice number.: 4/09	4 Library 4/09	Inv	3,401.05
A101-7335-07.0.0-000 - Gas & Electricity	*** Account total ***		3,401.05
A101-7335-09.0.0-000 - Gas & Electricity			
15830 Service 4/09 (Master)	113 PG&E		
Invoice number.: 4/09	2 Community Restroom 4/09	Inv	195.46
A101-7335-09.0.0-000 - Gas & Electricity	*** Account total ***		195.46
A101-7338-03.0.0-000 - Water Services			
15827 City Water Usage 2-3/09	67 Contra Costa Water Dist.		
Invoice number.: J Series 2-3/09	10 No Valley Park 2-3/09	Inv	148.45
A101-7338-03.0.0-000 - Water Services	*** Account total ***		148.45

Run date: 05/01/2009 @ 09:44
Bus date: 05/01/2009

City of Clayton
Invoice Distribution Report

OTDIST.L02 Page 6

Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A101-7341-03.0.0-000 - Buildings/Grounds Maintenance 15826 Sprinkler Insp: CH, Lib, EH 4/ Invoice number.: 56886-8	509 CR Fireline Inc 3 CH Sprk Insp Qtr 4/09	Inv	110.00
A101-7341-03.0.0-000 - Buildings/Grounds Maintenance	*** Account total ***		110.00
A101-7341-07.0.0-000 - Buildings/Grounds Maintenance 15826 Sprinkler Insp: CH, Lib, EH 4/ Invoice number.: 56886-8	509 CR Fireline Inc 1 Libr Sprk Insp Otr 4/09	Inv	110.00
A101-7341-07.0.0-000 - Buildings/Grounds Maintenance	*** Account total ***		110.00
A101-7343-06.0.0-000 - Vehicle Maintenance 15834 PD Vehicle Maintenance 3/09 Invoice number.: 14905	42 City of Concord 1 PD Vehicle Mtn 3/09	Inv	1,677.40
A101-7343-06.0.0-000 - Vehicle Maintenance	*** Account total ***		1,677.40
A101-7346-03.0.0-000 - HVAC Mtn & Repairs 15844 Library, City Hall EMS 4/09 Invoice number.: 504299-301	1265 ACCO Engineered Systems 2 City Hall EMS 4/09	Inv	205.00
A101-7346-03.0.0-000 - HVAC Mtn & Repairs	*** Account total ***		205.00
A101-7346-07.0.0-000 - HVAC Mtn & Repairs 15844 Library, City Hall EMS 4/09 Invoice number.: 504299-301	1265 ACCO Engineered Systems 1 Library EMS 4/09	Inv	205.00
A101-7346-07.0.0-000 - HVAC Mtn & Repairs	*** Account total ***		205.00
A101-7351-05.0.0-000 - Insurance Premiums 15880 Special Event Insurance 12/08 Invoice number.: 12/08	70 HUB Inter of CA Ins Svc 1 Special Event Ins 12/08	Inv	144.47
A101-7351-05.0.0-000 - Insurance Premiums	*** Account total ***		144.47
A101-7364-02.0.0-000 - Employee Recognition 15876 Empl Recog Yrly Plaque 4/09 Invoice number.: 10192	71 Devils' Mountain Trophy 1 Empl Recog Yrly Plaque 4/09	Inv	155.14
A101-7364-02.0.0-000 - Employee Recognition	*** Account total ***		155.14

Run date: 05/01/2009 @ 09:44
Bus date: 05/01/2009

City of Clayton
Invoice Distribution Report

OTDIST.L02 Page 7

Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A101-7372-01.0.0-000 - Conferences			
15855 Mayors Conference 5/09	45 City of Hercules		
Invoice number.: 5/09	1 Mayors Conference 5/09	Inv	150.00
A101-7372-01.0.0-000 - Conferences	*** Account total ***		150.00
A101-7373-06.0.0-000 - Education & Training			
15833 PD Training Course White 4/09	1966 CCC Office of the Sheriff-Fisc		
Invoice number.: 09-13142	1 PD Trg Course White 4/09	Inv	206.00
A101-7373-06.0.0-000 - Education & Training	*** Account total ***		206.00
A101-7411-08.0.0-000 - Professional Services Retainer			
15824 Eng Svc 4/11/09-4/24/09	116 PERMCO, Inc.		
Invoice number.: 8817-8829	1 Eng Svc 4/11/09-4/24/09	Inv	2,465.75
A101-7411-08.0.0-000 - Professional Services Retainer	*** Account total ***		2,465.75
A101-7417-07.0.0-000 - Janitorial Service			
15869 Library Janitorial Supplies 4/	84 Hammons Supply Company		
Invoice number.: 53632	1 Library Janitorial Supp 4/09	Inv	397.87
A101-7417-07.0.0-000 - Janitorial Service	*** Account total ***		397.87
A101-7419-01.0.0-000 - Other Professional Services			
15838 Video City Council Mtg 4/21/09	1467 LarryLogic Productions		
Invoice number.: 948	1 Video CC Mtg 4/21/09	Inv	292.50
A101-7419-01.0.0-000 - Other Professional Services	*** Account total ***		292.50
A101-7419-05.0.0-000 - Other Professional Services			
15871 CD Investment 4/30/09	2161 Financial Northeastern Corp		
Invoice number.: CD 4/30/09	1 CD Wire Transfer 4/30/09	Paid	20.00
A101-7419-05.0.0-000 - Other Professional Services	*** Account total ***		20.00
A101-7419-06.0.0-000 - Other Professional Services			
15836 PD-Crossing Guard WE 4/11/09	1538 All City Management Services.		
Invoice number.: 16219	1 PD-Crossing Guard WE 4/11/09	Inv	451.50
15862 CLETS Fees 08-09	1966 CCC Office of the Sheriff-Fisc		
Invoice number.: 08/09	1 CLETS Fees 08-09	Inv	772.38
A101-7419-06.0.0-000 - Other Professional Services	*** Account total ***		1,223.88

Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A101-7423-07.0.0-000 - Library Aide			
15839 Additional Hrs of Svc 3rd Q 08	898 CCC Library		
Invoice number.: 3Q 08-09	1 Student Assistant 3rd Q 08-09	Inv	1,291.82
A101-7423-07.0.0-000 - Library Aide	*** Account total ***		1,291.82
A101-7425-06.0.0-000 - Crime Lab			
15841 PD-Crime Lab 3/09	641 CCC Office of the Sheriff-Coro		
Invoice number.: ClaytPD-0903	1 PD Crime Lab 3/09	Inv	270.00
15861 PD-Crime Lab-Blood 1-3/09	641 CCC Office of the Sheriff-Coro		
Invoice number.: CLPD-109	1 PD Crime- Blood 1-3/09	Inv	558.64
A101-7425-06.0.0-000 - Crime Lab	*** Account total ***		828.64
A101-7426-06.0.0-000 - Jail Booking Fee			
15835 Booking Fees 3/09	416 CCC Auditor-Controller		
Invoice number.: 3/09	1 Booking Fees 3/09	Inv	95.00
A101-7426-06.0.0-000 - Jail Booking Fee	*** Account total ***		95.00
A201-7335-00.0.0-000 - Gas & Electricity			
15828 Svc: Irrig & Signal 4/09 (Mst)	113 PG&E		
Invoice number.: 4/09	2 Clayton Traffic Sgn 4/09	Inv	31.49
15829 Service 3/09 (Small Master)	113 PG&E		
Invoice number.: 3/09	5 Traffic Sgn & St Lt 3/09	Inv	170.60
15830 Service 4/09 (Master)	113 PG&E		
Invoice number.: 4/09	9 Traffic Signals 4/09	Inv	392.93
15843 Svc: Irrig & Signal 2/09 (Mst)	113 PG&E		
Invoice number.: 2/09	2 Clayton Traffic Sgn 2/09	Inv	31.66
15878 Service 4/09 (Small Master)	113 PG&E		
Invoice number.: 4/09	5 Traffic Sgn & St Lt 4/09	Inv	175.79
A201-7335-00.0.0-000 - Gas & Electricity	*** Account total ***		3,568.19

Run date: 05/01/2009 @ 09:44
Bus date: 05/01/2009

City of Clayton
Invoice Distribution Report

OTDIST.L02 Page 9

Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A201-7411-00.0.0-000 - Professional Services Retainer			
15824 Eng Svc 4/11/09-4/24/09	116 PERMCO, Inc.		
Invoice number.: 8817-8829	11 ADA Correct #8697	Inv	173.25
A201-7411-00.0.0-000 - Professional Services Retainer	*** Account total ***		173.25
A201-7412-00.0.0-000 - Engineering/Inspection Service			
15824 Eng Svc 4/11/09-4/24/09	116 PERMCO, Inc.		
Invoice number.: 8817-8829	4 Gas Tax Insp #8818	Inv	823.50
Invoice number.: 8817-8829	5 ADA Correct #8500	Inv	606.38
Invoice number.: 8817-8829	7 ADA Correct #8526	Inv	606.38
Invoice number.: 8817-8829	9 ADA Correct #8542	Inv	259.88
A201-7412-00.0.0-000 - Engineering/Inspection Service	*** Account total ***		649.14
A210-7335-00.0.0-000 - Gas & Electricity			
15828 Svc: Irrig & Signal 4/09 (Mst)	113 PG&E		
Invoice number.: 4/09	1 OH Irrigation 4/09	Inv	392.53
15829 Service 3/09 (Small Master)	113 PG&E		
Invoice number.: 3/09	2 Clock Service 3/09	Inv	24.33
Invoice number.: 3/09	3 Outdoor Lt Service 3/09	Inv	78.86
Invoice number.: 3/09	4 Irrigation Service 3/09	Inv	131.37
15830 Service 4/09 (Master)	113 PG&E		
Invoice number.: 4/09	5 Monument Lights 4/09	Inv	180.21
Invoice number.: 4/09	6 Oakhurst Pump (Fountain) 4/09	Inv	343.76
Invoice number.: 4/09	7 Outdoor Lights 4/09	Inv	12.26
Invoice number.: 4/09	8 Sprinkler Cont/Lndscp 4/09	Inv	55.19

Run date: 05/01/2009 @ 09:44
 Bus date: 05/01/2009

City of Clayton
 Invoice Distribution Report

OTDIST.L02 Page 10

Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A210-7335-00.0.0-000 - Gas & Electricity	*** Continued ***		
15843 Svc: Irrig & Signal 2/09 (Mst)	113 PG&E 1 OH Irrigation 2/09	Inv	410.52
Invoice number.: 2/09			
15860 Service 4/09 (Individual Inv)	113 PG&E 4 Irrigation Svc 4/09	Inv	128.57
Invoice number.: 4/09			
15878 Service 4/09 (Small Master)	113 PG&E 2 Clock Service 4/09	Inv	23.76
Invoice number.: 4/09			
	3 Outdoor Lt Service 4/09	Inv	72.30
Invoice number.: 4/09			
	4 Irrigation Service 4/09	Inv	132.01
Invoice number.: 4/09			
A210-7335-00.0.0-000 - Gas & Electricity	*** Account total ***		1,985.67
A210-7338-00.0.0-000 - Water Services			
15827 City Water Usage 2-3/09	67 Contra Costa Water Dist. 9 No Vally Park 2-3/09	Inv	37.11
Invoice number.: J Series 2-3/09			
	11 City Irrigation 2-3/09	Inv	3,701.05
Invoice number.: J Series 2-3/09			
A210-7338-00.0.0-000 - Water Services	*** Account total ***		3,738.16
A211-7335-00.0.0-000 - Gas & Electricity			
15860 Service 4/09 (Individual Inv)	113 PG&E 3 Grove Park Svc 4/09	Inv	68.48
Invoice number.: 4/09			
A211-7335-00.0.0-000 - Gas & Electricity	*** Account total ***		68.48
A214-7335-00.0.0-000 - Gas & Electricity			
15830 Service 4/09 (Master)	113 PG&E 11 Street Lights-Res 4/09	Inv	8,297.18
Invoice number.: 4/09			
A214-7335-00.0.0-000 - Gas & Electricity	*** Account total ***		8,297.18
A230-7218-00.0.0-000 - LTD Insurance-COPS			
15832 LTD, Life & ADD 5/09	65 Municipal Pooling Authority 5 PD Grant LTD 5/09	Inv	42.43
Invoice number.: 5/09			
A230-7218-00.0.0-000 - LTD Insurance-COPS	*** Account total ***		42.43

Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A230-7220-00.0.0-813 - PERS Retirement-COPS			
15837 Retirement PPE 4/19/09	201 CalPERS		
Invoice number.: PPE 4/19/09	6 PD Grant 4/19/09	Inv	940.97
A230-7220-00.0.0-813 - PERS Retirement-COPS	*** Account total ***		940.97
A230-7246-00.0.0-000 - Benefit Insurance			
15822 Dental Premium 5/09	540 Health Care Dental Trust		
Invoice number.: 88652	5 PD Grant Dental 5/09	Inv	120.68
15823 Health Insurance 5/09	1316 CalPERS Health		
Invoice number.: 361	7 PD Grants 5/09	Inv	1,321.58
15832 LTD, Life & ADD 5/09	65 Municipal Pooling Authority		
Invoice number.: 5/09	10 PD Grant Life, ADD 5/09	Inv	10.25
A230-7246-00.0.0-000 - Benefit Insurance	*** Account total ***		1,452.51
A230-7485-00.0.0-823 - Council Chambers Audio/Visual			
15873 Hoyer H1 Audio/Visual Upgrd 4/	2527 Star Media Consultants		
Invoice number.: IS980807-1A	1 Hoyer H1 Audio/Vis Upgrd 4/09	Inv	49,833.39
15874 Hoyer H1 Aud/Vis Upgrd 5/09	2527 Star Media Consultants		
Invoice number.: IS980807-1B	1 Hoyer H1 Aud/Vis Upgrd 5/09	Inv	5,250.00
A230-7485-00.0.0-823 - Council Chambers Audio/Visual	*** Account total ***		55,083.39
A301-2730-00.0.0-001 - Concerts in the Grove			
15856 Grove Concert Sound Svc 5/16/0	2376 Don Stone		
Invoice number.: 5/16/09	2 Corr wrong acct # 12/08	Inv	-39.90
A301-2730-00.0.0-001 - Concerts in the Grove	*** Account total ***		-39.90
A301-7361-00.0.0-000 - Advertising			
15859 Yellow Pages. Com 4/09	2115 AT&T YellowPages.com		
Invoice number.: 4/09	1 Yellow Pages.Com 4/09	Inv	39.00
15872 EH Yellow Page Ad 4/09	2014 AT&T Yellow Pages		
Invoice number.: 4/09	1 EH Yellow Page Ad 4/09	Inv	232.00
A301-7361-00.0.0-000 - Advertising	*** Account total ***		271.00

Run date: 05/01/2009 @ 09:44
Bus date: 05/01/2009

City of Clayton
Invoice Distribution Report

OTDIST.L02 Page 12

Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A301-7520-00.0.0-003 - Concerts in the Grove Park			
15856 Grove Concert Sound Svc 5/16/0	2376 Don Stone		
Invoice number.: 5/16/09	1 Grove Concert Snd Svc 5/16/09	Inv	500.00
Invoice number.: 5/16/09	3 Corr wrong acct # 12/08	Inv	39.90
15857 Concert In the Grove 5/16/09	2530 Delbert E Ojeda		
Invoice number.: 5/16/09	1 Concert In the Grove 5/16/09	Inv	900.00
A301-7520-00.0.0-003 - Concerts in the Grove Park	*** Account total ***		1,439.90
A301-7999-00.0.0-000 - RDA State Take Aways			
15848 RDA ERAF Shift 08-09	1926 CCC Auditor-Controller		
Invoice number.: 08-09	1 RDA ERAF Shift 08-09	Inv	323,656.00
A301-7999-00.0.0-000 - RDA State Take Aways	*** Account total ***		323,656.00
A302-7419-00.0.0-000 - Other Professional Services			
15879 Electronic Assessment Roll 4/0	1303 CCC Office of Revenue Collecti		
Invoice number.: 235601	1 Elect Assessment Roll 4/09	Paid	234.21
A302-7419-00.0.0-000 - Other Professional Services	*** Account total ***		234.21
A302-7520-00.0.0-008 - 280 Stranahan LMI-Bamberger			
15827 City Water Usage 2-3/09	67 Contra Costa Water Dist.		
Invoice number.: J Series 2-3/09	8 LMI 280 Stranahan 2-3/09	Inv	28.71
15842 LMI 280 Stranahan Svc 3/09	113 PG&E		
Invoice number.: 3/09	1 LMI 280 Stranahan Svc 3/09	Inv	8.97
A302-7520-00.0.0-008 - 280 Stranahan LMI-Bamberger	*** Account total ***		37.68
A302-7999-00.0.0-000 - RDA State Take Aways			
15848 RDA ERAF Shift 08-09	1926 CCC Auditor-Controller		
Invoice number.: 08-09	2 RDA ERAF Shift 08-09	Inv	80,914.00
A302-7999-00.0.0-000 - RDA State Take Aways	*** Account total ***		80,914.00
A303-7520-00.0.0-090 - Grove Property Park			
15847 PW Grove Sports Turf 4/09	2531 Pacific Sod		
Invoice number.: 507256	1 PW Sports Turf 4/09	Inv	133.59

Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A303-7520-00.0.0-090 - Grove Property Park	*** Continued ***		
15850 Grove Electronic Locks 4/09	133 Rex Lock & Safe, Inc. 1 Grove Electronic Locks 4/09	Inv	3,031.63
Invoice number.: 83107			
15851 Grove Equip Rental 4/09	167 Wally's Rental Center, Inc. 1 Grove Equip Rental 4/09	Inv	65.46
Invoice number.: 69182			
15852 Grove Cedar Bark 4/09	1176 Contra Costa Topsoil 1 Grove Cedar Bark 4/09	Inv	830.30
Invoice number.: 83441			
15864 Grove Cast Iron Gate 4/09	2070 John Deere Landscapes Inc 1 Grove Cast Iron Gate 4/09	Inv	99.66
Invoice number.: 50831873			
15865 Grove Gate & Boxes 4/09	2070 John Deere Landscapes Inc 1 Grove Gate & Boxes 4/09	Inv	183.07
Invoice number.: 50787041			
15866 Grove Drain Box 4/09	2070 John Deere Landscapes Inc 1 Grove Drain Box 4/09	Inv	238.89
Invoice number.: 50788024			
15867 Grove Trees 4/09	1195 Boething Treeland Farms, Inc. 1 Grove Trees 4/09	Inv	636.93
Invoice number.: LV045951			
15868 Grove Concrete 4/09	2107 WK McLellan Co 1 Grove Concrete 4/09	Inv	3,035.00
Invoice number.: 12115			
A303-7520-00.0.0-090 - Grove Property Park	*** Account total ***		8,254.53
A303-7520-00.0.0-106 - Clayton Rd Trail Connection			
15824 Eng Svc 4/11/09-4/24/09	116 PERMCO, Inc. 3 Eng Svc #8827	Inv	2,402.63
Invoice number.: 8817-8829			
A303-7520-00.0.0-106 - Clayton Rd Trail Connection	*** Account total ***		2,402.63
A303-7520-00.0.0-111 - ADA Compliance Program10394A			
15824 Eng Svc 4/11/09-4/24/09	116 PERMCO, Inc. 2 Eng Svc #8825	Inv	3,498.25
Invoice number.: 8817-8829			
Invoice number.: 8817-8829	6 ADA Correct #8500	Inv	606.38
Invoice number.: 8817-8829	8 ADA Correct #8526	Inv	606.38

Run date: 05/01/2009 @ 09:44
Bus date: 05/01/2009

City of Clayton
Invoice Distribution Report

OTDIST.L02 Page 14

Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A303-7520-00.0.0-111 - ADA Compliance Program10394A			
Invoice number.: 8817-8829	10 ADA Correct #8542	Inv	259.88
Invoice number.: 8817-8829	12 ADA Correct #8697	Inv	173.25
A303-7520-00.0.0-111 - ADA Compliance Program10394A	*** Account total ***		5,144.14
A304-7520-00.0.0-114 - 2009 Arterial Overlay Project 15824 Eng Svc 4/11/09-4/24/09	116 PERMCO, Inc. 13 Eng Svc #8828	Inv	606.38
Invoice number.: 8817-8829			
A304-7520-00.0.0-114 - 2009 Arterial Overlay Project	*** Account total ***		606.38
A501-7351-00.0.0-000 - Insurance Premiums 15825 EAP Insurance Premium 4-6/09	2181 CSAC Excess Insurance Authorit 1 EAP Ins Prem 4-6/09	Inv	321.36
Invoice number.: 0920217-IN			
A501-7351-00.0.0-000 - Insurance Premiums	*** Account total ***		321.36
A501-7413-00.0.0-000 - Legal Services 15824 Eng Svc 4/11/09-4/24/09	116 PERMCO, Inc. 14 Eng Svc #8829	Inv	467.00
Invoice number.: 8817-8829			
A501-7413-00.0.0-000 - Legal Services	*** Account total ***		467.00
A502-7485-00.0.0-000 - Capital Equipment 15853 PD Labor Sales Tax 4/09	11 Arcom 1 PD Labor Sales Tax 4/09	Inv	208.31
Invoice number.:			
A502-7485-00.0.0-000 - Capital Equipment	*** Account total ***		208.31
A601-2737-00.0.0-008 - CERT (R&E) 15870 Reimb -CERT Supplies 4/09	2540 Rich Veal 1 Reimb -CERT Supplies 4/09	Inv	440.90
Invoice number.:			
A601-2737-00.0.0-008 - CERT (R&E)	*** Account total ***		440.90
A601-2740-00.0.0-096 - Cost Recov Dep PG&E Minor EP 15824 Eng Svc 4/11/09-4/24/09	116 PERMCO, Inc. 15 Eng Svc #8819	Inv	103.75
Invoice number.: 8817-8829			
A601-2740-00.0.0-096 - Cost Recov Dep PG&E Minor EP	*** Account total ***		103.75

Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A601-2740-00.0.0-472 - OAK St. Mixed Use 01-08 15824 Eng Svc 4/11/09-4/24/09 Invoice number.: 8817-8829	116 PERMCO, Inc. 16 Eng Svc #8826	Inv	155.00
A601-2740-00.0.0-472 - OAK St. Mixed Use 01-08	*** Account total ***		155.00
A601-2741-00.0.0-153 - Seeno Grading Insp (10351) 15824 Eng Svc 4/11/09-4/24/09 Invoice number.: 8817-8829	116 PERMCO, Inc. 17 Eng Svc #8820	Inv	41.50
A601-2741-00.0.0-153 - Seeno Grading Insp (10351)	*** Account total ***		41.50
A601-2744-00.0.0-077 - AD Seeno Oak Crk Cyn SW26-06 15824 Eng Svc 4/11/09-4/24/09 Invoice number.: 8817-8829	116 PERMCO, Inc. 18 Eng Svc #8822	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 15824 Eng Svc 4/11/09-4/24/09 Invoice number.: 8817-8829	116 PERMCO, Inc. 21 Eng Svc #8821	Inv	41.50
A601-2744-00.0.0-189 - Riessen SW Permit 17-05	*** Account total ***		41.50
A601-2744-00.0.0-329 - Lemke Diablo Pt SW permit28-06 15824 Eng Svc 4/11/09-4/24/09 Invoice number.: 8817-8829	116 PERMCO, Inc. 19 Eng Svc #8823	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 15824 Eng Svc 4/11/09-4/24/09 Invoice number.: 8817-8829	116 PERMCO, Inc. 22 Eng Svc #8821	Inv	41.50
A601-2744-00.0.0-381 - Gonzalez SW Permit 18-07	*** Account total ***		41.50
A601-2744-00.0.0-487 - Lance Brick SWP 12-08 15824 Eng Svc 4/11/09-4/24/09 Invoice number.: 8817-8829	116 PERMCO, Inc. 23 Eng Svc #8821	Inv	41.50
A601-2744-00.0.0-487 - Lance Brick SWP 12-08	*** Account total ***		41.50

Run date: 05/01/2009 @ 09:44
 Bus date: 05/01/2009

City of Clayton
 Invoice Distribution Report

OTDIST.L02 Page 16

Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A601-2744-00.0.0-495 - D. Lombardo SWP 25-08 15824 Eng Svc 4/11/09-4/24/09 Invoice number.: 8817-8829	116 PERMCO, Inc. 24 Eng Svc #8821	Inv	41.50
A601-2744-00.0.0-495 - D. Lombardo SWP 25-08	*** Account total ***		41.50
A601-2745-00.0.0-504 - Mike Roberts C&D Deposit 15821 Refund C&D (SPR 05-08) 4/09 Invoice number.: C&D (SPR 05-08)	2508 Michael Roberts 2 Refund C&D (SPR 05-08) 4/09	Paid	2,000.00
A601-2745-00.0.0-504 - Mike Roberts C&D Deposit	*** Account total ***		2,000.00
A601-2746-00.0.0-129 - Diablo Pt Grading Inspections 15824 Eng Svc 4/11/09-4/24/09 Invoice number.: 8817-8829	116 PERMCO, Inc. 20 Eng Svc #8824	Inv	41.50
A601-2746-00.0.0-129 - Diablo Pt Grading Inspections	*** Account total ***		41.50
A702-2730-00.0.0-002 - Endeavor Hall Cash Deposits 15845 Refund EH Deposit 4/18/09 Invoice number.: EH 4/18/09	2533 John & Yvonne Delbene 1 Refund EH Deposit 4/18/09	Inv	500.00
15854 Refund EH Deposit 4/22/09 Invoice number.: EH 4/22/09	1460 Contra Costa Water District 1 Refund EH Deposit 4/22/09	Inv	500.00
15858 Refund EH Dep 4/25/09 Invoice number.: EH 4/25/09	2534 James & Jane Leonard 1 Refund EH Dep 4/25/09	Inv	500.00
A702-2730-00.0.0-002 - Endeavor Hall Cash Deposits	*** Account total ***		1,500.00
A702-5607-00.0.0-000 - Revenue 15846 Refund EH fees 4/17/09 Invoice number.: EH Fees 4/17/09	2532 Hector & Gaylan Tovar 1 Refund EH fees 4/17/09	Inv	120.00
A702-5607-00.0.0-000 - Revenue	*** Account total ***		120.00
A702-7332-00.0.0-000 - Telephone 15831 Local Phone Svc 4/09 Invoice number.: 4/09	1243 AT&T/ CalNet 2 6 EH Local Phone 4/09	Inv	58.43
A702-7332-00.0.0-000 - Telephone	*** Account total ***		58.43

Run date: 05/01/2009 @ 09:44
Bus date: 05/01/2009

City of Clayton
Invoice Distribution Report

OTDIST.L02 Page 17

Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A702-7335-00.0.0-000 - Gas & Electricity			
15860 Service 4/09 (Individual Inv)	113 PG&E		
Invoice number.: 4/09	2 EH Svc 4/09	Inv	160.26
A702-7335-00.0.0-000 - Gas & Electricity	*** Account total ***		160.26
A702-7341-00.0.0-000 - Buildings/Grounds Maintenance			
15826 Sprinkler Insp: CH, Lib, EH 4/	509 CR Fireline Inc		
Invoice number.: 56886-8	2 EH Sprk Insp Qtr 4/09	Inv	100.00
A702-7341-00.0.0-000 - Buildings/Grounds Maintenance	*** Account total ***		100.00
A702-7346-00.0.0-000 - HVAC Mtn & Repairs			
15844 Library, City Hall EMS 4/09	1265 ACCO Engineered Systems		
Invoice number.: 504299-301	3 EH EMS 4/09	Inv	290.00
A702-7346-00.0.0-000 - HVAC Mtn & Repairs	*** Account total ***		290.00
A999-1210-00.0.0-000 - Long Term Invest FinNorEastern			
15871 CD Investment 4/30/09	2161 Financial Northeastern Corp		
Invoice number.: CD 4/30/09	2 CD Investment 4/30/09	Paid	99,000.00
A999-1210-00.0.0-000 - Long Term Invest FinNorEastern	*** Account total ***		99,000.00
* Report total *	*** Total ***		670,759.99



Agenda Date: 5-5-09

Agenda Item: 4C

STAFF REPORT

Approved:

Gary A. Napper
City Manager

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: RICK ANGRISANI, CITY ENGINEER

DATE: MAY 5, 2009

SUBJECT: RESOLUTION DIRECTING THE FILING OF AN ANNUAL REPORT FOR THE CLAYTON STREET LIGHTING DISTRICT (FUND NO. 214)

RECOMMENDATION

Adopt the attached resolution.

BACKGROUND

The laws governing the City's existing Street Light Maintenance District (Fund No. 214), established in 1979, require the filing of an Annual Report by the Engineer of Work in order to establish and levy benefit assessment fees in each fiscal year. For the purpose of continuing to levy such an assessment in FY 2009-2010, the process must initiated by the Council officially calling for such an annual report. This District covers the annual operations and maintenance of the street lights and poles in our various residential neighborhoods.

After enactment of this resolution, the next step will be for the Engineer of Work to submit, and the City Council to accept, the Engineer's Report for this District. Following that submittal will be public hearings required prior to setting next year's assessments in sufficient time to be collected via the property tax bills issued by the County in 2009-2010.

This resolution does not commit the Council to any action but is just the first administrative step required by the Street Lighting Act of 1919.

FISCAL IMPACT

None.

Attachment: Resolution [1 pg.]

RESOLUTION NO. - 2009

**A RESOLUTION DIRECTING THE FILING OF AN ANNUAL REPORT
FOR THE CLAYTON STREET LIGHTING DISTRICT (PURSUANT TO THE
STREET LIGHTING ACT OF 1919).**

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

WHEREAS, by Resolution No. 11-79, adopted May 2, 1979, the Clayton City Council converted Street Lighting District No. 1 to a benefit assessment district and confirmed an assessment for fiscal year 1979-80, pursuant to the Street Lighting Act of 1919; and

WHEREAS, the said Street Lighting Act of 1919 requires that the City Council direct the Engineer of Work to prepare an Annual Report prior to the levying of an assessment;

NOW THEREFORE, the City Council of Clayton, California does hereby resolve as follows:

1. The City Engineer, designated by this Council as the Engineer of Work for the Clayton Street Lighting District, is hereby directed to file an Annual Report in accordance with the provisions of the Street Lighting Act of 1919.

2. This resolution is adopted pursuant to Section 18090 of the Streets and Highways Code.

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California at a regular public meeting thereof held on the 5th day of May 2009 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

THE CITY COUNCIL OF CLAYTON, CA

JULIE K. PIERCE, Mayor

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 May 5, 2009.

Laci J. Jackson, City Clerk



Agenda Date: 5-5-09
Agenda Item: 4d

STAFF REPORT

Approved: _____

Gary A. Napper
City Manager

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: RICK ANGRISANI, CITY ENGINEER

DATE: MAY 5, 2009

**SUBJECT: RESOLUTION APPROVING THE CALIFORNIA DEPARTMENT OF
TRANSPORTATION DISADVANTAGED BUSINESS ENTERPRISE
PROGRAM IMPLEMENTATION AGREEMENT AS REQUIRED IN ORDER TO
RECEIVE FEDERAL FUNDS**

RECOMMENDATION

Adopt the attached resolution.

BACKGROUND

In order to receive federal funds for construction of street improvements, the City has always implemented a Disadvantaged Business Enterprise Program whose purpose was to ensure participation in federally funded projects by firms deemed to be historically disadvantaged (generally minority-owned businesses).

In 1996, California voters approved Proposition 209 which prohibited public institutions from considering race, sex, or ethnicity. This led to the California State Department of Transportation ("Caltrans") creating and implementing a "Race Neutral" DBE Program which the City has followed for the last ten years or so. With the approval of the American Recovery and Reinvestment Act of 2009 ("ARRA"), the federal government began the distribution of significant funds to states for the construction of "shovel-ready" projects in order to stem the increase in job losses as soon as possible.

As a condition for the receipt of ARRA funds, the federal government has required that all states implement a "Race-Conscious" DBE program. To that end, we are working with Caltrans to adopt a race conscious program for the City. While our goals have already been approved for this fiscal year under the old program, we must approve and submit an implementation agreement which details the DBE policy and obligates the City to certain tasks and reporting requirements.

Subject: DBE Program Implementation Agreement

Date: May 5, 2009

Page 2 of 2

FISCAL IMPACT

None if the Council approves the resolution. If the Council does not approve the resolution, we will not receive any federal funds now or in the future.

Attachment: Resolution [1 pg.]
 Implementation Agreement [6 pp.]

RESOLUTION NO. - 2009

**A RESOLUTION APPROVING THE CALIFORNIA DEPARTMENT OF TRANSPORTATION
DISADVANTAGED BUSINESS ENTERPRISE PROGRAM IMPLEMENTATION
AGREEMENT AS REQUIRED FOR THE RECEIPT OF FEDERAL FUNDS**

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

WHEREAS, the City is eligible to receive over \$500,000 in federal funds as authorized
the American Recovery and Reinvestment Act of 2009 ("ARRA"); and

WHEREAS, the receipt of said federal funds is preconditioned upon the City's
implementation of a race conscious Disadvantaged Business Enterprise Program; and

WHEREAS, the City is required to execute the attached implementation agreement for
said program with the State of California Department of Transportation;

NOW THEREFORE, the City Council of Clayton, California does hereby resolve as
follows:

1. The attached Disadvantaged Business Enterprise Program Implementation Agreement is
hereby approved.
2. The City Manager is hereby authorized to execute said agreement on behalf of the City of
Clayton.

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California at a
regular public meeting thereof held on the 5th day of May 2009 by the following vote:

AYES:

NOES:

ABSTAIN:

THE CITY COUNCIL OF CLAYTON, CA

ABSENT:

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 May 5, 2009.

Laci J. Jackson, City Clerk

CALIFORNIA DEPARTMENT OF TRANSPORTATION DISADVANTAGED BUSINESS ENTERPRISE PROGRAM IMPLEMENTATION AGREEMENT

For the City of Clayton, hereinafter referred to as "RECIPIENT."

I Definition Of Terms

The terms used in this agreement have the meanings defined in 49 CFR § 26.5.

Ii Objective/Policy Statement (§26/1. 26/23)

The RECIPIENT intends to receive federal financial assistance from the U. S. Department of Transportation (DOT) through the California Department of Transportation (Caltrans), and as a condition of receiving this assistance, the RECIPIENT will sign the California Department of Transportation Disadvantaged Business Enterprise Program Implementation Agreement (hereinafter referred to as "Agreement"). The RECIPIENT agrees to implement the State of California, Department of Transportation Disadvantaged Business Enterprise (DBE) Program Plan (hereinafter referred to as the "DBE Program Plan") as it pertains to local agencies. The DBE Program Plan is based on U.S. Department of Transportation (DOT), 49 CFR, Part 26 requirements.

It is the policy of the RECIPIENT to ensure that DBEs, as defined in Part 26, have an equal opportunity to receive and participate in DOT-assisted contracts. It is also their policy:

- To ensure nondiscrimination in the award and administration of DOT-assisted contracts.
- To create a level playing field on which DBE's can compete fairly for DOT-assisted contracts.
- To ensure that their annual overall DBE participation percentage is narrowly tailored, in accordance with applicable law.
- To ensure that only firms that fully meet 49 CFR, Part 26 eligibility standards are permitted to participate as DBEs.
- To help remove barriers to the participation of DBEs in DOT-assisted contracts.
- To assist the development of firms that can compete successfully in the market place outside the DBE Program.

III Nondiscrimination (§26.7)

RECIPIENT will never exclude any person from participation in, deny any person the benefits of, or otherwise discriminate against anyone in connection with the award and performance of any contract covered by 49 CFR, Part 26 on the basis of race, color, sex, or national origin. In administering the local agency components of the DBE Program Plan, the RECIPIENT will not, directly, or through contractual or other arrangements, use criteria or methods of administration that have the effect of defeating or substantially impairing accomplishment of the objectives of the DBE Program Plan with respect to individuals of a particular race, color, sex, or national origin.

IV Annual DBE Submittal Form (§26.21)

The RECIPIENT will provide to the Caltrans District Local Assistance Engineer (DLAE) a completed *Local Agency DBE Annual Submittal Form* (Exhibit 9-B) by June 1 of each year for the following Federal Fiscal Year (FFY). This form includes an Annual Anticipated DBE Participation Level (AADPL), methodology for establishing the AADPL, the name, phone number, and electronic mailing address of the designated DBELO, and the choice of Prompt Pay Provision to be used by the RECIPIENT for the following FFY.

V Race-Neutral Means of Meeting the Overall Statewide Annual DBE Goal (§26.51)

RECIPIENT must meet the maximum feasible portion of its AADPL by using race-neutral means of facilitating DBE participation. Race-neutral DBE participation includes any time a DBE wins a prime contract through customary competitive procurement procedures, is awarded a subcontract on a prime contract that does not carry a DBE goal, or even if there is a DBE goal, wins a subcontract from a prime contractor that did not consider its DBE status in making the award (e.g., a prime contractor that uses a strict low-bid system to award subcontracts).

Race-neutral means include, but are not limited to, the following:

1. Arranging solicitations, times for the presentation of bids, quantities, specifications, and delivery schedules in ways that facilitate DBE, and other small businesses, participation (e.g., unbundling large contracts to make them more accessible to small businesses, requiring or encouraging prime contractors to subcontract portions of work that they might otherwise perform with their own forces);
2. Providing assistance in overcoming limitations such as inability to obtain bonding or financing (e.g., by such means as simplifying the bonding process, reducing bonding requirements, eliminating the impact of surety costs from bids, and providing services to help DBEs, and other small businesses, obtain bonding and financing);
3. Providing technical assistance and other services;
4. Carrying out information and communication programs on contracting procedures and specific contract opportunities (e.g., ensuring the inclusion of DBEs, and other small businesses, on recipient mailing lists of bidders; ensuring the dissemination to bidders on prime contracts of lists of potential subcontractors; provision of information in languages other than English, where appropriate);
5. Implementing a supportive services program to develop and improve immediate and long-term business management, record keeping, and financial and accounting capability for DBEs and other small businesses;
6. Providing services to help DBEs, and other small businesses, improve long-term development, increase opportunities to participate in a variety of types of work, handle increasingly significant projects, and achieve eventual self-sufficiency;
7. Establishing a program to assist new, start-up firms, particularly in fields in which DBE participation has historically been low;
8. Ensuring distribution of your DBE directory, through print and electronic means, to the widest feasible universe of potential prime contractors; and
9. Assisting DBEs, and other small businesses, to develop their capability to utilize emerging technology and conduct business through electronic media.

VI Race Conscious Means of Meeting the Overall Statewide Annual DBE Goal (§26.51(d))

RECIPIENT must establish contract goals for Underutilized Disadvantaged Business Enterprises (UDBEs) to meet any portion of its AADPL that it does not project to being able to meet using race-neutral means. UDBEs are limited to these certified DBEs that are owned and controlled by African Americans, Native Americans, Women, and Asian Pacific Americans.

VII Quotas (§26.43)

RECIPIENT will not use quotas or set-asides in any way in the administration of the local agency component of the DBE Program Plan.

VIII DBE Liaison Officer (DBELO) (§26.25)

RECIPIENT has designated the City Manager as the DBE Liaison Officer (DBELO). The DBELO is responsible for implementing the DBE Program Plan, as it pertains to the RECIPIENT, and ensures that the RECIPIENT is fully and properly advised concerning DBE Program Plan matters. The name, address, telephone number, electronic mail address, and an organization chart displaying the DBELO's position in the organization are found in Attachment 1 to this Agreement. This information will be updated annually and included on the DBE Annual Submittal Form.

The DBELO is responsible for developing, implementing, and monitoring the RECIPIENT's requirements of the DBE Program Plan in coordination with other appropriate officials. Duties and responsibilities include the following:

1. Gathers and reports statistical data and other information as required.
2. Reviews third party contracts and purchase requisitions for compliance with this program.
3. Works with all departments to determine projected Annual Anticipated DBE Participation Level.
4. Ensures that bid notices and requests for proposals are made available to DBEs in a timely manner.
5. Analyzes DBE participation and identifies ways to encourage participation through race-neutral means.
6. Participates in pre-bid meetings.
7. Advises the CEO/governing body on DBE matters and DBE race-neutral issues.
8. Provides DBEs with information and recommends sources to assist in preparing bids, obtaining bonding and insurance.
9. Plans and participates in DBE training seminars.
10. Provides outreach to DBEs and community organizations to fully advise them of contracting opportunities.

IX Federal Financial Assistance Agreement Assurance (§26.13)

RECIPIENT will sign the following assurance, applicable to and to be included in all DOT-assisted contracts and their administration, as part of the program supplement agreement for each project.

The recipient shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any DOT-assisted contract, or in the administration of its DBE Program, or the requirements of 49 CFR Part 26. The recipient shall take all necessary and reasonable steps under 49 CFR, Part 26 to ensure nondiscrimination in the award and administration of DOT-assisted contracts. The recipient's DBE Program, as required by 49 CFR, Part 26 and as approved by DOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the recipient of its failure to carry out its approved program, the Department may impose sanctions as provided for under Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.). [Note – this language is to be used verbatim, as it is stated in §26.13(a).]

X DBE Financial Institutions (§26.27)

It is the policy of the RECIPIENT to investigate the full extent of services offered by financial institutions owned and controlled by socially and economically disadvantaged individuals in the community to make reasonable efforts to use these institutions, and to encourage prime contractors on DOT-assisted contracts to make use of these institutions.

Information on the availability of such institutions can be obtained from the DBELO. The Caltrans' Disadvantaged Business Enterprise Program may offer assistance to the DBELO.

XI Directory (§26.31)

RECIPIENT will refer interested persons to the Unified Certification Program DBE directory available from the Caltrans Disadvantaged Business Enterprise Program's website at www.dot.ca.gov/hq/bep.

XII Required Contract Clauses (§§26.13, 26.29)

RECIPIENT ensures that the following clauses or equivalent will be included in each DOT-assisted prime contract:

A. Contract Assurance

The contractor or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR, Part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material

breach of this contract, which may result in the termination of this contract or such other remedy, as recipient deems appropriate.

B. Prompt Payment

Prompt Progress Payment to Subcontractors

The local agency shall require contractors and subcontractors to be timely paid as set forth in Section 7108.5 of the California Business and Professions Code concerning prompt payment to subcontractors. The 10-days is applicable unless a longer period is agreed to in writing. Any delay or postponement of payment over 30 days may take place only for good cause and with the agency's prior written approval. Any violation of Section 7108.5 shall subject the violating contractor or subcontractor to the penalties, sanctions, and other remedies of that Section. This requirement shall not be construed to limit or impair any contractual, administrative, or judicial remedies, otherwise available to the contractor or subcontractor in the event of a dispute involving late payment or nonpayment by the contractor, deficient subcontractor performance, and/or noncompliance by a subcontractor. This clause applies to both DBE and non-DBE subcontractors.

Prompt Payment of Withheld Funds to Subcontractors

The local agency shall ensure prompt and full payment of retainage from the prime contractor to the subcontractor within thirty (30) days after the subcontractor's work is satisfactorily completed and accepted. This shall be accompanied by including either (1), (2), or (3) of the following provisions [local agency equivalent will need Caltrans approval] in their federal-aid contracts to ensure prompt and full payment of retainage [withheld funds] to subcontractors in compliance with 49 CFR 26.29.

(1) No retainage will be held by the agency from progress payments due to the prime contractor. Prime contractors and subcontractors are prohibited from holding retainage from subcontractors. Any delay or postponement of payment may take place only for good cause and with the agency's prior written approval. Any violation of these provisions shall subject the violating contractor or subcontractor to the penalties, sanctions, and other remedies specified in Section 7108.5 of the California Business and Professions Code. This requirement shall not be construed to limit or impair any contractual, administrative, or judicial remedies, otherwise available to the contractor or subcontractor in the event of a dispute involving late payment or nonpayment by the contractor, deficient subcontractor performance, and/or noncompliance by a subcontractor. This clause applies to both DBE and non-DBE subcontractors.

(2) No retainage will be held by the agency from progress payments due the prime contractor. Any retainage kept by the prime contractor or by a subcontractor must be paid in full to the earning subcontractor in 30 days after the subcontractor's work is satisfactorily completed. Any delay or postponement of payment may take place only for good cause and with the agency's prior written approval. Any violation of these provisions shall subject the violating contractor or subcontractor to the penalties, sanctions, and remedies specified in Section 7108.5 of the California Business and Professions Code. This requirement shall not be construed to limit or impair any contractual, administrative, or judicial remedies, otherwise available to the contractor or subcontractor in the event of a dispute involving late payment or nonpayment by the contractor, deficient subcontractor performance, and/or noncompliance by a subcontractor. This clause applies to both DBE and non-DBE subcontractors.

(3) The agency shall hold retainage from the prime contractor and shall make prompt and regular incremental acceptances of portions, as determined by the agency of the contract work and pay retainage to the prime contractor based on these acceptances. The prime contractor or subcontractor shall return all monies withheld in retention from all subcontractors within 30 days after receiving payment for work satisfactorily completed and accepted including incremental acceptances of portions of the contract work by the agency. Any delay or postponement of payment may take place only for good cause and with the agency's prior written approval. Any violation of these provisions shall subject the violating prime contractor to the penalties, sanctions, and other remedies specified in Section 7108.5 of the California Business and Professions Code. This requirement shall not be construed to limit or impair any contractual, administrative, or judicial

remedies, otherwise available to the contractor or subcontractor in the event of: a dispute involving late payment or nonpayment by the contractor; deficient subcontractor performance; and/or noncompliance by a subcontractor. This clause applies to both DBE and non-DBE subcontractors.

XIII Local Assistance Procedures Manual

The RECIPIENT will advertise, award and administer DOT-assisted contracts in accordance with the most current published Local Assistance Procedures Manual (LAPM).

XIV Transit Vehicle Manufacturers (§ 26.49)

If FTA-assisted contracts will include transit vehicle procurements, RECIPIENT will require each transit vehicle manufacturer, as a condition of being authorized to bid or propose on transit vehicle procurements, to certify that it has complied with the requirements of 49 CFR Part 26, Section 49.

XV Bidders List (§26.11(c))

The RECIPIENT will create and maintain a bidders list, consisting of information about all DBE and non-DBE firms that bid or quote on its DOT-assisted contracts. The bidders list will include the name, address, DBE/non-DBE status, age, and annual gross receipts of the firm.

XVI Reporting to the DLAE

RECIPIENT will promptly submit a copy of the Local Agency Bidder/Proposer-UDBE Commitment (Consultant Contract), (Exhibit 10-O(1) "Local Agency Bidder/Proposer-DBE Commitment (Consultant Contract)") or Exhibit 15-G(1) "Local Agency Bidder-UDBE Commitment (Construction Contract) to the DLAE at the time of award of the consultant or construction contracts.

RECIPIENT will promptly submit a copy of the Local Agency Bidder-DBE Information (Exhibit 15-G(2) "Local Agency Bidder-DBE (Construction Contracts) – Information" or Exhibit 10-O(2) "Local Agency Proposer/Bidder-DBE (Consultant Contracts)-Information" of the LAPM) to the DLAE at the time of execution of consultant or construction contract.

RECIPIENT will promptly submit a copy of the Final Utilization of DBE participation to the DLAE using Exhibit 17-F "Final Report – Utilization of Disadvantaged Business Enterprises (DBE), First-Tier Subcontractors" of the LAPM immediately upon completion of the contract for each consultant or construction contract.

XVII Certification (§26.83(a))

RECIPIENT ensures that only DBE firms currently certified by the California Unified Certification Program will participate as DBEs on DOT-assisted contracts.

XVIII Confidentiality

RECIPIENT will safeguard from disclosure to third parties, information that may reasonably be regarded as confidential business information consistent with federal, state, and local laws.

By _____
(Signature)

Gary Napper, City Manager
CITY OF CLAYTON

Phone Number _____ 925-673-7300

This California Department of Transportation's Disadvantaged Business Enterprise Program Implementation Agreement is accepted by:

[Signature of DLAE]

Date: _____

[Print Name of DLAE]

Distribution: (1) Original – DLAE
(2) Signed copy by the DLAE – Local Agency
(Updated: March 4, 2009)

Agenda Date: 5-5-09

Agenda Item: 5a

Presentation will be done at the meeting.



Agenda Date: 5-5-09

Agenda Item: 9a

STAFF REPORT

Approved:

Gary A. Napper
City Manager/Executive Director

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: RICK ANGRISANI, CITY ENGINEER

DATE: MAY 5, 2009

SUBJECT: CONSIDERATION OF A RESOLUTION AWARDING A CONTRACT TO MAXICRETE, INC., IN THE AMOUNT OF \$199,167.00 FOR THE CONSTRUCTION OF THE TOWN CENTER ENTRY IMPROVEMENT PROJECT, CIP PROJECT NOS. 10402 AND 10403.

RECOMMENDATION

Adopt a Resolution awarding contract to Maxicrete, Inc. and allocating additional City funding as needed. Also provide direction to staff regarding the scope of the improvements to be included in the work.

BACKGROUND

On April 17th, staff opened bids for the above project. The bid amounts were based upon all of the items of work shown on the construction plans (trails, contemplation area, monument sign, directional signs, tractor display areas, etc.). We received a total of thirteen bids with the following range:

#	Bidder	Bid
1	Maxicrete, Inc.	\$199,167.00
2	Blackshear Construction	\$223,758.86
3	Suarez & Munoz	\$228,347.50
13	W R Forde Associates	\$389,818.00

Due to the number of interested parties involved in planning and funding the project (City Council/Redevelopment Agency, CBCA Daffodil Hill Committee, CBCA Tractor Committee), the bid specifications were written to allow the City significant leeway in changing or eliminating the various items of work.

Bid and Funding Analysis

The bid items were initially broken down and sorted by each major project feature in order to determine the funding liability for each entity (see attached detailed spreadsheet). The following table summarizes the findings:

Feature	RDA	Daffodil Hill	Tractor
Trail Construction	\$50,620.00		
Contemplation Area Seat Walls		\$15,250.00	
Contemplation Area Drainage		\$ 3,402.00	
Monument Sign		\$25,775.00	
Daffodil Hill Directional Sign	\$23,725.00		
Oak St. Off-ramp Directional Sign	\$11,500.00		
Daffodil Hill Landscape Lighting		\$ 9,600.00	
Daffodil Hill Irrigation		\$16,730.00	
Daffodil Hill Landscaping (plantings)		\$ 6,165.00	
Daffodil Hill Landscaping (rocks)		\$13,400.00	
Tractor Display at Black Diamond			\$11,500.00
Tractor Display at Library			\$11,500.00
Totals	\$85,845.00	\$90,322.00	\$23,000.00

The original budgets for CIP Project Nos. 10402 and 10403 approved in FY 2005/06 totaled \$150,000. Since the CIP project concepts were approved, approximately \$65,000 has been expended for studies, project design and engineering, construction documents and bidding, leaving approximately \$85,000 in the CIP budgets for construction. The CBCA originally committed \$60,000 and \$12,000 for the Daffodil Hill improvements and tractor displays, respectively, for a total of \$157,000 available for construction (minus CBCA's cost for purchasing the antique tractors).

Daffodil Hill Improvements

The City Manager and City Engineer met with the CBCA Daffodil Hill Beautification Committee to discuss the project and funding requirements based upon the bids. The Committee presented a cost reduction proposal which eliminated the trees, shrubs,

groundcover and contemplation area improvements (see attached "Cost Breakdown" dated 4/30/2009).

Due to drought restrictions imposed by the Water District, we will not be able to install the trees, shrubs and groundcover at the present time in any case. The Committee also decided the concrete seat wall did not fit in with their vision for the hill. The Committee preferred the concept of installing memorial benches, similar to others in the Town Center area, in lieu of the seat walls. It was agreed the circular "Contemplation Area" should be constructed with the trail to provide an appropriate site for the future memorial benches. These changes reduced the Daffodil Hill CBCA costs by \$24,807.00 to \$65,505.00. However, construction of the trail with the circular Contemplation Area will require installation of the storm drainage system which will increase the RDA trail costs by \$3,402 to \$89,247.00.

The CBCA Committee decided they would request an additional funding amount of \$15,000 from the CBCA for a total of \$75,000. This amount would cover the Committee's share of the construction costs as described and provide a reserve to eventually fund the installation of the trees, shrubs and groundcover when the drought restrictions are lifted by the Water District.

Tractor Display Areas

The cost for the tractor display areas (\$23,000) is significantly higher than the funding committed by the CBCA (\$12,000 less the purchase cost of the tractors). The CBCA Tractor Committee has been informed of the bid cost to install the two tractors. Staff expects the Tractor Committee will address this issue during the Council meeting.

FISCAL IMPACT

The total construction cost of the revised project scope (minus landscaping and seat walls) is \$177,752.00. Adding 15% for contingencies and inspection/administration, the total cost to complete the project is \$204,415.00.

Assuming the CBCA increases their funding for the tractor display areas (to \$23,000) and the Daffodil Hill area (to \$65,505), the project still remains under-budgeted by \$31,000:

	\$204,415	Revised Project Budget
	- \$ 85,000	City CIP Monies available
	- \$ 65,505	CBCA Hill & Sign Improvements
	- \$ 23,000	CBCA Tractor Installations
Total Gap Funds:	\$ 30,910	

Therefore, if the Council wishes to proceed with the entire project as described above and each CBCA Committee commits to the funding of its improvements, the City Council must still approve an increase in the project budget by allocating an additional \$31,000. The CBCA Hill Improvements Committee has indicated to staff they can commit the \$65,505.

Without any of CBCA's project improvements and funds, the City Council will need to augment project funding by \$17,647 to install the previously-committed capital improvement projects of primary interest to the Redevelopment Agency:

\$ 89,247	Trail & Town Center entrance signs (2)
+ \$ 13,400	15% contingency/admin/inspection
\$102,647	Project total
- \$ 85,000	CIP monies available (both projects)
\$ 17,647	Gap funds necessary

A final possible alternative would occur if the CBCA decides not to fund the Tractor display area construction. This alternative would yield a final project budget as follows:

\$ 89,247	Trail & Town Center entrance signs (2)
\$ 65,505	CBCA Hill & Sign Improvements
+ \$ 23,213	15% contingency/admin/inspection
\$177,965	Project total
- \$ 85,000	CIP monies available (both projects)
- \$ 65,505	CBCA Contribution
\$ 27,460	Gap funds necessary

CONCLUSION

Based upon the above, Staff recommends the City Council approve the attached Resolution awarding a contract in the amount of \$199,167.00 for the Town Center Entry Improvement Project to Maxicrete, Inc. It is further recommended the Council order the deletion of the concrete seat wall, trees, shrubs and groundcover (and tractor display areas should CBCA decide to not fund their construction) from the construction contract (via subsequent Change Order) and transfer additional funding in the appropriate amount (\$17,647, \$27,460 or \$31,000) from the CIP Budget interest earnings account.

Attachments: Bid Item Breakdown
 CBCA Daffodil Hill Committee Proposal
 Council Resolution
 Contract

Town Center Entry Improvements Project
 Bid Breakdown

1) Trail construction - includes rough grading of Daffodil Hill Area, retaining wall construction, trail construction and thru-curb drains

						Funding	
Bid Items:						City	CBCA
#	Description	Quantity	Unit	Unit Price	Amount		
1	Clearing & Grubbing	1	LS	\$ 12,500.00	\$ 12,500.00		
3	Earthwork	1	LS	\$ 15,000.00	\$ 15,000.00		
6	Retaining Wall	156	SF	\$ 70.00	\$ 10,920.00		
9	Thru-curb drains	4	EA	\$ 250.00	\$ 1,000.00		
10	Rock Trail	2800	SF	\$ 4.00	\$ 11,200.00		
Subtotal - Trail Construction					\$ 50,620.00	\$ 50,620.00	

2a) Contemplation Area - storm drainage

Bid Items:							
#	Description	Quantity	Unit	Unit Price	Amount		
7	6" PVC Pipe	64	LF	\$ 18.00	\$ 1,152.00		
8	V-64 Drain Box	3	EA	\$ 750.00	\$ 2,250.00		
Subtotal - Contemplation Area					\$ 3,402.00	\$ 3,402.00	

2b) Contemplation Area - includes seat wall and seat wall lighting

Bid Items:							
#	Description	Quantity	Unit	Unit Price	Amount		
11	Seat Wall	51	LF	\$ 250.00	\$ 12,750.00		
12	Stucco - seat wall	125	SF	\$ 20.00	\$ 2,500.00		
Subtotal - Contemplation Area					\$ 15,250.00	\$ 15,250.00	

3) Monument Sign - includes demolition, reconstruction and lighting

Bid Items:							
#	Description	Quantity	Unit	Unit Price	Amount		
2	Monument Sign Demo.	1	LS	\$ 3,000.00	\$ 3,000.00		
4	Monument Sign	1	LS	\$ 20,000.00	\$ 20,000.00		
13	Conduit	75	LF	\$ 10.00	\$ 750.00		
14	Fixture A	2	EA	\$ 500.00	\$ 1,000.00		
18	Control Box (1/2)	0.5	EA	\$ 1,250.00	\$ 625.00		
19	Pull Boxes	2	EA	\$ 200.00	\$ 400.00		
Subtotal - Monument Sign					\$ 25,775.00	\$ 25,775.00	

4) Daffodil Hill Directional Sign w/lighting

Bid Items:

#	Description	Quantity	Unit	Unit Price	Amount	
5	Directional Sign	1	LS	\$ 21,000.00	\$ 21,000.00	
13	Conduit	70	LF	\$ 10.00	\$ 700.00	
16	Fixture A4 - in concrete	2	EA	\$ 500.00	\$ 1,000.00	
18	Control Box (1/2)	0.5	EA	\$ 1,250.00	\$ 625.00	
19	Pull Boxes	2	EA	\$ 200.00	\$ 400.00	
Subtotal - Daffodil Hill Directional Sign					\$ 23,725.00	\$ 23,725.00

5) Oak St. Off-ramp Directional Sign w/lighting

						Funding
						City CBCA
#	Description	Quantity	Unit	Unit Price	Amount	
39	Directional Sign	1	LS	\$ 11,500.00	\$ 11,500.00	
Subtotal - Oak St. Off-ramp Directional Sign					\$ 11,500.00	\$ 11,500.00

6) Daffodil Hill Landscaping Lighting

Bid Items:

#	Description	Quantity	Unit	Unit Price	Amount	
13	Conduit	260	LF	\$ 10.00	\$ 2,600.00	
15	Fixture A1	8	EA	\$ 500.00	\$ 4,000.00	
17	Fixture A4 - in dirt	6	EA	\$ 400.00	\$ 2,400.00	
19	Pull Boxes	3	EA	\$ 200.00	\$ 600.00	
Subtotal - Daffodil Hill Lighting					\$ 9,600.00	\$ 9,600.00

7) Daffodil Hill Irrigation

Bid Items:

#	Description	Quantity	Unit	Unit Price	Amount	
20	2-1/2" PVC Pipe	112	LF	\$ 4.00	\$ 448.00	
21	2" PVC Pipe	110	LF	\$ 4.00	\$ 440.00	
22	1-1/2" PVC Pipe	146	LF	\$ 3.00	\$ 438.00	
23	1-1/4" PVC Pipe	168	LF	\$ 3.00	\$ 504.00	
24	1" PVC Pipe	285	LF	\$ 3.00	\$ 855.00	
25	3/4" PVC Pipe	690	LF	\$ 3.00	\$ 2,070.00	
26	Pop-up Heads	15	EA	\$ 15.00	\$ 225.00	
27	Bubblers	225	EA	\$ 20.00	\$ 4,500.00	
28	Quick Couplers	3	EA	\$ 150.00	\$ 450.00	
29	Gate Valves	1	EA	\$ 150.00	\$ 150.00	
30	Control Valves	11	EA	\$ 150.00	\$ 1,650.00	
31	Controller	1	EA	\$ 5,000.00	\$ 5,000.00	
Subtotal - Daffodil Hill Irrigation					\$ 16,730.00	\$ 16,730.00

8a) Daffodil Hill Landscaping - plantings

Bid Items:

#	Description	Quantity	Unit	Unit Price	
32	Trees - 15 gallon	7	EA	\$ 125.00	\$ 875.00
33	Shrubs - 5 gallon	242	EA	\$ 20.00	\$ 4,840.00
34	Groundcover - 1 gallon	75	EA	\$ 6.00	\$ 450.00

Subtotal - Daffodil Hill Landscaping	\$ 6,165.00	\$ 6,165.00
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8b) Daffodil Hill Landscaping - boulders and rocks

Bid Items:

#	Description	Quantity	Unit	Unit Price	
35	Boulders (except Dry Cr	23	EA	\$ 350.00	\$ 8,050.00
36	Dry Creek Boulders	10	EA	\$ 400.00	\$ 4,000.00
37	Dry Creek Class 2 AB	150	SF	\$ 3.00	\$ 450.00
38	Dry Cobbles	150	SF	\$ 6.00	\$ 900.00

Subtotal - Daffodil Hill Landscaping	\$ 13,400.00	\$ 13,400.00
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9) Tractor Area at Black Diamond Plaza

Bid Items:

#	Description	Quantity	Unit	Unit Price	Amount	Funding City CBCA
40	Tractor Area	1	LS	\$ 11,500.00	\$ 11,500.00	
Subtotal - Tractor Area at Black Diamond Plaza				\$ 11,500.00	\$ 11,500.00	

10) Tractor Area at Library

Bid Items:

#	Description	Quantity	Unit	Unit Price	Amount	
41	Tractor Area	1	LS	\$ 11,500.00	\$ 11,500.00	
Subtotal - Tractor Area at Library				\$ 11,500.00	\$ 11,500.00	
Grand Total Bid				\$ 199,167.00	\$ 85,845.00	\$ 113,322.00

COST BREAKDOWN

4/30/2009

• SIGN	\$25,775
• IRRIGATION	\$16,730
• HARDSCAPE	\$13,400
• LIGHTING	\$9,600
– TOTAL	\$65,505

DEFERRED: PLANTS

\$6,165

DROPPED: CONTEMPLATION

\$18,652

Daffodil Hill Committee Proposal

RESOLUTION NO.

**A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF A CONTRACT
IN THE AMOUNT OF \$199,167.00 WITH MAXICRETE, INC. FOR THE TOWN CENTER
ENTRY IMPROVEMENT PROJECT
CIP PROJECT NOS. 10402 & 10403**

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

WHEREAS, the City Council approved a Capital Improvement Program for FY 2007/08 to 2011/12 which included a Town Center Entry Improvement Project (No. 10402 & 10403); and

WHEREAS, the City Engineer prepared plans and specifications and advertised an invitation for bids as required by the Public Contract Code; and

WHEREAS, sealed bids were publicly opened on April 17, 2009; and

WHEREAS, Maxicrete, Inc. submitted a low bid of \$199,167.00; and

WHEREAS, the City Engineer has reviewed Maxicrete, Inc.'s bid, found it to be responsive in all respects, and has recommended awarding the contract to Maxicrete, Inc.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Clayton, California does hereby name Maxicrete, Inc., as responsible low bidder and authorizes the Mayor to execute the contract for the Town Center Entry Improvement Project on behalf of the City.

PASSED, APPROVED and ADOPTED by the City Council of Clayton, California at a regular public meeting thereof held on the 5th day of May 2009 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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 May 5, 2009.

Laci J. Jackson, City Clerk

**CITY OF CLAYTON
CALIFORNIA**

CITY CONTRACT NO.

TOWN CENTER ENTRY IMPROVEMENTS

THIS CONTRACT, made and entered, into this ____ day of _____, 2009, between the CITY OF CLAYTON (hereinafter called "City"), and MAXICRETE, INC. (hereinafter called "Contractor").

WITNESSETH

WHEREAS, the City has awarded a contract to Contractor for performing the work hereinafter mentioned in accordance with the Contractor's sealed proposal therefore;

NOW, THEREFORE, IT IS AGREED, as follows:

1. **Scope of Work:** The Contractor shall perform all the work, and furnish all the labor, materials, equipment, and all the utility and transportation services required to complete all of the public improvements portion of the improvements more particularly described in those certain specification and proposal forms, "TOWN CENTER ENTRY IMPROVEMENTS", dated March 20, 2009.
2. **Time of Performance and Liquidated Damages:** The Contractor shall begin work as stated in Section G-3 of these specifications and shall diligently prosecute the same to completion before the expiration of the working days as stated in the specifications.

The City has determined, that in the event the Contractor does not complete the work within the time limit so specified or within such further time as said City shall have authorized, the Contractor shall pay to the City liquidated damages in the amount of FIVE HUNDRED DOLLARS (\$500.00) per day for each and every calendar day's delay in finishing the work beyond the completion and liquidated damages are set forth in the specification and contract documents, which provisions are hereby referred to and incorporated herein by this reference.

3. **Payments:** Payments under this Contract shall be for those public improvements set forth in the project plans, these special provisions and all the Standard Specifications and Standard Plans. Based upon the unit prices set forth in the Contractor's proposal, the estimated price of this Contract is **\$199,167.00**. Payments will be made by the City to the Contractor for the work performed, including all labor, material, equipment, and utility and transportation services, to complete said public improvements, at the times and in a manner provided in the specifications, and at the unit prices stated in Contractor's proposal. For all moneys earned by the Contractor may, at his request and expense, substitute equivalent to the amount withheld in the form and manner and subject to the conditions provided in Section 22300 of the Public Contract Code.
4. **Component Parts:** This Contract shall consist of the following documents, each of which is on file in the office of the City Clerk and all of which are incorporated herein and made a part hereof by this reference thereto:

- a. This Contract
- b. Notice Inviting Sealed Proposals
- c. Contractor's Proposal
- d. Faithful Performance Bond
- e. Labor and Material (Payment) Bond
- f. General Conditions
- g. Special Provisions
- h. Standard Specifications
- i. Standard Plans
- j. Plans and Detailed Drawings

5. **Wage Scale:** The City has obtained from the Director of Department of Industrial Relations the general prevailing rate of per diem wages and the general prevailing rate for holidays and overtime work for each craft, classification or type of workman required to execute this Contract. A copy of said prevailing rate of per diem wages is on file in the office of the City Engineer, to which reference is hereby made for further particulars. The prevailing rate of per diem wages will be made available to any interested party upon request, and a copy thereof shall be posted by the Contractor at the job site. The Contractor shall comply with the provisions of Article 2, Chapter 1, Part 7, Division 2 (commencing with Section 1770) of the California Labor Code, and particularly Sections 1775 and 1776 thereof.

6. **Hour of Labor:** The Contractor shall forfeit, as penalty to the City, Fifty dollars (\$50.00) for each worker employed in the execution of the Contract by him or by any subcontractor, for each calendar day during which any worker is required or permitted to labor more than eight (8) hours in any one calendar day and forty (40) hours in any one calendar week, if the Contractor is in violation of the provisions of Article 3, Chapter 1, Part 7, Division 2 (commencing with Section 1810) of Labor Code.

7. **Apprentices:** The Contractor shall be responsible for compliance with provisions of Labor Code Section 1777.5 for all apprenticeable occupations. In accordance with the provisions of said Section 1777.5, and in accordance with the rules and procedures of the California Apprenticeship Council, properly indentured apprentices shall be employed in the prosecution of the work. The ratio of apprentices to journeymen who shall be employed in the respective crafts or trades may be the ratio stipulated in the contract under which the apprenticeship committee operates, but in no event shall the ratio be less than one apprentice for each five journeymen, except as otherwise provided pursuant to said Section 1777.5. Willful failure by the Contractor to comply with said Section 1777.5 shall result in his being denied the right to bid on a public works contract for a period of one year from the date the determination of noncompliance is made by the Administrator of Apprenticeship and the imposition of civil penalties, as more particularly set forth in Section 1777.7 of said Labor Code.

Information relative to the number of apprentice standards, wage schedules, and other requirements shall be obtained from the Director of the Department of Industrial Relations, ex officio the Administrator of Apprenticeship, San Francisco, California, or from the division of Apprenticeship Standards and its branch offices.

8. **Labor Discrimination:** Attention is directed to Section 1735 of said Labor Code, which reads as follows:

“No discrimination shall be made in the employment of persons upon public works because of the race, religious creed, color, national origin or ancestry, physical handicap, medical condition, marital status or sex of each persons, except as provided in Section 12940 of the Government Code, and section is subject to all the penalties imposed for a violation of this chapter.”

9. **Worker's Compensation Insurance:** In accordance with the provisions of Article 5, Chapter 1, Part 7, Division 2 (commencing with Section 1860) and Chapter 4, Part 1, Division 4 (commencing with Section 3700 of said Labor Code), the Contractor is required to secure the payment of compensation to his employees and shall for that purpose obtain and keep in effect adequate Worker's Compensation Insurance.

By execution hereof, the undersigned Contractor certifies that he is aware of the provisions of Section 3700 of the California labor Code which require every employer to be insured against liability for Worker's Compensation or to undertake self-insurance in accordance with the provisions of that Code, and performance of the work of this contract.

10. **Ineligible Contractors:** Contractor is expressly prohibited from employing any “ineligible subcontractors” (as defined in Labor Code Section 1777.1) on the project described herein.

11. **Attorneys' Fees:** In the event that the City is required to bring legal action against Contractor related to this agreement, the City, if determined to be the prevailing party, shall be entitled to recover its attorney's fees from Contractor.

IN WITNESS WHEREOF, the parties have caused these presents to be executed by their respective officers, thereunto duly authorized, all as of the day and year first above written.

CITY OF CLAYTON

MAXICRETE, INC.

By: _____
Mayor

By: _____

By: _____
"Contractor"

Attest: _____
By: _____

1125 Missouri St. Ste. 201
Fairfield, CA 94533

Approved as to Form & Procedure

Mailing Address (if different)

City Attorney

P.O. Box

City

Contact Person

Telephone Number

Federal Tax I.D. Number

Contractor's License Number

BID QUANTITIES AND PRICES

<u>Item #</u>	<u>Description</u>	<u>Quantity</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Total</u>
	DAFFODIL HILL				
1	Clearing & Grubbing	1	LS	12,500.00	12,500.00
2	Monument Sign Demolition	1	LS	3,000.00	3,000.00
3	Earthwork	1	LS	15,000.00	15,000.00
4	Monument Sign	1	LS	20,000.00	20,000.00
5	Retaining Wall	156	SF	21,000.00	21,000.00
	<u>Storm Drainage:</u>				
6	6" PVC Pipe	64	LF	18.00	1,152.00
7	V-64 Drain Box	3	EA	750.00	2,250.00
8	Thru-curb Drains	4	EA	250.00	1,000.00
9	Rock Trail	2,800	SF	4.00	11,200.00
10	Seat Wall	51	LF	250.00	12,750.00
11	Seat Wall – Stucco Finish	125	SF	20.00	2,500.00
	<u>Lighting:</u>				
12	Conduit	405	LF	10.00	4,050.00
13	Fixture A	2	EA	500.00	1,000.00
14	Fixture A1	8	EA	500.00	4,000.00
15	Fixture A4 – in concrete	2	EA	500.00	1,000.00
16	Fixture A4	6	EA	400.00	2,400.00
17	Control Box	1	EA	1,250.00	1,250.00
18	Pull Boxes	7	EA	200.00	1,400.00
	<u>Irrigation:</u>				
19	2-1/2" PVC Pipe	112	LF	4.00	00
20	2" PVC Pipe	110	LF	4.00	440.00
21	1-1/2" PVC Pipe	146	LF	3.00	438.00
22	1-1/4" PVC Pipe	168	LF	3.00	504.00
23	1" PVC Pipe	285	LF	3.00	
24	3/4" PVC Pipe	690	LF	3.00	2,070.00
25	Pop-up Heads	15	EA	15.00	4,500.00
26	Bubblers	225	EA	20.00	450.00

27	Quick Couplers	3	EA	150.00	450.00
28	Gate Valves	1	EA	150.00	150.00
29	Control Valves	11	EA	150.00	1,650.00
30	Controller	1	EA	5,000.00	5,000.00
	<u>Landscaping:</u>				
31	Trees – 15 gallon	7	EA	125.00	875.00
32	Shrubs – 5 gallon	242	EA	20.00	4,840.00
33	Groundcover – 1 gallon	75	EA	6.00	450.00
34	Boulders (except Dry Creel)	23	EA	350.00	8,050.00
35	Dry Creek Boulders	10	EA	400.00	4,000.00
36	Dry Creek Class 2 Aggregate Base	150	SF	3.00	450.00
37	Dry Creek Cobbles	150	SF	6.00	900.00
	DAFFODIL HILL SUBTOTAL:				164,667.00
38	Directional Sign at Main St. Off-ramp	1	LS	11,500.00	11,500.00
39	Tractor Area at Black Diamond Plaza	1	LS	11,500.00	11,500.00
40	Tractor Area at Library	1	LS	11,500.00	11,500.00
		TOTAL BID			\$199,167.00

LEGAL RELATIONS AND RESPONSIBILITIES

Nothing in the provisions of this agreement is intended to create duties or obligations to or rights in third parties not parties to this contract or affect the legal liability of either party to the contract by imposing any standard of care different from the standard of care imposed by law.

It is understood and agreed that neither the City of Clayton ("City") nor any officer or employee is responsible for any damage or liability occurring by reason of anything done or omitted to be done by _____ (Contractor") under or in connection with any work, authority or jurisdiction delegated to the Contractor under this agreement. It is understood and agreed that pursuant to Government Code Section 895.4 Contractor shall defend, indemnify and save harmless the City, its officers and employees from all claims, suits or actions of every name, kind and description brought for or in account of injuries to or death of any person or damage to property resulting from anything done or omitted to be done by the Contractor under or in connection with any work, authority or jurisdiction delegated to the Contractor under this agreement.

The Contractor waives any and all rights to any type of express and implied indemnity against the City, its officers and employees arising from any work, authority or jurisdiction delegated to the Contractor under this agreement.

Executed on _____, 2009

MAXICRETE, INC.

By _____

TITLE



Agenda Date: 5-5-09

Agenda Item: 9b

Approved: _____

Gary A. Napper
City Manager/Executive Director

AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: Maintenance Supervisors

DATE: May 5, 2009

SUBJECT: Water Conservation Plans for City Facilities and Public Landscaping

RECOMMENDATION

It is recommended the City Council review and adopt, by minute motion, the proposed Water Conservation Plan outlined in the attachments to comply with the water rationing regulations set by the Contra Costa Water District (CCWD) in their drought management plan adopted on April 1, 2009.

BACKGROUND

On April 1 2009 the Contra Costa Water District instituted district-wide mandatory water rationing for all water users within the District starting on May 1, 2009. This action comes after two dry years that has reduced the amount of water available to the Contra Costa Water District. The District indicates it must cut water usage by an average of 15% district-wide this year. As a subscriber to CCWD metered water, the City of Clayton falls under two categories of water rationing established by the CCWD.

The first water rationing plan is for cutting water consumption by 15% in all City buildings and facilities by taking the usage in the years 2005, 2006, and 2007 and averaging that use to come up with a base line amount. The year 2008 was left out since the District had asked for volunteer rationing in that year.

The second rationing plan the City falls under is for irrigated landscaping. They are asking for a 45% cut back in consumption using the same formula as above with the same years of 2005, 2006, and 2007 to establish a base line of usage.

RATIONING PLANS

The 15% cut in water consumption for buildings will effect the following City owned facilities; City Hall, Library, Endeavor Hall, The Grove Park (bathrooms, drinking faucets, and water feature), and Community Park (bathrooms, and drink fountains). How the cuts will work is taking the three year usage of 2005, 2006, and 2007 and averaging these years. As an example: let's say that City Hall has used an average over the three years period of 100 gallons a day in water. The Water District is asking the City to cut its usage at City Hall to 85 gallons a day (100 gallons a day minus 15% or (15 gallons) equals 85 gallons a day). The City still can use up to but can not exceed the three year average of 100 gallons a day. If we were to go over the average daily usage reported by the Water District then a monetary penalty rate of 4 times the cost of the standard cost of water would be imposed.

The 45% cut in water consumption for irrigated landscape will affect the following owned properties: all Clayton Maintenance Landscape District property, City Hall landscape, Endeavor Hall landscape, Community Park, North Valley Park, Stranahan Park, and The Grove Park. The Library, Westwood Park, and Lydia Lane Park are not included because they are irrigated by well water. There are two ways the water allocation can be determined for City landscape irrigation. The first method is the same as above on using the average of past usage from the same years of 2005, 2006, and 2007 and cutting this amount by 45%. As an example let's say the Community Park uses 10,000 gallons of water a day on average. The Water District is asking for a 45% cut back from past consumption which would be a daily rate of 5,500 gallons a day (10,000 gallons a day minus 45% or 4,500 gallons equals 5,500 gallons a day).

The second formula for calculating landscape water usage is using ET (evapotranspiration) historical rate. This is essentially taking the amount of water it takes to water an acre of landscaping by historical data that has been compiled over the same three year period. An example would be for a set acre of landscaping in Clayton in the month of July would need 10 inches of water for the one acre of landscaping to survive from the historical data. So taking this ET rate of 10 inches the Water District would cut it by 45% or allocate the City 5.5 inches of water for the month of July (10 inches a month minus 45% or 4.5 inch equals 5.5 inches of water for July). Staff is still looking into what method of calculating our water allotment would be more beneficial to the City. At this time it looks like using the ET rate would give us a bigger allotment for watering, at least in the Landscape Maintenance District. On the Park side it looks to be more beneficial to use our past usage to get a better allotment for the City.

Under the CCWD rationing plan, large users like the City of Clayton can use what is called 'pooling' of our water meters. Essentially what the City can do is take all of our water meters that are in the Landscape District and combine them into one large pool. Or do the same with other water meters within the City. This gives the City some discretion in the City's water usage and where it is applied instead of only being able to use the allocated amount of water from each meter at that meter's location. An example would be if we have three meters labeled X, Y and Z, and X was allocated 1,000 gallons a day, Y 2,000 gallons a day and Z 200 gallons a day. When we pool these meters together our total allocation

becomes 3,200 gallons a day from all three meters. Suppose we wanted to save the plants that meter Z waters but it would take us 700 gallons a day to be able to do this. As you can see if we cannot pool the meters (3,200 gallons total) we would go over by 500 gallons a day at meter Z (200 gallons allocated, 700 gallons needed equal 500 gallons short), which would then incur a substantial penalty of four times the standard rate of water charged by CCWD. By pooling the water meters we lessen the likelihood of any penalty since we stay within our pooled allotment (3,200 gallons). To continue this example: let's say meter Y needs its full 2,000 gallons of water and meter X does not need any water. In this example we would have an actual surplus of 500 gallons of water to use and not be penalized like we would if the meters were kept separate.

The Contra Costa Water District has made it clear that if any users in the District continually waste water under this rationing plan (i.e. goes over their allotment continually and absorbs the monetary penalty), the District will shut the water off to that user. It is essential that the City stays within its allocated water amounts so our water service will not be interrupted, and that the City sets the proper leadership example to our community.

The proposed plans attached for each category of City water use should be able to meet the goals set by the Contra Costa Water District.

FISCAL IMPACT

The fiscal impact is unknown but there is the potential of monetary savings in water costs if the City meets the required goals. Certainly, meeting the imposed reductions also saves the City from substantial monetary penalties ready to be levied by CCWD.

The Landscape Maintenance District alone spent \$169,146 for water in last year's budget (FY 07-08). If these reductions continue for one full year, based on past usage the savings to the Landscape District in water alone could be as high as \$76,155. Naturally, any water expense savings will be offset by the probable loss or damage to public landscaped areas and turf, necessitating future replacement costs.

CITY BUILDINGS WATER RATIONING PLAN

To achieve the Contra Costa Water District's 15% mandatory reduction in water usage the following objectives will be implemented to meet this goal.

Objectives

- Read all City Building meters every month
- Manually adjust controllers for watering cycles in Landscape area
- Suspend trimming of the landscape around buildings during rationing
- Install signage asking people to conserve water

Purpose

- I. Maintenance personnel will read the water meters every month to ensure that we are meeting our goals of a 15% reduction in water usage overall in buildings and 45% in a building's landscape. The following buildings will be monitored: City Hall, Library, and Endeavor Hall. Endeavor Hall and City Hall are the only buildings with dedicated water meters to irrigate the landscaping, which must achieve an overall 45% reduction in water usage. The Library landscape is water provided by well water and therefore it has no restrictions. There will be a small addition use in man hours to perform this job in the General Fund and Endeavor Hall Fund but these addition man hours should be off set from using less man hours trimming and from using/buying less water
- II. The controllers in the building landscape will be manually programmed throughout the water season to meet our goals of a 45% overall water reduction. Instead of a standard program that runs throughout the watering season we will be making adjustment to the controllers on an as-need basis. This could mean daily or weekly or monthly. There will be additional man hours incurred since we will be doing some more manual adjustments then in a normal watering year. These additional man hours will be off set from the suspending of the trimming and from using/buying less water for the building landscape.

- III. Maintenance personnel will suspend trimming of building landscape during the summer and fall months. By taking this action we will save water by not promoting the plant to re-grow after they are trimmed especially during the hot summer months. Trimming will be done on a case by case basis for the following reasons: overgrowth impeding walkways, and any other hazard found to endanger the public. Trimming will not be performed for aesthetic reasons during this time so as to save and conserve the plants during drought conditions.
- IV. Signage will be installed to ask citizens to please conserve water at City Hall, Library, and Endeavor Hall. Signage will also be installed informing the public that the Library grounds are irrigated by well water and is therefore not restricted by drought rationing.

Summary

All of the City's Buildings have newer construction employing water saving devices installed such as low flow toilets and auto shut off faucets. The rock fountain in the City Hall courtyard operates using recirculating water.

As mentioned above, signage will be installed to alert the public of the need to conserve water. Staff believes the 15% reduction in water use can be met for the buildings. If the goals are not being met, Staff will look into shutting off faucets or as a final drastic measure, close the public restrooms.

CITY OF CLAYTON PARKS WATER RATIONING PLAN

To achieve the Contra Costa Water District's 45% mandatory reduction in water usage the following objectives will be implemented to meet this goal.

Objectives

- "Pool" all water meters funded by the General Fund
- Read all Parks water meters every two weeks
- Reduce watering of turf areas
- Turn off sprinklers in planted areas (except The Grove park)
- Manually adjust controllers for watering cycles
- Suspend trimming of the landscape areas during rationing
- Install signage for the public to conserve water

Purposes

- I. The Parks have a total of eight water meters with six of the meters coming under the General Fund and the remaining two are under The Grove Park (funded by restricted-use monies). Of the six meters that fall under General Fund, one comes under Buildings (Community Park bathrooms and drinking fountains) and only needs a 15% reduction in water usage. The other five meters will be "pooled" and must achieve an overall 45% reduction in use. The meters are at the following location; two meters at the Community Park, one at North Valley Park, one at Stranahan Park, and one at Dog Park. These five will be pooled together to give us flexibly to attain our goal of 45% reduction in water usage.

The two remaining meters are at The Grove Park; one is for irrigation of the landscaping which falls under the 45% reduction and the other is Buildings which cover the public bathrooms, drinking fountains, and water play feature. That meter will need to meet a 15% reduction in usage. The Grove Park meters will stand alone since they come under a different funding source (restricted monies).

- II. Maintenance staff will read the water meters every two weeks to ensure that we are meeting our goals of a 45% reduction in water usage overall in the landscape areas and 15% for the buildings. With the General Fund meters (Parks) pooled together we will be better able to see if we are keeping within our total allotment; if we're not meeting our goals then make adjustments quickly to meet our goals within these areas. There will be additional man hours to perform this job but this time will be offset from suspending trimming and less mowing (grass will not be growing in some areas and slow down from less water being used in other areas) and from buying/using less water
- III. Maintenance staff will limit watering of the turf areas within each Park, which will undoubtedly make the turf less attractive to the public. The plan at the Community Park is to try and keep the sports fields playable during the summer and limit or cut off the watering around the outside of the fields and picnic areas. At North Valley Park we will try and keep an area green around the play structure and flat areas of the Park. Stranahan Park we will try to keep the turf alive (this is a small lawn and should have limited water usage.

The other two Parks not mentioned are Westwood Park and Lydia Lane Park. Both of these parks are on well water and therefore are not subject to the Water District's restrictions on watering.
- IV. To save large turf areas for sport play use we will be turning off water to the plant areas at the Community Park and North Valley Park (we will still water shrubs at The Grove Park and Stranahan Park but at a much lower level). Most of the trees and shrubs will survive through the hot summer months with the ground cover probably dying out. If we exceed our goal in water reduction during the summer we will water the shrubs and trees when possible.

- V. The controllers will be manually programmed throughout the water season to meet our goals of a 45% overall water reduction. Instead of a standard program that runs throughout the watering season we will be making adjustment to the controllers on an as-needed basis. This could mean daily or weekly or monthly. There will be an additional man hours doing this job since there will be a lot more adjustments then in normal watering years. This will be offset from other labor savings during the drought such as less mowing, trimming, and savings from buying/using less water.

- VI. Maintenance will suspend trimming the landscape during the summer and fall months. By taking this action we will save water by not promoting the plant to re-grow after they are trimmed especially during the hot summer months. Trimming will be done on a case by case basis for the following: sight obstructions at intersections, overgrowth impeding walkways, and any other hazard found to endanger the public. Trimming will not be performed for aesthetic reasons during this time so as to save and conserve the plants during drought conditions.

- VII. Maintenance staff will install signage in the Parks by public restrooms and drinking fountains urging citizens to please conserve water. In Lydia Lane Park and Westwood Park, signs will be installed informing citizens these Parks use well water and are not restricted by water rationing regulations of the Contra Costa Water District.

- VIII. Turf areas lost during the drought will be examined for reseeding or replacement. Costs to replace lost landscaping will be developed and considered for General Fund allocations in relation to other competing priorities of the City during the extended budget crisis and economic downturn.

Summary

During the rationing Maintenance staff will be responding and repairing all leaks as they are detected so as to conserve as much water as possible. Public restrooms at the parks all use low flow toilets and self shut off faucets to save water. If there becomes a problem with over usage for domestic water (15% cut back) staff will look into shutting off faucets and as a last resort shutting down the bathrooms. At The Grove Park maintenance staff is looking into the feasibility and cost to use well water to water the park landscaping. Adjustments to the above plan may need to be made throughout the year to meet our water reduction goals.

LANDSCAPE MAINTENANCE DISTRICT WATER RATIONING PLAN

To achieve the Contra Costa Water District's 45% mandatory reduction in water usage the following objectives will be implemented to meet this goal.

Objectives

- "Pool" all water meters within the Landscape District
- Read all Landscape District meters every two weeks
- Stop watering all lawn areas
- Turn off sprinklers in bare areas
- Manually adjust controllers for watering cycles
- Concentrate watering on newer and healthier planted areas
- Suspend trimming of the landscape during rationing
- Suspend planting of annuals at base of Clayton Fountain and along Main Street
- Option to drain the pond at the Clayton Fountain
- All District monies saved from using less water stay within the District's Fund and will be set aside for future water system improvements or restoration of turf areas or plants lost to the drought

Purposes

- I. The Landscape District will "pool" all 43 water meters within the District so we can better achieve the overall 45% reduction in water usage. This allows us to divert water from metered locations where the water is not needed to areas that will need the water so we will be able to save the desired landscaping (see criteria below VI). Implementing meter "pooling" will allow the Maintenance Department more flexibly in attaining our goal of 45% water reduction mandated by the Water District.
- II. Maintenance staff will read the water meters every two weeks to ensure that we are meeting our goals of a 45% reduction in water usage over all. With the meters pooled together we will be better able to see if we were keeping within our total allotment and if not make adjustments quickly before heavy penalties apply. There will be addition man hours to perform this job but will be offset from man hour saving from suspending trimming and from buying/using less water

- III. Maintenance staff will stop watering all turf area funded by the Landscape District. These areas are: Water Feature, Coal Mine Court, Peacock Creek Drive, Eagle Peak Ave and Indian Wells Way at both ends, Eagle Peak Ave at Miwok Way, Indian Head Way, Downtown at the off ramp, Tear Drop (where roses are), Christmas tree and above Black Diamond Plaza

Lawns are by far the largest user of water in a landscape. By not watering them we will be able to divert water to save shrubs and tree which are more costly to replace than lawn. An added benefit of not watering these lawns is when the drought is over we will be able to make upgrades to the sprinkler systems and get new thatch free turf. This will make watering much more efficient and make for healthier lawns in the future.

- IV. Maintenance staff will be going through the landscape and shut off individual sprinkler heads that are only watering dirt areas. This has already been done in most areas where we have experienced major plant loss over the years. There will be a small add cost in man hours since we will be checking for this throughout the year instead of just at the beginning of the watering season as in previous years.

- V. The irrigation controllers will be manually programmed throughout the water season to meet our goals of a 45% overall water reduction. Instead of a standard program that runs throughout the watering season we will be making adjustment to the controllers on an as-needed basis. This could mean daily or weekly or monthly. There will be additional man hours needed since we will be doing a lot more adjustments than in normal watering years. These additional man hours will be absorbed from savings from suspending the landscape trimming and buying/using less water.

- VI. Maintenance staff will be making an evaluation of all the landscaping plantings to determine what plants would be most cost and water effective for saving. The priority will be to save the newer and healthier landscape areas such as: Center Street trail area; old Marsh Creek Road; east bound side of Oakhurst Drive. Then, priority in order will be to save trees, shrubs, then lastly any ground cover (listed in order of cost priority and aesthetic impact).

- VII. Maintenance will suspend trimming the landscape during the summer and fall months. Under the standards of the Landscape District we trim the landscaping twice a year. By suspending trimming for the summer and fall we will be only trimming the shrubs an average of once a year during the declared drought period. By taking this action we will save water by not promoting the plant to re-grow after they are trimmed especially during the

hot summer months. Trimming will be done on a case by case basis for the following reasons; sight obstructions at intersections, overgrowth impeding walkways, and any other hazard found to endanger the public. Trimming will not be performed for aesthetic reasons during this time so as to save and conserve the plants during drought conditions.

- VIII. Maintenance will suspend the planting of annual flowers at the Clayton Fountain and at the tear drop on Main Street. We will also inform the Garden Club that there will not be sufficient water to be able to water the raised planter boxes along Main Street and Center Street that they maintain with annual color. This is being done because annuals use almost as much water as lawn areas.
- IX. As an option to save more water the Landscape District may have to drain the Clayton Fountain and put the pumps into storage. Maintenance staff will monitor this during the summer months and if we are not meeting the imposed 45% goal for water savings, then we will have to take this option. This water feature is like a swimming pool where water is being added all the time from evaporation and recirculation of the filter pump. The water feature is not metered separately from the nearby landscape so there is no accurate way to measure what it uses daily. If the water feature were to be shut down the pumps would need to be serviced to put them into storage while the feature is drained. This would allow the pumps to stay in operational condition until the time when the District turns the Fountain back on. There will be some cost to put the water feature into storage and restart. Overall there would be savings from the monthly maintenance contract which would be suspended and water usage.
- X. All monies saved from purchasing less water after added labor costs to implement the above plan remain within the District's restricted-use Fund and are proposed to be set aside for future uses; irrigation efficiency improvements, plant replacement from the drought, and hardscape installation for less watering in the future within the District. After the drought restrictions are lifted, Maintenance Staff will compile a list of projects to implement with the funding available for the Trails and Landscaping Committee to review and recommend to the City Council. It is unknown at this time what the amount of monies would be saved from less water usage but it could be substantial if the drought lasts multiple years.

Summary

During the rationing the Maintenance staff will be responding and repairing all leaks as they are detected so as to conserve as much water as possible. Also WAP (work alternative personnel) will be employed in areas where hand watering may be more efficient to save trees or shrubs then using the existing irrigation systems. Adjustments to this plan may be made throughout the year to achieve the goal of 45% reduction on water usage and at the same time save as much of the plant life as possible.