



AGENDA
REGULAR MEETINGS
* * *
CLAYTON CITY COUNCIL
AND
CLAYTON REDEVELOPMENT AGENCY

TUESDAY, June 2, 2009

7:00 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 and regarding any public item on this Agenda will be made available for public inspection in the City Clerk's office located at 6000 Heritage Trail during normal business hours.
- If you have a physical impairment that requires special accommodations to participate, please call the City Clerk's office at least 72 hours in advance of the meeting at (925) 673-7304.

*** CITY COUNCIL ***
June 2, 2009

7:00 p.m.

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

2. **CLOSED SESSION** – None.

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) **Information Only**

1. Notice the State of California has appealed the May 7, 2009 Sacramento Superior Court ruling it is unconstitutional for the State to take redevelopment agency monies for its State Budget deficit (*California Redevelopment Association, et al. v. Michael C. Genest, Director of CA Department of Finance, et al.*) ([View Here](#))

(b) Approve the minutes of the regular meeting of May 19, 2009. ([View Here](#))

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

(d) Adopt a Resolution approving a covenant for recordation on real property title for stormwater management facility operations and maintenance, and right of entry, to Flora Square (1026 Oak Street, Clayton, CA). ([View Here](#))

(e) Adopt a Resolution approving the execution of a grant for the expansion of existing easements to Contra Costa Water District for as-constructed access roads to the existing pump station and water reservoir on City-owned open space above Elk Drive (Falcon Ridge/Eagle Peak subdivisions) ([View Here](#))

(f) Set Tuesday, 30 June 2009 at 7:00 p.m. in Hoyer Hall of the Clayton Community Library, 6125 Clayton Road, as the date, time and location of a Special Meeting of the Clayton City Council for a Public Hearing to consider and approve the draft City Housing Element and a Public Hearing for consideration and adoption of the Fiscal Year 2009-2010 City Budget and the 5-Year Capital Improvement Budget for Fiscal Years 2009-2014. ([View Here](#))

5. **RECOGNITIONS AND PRESENTATIONS** – None.

6. REPORTS

- (a) Planning Commission – Chairperson Tuija Catalano.
- (b) Trails and Landscaping Committee – (Will report at June 16th Council meeting)
- (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 proposal for City Council as a whole to interview Planning Commission applicants for the two (2) terms of office expiring on 30 June 2009.
(Mayor Pierce) ([View Here](#))

Staff recommendation: Provide policy direction or action to staff regarding this matter.

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

11. ADJOURNMENT– the next regularly scheduled City Council meeting is June 16, 2009.

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*** CLAYTON REDEVELOPMENT AGENCY ***

June 2, 2009

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

2. PUBLIC COMMENTS

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

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

3. CONSENT CALENDAR

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

- (a) Approve the minutes of the regular meeting of February 17, 2009. ([View Here](#))
- (b) Set Tuesday, 30 June 2009 at 7:00 p.m. in Hoyer Hall of the Clayton Community Library, 6125 Clayton Road, as the date, time and location of a Public Hearing for consideration and adoption of the Fiscal Year 2009-2010 Budget of the Clayton Redevelopment Agency. ([View Here](#))

4. PUBLIC HEARING – None.

5. ACTION ITEMS – None.

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

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

#



Agenda Date: 6-2-09

Agenda Item: 4a

Approved:

Gary A. Napper
City Manager/Executive Director

AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: CITY MANAGER

DATE: 02 JUNE 2009

**SUBJECT: STATE APPEAL OF MAY 2009 SUPERIOR COURT RULING
UNCONSTITUTIONAL TO DIVERT REDEVELOPMENT AGENCY MONIES**

RECOMMENDATION

Information only – no action requested or necessary.

BACKGROUND

In December 2008, the California Redevelopment Association (CRA) and several interested parties filed a lawsuit in the Sacramento Superior Court claiming it is unconstitutional for the State of California's budget action to divert \$350 million from redevelopment agencies statewide to help fund the State's obligation to fund public education (seized funds to go to the Educational Relief Augmentation Fund, aka ERAF). At risk for the Clayton Redevelopment Agency was \$404,570 in discretionary tax increment revenues, equating to approximately 50% of the net discretionary funds of the Agency this fiscal year.

On 30 April 2009 the court ruled the State's intended action is indeed unconstitutional and the Judgment was entered on May 7th. This victory for redevelopment agencies was both significant and timely as county auditors were prepared to shift or receive these local revenues by May 15th. As a result of the Superior Court ruling, the Clayton Redevelopment Agency did not transmit its \$404,570.

STATE APPEAL

On 26 May 2009, the Attorney General of the State of California (Edmund G. Brown, Jr.) noticed the court of its appeal of the ruling and the judgment. Attached is a copy of the expected Notice of Appeal.

FISCAL IMPACT

At this time, the Clayton Redevelopment Agency is under no order or authority to transmit the at-risk funds to the County Auditor.

Attachments: 1. Notice of Appeal [4 pp.]

1 EDMUND G. BROWN JR.
2 Attorney General of California
3 STEPHEN P. ACQUISTO
4 Supervising Deputy Attorney General
5 State Bar No. 172527
6 1300 I Street, Suite 125
7 P.O. Box 944255
8 Sacramento, CA 94244-2550
9 Telephone: (916) 324-1456
10 Fax: (916) 324-8835
11 E-mail: Stephen.Acquisto@doj.ca.gov
12 *Attorneys for Defendant and Respondent Michael C.*
13 *Genest, Director of the Department of Finance*

Exempt From Filing Fees --
Gov. Code § 6103

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SACRAMENTO

CALIFORNIA REDEVELOPMENT
ASSOCIATION, et al.,

Plaintiffs and Petitioners,

v.

MICHAEL C. GENEST, DIRECTOR OF
THE DEPARTMENT OF FINANCE, et al.,

Defendants and
Respondents.

34-2008-00028334-CU-WM-GDS

NOTICE OF APPEAL

Dept: 33
Judge The Honorable Lloyd G.
Connelly
Trial Date March 13, 2009
Action Filed: December 4, 2008

To the Clerk of the Superior Court of the State of California for the County of Sacramento:
PLEASE TAKE NOTICE that Defendant and Respondent Michael C. Genest, Director of
the Department of Finance, appeals from (1) the Ruling on Submitted Matter entered on April 30,
2009, and (2) the Judgment in this matter entered on May 7, 2009.

1 Dated: May 26, 2009

Respectfully Submitted,

2 EDMUND G. BROWN JR.
3 Attorney General of California

4 

5 STEPHEN P. ACQUISTO
6 Supervising Deputy Attorney General
7 *Attorneys for Defendant and Respondent*
8 *Michael C. Genest, Director of the*
9 *Department of Finance*

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28 30757854.doc

DECLARATION OF SERVICE BY ELECTRONIC MAIL and U.S. MAIL

Case Name: *California Redevelopment Association, et al. v. Michael C. Genest, et al*

No.: 34-2008-00028334-CU-WM-GDS

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service that same day in the ordinary course of business.

On May 26, 2009, I served the attached **NOTICE OF APPEAL** by transmitting a true copy via electronic mail. In addition, I placed a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the internal mail collection system at the Office of the Attorney General at 1300 I Street, Suite 125, P.O. Box 944255, Sacramento, CA 94244-2550, addressed as follows:

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Attorneys for Petitioners and Plaintiffs

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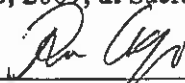
Served Electronically Only

Jennifer Henning
Executive Director
County Counsel's Association of California
1100 K Street, Suite 101
Sacramento, CA 95814

E-mail Address: jhenning@counties.org

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on May 26, 2009, at Sacramento, California.

Rowena Aquino
Declarant


Signature

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

TUESDAY, May 19, 2009

Agenda Date: 6-2,-09

Agenda Item: 4b

1. **CALL TO ORDER & ROLL CALL** – The meeting was called to order at 7:02 p.m. by Mayor Pierce in Hoyer Hall of the Clayton Community Library, 6125 Clayton Road, Clayton, CA. Councilmembers present: Mayor Pierce, Vice Mayor Stratford, Councilmembers Geller, Medrano, and Shuey (arrived at 8:08 p.m.). Staff present: City Manager Gary Napper, City Attorney Dan Adams, and City Clerk Laci Jackson.
2. **CLOSED SESSION-** None.
3. **PLEDGE OF ALLEGIANCE** – led by Mayor Pierce.
4. **CONSENT CALENDAR-** It was moved by Vice Mayor Stratford, seconded by Councilmember Geller to approve the Consent Calendar as submitted (Passed; 4-0 vote).
 - (a) Approved the minutes of the joint special meeting of the City Council and Planning Commission of April 28, 2009 and regular meeting of May 5, 2009.
 - (b) Approved Financial Demands and Obligations of the City.
 - (c) Adopted Resolution 11-2009 approving Engineer's Report and Declaring Intention to Levy and Collect Assessments for the Street Lighting Assessment District for Fiscal Year 2009-2010, and Giving Notice of the Notice of the Time and Place for Hearing on the Levy of the Proposed Assessment.
5. **RECOGNITIONS AND PRESENTATIONS**
 - (a) Mayor Pierce read aloud the Proclamation declaring a "Wellness Challenge" in the City of Clayton. Cindy Gerchen, of the Wellness Challenge, accepted the Proclamation and urged people to adhere to the healthy eating guidelines.
 - (c) Mayor Pierce presented Larry Hunt, AV Technician, with a Certificate of Appreciation for his work on the installation of the Hoyer Hall AV Equipment.
6. **REPORTS**
 - (a) Planning Commission – no meeting held to report.
 - (b) Trails and Landscaping Committee –will report at a meeting in June.
 - (c) The City Manager reported the Concerts in The Grove kicked off on May 16th and the second concert will be held on May 30th. The Farmers' Market will continue on Saturdays and the Memorial Day ceremony will be held at 10am on Monday the 25th at the VFW memorial flag pole in downtown.

(d) City Council

Councilmember Medrano attended the Mayors' Conference and the Concerts in The Grove.

Vice Mayor Stratford attended the Mayors' Conference and the Trails and Landscaping Committee meeting.

Councilmember Geller reported 1,200 people attended the first Concert in The Grove. He thanked the Diablo Valley Ranch crew which helped set up before the concert. He also attended the Mayors' Conference.

Mayor Pierce attended the Mayors' Conference, the Regional Water Quality Control Board meeting, Transpac, and E-BART meetings. Lastly, she was a docent at the Clayton Historical Society's Garden Tour and attended the Concert in The Grove.

(e) Other – None.

7. PUBLIC COMMENT ON NON-AGENDA ITEMS

Ted Meriam, Clayton resident, attended the Trails and Landscaping Committee meeting and stated his concern for the loss of landscape plants in the planter boxes in the Downtown area. He stated the dead plants would be visually unappealing and contradictory to the Town Center Plan and the Shop Clayton First program where the goals were to get people into the downtown area. He stated the Garden Club had provided the plants for the boxes and asked the City to consider making cuts to other areas of the City rather than by plant type. He also stated he has a well on his property and might be willing to discuss options for use of his well.

The City Manager stated the City has never experienced this severe of water cutback before and the plan and strategy is to water plants and trees that could not easily be replaced or are more expensive to replace, such as turf. He stated water to some areas had to be completely cut. He stated the Maintenance Department is looking into ideas such as a water truck.

Mayor Pierce stated the Water Conservation plan will continue to be refined after the Maintenance Department is able to assess the actual water reduction impacts.

8. PUBLIC HEARINGS – None.

9. ACTION ITEMS –Mayor Pierce changed the order of the Agenda as follows.

(c) Consideration of a Resolution finding a severe local fiscal hardship will exist if additional local property tax funds are seized or additional unfunded mandates are enacted by the State of California.

The City Manager presented the staff report and stated the Resolution before the Council was similar to a Resolution presented to the City Council in August 2008. He stated the Governor's May revision indicated the intention of the State to "borrow" \$2

billion from local government. He stated the State's budget problem is very disturbing and has the potential to negatively impact the City of Clayton with more stolen revenue equaling \$152,338 (4.4% of the General Fund revenue) or more. He stated since 1991 the State had taken \$5.42 million in local revenues from the City of Clayton alone.

Mayor Pierce added the money the State is expected to take could pay for more than one Police Officer and is more than it costs for the City to support the expense of the Community Library for a year. She stated she did not believe the State would ever pay the "borrowed" money back and urged citizens to let their State legislators know they are unhappy with this potential action.

It was moved by Councilmember Geller to approve Resolution 12-2009 as amended with the amount of "\$152,338 or more" (Passed; 4-0 vote).

- (a) Council Member request to discuss the present enrollment of elected City officials in the California Public Employees Retirement System (CalPERS).

Councilmember Medrano stated the reason he brought this issue in front of the Council was to look at the Councilmembers participation in the CalPERS system. He stated that after reading the information staff put together it does not seem as though there is an option to opt out of the program once already in. He stated that since the Council had asked staff to take cuts the Council should consider doing the same. He asked if it was possible for Councilmembers to use their stipend to pay for their portion of the benefit? The City Manager stated yes, the amount could be deducted from the \$390 a month stipend provided to the Council.

Councilmember Medrano stated he does not believe this is a benefit the City should be paying for and stated Councilmembers should pay for their portion of the retirement benefit.

Councilmember Geller stated there are other benefits of being members of the CalPERS systems such as the option to pay 100% of the premium for group medical insurance.

Vice Mayor Stratford stated he was considering the option for Councilmembers to pay for the 7% employee portion of the benefit but asked how that would affect the taxes. The City Manager stated he would have to look into the tax rules more closely if Council wished to pursue that option.

Mayor Pierce stated the benefit is a valuable one. She stated she was willing to discuss paying the employee portion but reminded the Council that if the CalPERS benefit was not offered the City might have to pay Social Security on the salary.

Mayor Shuey arrived at 8:08 p.m.

Councilmember Medrano reiterated that staff was taking a pay cut and by the Council paying the employee portion for the benefit they were being team players.

City Manager stated he was not in Clayton in 1999 but believed the thought behind becoming members of the CalPERS system was to allow Councilmembers to be covered (at their own cost) by the medical insurance offered to other City employees. Mayor Pierce stated that was exactly the reason for enrolling in the program.

Councilmembers Shuey and Geller stated that Councilmembers were volunteers and believed the benefit was important because the Councilmembers do not ask for reimbursements for expenses to attend City meetings or conducting other City business.

Councilmember Medrano and Vice Mayor Stratford stated they would like to see the Council pay the 7% employee portion of CalPERS.

Mayor Pierce stated she does not want to obligate future Council's to pay for their portion of the CalPERS benefit but that if individually Councilmembers wanted to pay for their portion they could do so right now.

The City Manager stated that if the Council paid for their portion on a voluntary basis no action would need to be taken. He also stated that unlike other cities Councilmembers it has been past practice in Clayton not to submit expense reimbursements for Council business.

It was moved by Councilmember Medrano, seconded by Vice Mayor Stratford to have each Councilmember pay for the 7% employee portion of the CalPERS costs (Failed, 2-3 vote; Geller, Shuey, and Pierce-no).

- (b) Council Member request to discuss the frequency of Planning Commission meetings.

Council Member Medrano thanked Chairperson Catalano and Commissioner Haydon for their submitted written comments regarding the meeting schedule.

The Council discussed the frequency and monthly stipend of the Planning Commissioners, and whether it should be a per meeting rate.

Councilmembers Shuey, Geller, and Stratford stated they were against changing the compensation or the meeting schedule of Planning Commissioners.

No action was taken.

5. RECOGNITIONS AND PRESENTATIONS

- (b) Mayor Pierce presented a Certificate of Appreciation to the Clayton Pioneer for their support services preparing advertisements of the 2009 Concerts in The Grove and stated a Certificate would be mailed to Pete Barra for his work on the Concert posters.

10. COUNCIL ITEMS

Mayor Pierce requested that at the June 2nd meeting the Council discuss the upcoming Planning Commission interviews. She stated she would like to discuss interviewing the candidates as a committee of the whole instead of at the sub-committee level because of the major projects coming in front of the Planning Commission in the next year.

11. **ADJOURNMENT**– On call by Mayor Pierce the meeting adjourned at 8:40 p.m.

Respectfully submitted,

Laci J. Jackson, City Clerk

APPROVED BY CLAYTON CITY COUNCIL

Julie K. Pierce, Mayor



Agenda Date: 06/02/09

Agenda Item: 4c

Approved:

Gary A. Napper
City Manager/Executive Director

STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: MERRY PELLETIER, FINANCE MANAGER
DATE: MAY 19, 2009
SUBJECT: OBLIGATION SUMMARY

RECOMMENDATION Approve the following obligations.

<u>RUN DATE</u>	<u>OBLIGATION NUMBERS</u>	<u>TOTALS</u>
05/28/09	15940 – 15964	\$98,134.65

- 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 05/28/09 (3 pages)

Invoice Distribution Report 05/28/09 (11 pages)

Run date: 05/28/2009 @ 13:30
 Bus date: 05/28/2009

City of Clayton
 Invoices - Summary Report

OTSUM.L02 Page 1

Vendor Name / Obligat'n Description	Pre-Encumbered	Encumbered	Expensed	Paid	Stage	Stage Date
2537 Brett Cosby 15940 Booking for Lava 5/16/09 Obligation.....: 15940	.00	.00	.00	100.00	Paid	05/26/2009
	Invoice number.: 5/16/09					
42 City of Concord 15941 PD Vehicle Maintenance 4/09 Obligation.....: 15941	.00	.00	119.81	.00	Inv	05/28/2009
	Invoice number.: 15196					
42 City of Concord 15942 Printing Services 5/09 Obligation.....: 15942	.00	.00	377.00	.00	Inv	05/28/2009
	Invoice number.: 15177					
1538 All City Management Services. 15943 PD-Crossing Guard WE 5/9/09 Obligation.....: 15943	.00	.00	451.50	.00	Inv	05/28/2009
	Invoice number.: 16482					
1467 LarryLogic Productions 15944 Video City Council Mtg 5/19/0 Obligation.....: 15944	.00	.00	292.50	.00	Inv	05/28/2009
	Invoice number.: 954					
416 CCC Auditor-Controller 15945 Booking Fees 4/09 Obligation.....: 15945	.00	.00	38.00	.00	Inv	05/28/2009
	Invoice number.: 4/09					
641 CCC Office of the Sheriff Cor 15946 PD-Crime Lab 4/09 Obligation.....: 15946	.00	.00	405.00	.00	Inv	05/28/2009
	Invoice number.: ClayPD-0904					
65 Municipal Pooling Authority 15947 LTD, Life & ADD 6/09 Obligation.....: 15947	.00	.00	1,683.51	.00	Inv	05/28/2009
	Invoice number.: 6/09					
116 PERMCO, Inc. 15948 Eng Svc 5/9/09 - 5/22/09 Obligation.....: 15948	.00	.00	11,926.47	.00	Inv	05/28/2009
	Invoice number.: 8846-8863					
2370 Konica Minolta Bus Solutions 15949 Adm Copier Lease 5/09 Obligation.....: 15949	.00	.00	623.22	.00	Inv	05/28/2009
	Invoice number.: 010958484					

Run date: 05/28/2009 @ 13:30
 Bus date: 05/28/2009

City of Clayton
 Invoices - Summary Report

OTSUM.L02 Page 2

Vendor Name / Obligat'n Description	Pre-Encumbered	Encumbered	Expensed	Paid Stage	Stage Date
201 CalPERS 15950 Retirement PPE 5/17/09 Obligation.....: 15950	.00 Invoice number.: PPE 5/17/09	.00	22,166.93	.00 Inv	05/28/2009
1316 CalPERS Health 15951 Health Insurance 6/09 Obligation.....: 15951	.00 Invoice number.: 364	.00	23,866.71	.00 Inv	05/28/2009
540 Health Care Dental Trust 15952 Dental Premium 6/09 Obligation.....: 15952	.00 Invoice number.: 90140	.00	2,243.63	.00 Inv	05/28/2009
84 Hammons Supply Company 15953 Janitorial Supplies 5/09 Obligation.....: 15953	.00 Invoice number.: 54065	.00	571.16	.00 Inv	05/28/2009
2100 Neopost (add postage) 15954 Adm Postage Added 5/27/09 Obligation.....: 15954	.00 Invoice number.: 5/27/09	.00	1,000.00	.00 Inv	05/28/2009
113 PG&E 15955 Service 5/09 (Master) Obligation.....: 15955	.00 Invoice number.: 5/18/09	.00	16,432.64	.00 Inv	05/28/2009
1265 ACCO Engineered Systems 15956 Library, CH EMS & Mtn 5/09 Obligation.....: 15956	.00 Invoice number.: 506389-91	.00	1,174.00	.00 Inv	05/28/2009
2266 Rock N Waterfall Co 15957 OH Waterfall Mtn 5/09 Obligation.....: 15957	.00 Invoice number.: 546700	.00	650.00	.00 Inv	05/28/2009
113 PG&E 15958 Svc: Irrig & Signal 5/09 (Mst Obligation.....: 15958	.00 Invoice number.: 5/19/09	.00	460.12	.00 Inv	05/28/2009
2491 Treppa Law Group 15959 Legal Svc Tot Lot Fix 4/09 Obligation.....: 15959	.00 Invoice number.: 184	.00	315.00	.00 Inv	05/28/2009

Run date: 05/28/2009 @ 13:30
Bus date: 05/28/2009

City of Clayton
Invoices - Summary Report

OTSUM.L02 Page 3

Vendor Name / Obligat'n Description	Pre-Encumbered	Encumbered	Expensed	Paid Stage	Stage Date
1156 PMC 15960 Housing Element Update 5/09 Obligation.....: 15960	.00 Invoice number.: 28426	.00	6,386.69	.00 Inv	05/28/2009
1265 ACCO Engineered Systems 15961 EH HVAC Repair 4/09 Obligation.....: 15961	.00 Invoice number.: 1362866	.00	54.36	.00 Inv	05/28/2009
2529 Ross Recreation Equipment, Co 15962 Grove Park Receptacles 5/09 Obligation.....: 15962	.00 Invoice number.: 86054	.00	3,497.51	.00 Inv	05/28/2009
358 Waraner Brothers 15963 Misc Tree Services 4/09 Obligation.....: 15963	.00 Invoice number.: 8495	.00	1,800.00	.00 Inv	05/28/2009
2550 FJ Technologies Inc 15964 Refund SWP 04-09 Dep 5/09 Obligation.....: 15964	.00 Invoice number.: SWP 04-09	.00	1,498.89	.00 Inv	05/28/2009
*** Report total ***	.00	.00	98,034.65	100.00	


\$98,134.65

Run date: 05/28/2009 @ 13:31
Bus date: 05/28/2009

City of Clayton
Invoice Distribution Report

OTDIST.L02 Page 1

Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A101-5791-00.0.0-000 - Overhead cost recovery			
15964 Refund SWP 04-09 Dep 5/09	2550 FJ Technologies Inc		
Invoice number.: SWP 04-09	2 OH Rec SWP 04-09 5/09	Inv	65.36
A101-5791-00.0.0-000 - Overhead cost recovery	*** Account total ***		65.36
A101-7218-02.0.0-000 - Life and LTD Insurance			
15947 LTD, Life & ADD 6/09	65 Municipal Pooling Authority		
Invoice number.: 6/09	1 Adm LTD 6/09	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			
15947 LTD, Life & ADD 6/09	65 Municipal Pooling Authority		
Invoice number.: 6/09	2 PW LTD 6/09	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			
15947 LTD, Life & ADD 6/09	65 Municipal Pooling Authority		
Invoice number.: 6/09	3 Planning LTD 6/09	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			
15947 LTD, Life & ADD 6/09	65 Municipal Pooling Authority		
Invoice number.: 6/09	4 PD LTD 6/09	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			
15950 Retirement PPE 5/17/09	201 CalPERS		
Invoice number.: PPE 5/17/09	2 Admin 5/17/09	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			
15950 Retirement PPE 5/17/09	201 CalPERS		
Invoice number.: PPE 5/17/09	3 PW 5/17/09	Inv	2,460.09
A101-7220-03.0.0-000 - PERS Retirement	*** Account total ***		2,460.09

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Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A101-7220-04.0.0-000 - PERS Retirement			
15950 Retirement PPE 5/17/09	201 CalPERS		
Invoice number.: PPE 5/17/09	4 Planning 5/17/09	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			
15950 Retirement PPE 5/17/09	201 CalPERS		
Invoice number.: PPE 5/17/09	5 Police 5/17/09	Inv	13,110.55
A101-7220-06.0.0-000 - PERS Retirement	*** Account total ***		13,110.55
A101-7246-01.0.0-000 - Benefit Insurance			
15951 Health Insurance 6/09	1316 CalPERS Health		
Invoice number.: 364	8 CC Geller Credit 1&2/09	Inv	1,016.60
15952 Dental Premium 6/09	540 Health Care Dental Trust		
Invoice number.: 90140	6 CC Geller 6/09	Inv	43.43
A101-7246-01.0.0-000 - Benefit Insurance	*** Account total ***		973.17
A101-7246-02.0.0-000 - Benefit Insurance			
15947 LTD, Life & ADD 6/09	65 Municipal Pooling Authority		
Invoice number.: 6/09	6 Adm Life, ADD 6/09	Inv	61.50
15951 Health Insurance 6/09	1316 CalPERS Health		
Invoice number.: 364	1 Admin 6/09	Inv	6,173.84
Invoice number.: 364	6 Adm Fees Health 6/09	Inv	116.45
15952 Dental Premium 6/09	540 Health Care Dental Trust		
Invoice number.: 90140	1 Admin Dental 6/09	Inv	492.04
A101-7246-02.0.0-000 - Benefit Insurance	*** Account total ***		6,843.83
A101-7246-03.0.0-000 - Benefit Insurance			
15947 LTD, Life & ADD 6/09	65 Municipal Pooling Authority		
Invoice number.: 6/09	7 PW Life, ADD 6/09	Inv	51.25
15951 Health Insurance 6/09	1316 CalPERS Health		
Invoice number.: 364	2 PW 6/09	Inv	4,916.80

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Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A101-7246-03.0.0-000 - Benefit Insurance	*** Continued ***		
15952 Dental Premium 6/09	540 Health Care Dental Trust		
Invoice number.: 90140	2 PW Dental 6/09	Inv	525.86
A101-7246-03.0.0-000 - Benefit Insurance	*** Account total ***		5,493.91
A101-7246-04.0.0-000 - Benefit Insurance			
15947 LTD, Life & ADD 6/09	65 Municipal Pooling Authority		
Invoice number.: 6/09	8 Planning Life, ADD 6/09	Inv	20.50
15951 Health Insurance 6/09	1316 CalPERS Health		
Invoice number.: 364	3 Planning 6/09	Inv	2,338.18
15952 Dental Premium 6/09	540 Health Care Dental Trust		
Invoice number.: 90140	3 Planning Dental 6/09	Inv	202.59
A101-7246-04.0.0-000 - Benefit Insurance	*** Account total ***		2,561.27
A101-7246-06.0.0-000 - Benefit Insurance			
15947 LTD, Life & ADD 6/09	65 Municipal Pooling Authority		
Invoice number.: 6/09	9 PD Life, ADD 6/09	Inv	123.00
15951 Health Insurance 6/09	1316 CalPERS Health		
Invoice number.: 364	4 Police Dept 6/09	Inv	9,849.81
Invoice number.: 364	5 ER Share -retired PD 6/09	Inv	166.65
15952 Dental Premium 6/09	540 Health Care Dental Trust		
Invoice number.: 90140	4 Police Dept Dental 6/09	Inv	859.03
A101-7246-06.0.0-000 - Benefit Insurance	*** Account total ***		10,998.49
A101-7312-05.0.0-000 - Office Supplies/Expense			
15942 Printing Services 5/09	42 City of Concord		
Invoice number.: 15177	2 Adm Printing 5/09	Inv	76.37
A101-7312-05.0.0-000 - Office Supplies/Expense	*** Account total ***		76.37
A101-7314-05.0.0-000 - Postage			
15954 Adm Postage Added 5/27/09	2100 Neopost (add postage)		
Invoice number.: 5/27/09	1 Adm Postage Added 5/27/09	Inv	1,000.00
A101-7314-05.0.0-000 - Postage	*** Account total ***		1,000.00

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Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A101-7331-05.0.0-000 - Rentals/Leases			
15949 Adm Copier Lease 5/09	2370 Konica Minolta Bus Solutions		
Invoice number.: 010958484	1 Adm Copier Lease 5/09	Inv	623.22
A101-7331-05.0.0-000 - Rentals/Leases	*** Account total ***		623.22
A101-7335-03.0.0-000 - Gas & Electricity			
15955 Service 5/09 (Master)	113 PG&E		
Invoice number.: 5/18/09	1 City Hall 5/09	Inv	537.69
Invoice number.: 5/18/09	3 Lydia Pump Station 5/09	Inv	22.93
Invoice number.: 5/18/09	12 Westwood Pk Well 5/09	Inv	34.93
A101-7335-03.0.0-000 - Gas & Electricity	*** Account total ***		595.55
A101-7335-07.0.0-000 - Gas & Electricity			
15955 Service 5/09 (Master)	113 PG&E		
Invoice number.: 5/18/09	4 Library 5/09	Inv	3,583.87
A101-7335-07.0.0-000 - Gas & Electricity	*** Account total ***		3,583.87
A101-7335-09.0.0-000 - Gas & Electricity			
15955 Service 5/09 (Master)	113 PG&E		
Invoice number.: 5/18/09	2 Community Restroom 5/09	Inv	196.42
A101-7335-09.0.0-000 - Gas & Electricity	*** Account total ***		196.42
A101-7343-06.0.0-000 - Vehicle Maintenance			
15941 PD Vehicle Maintenance 4/09	42 City of Concord		
Invoice number.: 15196	1 PD Vehicle Mtn 4/09	Inv	119.81
A101-7343-06.0.0-000 - Vehicle Maintenance	*** Account total ***		119.81
A101-7346-03.0.0-000 - HVAC Mtn & Repairs			
15956 Library, CH EMS & Mtn 5/09	1265 ACCO Engineered Systems		
Invoice number.: 506389-91	2 City Hall EMS & Mtn 5/09	Inv	450.00
A101-7346-03.0.0-000 - HVAC Mtn & Repairs	*** Account total ***		450.00
A101-7346-07.0.0-000 - HVAC Mtn & Repairs			
15956 Library, CH EMS & Mtn 5/09	1265 ACCO Engineered Systems		
Invoice number.: 506389-91	1 Library EMS & Mtn 5/09	Inv	724.00

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Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A101-7346-07.0.0-000 - HVAC Mtn & Repairs	*** Account total ***		724.00
A101-7347-03.0.0-000 - Deferred Mtn Projects			
15948 Eng Svc 5/9/09 - 5/22/09	116 PERMCO, Inc. 5 Blk Dmd Plz Bdg Pln #8861	Inv	778.80
Invoice number.: 8846-8863			
A101-7347-03.0.0-000 - Deferred Mtn Projects	*** Account total ***		778.80
A101-7411-08.0.0-000 - Professional Services Retainer			
15948 Eng Svc 5/9/09 - 5/22/09	116 PERMCO, Inc. 1 Eng Svc 5/9/09 - 5/22/09	Inv	3,818.50
Invoice number.: 8846-8863			
	3 ABAG Haz Mit Pln Updt #8858	Inv	476.44
Invoice number.: 8846-8863			
A101-7411-08.0.0-000 - Professional Services Retainer	*** Account total ***		4,294.94
A101-7417-07.0.0-000 - Janitorial Service			
15953 Janitorial Supplies 5/09	84 Hammons Supply Company 1 Library Janitorial Supp 5/09	Inv	571.16
Invoice number.: 54065			
A101-7417-07.0.0-000 - Janitorial Service	*** Account total ***		571.16
A101-7419-01.0.0-000 - Other Professional Services			
15944 Video City Council Mtg 5/19/09	1467 LarryLogic Productions 1 Video CC Mtg 5/19/09	Inv	292.50
Invoice number.: 954			
A101-7419-01.0.0-000 - Other Professional Services	*** Account total ***		292.50
A101-7419-06.0.0-000 - Other Professional Services			
15943 PD-Crossing Guard WE 5/9/09	1538 All City Management Services, 1 PD-Crossing Guard WE 5/9/09	Inv	451.50
Invoice number.: 16482			
A101-7419-06.0.0-000 - Other Professional Services	*** Account total ***		451.50
A101-7425-06.0.0-000 - Crime Lab			
15946 PD-Crime Lab 4/09	641 CCC Office of the Sheriff-Coro 1 PD Crime Lab 4/09	Inv	405.00
Invoice number.: ClayPD-0904			
A101-7425-06.0.0-000 - Crime Lab	*** Account total ***		405.00
A101-7426-06.0.0-000 - Jail Booking Fee			
15945 Booking Fees 4/09	416 CCC Auditor-Controller 1 Booking Fees 4/09	Inv	38.00
Invoice number.: 4/09			
A101-7426-06.0.0-000 - Jail Booking Fee	*** Account total ***		38.00

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Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A201-7335-00.0.0-000 - Gas & Electricity			
15955 Service 5/09 (Master)	113 PG&E		
Invoice number.: 5/18/09	9 Traffic Signals 5/09	Inv	405.34
Invoice number.: 5/18/09	10 Street Lights - Arterial 5/09	Inv	2,765.84
15958 Svc: Irrig & Signal 5/09 (Mst)	113 PG&E		
Invoice number.: 5/19/09	2 Clayton Traffic Sgn 5/09	Inv	31.06
A201-7335-00.0.0-000 - Gas & Electricity	*** Account total ***		3,202.24
A201-7412-00.0.0-000 - Engineering/Inspection Service			
15948 Eng Svc 5/9/09 - 5/22/09	116 PERMCO, Inc.		
Invoice number.: 8846-8863	4 Gas Tax Insp #8847	Inv	549.00
A201-7412-00.0.0-000 - Engineering/Inspection Service	*** Account total ***		549.00
A210-7335-00.0.0-000 - Gas & Electricity			
15955 Service 5/09 (Master)	113 PG&E		
Invoice number.: 5/18/09	5 Monument Lights 5/09	Inv	178.82
Invoice number.: 5/18/09	6 Oakhurst Pump (Fountain) 5/09	Inv	333.81
Invoice number.: 5/18/09	7 Outdoor Lights 5/09	Inv	12.60
Invoice number.: 5/18/09	8 Sprinkler Cont/Lndscp 5/09	Inv	62.89
15958 Svc: Irrig & Signal 5/09 (Mst)	113 PG&E		
Invoice number.: 5/19/09	1 OH Irrigation 5/09	Inv	429.06
A210-7335-00.0.0-000 - Gas & Electricity	*** Account total ***		1,017.18
A210-7419-00.0.0-000 - Other Professional Services			
15957 OH Waterfall Mtn 5/09	2266 Rock N Waterfall Co		
Invoice number.: 546700	1 OH Waterfall Mtn 5/09	Inv	650.00
15963 Misc Tree Services 4/09	358 Waraner Brothers		
Invoice number.: 8495	1 Misc Tree Services 4/09	Inv	1,200.00
A210-7419-00.0.0-000 - Other Professional Services	*** Account total ***		1,850.00

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Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A212-7384-00.0.0-000 - Legal Notices			
15942 Printing Services 5/09	42 City of Concord		
Invoice number.: 15177	1 GHAD Printing 5/09	Inv	87.00
A212-7384-00.0.0-000 - Legal Notices	*** Account total ***		87.00
A212-7412-00.0.0-000 - Engineering/Inspection Service			
15948 Eng Svc 5/9/09 - 5/22/09	116 PERMCO, Inc.		
Invoice number.: 8846-8863	2 OH GHAD #8862	Inv	48.75
A212-7412-00.0.0-000 - Engineering/Inspection Service	*** Account total ***		48.75
A214-7335-00.0.0-000 - Gas & Electricity			
15955 Service 5/09 (Master)	113 PG&E		
Invoice number.: 5/18/09	11 Street Lights-Res 5/09	Inv	8,297.50
A214-7335-00.0.0-000 - Gas & Electricity	*** Account total ***		8,297.50
A214-7384-00.0.0-000 - Legal Notices			
15942 Printing Services 5/09	42 City of Concord		
Invoice number.: 15177	3 St Lights Printing 5/09	Inv	213.63
15948 Eng Svc 5/9/09 - 5/22/09	116 PERMCO, Inc.		
Invoice number.: 8846-8863	6 Eng Svc #8859	Inv	106.50
A214-7384-00.0.0-000 - Legal Notices	*** Account total ***		320.13
A216-7419-00.0.0-000 - Other Professional Services			
15963 Misc Tree Services 4/09	358 Waraner Brothers		
Invoice number.: 8495	2 Misc Tree Services 4/09	Inv	600.00
A216-7419-00.0.0-000 - Other Professional Services	*** Account total ***		600.00
A230-7218-00.0.0-000 - LTD Insurance-COPS			
15947 LTD, Life & ADD 6/09	65 Municipal Pooling Authority		
Invoice number.: 6/09	5 PD Grant LTD 6/09	Inv	42.43
A230-7218-00.0.0-000 - LTD Insurance-COPS	*** Account total ***		42.43
A230-7220-00.0.0-813 - PERS Retirement-COPS			
15950 Retirement PPE 5/17/09	201 CalPERS		
Invoice number.: PPE 5/17/09	6 PD Grant 5/17/09	Inv	940.22
A230-7220-00.0.0-813 - PERS Retirement-COPS	*** Account total ***		940.22

Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A230-7246-00.0.0-000 - Benefit Insurance			
15947 LTD, Life & ADD 6/09	65 Municipal Pooling Authority		
Invoice number.: 6/09	10 PD Grant Life, ADD 6/09	Inv	10.25
15951 Health Insurance 6/09	1316 CalPERS Health		
Invoice number.: 364	7 PD Grants 6/09	Inv	1,321.58
15952 Dental Premium 6/09	540 Health Care Dental Trust		
Invoice number.: 90140	5 PD Grant Dental 6/09	Inv	120.68
A230-7246-00.0.0-000 - Benefit Insurance	*** Account total ***		1,452.51
A301-7520-00.0.0-003 - Concerts in the Grove Park			
15940 Booking for Lava 5/16/09	2537 Brett Cosby		
Invoice number.: 5/16/09	1 Booking for Lava 5/16/09	Paid	100.00
A301-7520-00.0.0-003 - Concerts in the Grove Park	*** Account total ***		100.00
A302-7419-00.0.0-000 - Other Professional Services			
15960 Housing Element Update 5/09	1156 PMC		
Invoice number.: 28426	1 Housing Element Update 5/09	Inv	6,386.69
A302-7419-00.0.0-000 - Other Professional Services	*** Account total ***		6,386.69
A303-7520-00.0.0-090 - Grove Property Park			
15962 Grove Park Receptacles 5/09	2529 Ross Recreation Equipment, Co.		
Invoice number.: 86054	1 Gove Park Receptacles 5/09	Inv	3,497.51
A303-7520-00.0.0-090 - Grove Property Park	*** Account total ***		3,497.51
A303-7520-00.0.0-092 - Community Park Tot Lot Upgrade			
15959 Legal Svc Tot Lot Fix 4/09	2491 Treppa Law Group		
Invoice number.: 184	1 Legal Svc Tot Lot Fix 4/09	Inv	315.00
A303-7520-00.0.0-092 - Community Park Tot Lot Upgrade	*** Account total ***		315.00
A303-7520-00.0.0-106 - Clayton Rd Trail Connection			
15948 Eng Svc 5/9/09 - 5/22/09	116 PERMCO, Inc.		
Invoice number.: 8846-8863	7 Eng Svc #8855	Inv	2,423.04
A303-7520-00.0.0-106 - Clayton Rd Trail Connection	*** Account total ***		2,423.04

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Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A303-7520-00.0.0-111 - ADA Compliance Program10394A 15948 Eng Svc 5/9/09 - 5/22/09 Invoice number.: 8846-8863	116 PERMCO, Inc. 8 Eng Svc #8853	Inv	57.75
A303-7520-00.0.0-111 - ADA Compliance Program10394A	*** Account total ***		57.75
A303-7520-00.0.0-115 - Comm Park Lights & Turf Proj 15948 Eng Svc 5/9/09 - 5/22/09 Invoice number.: 8846-8863	116 PERMCO, Inc. 9 Eng Svc #8857	Inv	1,091.88
A303-7520-00.0.0-115 - Comm Park Lights & Turf Proj	*** Account total ***		1,091.88
A304-7520-00.0.0-114 - 2009 Arterial Overlay Project 15948 Eng Svc 5/9/09 - 5/22/09 Invoice number.: 8846-8863	116 PERMCO, Inc. 10 Eng Svc #8856	Inv	694.81
A304-7520-00.0.0-114 - 2009 Arterial Overlay Project	*** Account total ***		694.81
A501-7413-00.0.0-000 - Legal Services 15948 Eng Svc 5/9/09 - 5/22/09 Invoice number.: 8846-8863	116 PERMCO, Inc. 11 OH GHAD Lawsuit Eng Svc #8863	Inv	116.75
A501-7413-00.0.0-000 - Legal Services	*** Account total ***		116.75
A601-2740-00.0.0-083 - Cost Recov Dep-HurdR/SilverOak 15948 Eng Svc 5/9/09 - 5/22/09 Invoice number.: 8846-8863	116 PERMCO, Inc. 12 Eng Svc #8860	Inv	155.00
A601-2740-00.0.0-083 - Cost Recov Dep-HurdR/SilverOak	*** Account total ***		155.00
A601-2740-00.0.0-096 - Cost Recov Dep PG&E Minor EP 15948 Eng Svc 5/9/09 - 5/22/09 Invoice number.: 8846-8863	116 PERMCO, Inc. 13 Eng Svc #8848	Inv	124.50
A601-2740-00.0.0-096 - Cost Recov Dep PG&E Minor EP	*** Account total ***		124.50
A601-2741-00.0.0-153 - Seeno Grading Insp (10351) 15948 Eng Svc 5/9/09 - 5/22/09 Invoice number.: 8846-8863	116 PERMCO, Inc. 14 Eng Svc #8849	Inv	41.50
A601-2741-00.0.0-153 - Seeno Grading Insp (10351)	*** Account total ***		41.50

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Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A601-2744-00.0.0-077 - AD Seeno Oak Crk Cyn SW26-06 15948 Eng Svc 5/9/09 - 5/22/09 Invoice number.: 8846-8863	116 PERMCO, Inc. 15 Eng Svc #8851	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 15948 Eng Svc 5/9/09 - 5/22/09 Invoice number.: 8846-8863	116 PERMCO, Inc. 18 Eng Svc #8850	Inv	41.50
A601-2744-00.0.0-189 - Riessen SW Permit 17-05	*** Account total ***		41.50
A601-2744-00.0.0-288 - Flora Square SWP 47-07 15948 Eng Svc 5/9/09 - 5/22/09 Invoice number.: 8846-8863	116 PERMCO, Inc. 16 Eng Svc #8854	Inv	1,007.50
A601-2744-00.0.0-288 - Flora Square SWP 47-07	*** Account total ***		1,007.50
A601-2744-00.0.0-329 - Lemke Diablo Pt SW permit28-06 15948 Eng Svc 5/9/09 - 5/22/09 Invoice number.: 8846-8863	116 PERMCO, Inc. 17 Eng Svc #8852	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 15948 Eng Svc 5/9/09 - 5/22/09 Invoice number.: 8846-8863	116 PERMCO, Inc. 19 Eng Svc #8850	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 15948 Eng Svc 5/9/09 - 5/22/09 Invoice number.: 8846-8863	116 PERMCO, Inc. 20 Eng Svc #8850	Inv	41.50
A601-2744-00.0.0-487 - Lance Brick SWP 12-08	*** Account total ***		41.50
A601-2744-00.0.0-495 - D. Lombardo SWP 25-08 15948 Eng Svc 5/9/09 - 5/22/09 Invoice number.: 8846-8863	116 PERMCO, Inc. 21 Eng Svc #8850	Inv	41.50
A601-2744-00.0.0-495 - D. Lombardo SWP 25-08	*** Account total ***		41.50

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Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A601-2744-00.0.0-531 - FJ Techonologies SWP 04-09 15964 Refund SWP 04-09 Dep 5/09 Invoice number.: SWP 04-09	2550 FJ Technologies Inc 1 Refund SWP 04-09 Dep 5/09	Inv	1,564.25
A601-2744-00.0.0-531 - FJ Techonologies SWP 04-09	*** Account total ***		1,564.25
A601-2744-00.0.0-532 - B Wakefield SWP 05-09 15948 Eng Svc 5/9/09 - 5/22/09 Invoice number.: 8846-8863	116 PERMCO, Inc. 22 Eng Svc #8850	Inv	41.50
A601-2744-00.0.0-532 - B Wakefield SWP 05-09	*** Account total ***		41.50
A601-2744-00.0.0-533 - D. Boatwright SWP 06-09 15948 Eng Svc 5/9/09 - 5/22/09 Invoice number.: 8846-8863	116 PERMCO, Inc. 23 Eng Svc #8850	Inv	103.75
A601-2744-00.0.0-533 - D. Boatwright SWP 06-09	*** Account total ***		103.75
A601-2744-00.0.0-536 - Premier Pool (Roden) SWP 07-09 15948 Eng Svc 5/9/09 - 5/22/09 Invoice number.: 8846-8863	116 PERMCO, Inc. 24 Eng Svc #8850	Inv	41.50
A601-2744-00.0.0-536 - Premier Pool (Roden) SWP 07-09	*** Account total ***		41.50
A702-7346-00.0.0-000 - HVAC Mtn & Repairs 15961 EH HVAC Repair 4/09 Invoice number.: 1362866	1265 ACCO Engineered Systems 1 EH HVAC Repair 4/09	Inv	54.36
A702-7346-00.0.0-000 - HVAC Mtn & Repairs	*** Account total ***		54.36
* Report total *	*** Total ***		98,134.65



Approved: 6-2-09
4d

Approved:

Gary A. Napper
City Manager/Executive Director

STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: RICK ANGRISANI, CITY ENGINEER

DATE: JUNE 2, 2009

SUBJECT: RESOLUTION APPROVING COVENANT REGARDING THE OPERATION AND MAINTENANCE OF STORMWATER FACILITIES FOR THE FLORA SQUARE PROJECT

RECOMMENDATION

Approve the attached Resolution.

BACKGROUND

The improvements for the Flora Square project included the construction of an aboveground filtration planter/stormwater treatment facility in accordance with the requirements of the City's General Stormwater Discharge Permit ("Permit") as issued by the Regional Water Quality Control Board. The property owner will be responsible for the inspection and reporting requirements associated with the stormwater facility.

Since the City's Permit places the ultimate responsibility for stormwater treatment and the enforcement of stormwater regulations on the City, a covenant has been prepared obligating the property owner to perform the required maintenance, inspections and reporting. If necessary, the City is provided a right of entry in order to perform any work required and the property is obligated to reimburse the City for all of its incurred costs.

Upon approval by the City Council, the Covenant will be recorded to provide notice to the future property buyers of their potential obligations and the City's rights.

Date: June 2, 2009

Page 2 of 2

FISCAL IMPACT

The City is obligated by the Regional Water Quality Control Board to treat increased stormwater runoff due to new development before it enters our creeks or storm drain system. Since the Board did not provide for a funding source for such treatment, the City has no choice but to obligate the property owners involved and directly benefitted in such new developments.

While it is hoped that the property owner will fulfill its maintenance obligations, the City is still responsible should the property owner fails in its responsibilities. Approval of the attached Covenant will allow the City to recoup its costs in the event actions must be taken against the property owner.

CONCLUSION

Staff recommends the City Council approve this Resolution approving the attached Covenant for the Stormwater Management Facility Operations and Maintenance Agreement, and Right of Entry for the Flora Square project.

Attachments: Resolution
Covenant

RESOLUTION NO. -2009

**A RESOLUTION APPROVING A COVENANT FOR RECORDATION ON REAL
PROPERTY TITLE FOR STORMWATER MANAGEMENT FACILITY OPERATIONS
AND MAINTENANCE, AND RIGHT OF ENTRY, FOR FLORA SQUARE
(1026 OAK STREET, APN 119-013-009).**

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

WHEREAS, the construction of the improvements for the Flora Square building at 1026 Oak Street (“Project”), have recently been completed; and

WHEREAS, the terms of the City’s General Stormwater Discharge Permit, issued by the Regional Water Quality Control Board, requires treatment of stormwater runoff from new construction prior to such runoff entering the City’s creeks or storm drain system, and further makes the City responsible for such treatment and the enforcement of all stormwater regulations; and

WHEREAS, in accordance with these regulations, the City required the installation of stormwater treatment facilities as a condition of approval of the project; and

WHEREAS, such stormwater treatment facilities were constructed with the other improvements for the project; and

WHEREAS, such treatment facilities require ongoing maintenance, inspection and reporting by the property owner in perpetuity; and

WHEREAS, the property owner has prepared an Operations and Maintenance Plan which designates the property owner as the responsible party, specifies the required operations, maintenance and reporting tasks, and which plan has been reviewed and approved by the City Engineer; and

WHEREAS, in order to provide notice to any future property owner regarding their potential obligations relating to stormwater treatment as well as the City’s obligation to enforce such requirements, the attached covenant has been prepared for approval by the Clayton City Council and recording in the Contra Costa County Recorder’s Office; and

WHEREAS, the City Attorney has reviewed and approved the terms and wording of said covenant;

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of Clayton, California as follows:

1. The City Council hereby approves the attached document entitled “Covenant Running With The Land, Stormwater Management Facility Operations and Maintenance Agreement, And Right Of Entry” and authorizes the Mayor to sign the document on behalf of the City.

2. The City Clerk is hereby directed to file the executed document in the Office of the Recorder of Contra Costa County.

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California at a regular public meeting thereof held on June 2, 2009 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

THE CITY OF CLAYTON, CALIFORNIA

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 June 2, 2009.

Laci J. Jackson, City Clerk

Recording Requested By:
CITY OF CLAYTON

Return to: **CITY OF CLAYTON**
 Engineering Dept.
 6000 Heritage Trail
 Clayton, CA 94517

Document Title

CITY OF CLAYTON

**COVENANT RUNNING WITH THE LAND,
STORMWATER MANAGEMENT FACILITY OPERATIONS
AND MAINTENANCE AGREEMENT, AND RIGHT OF ENTRY
(Single Parcel)**

**PROJECT: FLORA SQUARE
1026 Oak Street**

OWNERS NAME: Komgold Oak Center, LLC

ASSESSOR'S PARCEL NUMBER: 119-013-009

**COVENANT RUNNING WITH THE LAND,
STORMWATER MANAGEMENT FACILITIES
OPERATION AND MAINTENANCE AGREEMENT,
AND RIGHT OF ENTRY**

This Covenant Running with the Land, Stormwater Management Facilities Operation and Maintenance Agreement and Right of Entry ("Agreement") is made and entered into this _____ day of _____, 2009, by and between Komgold Oak Center, LLC, (hereinafter jointly referred to as "Property Owner") and The City of Clayton, a municipal corporation ("City").

The following terms used in this Agreement shall have the meanings specified below:

DEFINITIONS

Maintain: The term "Maintain" or "Maintained" shall mean taking all actions deemed reasonably necessary by City to keep the Stormwater Facility in first class operation, condition and repair, which actions include but are not limited to regular inspections, painting, cleaning, maintenance, refinishing, repairing, replacing and reconstructing the Stormwater Facility, and in the case of landscaping, plant replacement, mulch replacement, irrigating, trimming, mowing, and fertilizing the landscaping. The term shall also include the routine maintenance, and the annual inspection and reporting described in the Stormwater Control Operation and Maintenance Plan, and the payment of any applicable City fees.

NPDES Permit: The term "NPDES Permit" shall mean the San Francisco Bay Regional Water Quality Control Board's National Pollutant Discharge Elimination System (NPDES) Permit No. CAS0029912 (issued to the City of Clayton) as amended, and as may be superseded by subsequent NPDES permits that are reissued from time to time.

Ordinance: The term "Ordinance" shall mean Chapter 13.12 of the City of Clayton Municipal Code (Stormwater Management and Discharge Control), as may be amended from time to time and any other provision of the City of Clayton Municipal Code deemed by the City of Clayton to be applicable to Stormwater Management and Discharge Control .

Property Owner: The term "Property Owner" and "Property Owners" shall mean Komgold Oak Center, LLC and all heirs, successors, executors, administrators and assigns of Komgold Oak Center, LLC in the Property (including all subsequent owners of any interest in the Property), it being the intent of the parties hereto that the obligations undertaken in this Agreement, as provided in Civil Code section 1468, run with the Property described in Exhibit A and constitute a lien against the Property.

Property: The term "Property" shall mean that certain real property located at 1026 Oak Street, Clayton, CA, and more particularly described in Exhibit A which is attached hereto and hereby incorporated herein by reference.

Plan: The term "Plan" or "Operation and Maintenance Plan" means the City-approved Stormwater Control Operation and Maintenance Plan prepared by Humann Company, Inc., and approved by the City Engineer in writing, which may be subsequently modified from time to time with the City Engineer's written approval.

Stormwater Facility: The term "Stormwater Facility" means the permanent stormwater management facilities located and constructed on the Property including subsequent alterations thereto consented to in writing by the Clayton City Engineer.

RECITALS

This Agreement is made and entered into with reference to the following facts:

- A.** The Property Owner is the owner of the real property more particularly described on the attached Exhibit A.
- B.** Mitchell Creek, a natural watercourse is located adjacent to the Property, and the City is required to ensure that stormwater run-off from the Property into the creek meets the requirements of its NPDES Permit.
- C.** To meet its obligations under its NPDES Permit the City has required the Property Owner to construct the Stormwater Facility on the Property.
- D.** To meet its obligations under its NPDES Permit the City has approved the Property Owner's Operation and Maintenance Plan for the Stormwater Facility.
- E.** To meet its obligations under its NPDES Permit the City's Ordinance requires proper operation and maintenance in perpetuity of the Stormwater Facility constructed on the Property.
- F.** The Plan includes an annual inspection and reporting requirement for the Stormwater Facility constructed on the Property.
- G.** This Agreement memorializes the Property Owner's maintenance, operations, and inspection obligations under the City's Ordinance, the City's NPDES Permit and the Plan.

AGREEMENT

NOW, THEREFORE, in consideration of the foregoing premises, the mutual covenants contained herein, and the following terms and conditions, the parties hereto agree as follows:

SECTION 1

Responsibility for Operation and Maintenance: No portion of the Stormwater Facility may be altered, in any way, by the Property Owner without the prior written consent of the City Engineer of the City of Clayton. The Property Owner shall Maintain the Stormwater Facility in first class operating condition, and in compliance with all applicable state, county and city laws and regulations. Applicable regulations include, but are not limited to, the City-approved Stormwater Control Operation and Maintenance Plan, and the provisions of the Ordinance, as they may be amended from time to time.

The Property Owner shall engage a landscape contractor or other licensed contractor to maintain the Stormwater Facility. The City Engineer, in her or his sole absolute discretion, may approve in writing an alternate method for the maintenance of the Stormwater Facility. The City Engineer, also in her or his sole absolute discretion, may revoke the approval of a previously approved alternate method for the maintenance of the Stormwater Facility.

SECTION 2

Inspection by Property Owner: The Property Owner shall cause its contractor to conduct annual inspections during the month of September of each year. The annual inspection report shall include completion of the checklist described in the approved Operation and Maintenance Plan. The Property Owner or its contractor must submit the inspection report to the City Engineer within 30 days after the annual inspection. A Management and/or Inspection fee established in the City's standard fee schedule shall accompany the annual inspection report.

SECTION 3

Right of Entry and Stormwater Facility Inspection by the City: The Property Owner hereby grants permission to the City, its authorized agents and employees, and the Central Contra Costa Sanitary District, the Contra Costa County Fire Protection District, County Environmental Health Department, the Contra Costa Mosquito and Vector Control District, and the Regional Water Quality Control Board to enter the portion of the Property where the Stormwater Facility is located, and to inspect the Stormwater Facility whenever any of the forgoing entities deems necessary to enforce provisions of the City's Ordinance. These entities may enter the premises at any reasonable time to inspect the Stormwater Facility's maintenance and operation, to inspect and copy records related to compliance with stormwater regulations, and to collect samples and take measurements. Whenever possible, these entities will provide notice prior to entry.

SECTION 4

Failure to Perform Required Stormwater Facility Repairs or Maintenance by the Property Owner: If the Property Owner or its successors fails to Maintain the Stormwater Facility in good working order and in accordance with the approved Plan and the City's Ordinance, the City, with prior notice, may enter the Property to return the Stormwater Facility to good working order. The City is under no obligation to Maintain or repair the Stormwater Facility, and this Agreement may not be construed to impose any such obligation on the City. If the City, under this section takes any action to return the Stormwater Facility to good working order, the Property Owner shall reimburse the City for all the costs incurred by the City, including administrative costs (herein "costs of abatement". The City will provide the Property Owner with an itemized invoice of the City's costs and the Property Owner will have 30 days to pay the invoice. If the Property Owner fails to pay the invoice within 30 days, the City may, without the necessity of any judicial process, secure and record a lien against all real property of the Property Owner in the amount of such costs. In addition the City may make the cost of abatement of the nuisance caused by the failure to maintain the Stormwater Facility a special assessment against the Property that may be collected at the same time and in the same manner as ordinary municipal taxes are collected as provided in Government Code section 38773.5. This Section 4 does not prohibit the City from pursuing other legal recourse against the Property Owner.

SECTION 5

Indemnity: The Property Owner agrees to defend with legal counsel of City's choice, indemnify and holds harmless the City, its officials, employees and its authorized agents from any and all damages, accidents, casualties, occurrences, claims, penalties or fines which might arise or be asserted against the City and which are in any way connected with the construction, operation, presence, existence or maintenance of the Stormwater Facility by the Property Owner, or from any personal injury or property damage that may result from the City or other public entities entering the Property under Section 3 or 4.

SECTION 6

Successors and Assigns: The covenants of the Property Owner set forth in numbered Sections 1 through 5 above shall run with the land, and the burdens thereof shall be binding upon each and every part of the Property and upon the Property Owner, its successors and assigns in ownership (or any interest therein), for the benefit of Mitchell Creek and each and every part thereof and said covenants shall inure to the benefit of and be enforceable by the City, its successors and assigns in ownership of each and every part of the Creek.

SECTION 7

Severability: Invalidation of any one of the provisions of this Agreement shall in no way effect any other provisions and all other provisions shall remain in full force and effect.

Recommended for approval: City of Clayton:



City Engineer

Mayor

Reviewed by:

Attest:

City Attorney

City Clerk

Property Owner: Komgold Oak Center, LLC


By: _____ By: _____

Attachments: Acknowledgements
Exhibit A

ALL PURPOSE ACKNOWLEDGMENT

State of California)
County of Santa Clara) S.S.

On 11/15/2009, before me, Marissa Sullivan, A Notary Public,
personally appeared Clair A. Robinson, who proved to me on the basis of
satisfactory evidence to be the persons whose names are subscribed to the within instrument and
acknowledged to me that they executed the same in their authorized capacities, and that by their signature on
the instrument, the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

M. Sullivan
Signature of Notary Public

My commission expires: Aug. 16, 2011

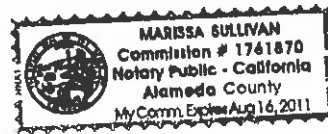


EXHIBIT A
Legal description

ALL THAT REAL PROPERTY SITUATE IN THE CITY OF CLAYTON, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL OF LOTS 8 AND 9, BLOCK 5, AS SAID LOTS AND BLOCK ARE DELINEATED ON THAT MAP ENTITLED "MEMORANDUM MAP OF THE TOWN OF CLAYTON", AS FILED IN THE OFFICE OF THE COUNTY RECORDER, IN BOOK E OF MAPS AT PAGE 101-1/2.

EXCEPTING THEREFROM THOSE PORTIONS OF LOTS 8 AND 9 LYING WITHIN OAK STREET AND CENTER STREET.



Agenda Date 6-2-09
Agenda Item 4e

STAFF REPORT

Approved:

Gary A. Napper
City Manager

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: RICK ANGRISANI, CITY ENGINEER

DATE: JUNE 2, 2009

SUBJECT: RESOLUTION AUTHORIZING THE EXECUTION OF A GRANT OF EASEMENT TO THE CONTRA COSTA WATER DISTRICT FOR ACCESS ROADS TO THE PUMP STATION AND RESERVOIR ABOVE ELK DRIVE (SUBD. 7260)

RECOMMENDATION

Adopt the attached resolution.

BACKGROUND

The final map for Subdivision 7260 (Falcon Ridge Unit 1) created fee parcels and access easements for CCWD reservoir and pump station facilities in the City-owned open space parcels above Elk Drive.

During the grading and construction of these facilities, some minor changes were made to the alignment of the access roads to both improve the access to the facilities and to reduce the amount of grading required. These changes caused a portion of the access road improvements to be outside of the easements shown on the final map.

In order to comply with their own insurance requirements, CCWD surveyed the road improvements, prepared legal descriptions and plats, and has requested that the City grant additional easements in order to encompass all of the improvements as built. The construction agreements for these improvements do require the property owner to grant such access easements as CCWD deems necessary.

FISCAL IMPACT

None.

CONCLUSION

This is essentially a "housekeeping" item and, as such, Staff recommends the City Council approve this Resolution approving the grant of additional access easements to CCWD and authorizing the Mayor to sign the easement deed on behalf of the City.

Attachment: Resolution [1 pg.]
 Grant of Easement
 Map

RESOLUTION NO. - 2009

**A RESOLUTION AUTHORIZING THE EXECUTION OF A GRANT OF EASEMENT TO THE
CONTRA COSTA WATER DISTRICT FOR ACCESS ROADS TO THE PUMP STATION AND
RESERVOIR LOCATED IN CITY-OWNED OPEN SPACE ABOVE ELK DRIVE
(SUBDIVISION 7260)**

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

WHEREAS, the recorded final map for Subdivision 7260 created fee title parcels and access easements for the benefit of the Contra Costa Water District (CCWD) and for the construction and maintenance of reservoir and pump station facilities within the City-owned open space parcels; and

WHEREAS, conditions found during construction caused portions of the access roads to be located outside the limits of the easements shown on the said final map; and

WHEREAS, CCWD has prepared legal descriptions and plat for the additional easement areas required and has requested that the City grant such additional access easements;

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

1. The City of Clayton hereby agrees to grant such additional access easements as requested by CCWD and as shown in the attached Grant of Easement.

2. The City Manager is hereby authorized to execute said Grant of Easement 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 2nd day of June 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 June 2, 2009.

Laci J. Jackson, City Clerk

RECORDING REQUESTED BY:

CITY OF CLAYTON

WHEN RECORDED MAIL TO:

CITY OF CLAYTON
6000 HERITAGE TRAIL
CLAYTON, CA 94517
ATTN.: ENGINEERING DEP'T.

SPACE ABOVE THIS LINE FOR RECORDER'S USE

MAIL TAX STATEMENTS TO:

SAME AS ABOVE

The undersigned grantor(s) declare(s):

CITY TRANSFER TAX \$

DOCUMENTARY TRANSFER TAX \$

SURVEY MONUMENT FEE \$

___ Computed on the consideration or value of property conveyed; OR

___ Computed on the consideration or value less liens or encumbrances
remaining at time of sale.

APN 118-370-120

GRANT OF EASEMENT

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

CITY OF CLAYTON, a municipal corporation

hereby GRANT(S) to

CONTRA COSTA WATER DISTRICT ("CCWD"), a local governmental entity

an easement for construction, maintenance of improvements and structures, clearing of obstructions and vegetation, and for ingress and egress over that real property in the City of Clayton, County of Contra Costa, State of California, described as:

FOR LEGAL DESCRIPTION SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

STATE OF CALIFORNIA
COUNTY OF CONTRA COSTA

}
}ss.
}

On _____
before me, _____
(here insert name and title of the officer), personally appeared

_____,
who proved to me on the basis of satisfactory evidence to be the
person(s) whose name(s) is/are subscribed to the within instrument
and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their
signature(s) on the instrument the person(s) or the entity upon
behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State
of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

(This area for official notarial seal)

EAGLE PEAK - UNIT 3

BEING A SUBDIVISION OF LOT 105 OF SUBDIVISION 699
OAKHURST COUNTRY CLUB," RECORDED ON DECEMBER 20, 19
IN BOOK 328 OF MAPS AT PAGE 21,
CONTRA COSTA COUNTY RECORDS.

CLAYTON, CONTRA COSTA COUNTY, CALIFOR
DATE: MAY 1905
UDI-TETRAD CONSULTING ENGINEERS II
PACIFIC, CALIFORNIA

7

48

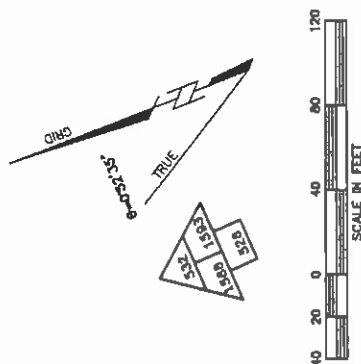
49

05

ADDITIONAL ACCESS ELEMENTS
TO CCWD
6/02/09

LOT 76

CURVE	RIND US	LENGTH	DELTA
C1	85.00	50.75	27.08
C2	110.00	54.00	12.32
C3	18.00	48.28	153.40
C4	31.00	44.33	81.98
C5	51.00	29.83	50.15
C6	13.00	26.79	51.43
C7	18.00	18.78	58.41
C8	40.00	17.51	25.04



LEGEND

- | | |
|----------|-------------------------|
| (R) | RADIAL BEARING |
| (T) | TOTAL |
| (M-W) | MONUMENT TO WATER |
| A.M.D.E. | ACCESS MAINTENANCE |
| A.U.E. | ACCESS AND UTILITIES |
| P.S.E. | PUBLIC SERVICE ENGINEER |
| S.D.E. | STORM DRAIN ENGINEER |
| W.D.A.E. | WATER DISTRICT ASSESSOR |
| ② | FINDING STANDARD CODE |
| ③ | SET STANDARD CODE |

BASIS OF BEARING:

BEARINGS ARE IN CALIFORNIA COORDINATE SYSTEM ZONE 3
BASED ON THE LINE FROM U.S.G.S. STATION "CLAYTON" TO
U.S.G.S. STATION "KIRKER" BEING N21°44'50"E. DISTANCES
SHOWN ARE GROUND LEVEL DISTANCES. TO OBTAIN GRID
DISTANCES MULTIPLY BY 0.999901

JOB NO. 302-3

EXHIBIT A

LEGAL DESCRIPTION

Real property situated in the City of Clayton, County of Contra Costa, State of California, described as follows:

Being portions of Lot 76 as shown on that certain map entitled "Subdivision 7260, Eagle Peak Unit 3", recorded June 22, 1995, in Book 380 of Maps, Pages 7 to 14, inclusive, in the Office of the Recorder of Contra Costa County, more particularly described as follows:

Parcel 1

Beginning at a point on the northwesterly line of an existing 25 foot wide Water District Access Easement, said point being the most southerly corner of Lot C as said easement and lot are shown on said map (380 M 7); thence, along said northwesterly line, South 45° 12' 09" West, 39.49 feet; thence, leaving said northwesterly line, North 16° 49' 20" East, 37.95 feet to a point on the southwesterly line of said Lot C; thence, along said southwesterly line, South 63° 29' 39" East, 19.04 feet to the Point of Beginning.

Parcel 2

Commencing at a point on the northwesterly line of an existing 25 foot wide Water District Access Easement, said point being the most southerly corner of Lot C as said easement and lot are shown on said map (380 M 7); thence, along the southwesterly line of said Lot C, North 63° 29' 39" West, 26.33 feet to the True Point of Beginning of this description; thence, leaving said southwesterly line, South 30° 34' 52" West, 8.26 feet; thence North 39° 54' 32" West, 20.59 feet to a point on said southwesterly line; thence, along said southwesterly line, South 63° 29' 39" East, 19.46 feet to the True Point of Beginning.

Parcel 3

Commencing at the northwesterly corner of an existing 25 foot wide Water District Access Easement, as said easement is shown on said map (380 M 7); thence, along the northerly line of said easement, South 89° 55' 04" East, 42.15 feet to the True Point of Beginning of this description; thence, leaving said northerly line, North 10° 41' 31" East, 3.69 feet; thence North 88° 19' 20" East, 19.90 feet to a point on said northerly line, said point lying on a non-tangent curve concave to the northwest and having a radius of 18.00 feet, a radial line to said point bears South 40° 03' 06" East; thence southwesterly, along said curve and said northerly line, through a central angle of 40° 08' 04", an arc distance of 12.61 feet; thence, continuing along said northerly line, North 89° 55' 04" West, 8.97 feet to the True Point of Beginning.

Parcel 4

Commencing at a point on the northeasterly line of an existing 25 foot wide Water District Access Easement, said point being the most southerly corner of Lot D as said easement and lot are shown on said map (380 M 7); thence, along said northeasterly line, South 64° 17' 40" East, 6.14 feet; thence southeasterly along a curve concave to the north and having a radius of 136.00 feet, through

a central angle of $1^{\circ} 02' 25''$, an arc distance of 2.47 feet to the True Point of Beginning of this description; thence, leaving said northeasterly line, southeasterly along the arc of a non-tangent curve concave to the north and having a radius of 393.32 feet, the center of which bears North $17^{\circ} 25' 53''$ East, through a central angle of $7^{\circ} 35' 00''$, an arc distance of 52.06 feet to a point on said northeasterly line; thence, along said northeasterly line, northwesterly along the arc of a non-tangent curve concave to the north and having a radius of 136.00 feet, the center of which bears North $2^{\circ} 36' 51''$ East, through a central angle of $22^{\circ} 03' 04''$, an arc distance of 52.34 feet to the True Point of Beginning.

Parcel 5

Commencing at a point on the northeasterly line of an existing 25 foot wide Water District Access Easement, said point being the most westerly corner of Lot D as said easement and lot are shown on said map (380 M 7); thence, along the northwesterly line of said Lot D, North $22^{\circ} 21' 35''$ East, 46.09 feet to the True Point of Beginning of this description; thence, leaving said northwesterly line, North $55^{\circ} 01' 23''$ West, 25.02 feet; thence westerly, along a non-tangent curve concave to the north and having a radius of 341.26 feet, the center of which bears North $4^{\circ} 30' 59''$ West, through a central angle of $25^{\circ} 21' 36''$, an arc distance of 151.05 feet; thence westerly, along a non-tangent reverse curve concave to the southwest and having a radius of 202.82 feet, the center of which bears South $11^{\circ} 57' 25''$ West, through a central angle of $9^{\circ} 33' 26''$, an arc distance of 33.83 feet to a point on the northeasterly line of said Water District Access Easement; thence northeasterly, along said northeasterly line and a non-tangent curve concave to the southeast and having a radius of 18.00 feet, the center of which bears North $85^{\circ} 39' 08''$ East, through a central angle of $63^{\circ} 15' 52''$, an arc distance of 19.88 feet; thence, leaving said northeasterly line, South $80^{\circ} 43' 42''$ East, 25.83 feet; thence southeasterly, along a non-tangent curve concave to the north and having a radius of 335.31 feet, the center of which bears North $20^{\circ} 23' 09''$ East, through a central angle of $25^{\circ} 28' 00''$, an arc distance of 149.04 feet; thence easterly, along a non-tangent curve concave to the northwest and having a radius of 104.92 feet, the center of which bears North $16^{\circ} 14' 55''$ West, through a central angle of $30^{\circ} 27' 25''$, an arc distance of 55.77 feet to a point on the northwesterly line of said Lot D; thence, along said northwesterly line, South $22^{\circ} 21' 35''$ West, 66.56 feet to the True Point of Beginning.



Agenda Date: 6-2-09

Agenda Item: 4f

Approved:

Gary A. Napper
City Manager/Executive Director

AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: CITY MANAGER

DATE: 02 JUNE 2009

**SUBJECT: SET DATE AND AGENDA FOR SPECIAL MEETING OF CITY COUNCIL
TUESDAY, 30 JUNE 2009**

RECOMMENDATION

It is recommended the City Council, by minute action, set Tuesday, 30 June 2009 at 7:00 p.m. in Hoyer Hall of the Clayton Community Library, 6125 Clayton Road as the date, time and location of a Special Meeting of the Clayton City Council to consider, discuss and take action on the following items:

1. Public Hearing to consider and approve the draft City Housing Element for 2009-2014; and;
2. Public Hearing to consider and adopt the Fiscal Year 2009-2010 City Budget and the 5-Year Capital Improvement Projects (CIP) Budget for Fiscal Years 2009-2014.

BACKGROUND

The City Planning Commission will receive an initial presentation of the draft City Housing Element at its first meeting in June 2009 (June 9th). To allow sufficient time for the Commission to react and make recommendations on the Draft, a second meeting on the subject is scheduled on June 23rd for their final action. In order for the City to formally approve a City Housing Element for transmittal to the State Housing and Community Development Department (HCD) before July 1st, it therefore becomes necessary for the City Council to hold a Special Meeting on the 5th Tuesday in June 2009 to accomplish this objective. This Agenda item addresses that need.

In addition, the proposed City Budget for FY 2009-2010 and the CIP Budget for FYs 2009-2014 will be introduced and presented at the City Council's second regular meeting in June (on June 16th). The *Clayton Municipal Code* stipulates the City Budget cannot be adopted any time less than ten (10) days after its initial presentation. Therefore, the June 30th Special Meeting date and agenda must also include the Public Hearing and adoption of the City Budget.

Attachments: 1. Special Meeting Agenda [2 pp.]

*** CITY COUNCIL ***

June 30, 2009

7:00 p.m.

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

2. **CLOSED SESSION** – None.

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 June 16, 2009.

5. **RECOGNITIONS AND PRESENTATIONS** – None.

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

- (a) Public Hearing on the proposed City of Clayton Budget for Fiscal Year 2009-2010 and the 5-Year Capital Improvement Project Budget (CIP) for Fiscal Years 2009-2014.

(City Manager and Finance Manager)

Staff Recommendations: 1) Receive the staff report; 2) Open the Public Hearing and receive public comments; 3) Close the Public Hearing; and 4) Provide any final Budget modifications and then adopt the Resolution approving a City Budget for FY 2009-2010 and a 5-Year CIP for FY 2009-2014.

- (b) Public Hearing for consideration of a Resolution approving the transmittal of the City of Clayton Draft 2009 Housing Element Update to the State of California Department of Housing and Community Development (HCD) for review and comment.

(Community Development Director)

Staff recommendation: 1) Receive the staff presentation; 2) Open the Public Hearing and receive public comments; 3) Close the Public Hearing; and 4) Provide any final modifications to the Draft Housing Element and then adopt the Resolution.

9. ACTION ITEMS- None.

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

11. ADJOURNMENT– the next regularly scheduled City Council meeting is July 7, 2009.

#



Agenda Date: 6-2-09

Agenda Item: 9a

Approved:

Gary A. Napper
City Manager/Executive Director

AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: CITY MANAGER

DATE: 02 JUNE 2009

SUBJECT: CONSIDER INTERVIEW PROCESS OF PLANNING COMMISSION APPLICANTS

RECOMMENDATION

It is recommended the City Council determine its process for the interview and nomination of citizen applicants for the upcoming two (2) seats on the City Planning Commission, which terms of office commence 01 July 2009 and automatically expire on 30 June 2011.

BACKGROUND

At the conclusion of the 19 May 2009 City Council meeting under "Future Agenda Items", Mayor Pierce requested an item be placed on the next Council Agenda to consider a proposal to have the entire City Council collectively interview each of the [unknown as yet] applicants for appointment to the two (2) positions on the Planning Commission. The placement of this Agenda item fulfills that request.

The Clayton Planning Commission has a membership of five (5) citizens appointed to the advisory and statutory body with overlapping terms of office of two (2) years. On 30 June 2009, the appointed offices of two Commissioners, Vice Chairman Ed Hartley and Commissioner Keith Haydon, will automatically expire. Commissioner Haydon is not eligible for reappointment consideration as Section 2.12.020 of the *Clayton Municipal Code* stipulates no Commissioner can serve more than eight (8) consecutive years and Mr. Haydon's reappointment for a 2-year term would exceed that term limit.

On 21 May 2009, the City received a surprise letter from Commissioner Hartley that for a variety of personal reasons outlined in the communiqué he will not be seeking reappointment to the Commission. The combined outcome of this situation is the Commission loses two (2) veteran Commissioners and the two (2) expiring terms of office will be truly vacant for selection and appointment of new City officials.

INTERVIEW AND APPOINTMENT PROCESS

Since before 2001, the "new" Clayton Mayor each year in December considers and makes the assignment of current council members to a host of internal committee and inter-governmental duties. One of these assignments has been for two (2) of its members to conduct the interview of each applicant for vacancies occurring on the City Planning Commission. In December 2008, Mayor Pierce assigned Council Members David Shuey and Joe Medrano to this particular Interview Sub-Committee. The Sub-Committee conducts the interviews and then at a regular public meeting submits its report and nomination of applicants for consideration and approval by the entire City Council.

While this process has been accepted local tradition and practice, it is somewhat at odds with the specific language of Section 2.12.02 – Membership of the *Clayton Municipal Code* that provides the five (5) members of the Planning Commission are to be appointed by the Mayor with the approval of the City Council (ref. Code Section attached). For technical accuracy, the Mayor is to make the appointment and then seek City Council formal approval at a public meeting. This particular Code section has been in existence since 1999.

Further guidance on appointment matters is outlined in the adopted "Council Guidelines and Procedures", a copy attached hereto and last revised in February 2007. Section N. – Members of Commissions and Committees of this document contains information regarding the associated selection process under No. 4 – Selection Process (pg. 11).

From her brief comments about the subject from the May 19th meeting, Mayor Pierce wishes to include this time the entire City Council as a whole for the conduct of applicant interviews for the Planning Commission offices. Applicant interviews conducted by the entire City Council can only be accomplished at an open and noticed meeting of the City Council, in accord with state law. Such advisory body interviews by the full Council do not qualify as a personnel matter eligible for Closed Session. While staff did not attempt to survey how other city councils handle this matter, it is known the cities of Concord and Walnut Creek have the entire City Council present during interviews of prospective Planning Commissioners.

FINDINGS

The *Clayton Municipal Code* is silent on the aspect of by whom or how any interview of applicants is to be conducted, or even that such interviews are to take place. Section N. 4. c. of the "Council Guidelines and Procedures" does indicate the Ad-Hoc Committee (i.e. Council Interview Sub-Committee) conducts interviews and makes recommendations to the City Council. Section N. 4. b. further provides that the City Council gives input regarding ranking and the Guidelines do not specifically preclude the entire City Council from being present at said interviews. Consequently, within existing framework and reading Section N. 4. b. & c. together, it is staff's deduction that with proper notice the entire City Council may be present and participate in the interviews of Planning Commission applicants provided the Council Interview Sub-Committee conduct the interviews (technically conforms to its "Council Guidelines and Procedures").

Whether the City Council wishes to do so is a policy decision for the City Council.

APPOINTMENT TIMELINE

The City Clerk is presently advertising for citizens interested in serving on the Clayton Planning Commission. Individuals must complete and file an application available on-line at the City's website www.ci.clayton.ca.us or by requesting an application in person or by mail at Clayton City Hall. The application deadline has been set at 5:00 p.m. on Friday, June 5th. Following tradition, interviews would be conducted thereafter with official appointment and approval set on the agenda for the City Council meeting of June 16th (its second regular meeting in June 2009). This timeline ensures newly appointed Commissioners are in place as of July 1st, the day following expiration of the respective terms of office.

Of scheduling note is the City Council is expected to hold a Special Meeting on June 30th for consideration of the draft Housing Element and adoption of its City Budget for FY 2009-2010. Therefore, to facilitate the desired interview process, Planning Commission appointments could be deferred until that final meeting in June.

Attachments: 1. Section 2.12.020 of *Clayton Municipal Code* [1 pg.]
 2. Section N. of "Council Guidelines and Procedures" [2 pp.]

Chapter 2.12

PLANNING COMMISSION

Sections:

2.12.010	Establishment of Planning Commission
2.12.020	Membership
2.12.025	Monthly Compensation
2.12.030	Election of Officers - Adoption of Rules of Business - Public Record
2.12.040	Term of office
2.12.050	Duties
2.12.060	Removal from office - Filling of Vacancies
2.12.070	Absence
2.12.080	Meetings - Regular
2.12.090	Meetings - Special

2.12.010 Establishment of Planning Commission. A planning commission is hereby established. (Ord. 352, 1999; Ord. 20, Sec. 1, 1964)

→ 2.12.020 Membership. The Planning Commission shall consist of five (5) members appointed by the Mayor with the approval of the City Council. No Commissioner will serve more than eight (8) consecutive years effective as of January 1, 1988. All members shall be qualified electors of the city. (Ord. 352, 1999).

2.12.025 Monthly Compensation. Each member of the Planning Commission shall receive compensation in the amount of One Hundred and Twenty Dollars (\$120.00) per month for each full month of the Commission Member's term of office, provided however, no compensation shall be paid for any month in which the Commission fails to hold at least one regular public meeting. (Ord. 416, 2008).

2.12.030 Election of Officers - Adoption of Rules of Business - Public Record. The Planning Commission shall elect its chair and vice chair from among its appointed members for a term of one (1) year with no member to serve consecutive terms as chair. The Community Development Director shall serve as Secretary to the Commission. The Commission shall adopt rules for the transaction of business. The Community Development Director shall keep a public record of the Commission's determinations. (Ord. 352, 1999; Ord. 283, 1991; Ord. 266, 1989)

2.12.040 Term of Office. The term of office for each member appointed to the Planning Commission shall be two years, unless a member is appointed to fill a vacancy in accordance with Section 2.12.060. (Ord. 352, 1999; Ord. 283, 1991; Ord. 266, 1989)

For statutory provisions on local planning commissions, see Gov't Code Sec. 65100 et seq. and 65150.

~~M. CITY ELECTION YEAR~~

- ~~1. Election year politics should be conducted in such a fashion that the business of Clayton can carry on as usual.~~
- ~~2. Council Candidates will be introduced at Council meetings as candidates only after they have filed their nomination papers.~~



N. MEMBERS OF COMMISSIONS AND COMMITTEES

1. Commissions and Committees are appointed by the Council as advisory bodies.
2. Commissions and Committees need to:
 - a. Consider Council vision.
 - b. Understand their roles, authority, limitations, etc.
 - c. Know annual priorities.
 - d. Work within established process and parameters [e.g., citizen involvement].
 - e. Have a Council Member serve as liaison.
3. Criteria to be considered in the selection and re-appointment of Commissions. *
 - a. Lack of conflicts of interest.
 - b. Attendance [may not miss two consecutive meetings without an excuse].
 - c. Level of participation and preparation.
 - d. Support of community vision and values.
 - e. Respect for staff and public.
 - f. Work for community versus personal purposes.
 - g. Perform as a team player.
 - h. Be a resident [unless there is exceptional need].
 - i. Be competent.

- j. Representative of community as a group [e.g., differing points of view, area of residence, aspects of community, backgrounds, experts versus generalists, etc.].
- k. Appointments are to be made by Council as a whole, not on promises by individual Council Members or Mayor.
- * [A Commissioner may be removed if he/she is in violation of criteria under this section].



4. Selection Process.

- a. Commission candidate application information is to include: Council vision statement, expectations, Brown Act requirements, suggestion to attend a Commission meeting, problem-solving model, etc.
- b. City Council reviews applications, giving input to the Ad-Hoc Committee regarding ranking; Council may request input from Department Heads and City Manager.
- c. Ad-Hoc Committee conducts interviews and makes recommendations to Council [let Council Members know before the meeting who is being recommended in time for individual review].
- d. Council appoints Commissioners [goal is 5-0 consensus vote].
- e. Information packet (including Brown Act, Minutes, Ordinance forming Commission, Calendar of League of California Cities events) is provided to Commissioners by staff.

5. Commissions encouraged to be representative of and involve the entire community.

* * * * *

Revised: 20 February 2007
 Revised: 20 August 2002
 Adopted: 05 May 1998

MINUTES
OF THE
REGULAR MEETING
CLAYTON REDEVELOPMENT AGENCY

Agenda Date: 6-2-09

Agenda Item: 3a RDA

February 17, 2009

1. **CALL TO ORDER & ROLL CALL** - the meeting was called to order at 7:50 p.m. by Vice Chairman Medrano at the Library Community Room, 6125 Clayton Road, Clayton, CA. Boardmembers present: Vice Chairman Medrano, Geller, Stratford, and Pierce. Absent: Chairman Shuey. Staff present: Executive Director Napper, Secretary Jackson, and General Counsel Adams.

2. **PUBLIC COMMENTS** – None.

3. **CONSENT CALENDAR-** It was moved by Boardmember Pierce, seconded by Boardmember Stratford to approve the Consent Calendar as submitted (Passed; 4-0 vote).

(a) Approved the minutes of the regular meeting of February 3, 2009.

4. **PUBLIC HEARING** – None.

5. **ACTION ITEMS**

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

The Executive Director presented the staff report and stated on January 15, 2008 the Redevelopment Agency Board approved a contract with Economic Development Systems (EDS) for the initial retail market analysis. He stated EDS prepared a study recommending the City of Clayton as a destination point for full service restaurants, breakfast eatery, and a jazz or blues entertainment venue. He stated Phase III requires EDS to take action to help bring these types of businesses to the downtown area. The contract for Phase III would be for an amount not to exceed \$99,960. He stated Redevelopment Agency tax increment revenues will be used to fund this retail implementation project and recommended that Phase III services be approved.

No Public Comments were received.

Boardmember Geller asked how much money had been spent to date? The Executive Director responded \$88,382 and stated the money being spent for this project was from the Downtown Economic Development Fund; Mr. Harrigan and EDS have the proven expertise to find and bring such businesses to our downtown.

Boardmember Pierce stated she had spoken to a prospective restaurateur who is interested in buying into Clayton. She stated the City could not afford to hire a separate Economic Development Director like most other competitive redevelopment agencies have, and EDS was doing a good job with a proven track record.

It was moved by Boardmember Pierce, seconded by Boardmember Stratford to approve the Phase III – Retail Recruitment Implementation Plan services to be provided by Economic Development Systems during the next 12 months (Passed; 4-0 vote).

It was moved by Boardmember Pierce, seconded by Boardmember Stratford to authorize an amount not to exceed \$99,960 (\$84,000 + expense cap) from Capital Improvement Project No. 10400 – Downtown Economic Development (source of funds: Clayton Redevelopment Agency) (Passed; 4-0 vote).

6. **BOARD ITEMS** – None.

7. **ADJOURN** – on call by Vice Chairman Medrano the meeting adjourned at 8:20 p.m.

Respectfully submitted,

Laci J. Jackson, Secretary

Clayton Redevelopment Agency Board

David T. Shuey, Chairman



Agenda Date: 6-2-09

Agenda Item: 3b RDA

Approved:

Gary A. Napper
City Manager/Executive Director

AGENDA REPORT

TO: HONORABLE CHAIR AND BOARD MEMBERS

FROM: EXECUTIVE DIRECTOR

DATE: 02 JUNE 2009

**SUBJECT: SET DATE AND AGENDA FOR SPECIAL MEETING OF BOARD OF DIRECTORS
TUESDAY, 30 JUNE 2009**

RECOMMENDATION

It is recommended the Board of Directors, by minute action, set Tuesday, 30 June 2009 at 7:00 p.m. in Hoyer Hall of the Clayton Community Library, 6125 Clayton Road as the date, time and location of a Special Meeting of the Clayton Redevelopment Agency Board of Directors to consider, discuss and take action on the following item:

1. Public Hearing to consider and adopt the Fiscal Year 2009-2010 Agency Budget.

BACKGROUND

The Agency's proposed Budget for FY 2009-2010 will be introduced and presented at the Board's second regular meeting in June (on June 16th). As there should be sufficient time allowed for public review opportunity of the proposed Agency Budget as well as reflection time for the Board itself, it is customary for a two week period to elapse between introduction of the Agency Budget and its formal adoption.

The month of June 2009 has five (5) Tuesdays and the Clayton City Council will be meeting on the fifth Tuesday in a Special Meeting to consider the City's draft Housing Element and its City Budget for FY 2009-2010. Therefore, it matches the Agency's needs to also hold a June 30th Special Meeting to address the Public Hearing and adoption of the Agency's Budget for next fiscal year.

This Agenda item accomplishes the recommended course and action.

Attachments: 1. Special Meeting Agenda [2 pp.]

*** CLAYTON REDEVELOPMENT AGENCY ***

June 30, 2009

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

2. PUBLIC COMMENTS

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

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

3. CONSENT CALENDAR

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

- (a) Approve the minutes of the regular meeting of June 16, 2009.

4. PUBLIC HEARING

- (a) Public Hearing on the proposed Agency Budget for Fiscal Year 2009-2010.
(Executive Director)

Staff Recommendations: **1)** Receive the staff report; **2)** Open the Public Hearing and receive public comments; **3)** Close the Public Hearing; and **4)** Adopt the Resolution approving the Agency's Budget for FY 2009-2010.

5. ACTION ITEMS – None.

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

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

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