



AGENDA
REGULAR MEETING
* * *
CLAYTON CITY COUNCIL
TUESDAY, August 4, 2009
6:30 p.m.

*Hoyer Hall, Clayton Community Library
6125 Clayton Road, Clayton, CA 94517*

Mayor: Julie K. Pierce
Vice Mayor: Hank Stratford

Council Members
Howard Geller
Joseph A. Medrano
David T. Shuey

- A complete packet of information containing staff reports and exhibits related to each public item is available for public review in City Hall located at 6000 Heritage Trail on Monday prior to the Council meeting.
- Agendas are posted at: 1) City Hall, 6000 Heritage Trail; 2) Library, 6125 Clayton Road; 3) Ohm's Bulletin Board, 1028 Diablo Street, Clayton; and 4) City Website at www.ci.clayton.ca.us
- Any writings or documents provided to a majority of the City Council after distribution of the Agenda Packet 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 ***
August 4, 2009

6:30 p.m.

1. **CALL TO ORDER CITY COUNCIL** – Mayor Pierce.
2. **CLOSED SESSION**
 - (a) *Government Code Section 54956.9, Conference with Legal Counsel*
Pending Litigation: *City of Clayton v. McNabb Construction, Inc.*
Case No. MSC-08-02670; Superior Court of CA, Contra Costa County
 - (b) *Government Code Section 54956.8, Conference with Real Property Negotiator*
Real Properties: APNs 119-050-008, 009 & 034 (1005 & 1007 Oak Street)
Instructions to City Negotiator (City Manager) concerning price, terms & conditions
Negotiating Party: Uzoma Nwakuche, LLB

Reports Out From Closed Session: Mayor Pierce.

7:00 p.m.

3. **PLEDGE OF ALLEGIANCE** – led by Mayor Pierce.
4. **CONSENT CALENDAR**

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

 - (a) Approve the minutes of the regular meeting of July 21, 2009. ([View Here](#))
 - (b) Approve Financial Demands and Obligations of the City. ([View Here](#))
 - (c) Accept the City Financial Investment Report for the 4th Quarter of Fiscal Year 2008-2009, ending June 30, 2009. ([View Here](#))
 - (d) Re-appointment of Charles “Chuck” Evans as Clayton’s representative to the County Connection Citizen Advisory Committee for a 2-year term expiring on 30 June 2011. ([View Here](#))
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 - None.

9. ACTION ITEMS

- (a) Second reading and adoption of an amendment to Section 15.08.030.B (City Review and Approval of Sign Permits) of the *Clayton Municipal Code* to allow for administrative review and approval of specified minor signs (ZOA 01-09; Ordinance No. 422). ([View Here](#))
(Community Development Director)

Staff recommendations: **1)** Receive the staff report; **2)** Receive Public Comments; **3)** Adopt a motion to have the City Clerk read Ordinance No. 422 by title and number only and waive further reading; **5)** Approve a motion adopting Ordinance No. 422.

- (b) Consideration a Resolution approving an award of contract Granite Construction Company in the amount of \$341,341.00 for the 2009 Arterial Street Pavement Project using Federal Economic Stimulus funds (American Reinvestment and Recovery Act – AARA; CIP No. 10412). ([View Here](#))
(City Engineer)

Staff recommendation: Following the City Engineer's report and any public comments, adopt the Resolution.

- (c) Designation of the City's Voting Delegate and Alternate for the League of California Cities 2009 Annual Conference to be held September 16 thru September 18, 2009 in San Jose, CA. ([View Here](#))
(City Clerk)

Staff recommendation: The City Council determine if an elected official will attend the Annual Conference due to budget considerations, and if so select its Voting Delegate.

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

11. **ADJOURNMENT**– the next regularly scheduled City Council meeting of August 18, 2009 is cancelled. The next regularly scheduled meeting is September 1, 2009.

#

MINUTES
OF THE
REGULAR MEETING
CLAYTON CITY COUNCIL

Agenda Date: 8-4-09

Agenda Item: 4a

TUESDAY, July 21, 2009

1. **CALL TO ORDER & ROLL CALL** – The meeting was called to order at 6:17 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 and Councilmember Medrano. Councilmembers Absent: Councilmembers Geller and Shuey. Staff present: City Manager Gary Napper, City Attorney Dan Adams, Community Development Director David Woltering, City Engineer Rick Angrisani and City Clerk Laci Jackson.

2. **CLOSED SESSION** – Mayor Pierce announced the following purposes for Closed Session and then adjourned into Closed Session at 6:17 p.m.

(a) *Government Code Section 54956.9, Conference with Legal Counsel*
Pending Litigation: City of Clayton v. McNabb Construction, Inc.
Case No. C-08-02670, Superior Court of CA, Contra Costa County

(b) *Government Code Section 54956.8, Conference with Real Property Negotiator*
Real Properties: APNs 119-050-008, 009 & 034 (1005 & 1007 Oak Street)
Instructions to City Negotiator (City Manager) concerning price, terms & conditions
Negotiating Party: Uzoma Nwakuche, LLB

7:01 p.m.- Reports Out From Closed Session: Mayor Pierce reported the Council gave direction to Legal Counsel and the Real Property Negotiator.

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

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

- (a) Approved the minutes of the regular meeting of June 30, 2009.
- (b) Approved Financial Demands and Obligations of the City.
- (c) Adopted Resolution 22-2009 ordering the annual levy of a Special Tax within the High Street Permanent Road Division (Fund 217) for FY 2009-2010.
- (d) Adopted Resolution 23-2009 ordering the annual levy of a Special Tax within the Oak Street Permanent Road Division (Fund 218) for FY 2009-2010.
- (e) Adopted Resolution 24-2009 authorizing the levy of annual assessments for the Middle School Community Facilities District (1990-1R, Series 1997; Fund No. 420) for the 2009-2010 Tax Year.
- (f) Adopted Resolution 25-2009 authorizing the levy of annual assessments for the Clayton Station Community Facilities District (1990-2R; Fund No. 421) for the 2009-2010 Tax Year.

- (g) Adopted Resolution 26-2009 authorizing the levy of annual assessments for the Lydia Lane Sewer Assessment District in FY 2009-2010.
- (h) Adopted Resolution 27-2009 authorizing the levy of annual assessments for the Oak Street Sewer Assessment District in FY 2009- 2010.
- (i) Adopted Resolution 28-2009 authorizing the levy of annual assessments for CFD 2007-1 (Landscape Maintenance District; Fund No. 210) in FY 2009-2010.
- (j) Adopted Resolution 29-2009 authorizing the levy of annual assessments for CFD 2006-1 (Downtown Park O & M; Fund No. 211) in FY 2009-2010.
- (k) Approved appointment of City's Representative and Alternate to County Library Commission.
- (l) Adopted Resolution 30-2009 approving a multi-year Agreement with the City of Concord for their provision of telephone and voice mail hardware and software services and related maintenance to the City's telephone system.
- (m) Adopted Resolution 31-2009 approving a multi-year Agreement with the City of Concord for its continued provision of public safety dispatch services, temporary holding and detention services, and law enforcement information/technology services to the Clayton Police Department.

5. RECOGNITIONS AND PRESENTATIONS – None.

6. REPORTS

- (a) Planning Commission – Commissioner Sandy Johnson reported on the July 14th meeting of the Planning Commission. The Commission welcomed Dan Richardson, and then held a study session to discuss updating the building height restrictions in the Clayton Municipal Code. The Commission also discussed the Sphere of Influence issue in regards to the LAFCO's Municipal Services Review of Clayton
- (b) Trails and Landscaping Committee – No meeting held to report.
- (c) The City Manager reported the next Concert in The Grove features a country music artist. He reported the State Budget will likely "borrow" more funds from the City of Clayton in order to cover the State's deficit. He stated the expected State Budget also includes taking money from redevelopment agencies. He concluded by stating the State of California's budget solution seemed more like a Ponzi scheme. Mayor Pierce added that some Democrats are committed to voting no on the budget deal if it continues to take money from local government.
- (d) City Council

Vice Mayor Stratford attended the Mayors' Conference in Brentwood and stated the 4th of July Parade was fantastic and thanked Mayor Pierce for all of her work on the event. He also attended the East Bay Habitat Conservancy meeting, met with the City auditors, and attended the League of California Cities East Bay Division meeting.

Mayor Pierce thanked the City Clerk, the Assistant to the City Manager and Sandy Johnson for their work on the 4th of July Parade. She attended multiple transportation meetings in Sacramento.
- (e) Other – None.

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

8. **PUBLIC HEARINGS**

- a) Public Hearing on the proposed levy of annual assessments on real property in the Street Lighting Assessment District for FY 2009-2010, pursuant to Streets and Highways Code 18070 and Government Code 54954.6.

The City Engineer stated the levy amounts have not been increased since 1996. He stated residents were mailed notices and there was only one written response to the notice asserting inequity between the assessment for duplex units and single-family dwelling.

Mayor Pierce opened the Public Hearing at 7:30 p.m. No Public Comments were offered. Mayor Pierce closed the Public Hearing at 7:31 p.m.

It was moved by Vice Mayor Stratford, seconded by Councilmember Medrano to adopt the Resolution setting the annual street lighting assessments for FY 2009-2010 (Passed; 3-0 vote).

- b) Public Hearing on a proposed amendment of Section 15.08.030.B (City Review and Approval of Sign Permits) of the *Clayton Municipal Code* to allow for administrative review and approval of specified minor signs (ZOA 01-09; Ordinance No. 422).

The Community Development Director presented the staff report and stated the Ordinance streamlines the process for business owners wishing to replace signs. The changes to the Municipal Code affect primarily new occupants of buildings with existing signage. He stated the Ordinance allows staff to issue sign permits administratively so long as the new signs conform in size, number, and location to the existing signage. The Planning Commission will continue to review larger scale changes and new signs.

Mayor Pierce asked if approved Master Sign plans would still be in effect. The Community Development Director approved Master Sign plan areas such as the Clayton Station, continue to be in effect and minor sign changes requesting in conformance with the approved Master Sign Plans could then be approved administratively.

The Community Development Director clarified that the new signs would need to be in the same location and be the same size in order to be reviewed at the staff level. He stated as the Code stands now almost all commercial signs must be reviewed by the Planning Commission.

It was moved by Vice Mayor Stratford, seconded by Councilmember Medrano to have the City Clerk read Ordinance No. 422 by title and number only and waive further reading (Passed; 3-0 vote).

The City Clerk read Ordinance No. 422 by title and number only.

It was moved by Vice Mayor Stratford, seconded by Councilmember Medrano to adopt a motion approving Ordinance No. 422 for Introduction and First Reading (Passed; 3-0 vote).

10. **ACTION ITEMS** – None.

11. **COUNCIL ITEMS**

Vice Mayor Stratford stated the City's Auditors had suggested the Council establish an audit committee. The City Manager stated the Council Budget Sub-Committee's name altered to include the "audit committee".

12. **ADJOURNMENT**– On call by Mayor Pierce the meeting adjourned at 7:40 p.m.

Respectfully submitted,

Laci J. Jackson, City Clerk

APPROVED BY CLAYTON CITY COUNCIL

Julie K. Pierce, Mayor



Agenda Date: 08/04/09

Agenda Item: 4b

Approved:

Gary A. Napper
City Manager/Executive Director

STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: MERRY PELLETIER, FINANCE MANAGER
DATE: AUGUST 4, 2009
SUBJECT: OBLIGATION SUMMARY

RECOMMENDATION Approve the following obligations.

<u>RUN DATE</u>	<u>OBLIGATION NUMBERS</u>	<u>TOTALS</u>
07/31/09	16148 – 16204	\$164,745.62

Invoice Distribution Report

- o Amounts spent by "Line Item"
- o A grand total is shown on the last page

Attachments:
Invoice Distribution Report 07/31/09 (16 pages)

Run date: 07/31/2009 @ 11:13
Bus date: 07/31/2009

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			
16190 Refund SWP 12-09 Dep 7/09	1348 Majestic Pools		
Invoice number.: SWP 12-09	2 OH Rec SWP 12-09	Inv	-28.01
16191 Refund EP 2506 Dep 7/09	845 A D Seeno Construction		
Invoice number.: EP 2506	3 OH Rec EP 2506	Inv	-60.00
A101-5791-00.0.0-000 - Overhead cost recovery	*** Account total ***		-88.01
A101-7218-02.0.0-000 - Life and LTD Insurance			
16204 LTD, Life & ADD 8/09	65 Municipal Pooling Authority		
Invoice number.: 8/09	1 Adm LTD 8/09	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			
16204 LTD, Life & ADD 8/09	65 Municipal Pooling Authority		
Invoice number.: 8/09	2 PW LTD 8/09	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			
16204 LTD, Life & ADD 8/09	65 Municipal Pooling Authority		
Invoice number.: 8/09	3 Planning LTD 8/09	Inv	115.21
A101-7218-04.0.0-000 - Life and LTD Insurance	*** Account total ***		115.21
A101-7218-06.0.0-000 - Life and LTD Insurance			
16204 LTD, Life & ADD 8/09	65 Municipal Pooling Authority		
Invoice number.: 8/09	4 PD LTD 8/09	Inv	591.11
A101-7218-06.0.0-000 - Life and LTD Insurance	*** Account total ***		591.11
A101-7220-02.0.0-000 - PERS Retirement			
16160 Retirement PPE 7/26/09	201 CalPERS		
Invoice number.: PPE 7/26/09	2 Admin 7/26/09	Inv	3,968.69
A101-7220-02.0.0-000 - PERS Retirement	*** Account total ***		3,968.69
A101-7220-03.0.0-000 - PERS Retirement			
16160 Retirement PPE 7/26/09	201 CalPERS		
Invoice number.: PPE 7/26/09	3 PW 7/26/09	Inv	2,316.72
A101-7220-03.0.0-000 - PERS Retirement	*** Account total ***		2,316.72

Run date: 07/31/2009 @ 11:13
Bus date: 07/31/2009

City of Clayton
Invoice Distribution Report

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Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A101-7220-04.0.0-000 - PERS Retirement			
16160 Retirement PPE 7/26/09	201 CalPERS		
Invoice number.: PPE 7/26/09	4 Planning 7/26/09	Inv	1,176.88
A101-7220-04.0.0-000 - PERS Retirement	*** Account total ***		1,176.88
A101-7220-06.0.0-000 - PERS Retirement			
16160 Retirement PPE 7/26/09	201 CalPERS		
Invoice number.: PPE 7/26/09	5 Police 7/26/09	Inv	16,446.04
A101-7220-06.0.0-000 - PERS Retirement	*** Account total ***		16,446.04
A101-7246-02.0.0-000 - Benefit Insurance			
16203 Health Insurance 8/09	1316 CalPERS Health		
Invoice number.: 379	1 Admin 8/09	Inv	6,173.84
Invoice number.: 379	6 Adm Fees Health 8/09	Inv	110.28
16204 LTD, Life & ADD 8/09	65 Municipal Pooling Authority		
Invoice number.: 8/09	6 Adm Life, ADD 8/09	Inv	67.50
A101-7246-02.0.0-000 - Benefit Insurance	*** Account total ***		6,351.62
A101-7246-03.0.0-000 - Benefit Insurance			
16203 Health Insurance 8/09	1316 CalPERS Health		
Invoice number.: 379	2 PW 8/09	Inv	4,916.80
16204 LTD, Life & ADD 8/09	65 Municipal Pooling Authority		
Invoice number.: 8/09	7 PW Life, ADD 8/09	Inv	56.25
A101-7246-03.0.0-000 - Benefit Insurance	*** Account total ***		4,973.05
A101-7246-04.0.0-000 - Benefit Insurance			
16203 Health Insurance 8/09	1316 CalPERS Health		
Invoice number.: 379	3 Planning 8/09	Inv	2,338.18
16204 LTD, Life & ADD 8/09	65 Municipal Pooling Authority		
Invoice number.: 8/09	8 Planning Life, ADD 8/09	Inv	22.50
A101-7246-04.0.0-000 - Benefit Insurance	*** Account total ***		2,360.68

Run date: 07/31/2009 @ 11:13
 Bus date: 07/31/2009

City of Clayton
 Invoice Distribution Report

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Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A101-7246-06.0.0-000 - Benefit Insurance			
16203 Health Insurance 8/09	1316 CalPERS Health		
Invoice number.: 379	4 Police Dept 8/09	Inv	9,849.81
Invoice number.: 379	5 ER Share -retired PD 8/09	Inv	166.65
16204 LTD, Life & ADD 8/09	65 Municipal Pooling Authority		
Invoice number.: 8/09	9 PD Life, ADD 8/09	Inv	123.75
A101-7246-06.0.0-000 - Benefit Insurance	*** Account total ***		10,140.21
A101-7311-03.0.0-000 - General Supplies			
16199 PW Waste Bags 6/09	66 Cole Supply Company		
Invoice number.: 676607-2	3 PW Waste Bags 6/09	Inv	304.34
A101-7311-03.0.0-000 - General Supplies	*** Account total ***		304.34
A101-7312-07.0.0-000 - Office Supplies/Expense			
16152 Additional Hrs of Svc 4Q 08-09	898 CCC Library		
Invoice number.: 4Q 08-09	2 Office Expense 4Q 08-09	Inv	1,182.87
A101-7312-07.0.0-000 - Office Supplies/Expense	*** Account total ***		1,182.87
A101-7314-05.0.0-000 - Postage			
16159 Adm Postage Added 7/27/09	2100 Neopost (add postage)		
Invoice number.: 7/27/09	1 Adm Postage Added 7/27/09	Inv	300.00
A101-7314-05.0.0-000 - Postage	*** Account total ***		300.00
A101-7324-02.0.0-000 - Dues and Subscriptions			
16183 Public Mgr Assoc Dues 7/09-12/	56 City of Walnut Creek		
Invoice number.: 7/09-12/09	1 Public Mgr Assoc Dues 7-12/09	Inv	78.00
A101-7324-02.0.0-000 - Dues and Subscriptions	*** Account total ***		78.00
A101-7324-04.0.0-000 - Dues and Subscriptions			
16179 Dues - D Woltering 09-10	10 American Planning Assoc.		
Invoice number.: 047118-090503	1 Dues - D Woltering 09-10	Inv	425.00
A101-7324-04.0.0-000 - Dues and Subscriptions	*** Account total ***		425.00

Run date: 07/31/2009 @ 11:13
Bus date: 07/31/2009

City of Clayton
Invoice Distribution Report

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Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A101-7324-06.0.0-000 - Dues and Subscriptions			
16177 PD Membership Dues 09-10	1410 CCC Police Chiefs' Assoc. 1 PD Membership Dues 09-10	Inv	650.00
Invoice number.: 09-06			
16178 PD Membership Dues 09-10	1721 CA Police Chiefs Association 1 PD Membership Dues 09-10	Inv	300.00
Invoice number.: FY 09-10			
A101-7324-06.0.0-000 - Dues and Subscriptions	*** Account total ***		950.00
A101-7324-08.0.0-000 - Dues and Subscriptions			
16173 USAs-Annual Membership 09	471 Underground Service Alert 1 USAs-Annual Membership 09	Inv	218.46
Invoice number.: 90070164			
A101-7324-08.0.0-000 - Dues and Subscriptions	*** Account total ***		218.46
A101-7329-09.0.0-000 - Park Supplies			
16199 PW Waste Bags 6/09	66 Cole Supply Company 2 PW Waste Bags 6/09	Inv	304.33
Invoice number.: 676607-2			
A101-7329-09.0.0-000 - Park Supplies	*** Account total ***		304.33
A101-7331-03.0.0-000 - Rentals/Leases			
16165 PW Argon Lease 7/09-12/09	1647 Airgas 1 PW Argon Lease 7/09-12/09	Inv	56.89
Invoice number.: 102577083			
A101-7331-03.0.0-000 - Rentals/Leases	*** Account total ***		56.89
A101-7331-05.0.0-000 - Rentals/Leases			
16167 Adm Copier Lease 8/09	2370 Konica Minolta Bus Solutions 1 Adm Copier Lease 8/09	Inv	628.98
Invoice number.: 011099343			
16167 Adm Copier Lease 8/09	2 Adm Copier 2009 Taxes 8/09	Inv	193.00
Invoice number.: 011099343			
A101-7331-05.0.0-000 - Rentals/Leases	*** Account total ***		821.98
A101-7332-02.0.0-000 - Telecommunications			
16193 Local Phone Svc 7/09	1243 AT&T/ CalNet 2 2 CH Local Phone 7/09	Inv	168.24
Invoice number.: 7/22/09			
A101-7332-02.0.0-000 - Telecommunications	*** Account total ***		168.24

Run date: 07/31/2009 @ 11:13
Bus date: 07/31/2009

City of Clayton
Invoice Distribution Report

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Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A101-7332-03.0.0-000 - Telephone			
16193 Local Phone Svc 7/09	1243 AT&T/ CalNet 2		
Invoice number.: 7/22/09	1 PW-Local Phone 7/09	Inv	33.43
A101-7332-03.0.0-000 - Telephone	*** Account total ***		33.43
A101-7332-04.0.0-000 - Telephone			
16193 Local Phone Svc 7/09	1243 AT&T/ CalNet 2		
Invoice number.: 7/22/09	3 PIng Local Phone 7/09	Inv	41.31
A101-7332-04.0.0-000 - Telephone	*** Account total ***		41.31
A101-7332-06.0.0-000 - Telephone			
16193 Local Phone Svc 7/09	1243 AT&T/ CalNet 2		
Invoice number.: 7/22/09	7 PD Local Phone 7/09	Inv	452.72
A101-7332-06.0.0-000 - Telephone	*** Account total ***		452.72
A101-7332-08.0.0-000 - Telephone			
16193 Local Phone Svc 7/09	1243 AT&T/ CalNet 2		
Invoice number.: 7/22/09	5 Eng Local Phone 7/09	Inv	68.76
A101-7332-08.0.0-000 - Telephone	*** Account total ***		68.76
A101-7335-03.0.0-000 - Gas & Electricity			
16194 Service 7/09 (Individual Inv)	113 PG&E		
Invoice number.: 7/23/09	1 PW Bldg Svc 7/09	Inv	17.79
Invoice number.: 7/23/09	5 Oak Street Svc 7/09	Inv	41.55
16195 Service 7/09 (Master)	113 PG&E		
Invoice number.: 7/17/09	1 City Hall 7/09	Inv	431.41
Invoice number.: 7/17/09	3 Lydia Pump Station 7/09	Inv	132.65
Invoice number.: 7/17/09	12 Westwood Pk Well 7/09	Inv	160.65
A101-7335-03.0.0-000 - Gas & Electricity	*** Account total ***		784.05
A101-7335-07.0.0-000 - Gas & Electricity			
16195 Service 7/09 (Master)	113 PG&E		
Invoice number.: 7/17/09	4 Library 7/09	Inv	4,919.89

Run date: 07/31/2009 @ 11:13
 Bus date: 07/31/2009

City of Clayton
 Invoice Distribution Report

OTDIST.L02 Page 6

Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A101-7335-07.0.0-000 - Gas & Electricity	*** Account total ***		4,919.89
A101-7335-09.0.0-000 - Gas & Electricity			
16195 Service 7/09 (Master)	113 PG&E		
Invoice number.: 7/17/09	2 Community Restroom 7/09	Inv	200.30
A101-7335-09.0.0-000 - Gas & Electricity	*** Account total ***		200.30
A101-7338-09.0.0-000 - Water Services			
16148 City Water Usage 5-6/09	67 Contra Costa Water Dist.		
Invoice number.: A Srs 5-6/09	5 Community Park 5-6/09	Inv	16,140.55
16161 City Water Usage 7/1-7/8/09	67 Contra Costa Water Dist.		
Invoice number.: A Series 7/09 b	5 Community Park 7/1-7/8/09	Inv	2,200.98
A101-7338-09.0.0-000 - Water Services	*** Account total ***		18,341.53
A101-7341-07.0.0-000 - Buildings/Grounds Maintenance			
16189 Library Alarm Service 7/09	597 All-Guard Systems, Inc.		
Invoice number.: 250596	1 Library Alarm Service 7/09	Inv	186.83
A101-7341-07.0.0-000 - Buildings/Grounds Maintenance	*** Account total ***		186.83
A101-7346-03.0.0-000 - HVAC Mtn & Repairs			
16197 Library, CH Mtn & EMS 7/09	1265 ACCO Engineered Systems		
Invoice number.: 510985-89	2 City Hall EMS & Mtn 7/09	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			
16197 Library, CH Mtn & EMS 7/09	1265 ACCO Engineered Systems		
Invoice number.: 510985-89	1 Library EMS & Mtn 7/09	Inv	724.00
A101-7346-07.0.0-000 - HVAC Mtn & Repairs	*** Account total ***		724.00
A101-7351-05.0.0-000 - Insurance Premiums			
16174 Property Coverage Prem 09-10	65 Municipal Pooling Authority		
Invoice number.: P0903	1 Property Coverage Prem 09-10	Inv	8,284.00
16175 Vehicle Damage Prem 09-10	65 Municipal Pooling Authority		
Invoice number.: E0903	1 Vehicle Damage Prem 09-10	Inv	2,505.00
A101-7351-05.0.0-000 - Insurance Premiums	*** Account total ***		10,789.00

Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A101-7362-01.0.0-000 - City Promotional Activity 16185 4th of July Portapottys 7/09 Invoice number.: 101-9649	2183 United Site Services Inc 1 4th of July Portapottys 7/09	Inv	655.88
A101-7362-01.0.0-000 - City Promotional Activity	*** Account total ***		655.88
A101-7372-01.0.0-000 - Conferences 16181 Mayors Conference 8/09 Invoice number.: 8/09	463 City of Concord 1 Mayors Conference 8/09	Inv	100.00
A101-7372-01.0.0-000 - Conferences	*** Account total ***		100.00
A101-7384-04.0.0-000 - Legal Notices 16155 Notices- CDD & Eng 6/09 Invoice number.: 3180367-4022	1648 Bay Area News Group East Bay 2 CDD Legal Notice 6/09	Inv	82.60
A101-7384-04.0.0-000 - Legal Notices	*** Account total ***		82.60
A101-7411-08.0.0-000 - Professional Services Retainer 16198 Eng Svc 7/11/09-7/24/09 Invoice number.: 8909-8917	116 PERMCO, Inc. 1 Eng Svc 7/11/09-7/24/09	Inv	2,177.50
Invoice number.: 8909-8917	2 ABAG Haz Mit Pln #8916	Inv	693.00
A101-7411-08.0.0-000 - Professional Services Retainer	*** Account total ***		2,870.50
A101-7412-08.0.0-000 - Engineering/Inspection Service 16191 Refund EP 2506 Dep 7/09 Invoice number.: EP 2506	845 A D Seeno Construction 2 EP 2506 Inspections 7/09	Inv	-400.00
A101-7412-08.0.0-000 - Engineering/Inspection Service	*** Account total ***		-400.00
A101-7417-03.0.0-000 - Janitorial Service 16169 Janitorial Supplies 7/09 Invoice number.: 54927	84 Hammons Supply Company 3 CH Janitorial Supp 7/09	Inv	157.17
A101-7417-03.0.0-000 - Janitorial Service	*** Account total ***		157.17
A101-7417-07.0.0-000 - Janitorial Service 16169 Janitorial Supplies 7/09 Invoice number.: 54927	84 Hammons Supply Company 1 Library Janitorial Supp 7/09	Inv	314.33
A101-7417-07.0.0-000 - Janitorial Service	*** Account total ***		314.33

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Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A101-7417-09.0.0-000 - Janitorial Service			
16169 Janitorial Supplies 7/09	84 Hammons Supply Company		
Invoice number.: 54927	4 Parks Janitorial Supp 7/09	Inv	157.16
A101-7417-09.0.0-000 - Janitorial Service	*** Account total ***		157.16
A101-7419-01.0.0-000 - Other Professional Services			
16164 Video City Council Mtg 7/21/09	1467 LarryLogic Productions		
Invoice number.: 979	1 Video CC Mtg 7/21/09	Inv	292.50
A101-7419-01.0.0-000 - Other Professional Services	*** Account total ***		292.50
A101-7419-05.0.0-000 - Other Professional Services			
16149 FSA Acct Admin 6/09	2500 Employee Benefit Specialists,		
Invoice number.: 46840-IN	1 FSA Acct Admin 6/09	Inv	100.00
16182 Prop Tax Rolls -email 09-10	1303 CCC Office of Revenue Collecti		
Invoice number.: 235606	1 Prop Tax Rolls -email 09-10	Inv	25.00
A101-7419-05.0.0-000 - Other Professional Services	*** Account total ***		125.00
A101-7419-06.0.0-000 - Other Professional Services			
16158 SART Exam 6/09	2018 Contra Costa Health Svc		
Invoice number.: 0609	1 SART Exam 6/09	Inv	1,000.00
16176 PD-CIC Svc 09-10	1480 CCC Employment & Human Service		
Invoice number.: FY 09-10	1 PD-CIC Svc 09-10	Inv	500.00
A101-7419-06.0.0-000 - Other Professional Services	*** Account total ***		1,500.00
A101-7423-07.0.0-000 - Library Aide			
16152 Additional Hrs of Svc 4Q 08-09	898 CCC Library		
Invoice number.: 4Q 08-09	1 Student Assistant 4Q 08-09	Inv	1,022.91
A101-7423-07.0.0-000 - Library Aide	*** Account total ***		1,022.91
A101-7425-06.0.0-000 - Crime Lab			
16150 PD-Crime Lab Blood 4-6/09	641 CCC Office of the Sheriff-Coro		
Invoice number.: CLPD-209	1 PD Crime Lab Blood 4-6/09	Inv	558.64
16151 PD-Crime Lab 6/09	641 CCC Office of the Sheriff-Coro		
Invoice number.: ClayPD-0906	1 PD Crime Lab 6/09	Inv	90.00
A101-7425-06.0.0-000 - Crime Lab	*** Account total ***		648.64

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Obligat'n Description	Vendor/ Name/ Line Mbr Description	Stage	Amount
A201-7335-00.0.0-000 - Gas & Electricity			
16195 Service 7/09 (Master)	113 PG&E		
Invoice number.: 7/17/09	9 Traffic Signals 7/09	Inv	386.92
Invoice number.: 7/17/09	10 Street Lights - Arterial 7/09	Inv	2,765.73
16196 Svc: Irrig & Signal 7/09 (Mst)	113 PG&E		
Invoice number.: 7/20/09	2 Clayton Traffic Sgn 7/09	Inv	34.55
A201-7335-00.0.0-000 - Gas & Electricity	*** Account total ***		3,187.20
A201-7345-00.0.0-000 - Traffic Signal Maintenance			
16153 Traffic Signal Maintenance 6/0	234 CCC General Services		
Invoice number.: 3531	1 Traffic Signal Mtn 6/09	Inv	2,187.01
16154 Traffic Signal Maintenance 4-5	234 CCC General Services		
Invoice number.: 3503	1 Traffic Signal Mtn 4-5/09	Inv	3,352.77
A201-7345-00.0.0-000 - Traffic Signal Maintenance	*** Account total ***		5,539.78
A201-7412-00.0.0-000 - Engineering/Inspection Service			
16198 Eng Svc 7/11/09-7/24/09	116 PERMCO, Inc.		
Invoice number.: 8909-8917	4 Gas Tax Insp #8910	Inv	503.25
A201-7412-00.0.0-000 - Engineering/Inspection Service	*** Account total ***		503.25
A210-7311-00.0.0-000 - General Supplies			
16187 Landscape Supp 7/09	2070 John Deere Landscapes Inc		
Invoice number.: 51931132	1 Landscape Supp 7/09	Inv	138.18
16199 PW Waste Bags 6/09	66 Cole Supply Company		
Invoice number.: 676607-2	1 PW Waste Bags 6/09	Inv	1,130.37
16200 Landscape Supplies 6/09	2070 John Deere Landscapes Inc		
Invoice number.: 51900114	1 Landscape Supplies 6/09	Inv	8,728.02
A210-7311-00.0.0-000 - General Supplies	*** Account total ***		9,996.57
A210-7335-00.0.0-000 - Gas & Electricity			
16194 Service 7/09 (Individual Inv)	113 PG&E		
Invoice number.: 7/23/09	4 Irrigation Svc 7/09	Inv	155.88

Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A210-7335-00.0.0-000 - Gas & Electricity	*** Continued ***		
16195 Service 7/09 (Master)	113 PG&E		
Invoice number.: 7/17/09	5 Monument Lights 7/09	Inv	196.83
Invoice number.: 7/17/09	6 Oakhurst Pump (Fountain) 7/09	Inv	840.77
Invoice number.: 7/17/09	7 Outdoor Lights 7/09	Inv	14.27
Invoice number.: 7/17/09	8 Sprinkler Cont/Lndscp 7/09	Inv	80.29
16196 Svc: Irrig & Signal 7/09 (Mst)	113 PG&E		
Invoice number.: 7/20/09	1 OH Irrigation 7/09	Inv	476.31
A210-7335-00.0.0-000 - Gas & Electricity	*** Account total ***		1,764.35
A210-7419-00.0.0-000 - Other Professional Services			
16201 Well Pump for Watering 6/09	560 Martell Water Systems, Inc.		
Invoice number.: 16725	1 Well Pump for Watering 6/09	Inv	2,734.64
A210-7419-00.0.0-000 - Other Professional Services	*** Account total ***		2,734.64
A211-7310-00.0.0-000 - Supplies and Equipment			
16168 Janitorial Supplies 7/09	84 Hammons Supply Company		
Invoice number.: 54928	5 Grove Pk Janitorial Supp 7/09	Inv	199.95
A211-7310-00.0.0-000 - Supplies and Equipment	*** Account total ***		199.95
A211-7335-00.0.0-000 - Gas & Electricity			
16194 Service 7/09 (Individual Inv)	113 PG&E		
Invoice number.: 7/23/09	3 Grove Park Svc 7/09	Inv	61.31
A211-7335-00.0.0-000 - Gas & Electricity	*** Account total ***		61.31
A214-7335-00.0.0-000 - Gas & Electricity			
16195 Service 7/09 (Master)	113 PG&E		
Invoice number.: 7/17/09	11 Street Lights-Res 7/09	Inv	8,297.17
A214-7335-00.0.0-000 - Gas & Electricity	*** Account total ***		8,297.17
A222-7611-00.0.0-000 - Principal Payment			
16202 Lydia Swr AD Debt Svc 8/09	1750 Wells Fargo Bank, N.A.		
Invoice number.: 7/27/09	2 Lydia Swr AD Debt Svc 8/09	Inv	5,000.00

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Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A222-7611-00.0.0-000 - Principal Payment	*** Account total ***		5,000.00
A222-7612-00.0.0-000 - Interest Payment			
16202 Lydia Swr AD Debt Svc 8/09	1750 Wells Fargo Bank, N.A. 1 Lydia Swr AD Debt Svc 8/09	Inv	6,099.75
Invoice number.: 7/27/09			
A222-7612-00.0.0-000 - Interest Payment	*** Account total ***		6,099.75
A230-7218-00.0.0-000 - LTD Insurance-COPS			
16204 LTD, Life & ADD 8/09	65 Municipal Pooling Authority 5 PD Grant LTD 8/09	Inv	42.43
Invoice number.: 8/09			
A230-7218-00.0.0-000 - LTD Insurance-COPS	*** Account total ***		42.43
A230-7220-00.0.0-813 - PERS Retirement-COPS			
16160 Retirement PPE 7/26/09	201 CalPERS 6 PD Grant 7/26/09	Inv	1,280.67
Invoice number.: PPE 7/26/09			
A230-7220-00.0.0-813 - PERS Retirement-COPS	*** Account total ***		1,280.67
A230-7246-00.0.0-000 - Benefit Insurance			
16203 Health Insurance 8/09	1316 CalPERS Health 7 PD Grants 8/09	Inv	1,321.58
Invoice number.: 379			
16204 LTD, Life & ADD 8/09	65 Municipal Pooling Authority 10 PD Grant Life, ADD 8/09	Inv	11.25
Invoice number.: 8/09			
A230-7246-00.0.0-000 - Benefit Insurance	*** Account total ***		1,332.83
A301-7361-00.0.0-000 - Advertising			
16192 Yellow Pages. Com 7/09	2115 AT&T YellowPages.com 1 Yellow Pages.Com 7/09	Inv	39.59
Invoice number.: 7/09			
A301-7361-00.0.0-000 - Advertising	*** Account total ***		39.59
A301-7520-00.0.0-003 - Concerts in the Grove Park			
16162 Grove Concert Sound Svc 8/22/0	2376 Don Stone 1 Grove Conc Sound Svc 8/22/09	Inv	500.00
Invoice number.: Sound 8/22/09			
16163 Grove Concert Sound Svc 8/29/0	2376 Don Stone 1 Grove Conc Sound Svc 8/29/09	Inv	500.00
Invoice number.: Sound 8/29/09			

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Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A301-7520-00.0.0-003 - Concerts in the Grove Park	*** Continued ***		
16171 Grove Concert Band 8/22/09	2448 David Hosley		
Invoice number.: Band 8/22/09	1 Grove Concert Band 8/22/09	Inv	1,200.00
16172 Grove Concert Band 8/29/09	2538 Replica - 80's Rock Revisited		
Invoice number.: Band 8/29/09	1 Grove Concert Band 8/29/09	Inv	800.00
A301-7520-00.0.0-003 - Concerts in the Grove Park	*** Account total ***		3,000.00
A302-7413-00.0.0-000 - Legal Services			
16156 RDA-LMI Legal Services 6/09	79 Goldfarb & Lipman		
Invoice number.: 94366	1 RDA-LMI Legal Services 6/09	Inv	343.00
A302-7413-00.0.0-000 - Legal Services	*** Account total ***		343.00
A303-7520-00.0.0-106 - Clayton Rd Trail Connection			
16198 Eng Svc 7/11/09-7/24/09	116 PERMCO, Inc.		
Invoice number.: 8909-8917	3 Eng Svc #8915	Inv	1,067.50
Invoice number.: 8909-8917	5 Eng Svc #8914	Inv	2,677.75
A303-7520-00.0.0-106 - Clayton Rd Trail Connection	*** Account total ***		3,745.25
A303-7520-00.0.0-114 - 2009 Arterial Overlay Project			
16198 Eng Svc 7/11/09-7/24/09	116 PERMCO, Inc.		
Invoice number.: 8909-8917	6 Eng Svc #8917	Inv	996.19
Invoice number.: 8909-8917	8 Eng Svc #8909 Correction	Inv	2,178.97
A303-7520-00.0.0-114 - 2009 Arterial Overlay Project	*** Account total ***		3,175.16
A304-7520-00.0.0-114 - 2009 Arterial Overlay Project			
16155 Notices- CDD & Eng 6/09	1648 Bay Area News Group East Bay		
Invoice number.: 3180367-4022	1 Eng Legal Notice 6/09	Inv	884.80
16198 Eng Svc 7/11/09-7/24/09	116 PERMCO, Inc.		
Invoice number.: 8909-8917	7 Eng Svc #8909 Correction	Inv	2,178.97
A304-7520-00.0.0-114 - 2009 Arterial Overlay Project	*** Account total ***		-1,294.17

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Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A420-7419-00.0.0-000 - Other Professional Services 16166 CFA 07 Cont Disclosure 7/09 Invoice number.: G07170904-L0	960 NBS Govt. Finance Group 1 CFA 07 Cont Disclosure 7/09	Inv	175.00
A420-7419-00.0.0-000 - Other Professional Services	*** Account total ***		175.00
A501-7352-00.0.0-000 - Insurance Claims Expense 16170 Claim Settlement 7/09 Invoice number.:	2562 Marty & Noelle Montgomery 1 Claim Settlement 7/09	Inv	2,000.00
A501-7352-00.0.0-000 - Insurance Claims Expense	*** Account total ***		2,000.00
A501-7413-00.0.0-000 - Legal Services 16157 OH Litigation Lgl Svc 6/09 Invoice number.: 10505	2469 Michel & Fackler APC 1 OH Litigation Lgl Svc 6/09	Inv	525.00
A501-7413-00.0.0-000 - Legal Services	*** Account total ***		525.00
A601-2731-00.0.0-157 - AD Seeno EP 2506 Cash Deposit 16191 Refund EP 2506 Dep 7/09 Invoice number.: EP 2506	845 A D Seeno Construction 1 Refund EP 2506 Dep 7/09	Inv	1,500.00
A601-2731-00.0.0-157 - AD Seeno EP 2506 Cash Deposit	*** Account total ***		1,500.00
A601-2740-00.0.0-096 - Cost Recov Dep PG&E Minor EP 16198 Eng Svc 7/11/09-7/24/09 Invoice number.: 8909-8917	116 PERMCO, Inc. 9 Eng Svc #8911	Inv	456.50
A601-2740-00.0.0-096 - Cost Recov Dep PG&E Minor EP	*** Account total ***		456.50
A601-2740-00.0.0-097 - Cost Recov Dep - CCWD Minor EP 16153 Traffic Signal Maintenance 6/0 Invoice number.: 3531	234 CCC General Services 2 Traffic Signal Mtn 6/09	Inv	1,743.50
A601-2740-00.0.0-097 - Cost Recov Dep - CCWD Minor EP	*** Account total ***		1,743.50
A601-2741-00.0.0-153 - Seeno Grading Insp (10351) 16198 Eng Svc 7/11/09-7/24/09 Invoice number.: 8909-8917	116 PERMCO, Inc. 10 Eng Svc #8912	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
A601-2743-00.0.0-085 - St Bonaventure-Traffic Sig Mtn 16154 Traffic Signal Maintenance 4-5 Invoice number.: 3503	234 CCC General Services 2 Traffic Signal Mtn 4 5/09	Inv	222.00
A601-2743-00.0.0-085 - St Bonaventure-Traffic Sig Mtn	*** Account total ***		222.00
A601-2744-00.0.0-189 - Riessen SW Permit 17-05 16198 Eng Svc 7/11/09-7/24/09 Invoice number.: 8909-8917	116 PERMCO, Inc. 11 Eng Svc #8913	Inv	41.50
A601-2744-00.0.0-189 - Riessen SW Permit 17-05	*** Account total ***		41.50
A601-2744-00.0.0-381 - Gonzalez SW Permit 18-07 16198 Eng Svc 7/11/09-7/24/09 Invoice number.: 8909-8917	116 PERMCO, Inc. 12 Eng Svc #8913	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 16198 Eng Svc 7/11/09-7/24/09 Invoice number.: 8909-8917	116 PERMCO, Inc. 13 Eng Svc #8913	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 16198 Eng Svc 7/11/09-7/24/09 Invoice number.: 8909-8917	116 PERMCO, Inc. 14 Eng Svc #8913	Inv	41.50
A601-2744-00.0.0-495 - D. Lombardo SWP 25-08	*** Account total ***		41.50
A601-2744-00.0.0-527 - Gierak SWP 02-09 16198 Eng Svc 7/11/09-7/24/09 Invoice number.: 8909-8917	116 PERMCO, Inc. 15 Eng Svc #8913	Inv	41.50
A601-2744-00.0.0-527 - Gierak SWP 02-09	*** Account total ***		41.50
A601-2744-00.0.0-538 - Azmarai Kadir SWP 08-09 16198 Eng Svc 7/11/09-7/24/09 Invoice number.: 8909-8917	116 PERMCO, Inc. 16 Eng Svc #8913	Inv	41.50
A601-2744-00.0.0-538 - Azmarai Kadir SWP 08-09	*** Account total ***		41.50

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Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A601-2744-00.0.0-543 - Majestic Pool SWP 12-09			
16190 Refund SWP 12-09 Dep 7/09	1348 Majestic Pools		
Invoice number.: SWP 12-09	1 Refund SWP 12-09 Dep 7/09	Inv	1,813.25
16198 Eng Svc 7/11/09-7/24/09	116 PERMCO, Inc.		
Invoice number.: 8909-8917	17 Eng Svc #8913	Inv	62.25
A601-2744-00.0.0-543 - Majestic Pool SWP 12-09	*** Account total ***		1,875.50
A702-2730-00.0.0-002 - Endeavor Hall Cash Deposits			
16180 Refund EH Deposit 7/3-7/4/09	2180 William Selb		
Invoice number.: EH 7/3 & 7/4/09	1 Refund EH Deposit 7/3-7/4/09	Inv	500.00
16184 Refund EH Dep 6/19/09	2561 Suzanne Wilding		
Invoice number.: EH 6/19/09	1 Refund EH Dep 6/19/09	Inv	500.00
16186 Refund EH Deposit 7/26/09	2457 Cathy Chatterjee		
Invoice number.: EH 7/26/09	1 Refund EH Deposit 7/26/09	Inv	500.00
A702-2730-00.0.0-002 - Endeavor Hall Cash Deposits	*** Account total ***		1,500.00
A702-7332-00.0.0-000 - Telephone			
16193 Local Phone Svc 7/09	1243 AT&T/ CalNet 2		
Invoice number.: 7/22/09	6 EH Local Phone 7/09	Inv	58.78
A702-7332-00.0.0-000 - Telephone	*** Account total ***		58.78
A702-7335-00.0.0-000 - Gas & Electricity			
16194 Service 7/09 (Individual Inv)	113 PG&E		
Invoice number.: 7/23/09	2 EH Svc 7/09	Inv	199.79
A702-7335-00.0.0-000 - Gas & Electricity	*** Account total ***		199.79
A702-7341-00.0.0-000 - Buildings/Grounds Maintenance			
16188 EH Annual Fire Test 09-10	597 All-Guard Systems, Inc.		
Invoice number.: A339265	1 EH Annual Fire Test 09-10	Inv	564.00
A702-7341-00.0.0-000 - Buildings/Grounds Maintenance	*** Account total ***		564.00
A702-7346-00.0.0-000 - HVAC Mtn & Repairs			
16197 Library, CH Mtn & EMS 7/09	1265 ACCO Engineered Systems		
Invoice number.: 510985-89	3 EH Mtn 7/09	Inv	290.00
A702-7346-00.0.0-000 - HVAC Mtn & Repairs	*** Account total ***		290.00

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Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
* Report total *		*** Total ***	164,745.62



Agenda Date: 8-4-09

Agenda Item: 4c

STAFF REPORT

Approved:

Gary A. Napper
City Manager/Executive Director

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: MERRY PELLETIER

DATE: August 4, 2009

SUBJECT: INVESTMENT PORTFOLIO REPORT FOURTH QUARTER FY 2008-2009

RECOMMENDATION:

Accept the Investment Portfolio Report for the Fourth Quarter Fiscal Year 2008-09 ending June 30, 2009.

BACKGROUND

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

FISCAL IMPACT

With the fourth quarter of the fiscal year completed, interest earnings for the General Fund are now at 75% of the '08-09 Budget for a total of \$112,534. This is a shortfall of \$37,466 due to declining interest yields and early bond calls last fiscal year after the adoption of our City budget. Average annual interest yield for the past 3 months was 3.49% compared to 3.67% in the prior period however the interest yield has dropped 16.7% compared to a year ago when the rate was 4.19%. City interest earnings through the fourth quarter totaled \$797,760 compared to \$1,293,097 a year ago. This is a decrease of 38.3% and is a reflection of not only the declining rates and many bond investments called that were at premium rates, but also for reduced earnings in our US Bank agency accounts due to early bond calls reducing reserve account balances. Over 37.4% of the current investment portfolio is invested in Local Agency Investment Funds (LAIF) a slight decrease of 4.3% compared to the prior quarter. As the LAIF interest rate continues to drop investments have been transferred to other higher yielding Certificates of Deposit. The LAIF quarterly apportionment rate for June was 1.51% a decrease from 1.91% in the prior quarter. Our Certificates of Deposit (CD) total 62.5% of our portfolio an increase of 4.2% from the prior quarter. At this same time last

year, 51.24% of our investments were in LAIF with a quarterly apportionment rate of 3.11% interest. In the past twelve months the LAIF interest rate has dropped by 25.6% decreasing our rate of return substantially. The market value of the total investment portfolio as of June 30, 2009 was \$18,191,461 compared to \$16,614,496 in June 2008. Our investment portfolio carrying value of \$17,977,716 is \$221,745 less than current market value showing the strength of our investments in a rapidly declining economy.

CONCLUSION

As interest rates continue to decrease our interest revenues will be negatively impacted. LAIF interest rates have continued to decline to 1.377% in June. That rate is close to the same yield we earned in February 2004. Market yields for 12 month CD's have drastically decreased from a high of 5% in November 2007 to a low of .8% in June 2009. As interest rates have declined especially over the short term, we have recently seen rates increase over the long term (60 months). We have been diligent to diversify our portfolio with investments immediately available in LAIF and cash (37%) and then staggered less than one year (6%), two years (16%), three years (23%), 4 years (12%) and less than 5 years (6%). By staggering our investment portfolio in this manner the impact of rate changes will be lessened.

Respectively submitted,



Merry Pelletier
Finance Manager

Attachments:

City of Clayton Investment Portfolio Fourth Quarter Fiscal Year 2008-2009 Report
(April 1, 2009 – June 30, 2009)

City of Clayton Investment Portfolio
April 1, 2009 - June 30, 2009

Investment Description	Carrying Value	Rate	Current Yield to Maturity	Purchase Date	Maturity Date	Market Value
Local Agency Investment Fund						
Account # 98-07-162						
TOTAL LAIF:	\$ 6,796,727.96	1.51%				\$ 6,805,595.94
Financial North Eastern CD's						
Baylake Bank Sturgeon Bay, Wis	\$ 99,000.00	3.60%	3.60%	04/28/08	10/28/09	\$ 99,784.00
Advanla Bank	\$ 99,000.00	4.80%	4.50%	01/10/08	12/10/09	\$ 100,757.00
Texas Community Bank	\$ 100,000.00	3.72%	3.30%	12/19/08	12/18/09	\$ 101,293.00
Columbia St Bank	\$ 100,000.00	4.00%	4.00%	02/01/08	02/01/10	\$ 101,617.00
NBT Bank Natl Assn Norwich	\$ 99,000.00	3.70%	3.70%	09/19/08	03/19/10	\$ 100,757.00
Flushing Savings Bank, NY	\$ 99,000.00	3.65%	3.65%	04/30/08	04/30/09	\$ 100,891.00
First St Bank Flagstaff	\$ 99,000.00	3.75%	3.75%	03/24/08	09/24/10	\$ 101,316.00
Select Bank Grand Rapids	\$ 99,000.00	3.65%	3.65%	03/28/08	09/28/10	\$ 101,199.00
State Bk India New York	\$ 100,000.00	5.00%	5.00%	10/30/07	11/01/10	\$ 103,983.00
Enterprise National Bank Palm Beach	\$ 100,000.00	5.00%	5.00%	10/07/07	11/08/10	\$ 104,010.00
First Fed Bank CA	\$ 100,000.00	4.35%	4.35%	11/26/08	11/24/10	\$ 103,164.00
1st Financial Bank USA	\$ 98,000.00	3.70%	3.70%	12/17/08	12/17/10	\$ 101,209.00
Key Bank C/D	\$ 99,000.00	4.80%	4.80%	12/26/07	12/27/10	\$ 103,852.00
Washington Mut Bank Henderson	\$ 97,000.00	4.50%	4.50%	01/16/08	01/14/11	\$ 100,345.00
Union National B&T	\$ 100,000.00	3.00%	3.00%	01/22/09	01/22/11	\$ 102,218.00
Newbank	\$ 100,000.00	4.00%	4.00%	01/23/08	01/24/11	\$ 103,756.00
Washington Mut Bank Park City	\$ 99,000.00	3.90%	3.90%	03/19/08	03/19/11	\$ 101,473.00
Bank Nevada, Las Vegas	\$ 99,000.00	3.75%	3.75%	03/26/08	03/28/11	\$ 101,234.00
Commerce Bank Geneva	\$ 99,000.00	3.60%	3.60%	03/28/08	03/28/11	\$ 100,983.00
Community First Bank Harrison	\$ 99,000.00	3.70%	3.70%	03/28/08	03/28/11	\$ 98,391.00
Carolina First Bank	\$ 98,000.00	2.60%	2.60%	04/22/09	04/24/11	\$ 97,438.00
Paragon Coml Bank, Raleigh NC	\$ 100,000.00	4.00%	4.00%	05/09/08	05/09/11	\$ 102,622.00
Peach State Bank, Gainesville	\$ 99,000.00	4.00%	4.00%	06/06/08	06/06/11	\$ 101,539.00
Bank Fairfield Washington	\$ 99,000.00	4.50%	4.50%	07/18/08	07/18/11	\$ 102,475.00
Bay Cities Bank Tampa FL	\$ 99,000.00	4.55%	4.55%	09/02/08	09/02/11	\$ 102,622.00
Nicolet Natl Bank Wisconsin	\$ 100,000.00	4.00%	4.00%	03/14/08	09/14/11	\$ 102,539.00
Business First Bank Baton Rouge	\$ 99,000.00	4.00%	4.00%	03/26/08	09/26/11	\$ 101,515.00
Banner Bank	\$ 98,000.00	2.65%	2.65%	04/08/09	10/11/11	\$ 97,591.00
Investors Community Bank	\$ 99,000.00	3.90%	3.90%	04/18/08	10/18/11	\$ 101,296.00
First GTY Bank & Amp TR CO	\$ 99,000.00	5.00%	5.00%	12/15/06	12/15/11	\$ 103,826.00
VIST Bank	\$ 99,000.00	3.40%	3.40%	12/29/08	12/29/11	\$ 101,086.00
City Bank Lynnwood, WA	\$ 100,000.00	3.00%	3.00%	12/31/08	12/30/11	\$ 100,120.00
Nexity Bank Birmingham, ALA	\$ 99,000.00	3.10%	3.10%	01/16/09	01/16/12	\$ 99,304.00
Wachovia Bk FSB Houston	\$ 97,000.00	4.50%	4.50%	01/16/08	01/17/12	\$ 100,586.00
BB&T Fin'l FSB Columbus, GA	\$ 100,000.00	3.00%	3.00%	03/18/09	03/19/12	\$ 99,845.00
BMW Bk North America, Salt Lake	\$ 99,000.00	4.00%	4.12%	03/19/08	03/19/12	\$ 101,393.00
Shorebank Chicago, ILL	\$ 100,000.00	3.00%	3.00%	03/19/09	03/19/12	\$ 99,846.00
Imperial Capital Bank, La Jolla	\$ 99,000.00	4.00%	4.00%	03/28/08	03/28/12	\$ 101,382.00
Monona St Bank Wisconsin	\$ 99,000.00	3.80%	3.80%	03/28/08	03/28/12	\$ 100,885.00
National City Bank, Cleveland	\$ 99,000.00	4.00%	4.12%	03/31/08	04/02/12	\$ 101,376.00
Doral Bank, Catano, PR	\$ 99,000.00	3.05%	3.05%	04/08/09	04/09/12	\$ 98,900.00
Western Bank, Puerto Rico	\$ 99,000.00	3.10%	3.10%	04/15/09	04/16/12	\$ 99,006.00
Franklin Templeton Bank, SL City, Utah	\$ 99,000.00	4.00%	4.12%	04/18/08	04/18/12	\$ 101,372.00
Saehan Bank, Los Angeles	\$ 99,000.00	3.00%	3.00%	04/21/09	04/23/12	\$ 98,716.00
First Peoples Bank, Port St Lucie, FL	\$ 99,000.00	2.90%	2.90%	04/24/09	04/24/12	\$ 97,777.00
Minnwest Bank Melro, Rochester, MN	\$ 98,000.00	2.85%	2.85%	04/29/09	04/30/12	\$ 97,297.00
R-G Premier Bank, Puerto Rico	\$ 99,000.00	3.10%	3.10%	04/29/09	04/30/12	\$ 98,955.00
Hillcrest Bank, Overland Park, Kansas	\$ 99,000.00	3.00%	3.00%	04/30/09	05/30/12	\$ 98,567.00
Clayton Bk & TR Knoxville, TN	\$ 98,000.00	4.65%	4.71%	07/09/08	07/09/12	\$ 103,069.00
Community First Corydon, IND	\$ 99,000.00	3.00%	3.00%	01/15/09	07/16/12	\$ 101,150.00
Eurobank San Juan, Puerto Rico	\$ 99,000.00	3.25%	3.25%	05/12/09	09/14/12	\$ 99,308.00
Investors Bank, Wisconsin	\$ 99,000.00	3.00%	3.00%	04/08/09	10/09/12	\$ 98,135.00
GE CAP FINL Inc	\$ 99,000.00	4.15%	4.15%	12/18/08	12/18/12	\$ 101,590.00
GE Money Bk Salt Lake City, UT	\$ 99,000.00	4.15%	4.15%	07/09/08	12/18/12	\$ 101,590.00
Wachovia Mtg FSB Las Vegas	\$ 97,000.00	4.60%	4.60%	01/16/08	01/16/13	\$ 100,959.00
Private Bk of Buckhead Atlanta	\$ 100,000.00	3.10%	3.10%	02/27/09	02/27/13	\$ 98,977.00
Bank of Illinois, Normal, IL	\$ 99,000.00	3.00%	3.00%	04/08/09	04/08/13	\$ 97,495.00
Primesouth Bank, Tallassee, ALA	\$ 99,000.00	4.05%	4.05%	04/18/08	04/18/13	\$ 101,139.00

City of Clayton Investment Portfolio
April 1, 2009 - June 30, 2009

Investment Description	Carrying Value	Rate	Current Yield to Maturity	Purchase Date	Maturity Date	Market Value
Signature Bank, Chicago, IL	\$ 98,000.00	3.00%	3.00%	04/23/09	04/23/13	\$ 96,460.00
Integrity First Bank WI	\$ 99,000.00	4.10%	4.10%	04/25/08	04/25/13	\$ 101,306.00
Goldman Sachs Bank SL City, Utah	\$ 99,000.00	4.45%	4.48%	05/07/08	05/07/13	\$ 102,504.00
Republic Bank, Bountiful, UT	\$ 99,000.00	3.15%	3.15%	05/11/09	05/13/13	\$ 97,892.00
M&T Bank	\$ 99,000.00	4.41%	4.41%	05/27/08	05/27/13	\$ 103,111.00
Lehman Coml Bank, Utah	\$ 100,000.00	5.00%	5.00%	06/30/08	07/01/13	\$ 104,963.00
Cole Taylor Bk Chicago, ILL	\$ 98,000.00	5.00%	5.00%	07/11/08	07/11/13	\$ 104,492.00
Flagstar Bk FSB Troy, Mich	\$ 99,000.00	5.00%	5.00%	09/19/08	09/19/13	\$ 104,576.00
Worlds Foremost	\$ 100,000.00	5.06%	5.06%	11/10/08	11/12/13	\$ 106,552.00
Sallie Mae Bk, Murray, UT	\$ 100,000.00	5.00%	5.00%	12/05/08	12/05/13	\$ 105,671.00
Discover Bank Greenwood DEL	\$ 100,000.00	4.16%	4.16%	12/18/08	12/18/13	\$ 102,852.00
Beacon Federal, Syracuse, NY	\$ 99,000.00	3.20%	3.20%	04/15/09	04/15/14	\$ 96,846.00
Totola Financial Savings, Henderson, NV	\$ 98,000.00	3.45%	3.45%	04/16/09	04/16/14	\$ 96,939.00
First Reliance Bank, Florence, SC	\$ 99,000.00	3.25%	3.25%	04/17/09	04/17/14	\$ 97,054.00
First Bank of Highland Park, IL	\$ 98,000.00	3.20%	3.20%	04/22/09	04/22/14	\$ 96,359.00
Net credit balance	\$ 18,414.00					\$ 18,414.00
TOTAL Financial North Eastern	\$ 7,247,414.00					\$ 7,381,511.00

Multi-Bank Securities, Inc. CD's

Cash Account	\$ 2,089.68					\$ 2,089.68
GMAC Automotive Bk Midvale	\$ 97,000.00	5.60%	5.60%	07/19/06	07/17/09	\$ 97,149.38
Wachovia Bk FSB, Houston, TX	\$ 98,000.00	4.30%	4.30%	02/29/08	03/07/13	\$ 100,994.88

TOTAL Multi-Bank Securities: **\$ 197,089.68** **\$ 200,233.94**

Morgan Stanley

Cash Account	\$ 484.55					\$ 484.55
Republic Bank Inc Bountiful, UT	\$ 99,000.00	4.48%	4.51%	01/16/08	09/16/09	\$ 99,675.18
Tifton Bkg Co., GA	\$ 99,000.00	4.55%	4.47%	12/31/07	12/31/09	\$ 100,627.56
Bank First National, WIS	\$ 98,000.00	3.70%	3.63%	03/13/08	03/12/10	\$ 99,681.68
Bloomfield St Bank, IN	\$ 99,000.00	4.00%	3.90%	06/25/08	06/25/10	\$ 101,397.78
Southern Community Bank, Fayetteville	\$ 99,000.00	3.70%	1.26%	04/23/08	10/25/10	\$ 98,152.56
Security Bank Gwinnett County	\$ 99,000.00	4.60%	4.44%	12/27/07	12/27/10	\$ 102,534.30
Commerce National Bk, Columbus, Ohio	\$ 99,000.00	4.50%	4.35%	01/10/08	01/10/11	\$ 102,408.57
American Chartered Bank	\$ 98,000.00	3.95%	3.85%	03/19/08	03/21/11	\$ 100,532.32
Crescent St Bank, North Carolina	\$ 99,000.00	3.75%	3.66%	04/23/08	04/22/11	\$ 101,187.90
Medallion Bank, Salt Lake City	\$ 98,000.00	3.90%	3.80%	04/25/08	04/25/11	\$ 100,401.00
Darby Bank, Vidalia, GA	\$ 98,000.00	3.90%	3.80%	04/23/08	04/25/11	\$ 100,401.98
M&I Marshall & Isley Bank	\$ 98,000.00	4.00%	3.89%	05/23/08	05/23/11	\$ 100,527.42
Merrick Bank, UT	\$ 97,000.00	4.30%	4.17%	06/20/08	06/20/11	\$ 99,996.33
Washington TR RI	\$ 97,000.00	4.50%	4.34%	07/09/08	07/11/11	\$ 100,378.51
Irwin Un BK & TR, Columbus, Ind	\$ 98,000.00	4.05%	3.94%	04/25/08	10/25/11	\$ 100,579.36
First Business BK, Madison, WI	\$ 98,000.00	4.10%	3.99%	05/16/08	11/16/11	\$ 100,685.20
Morgan Stanley Bank, SLC, UT	\$ 97,000.00	4.45%	4.29%	11/28/08	11/28/11	\$ 100,460.96
American Express Centurion, SLC, UT	\$ 98,000.00	3.75%	3.67%	12/24/08	12/27/11	\$ 99,867.88
Florida Cmnty BK, Immokalee, FL	\$ 99,000.00	4.50%	4.33%	06/27/08	12/27/11	\$ 102,668.94
Capmark Bank, Midvale, UT	\$ 98,000.00	3.00%	2.99%	01/28/09	01/30/12	\$ 98,017.64
Capital One Bank, Glen Allen, VA	\$ 98,000.00	4.00%	3.90%	03/12/08	03/12/12	\$ 100,377.48
Byron Bank, Michigan	\$ 98,000.00	3.90%	3.81%	03/14/08	03/14/12	\$ 100,124.64
Alliance Bank, Syracuse, NY	\$ 98,000.00	4.05%	3.94%	03/24/08	03/21/12	\$ 100,492.14
Cowlitz Bank, Longview, WA	\$ 98,000.00	3.05%	3.05%	05/08/09	05/08/12	\$ 97,792.24
Atlanta Business BK, GA	\$ 99,000.00	4.20%	4.08%	05/28/08	05/29/12	\$ 101,857.14
Centennial BK, Fountain Vy, CA	\$ 99,000.00	4.25%	4.12%	05/30/08	05/30/12	\$ 101,991.78
Queensborough Nat'l Bk	\$ 99,000.00	4.65%	4.46%	07/16/08	07/16/12	\$ 103,099.59
Ally Bank, Midvale Utah	\$ 98,000.00	3.20%	3.22%	04/03/09	04/03/13	\$ 97,218.94
American Cmnty BK, Woodstock	\$ 99,000.00	4.10%	4.00%	04/25/08	04/25/13	\$ 101,305.71
Broadway BK, Chicago, IL	\$ 99,000.00	4.15%	4.04%	04/30/08	04/30/13	\$ 101,475.00
Amcore Bk, Rockford, IL	\$ 97,000.00	4.25%	4.13%	04/25/08	04/25/13	\$ 99,753.83
Mutual BK, Harvey, IL	\$ 99,000.00	4.50%	4.33%	05/23/08	05/23/13	\$ 102,701.61
Pacific St Bank, Stockton, CA	\$ 99,000.00	3.20%	3.24%	04/22/09	10/22/13	\$ 97,512.03
American Express Bank, SLC, UT	\$ 97,000.00	4.75%	4.54%	12/24/08	12/24/13	\$ 101,477.52
CIT Bank, Salt Lake City, UT	\$ 98,000.00	3.40%	3.42%	04/01/09	04/01/14	\$ 97,410.04
Bank of Little Rock, Arkansas	\$ 99,000.00	3.20%	3.27%	04/08/09	04/08/14	\$ 96,873.48

TOTAL Morgan Stanley **\$ 3,539,484.55** **\$ 3,612,130.79**

City of Clayton Investment Portfolio
April 1, 2009 - June 30, 2009

Investment Description	Carrying Value	Rate	Current Yield to Maturity	Purchase Date	Maturity Date	Market Value
RBC Wealth Management						
Temecula VY Bank	\$ 99,000.00	3.25%	3.25%	12/18/08	06/28/10	\$ 100,687.95
North Milwaukee Stk. Bank, WI	\$ 98,000.00	3.50%	3.50%	12/18/08	12/23/11	\$ 99,301.44
Total RBC Wealth Management	\$ 197,000.00					\$ 199,989.39

	Carrying Value	Percentage of Portfolio	Average Yield to Maturity	
Local Agency Investment Funds	\$ 6,796,727.96	37.39%	1.510%	\$ 6,805,595.94
Financial Northeastern	\$ 7,247,414.00	40.56%	3.761%	\$ 7,381,511.00
Multi-Bank Securities	\$ 197,089.68	1.10%	4.950%	\$ 200,233.94
Morgan Stanley	\$ 3,539,484.55	19.85%	3.856%	\$ 3,612,130.79
RBC Dain Rauscher	\$ 197,000.00	1.10%	3.375%	\$ 199,989.39
Grand Total Investment Portfolio:	\$ 17,977,716.19	100.00%		\$ 18,199,461.06

2008-09 Budgeted Interest-General Fund \$ 150,000
2008-09 Budgeted interest Received-General Fund \$ 112,534
Percent of General Fund Budget Received 75.02%

2008-09 Average Annual Yield 3.49%
2008-09 Total Interest Income to date \$ 797,760

Mary L. Luter

7-31-09

Finance Manager Date:

City Treasurer Date:

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



Agenda Date: 8-4-09

Agenda Item: 4d

Approved:

Gary A. Napper
City Manager/Executive Director

AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: LACI J. JACKSON, CITY CLERK

DATE: August 4, 2009

SUBJECT: Reappointment of Charles Evans to the County Connection Citizen Advisory Committee (CCCAC)

RECOMMENDATION

Reappoint Charles Evans to the serve as the City of Clayton representative on the County Connection (CCCAC) Citizen Advisory Committee for a term expiring June 30, 2011.

BACKGROUND

The term of office for the CCCAC Citizen Advisory Committee representative, Charles Evans, is up for renewal. Mr. Evans has served in this position since 1995 and would like to be reappointed.

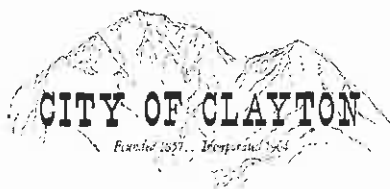
FISCAL IMPACT

None.

CONCLUSION

Reappoint Mr. Evans to serve on the CCCAC for a term commencing immediately and expiring June 30, 2011.

Attachments: Application from Mr. Evans (1 page)



Received

JUL 13 2009

City of Clayton

APPLICATION FOR APPOINTMENT
TO THE
COUNTY CONNECTION (CCCTA)
Citizen Advisory Committee

This application is public record. Return form to City Hall, 6000 Heritage Trail, Clayton, CA 94517.

Name Charles D Evans Address 29 Eastbrook Court
Clayton, CA 94517

Home Phone (925) 672-5235 Business Phone _____

E-mail address: chuckevans@ATT.NET Length of residence in Clayton 45 years

Occupation Retired Present employer _____

Education and special training Have served on this committee
for fourteen years. Am a transit user
(County Connection and BART)

Why are you interested in serving on this Committee? Having served on this
advisory committee, representing Clayton, since
January, 1995, I am interested in continuing to
serve through this financially devastating period
as the County Connection struggles through a 35% income loss.
In your opinion, what are the greatest community service needs within the scope of the Committee?

To restore service cuts to Clayton as soon as
economically possible and to encourage greater use of
the County Connection by Clayton citizens.

Other interests and hobbies: _____

List two references with phone numbers: Greg Manning (925) 673-8645
and Julie Pierce (925) 672-3238

Charles D Evans
Signature
Happy to serve

Date: July 10, 2009

Return completed application to Laci Jackson, City Clerk by 5:00 p.m. July 31, 2009.



Agenda Date: 8-4-09

Agenda Item: 9a

Approved

Gary A. Napper, City Manager

AGENDA REPORT

TO: Honorable Mayor and Councilmembers

FROM: David Woltering, Community Development Director *DW*

DATE: August 4, 2009

SUBJECT: Amendment of Section 15.08.030.B (City Review and Approval of Sign Permits) of the *Clayton Municipal Code* to allow for Administrative Review and Approval of Specified Minor Signs (ZOA 01-09)

RECOMMENDATION

It is recommended that the City Council approve Second Reading and Adoption of Ordinance No. 422 to amend Section 15.08.030.B of the *Clayton Municipal Code* to allow administrative review and approval of specified minor signs.

DISCUSSION

At its July 21, 2009 meeting, the Clayton City Council approved the Introduction and First Reading of Ordinance No. 422 (see **Attached**). The Planning Commission had considered this matter at its meetings of May 26, 2009 and June 23, 2009, and had recommended that the City Council approve this proposed ordinance amendment. The basic objective of this ordinance amendment is to allow for administrative (i.e., staff-level) review of certain “minor” sign applications to streamline the sign application permitting process, while still assuring an appropriate level of review. In drafting this ordinance, staff and the Planning Commission specified the “minor” signs that would be eligible for administrative review (see Subsections 15.08.030.B.1.c& d of proposed Ordinance No. 422) would be those signs that replace and generally conform with previously approved signs at the subject property. Presently, these signs would need to be reviewed and approved by the Planning Commission, requiring typically a minimum of 30 days additional time for processing and the costs related to the hearing process associated with this level of review. The staff, as has the Planning Commission, would need to assure that any proposed signage complies with the standards stated in the City’s adopted Sign Provisions, Chapter 15.08 of the Clayton Municipal Code.

ATTACHMENT: Ordinance No. 422

ZOA\2009 01-09.sr4

ORDINANCE NO. 422

AN ORDINANCE AMENDING SECTION 15.08.030.B OF THE CLAYTON MUNICIPAL CODE ENTITLED CITY REVIEW AND APPROVAL (ZOA 01-09)

THE CITY COUNCIL City of Clayton, California

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

WHEREAS, Section 15.08.030.B of the Municipal Code does not currently allow for administrative review and approval of “minor” signs; and

WHEREAS, it is determined to be beneficial to streamline the Sign Permit process to allow administrative review and approval for more routine (e.g., “minor”) sign installation applications, while still assuring an adequate level of review in accordance with the Permit Procedures stipulated in the Municipal Code; and

WHEREAS, an amended version of 15.08.030.B has been prepared to modify the review and approval process for minor signs; and

WHEREAS, the Planning Commission held a duly-noted public hearing on June 23, 2009 on amending Section 15.08.030.B of the Municipal Code to address this matter of minor signs; determined that the amendment of the Municipal Code involves minor alterations of land use limitations which would not result in any changes in land use or density and would qualify for categorical exemptions from the California Environmental Quality Act (CEQA) in accordance with Section 15305 of the State CEQA Guidelines; determined that the amendment would be in conformance with the General Plan; determined that the public necessity, convenience, and general welfare would require adoption of the amendment; and recommended City Council approval of the amendment; and

WHEREAS, on [month] [day], 2009 and [month] [day], 2009, the City Council held duly-noticed public hearings and gave due consideration to all testimony, comments, and documents received; and

WHEREAS, the City Council determined that the amendment of the Municipal Code involves minor alterations of land use limitations which would not result in any changes in land use or density and would qualify for categorical exemptions from the California Environmental Quality Act (CEQA) in accordance with Section 15305 of the State CEQA Guidelines; and

WHEREAS, the City Council determined that the following amendment would be in general conformance with the General Plan; and

WHEREAS, the City Council determined that the public necessity, convenience, and general welfare would require adoption of the amendment; and

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

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

SECTION 1. Section 15.08.030.B of the Municipal Code is amended to read as follows:

“B. City Review and Approval. The City shall review and approve signs according to the following procedures:

1. ~~Code Conformance Check~~ Administrative Review and Approval. The following signs shall be reviewed and approved administratively by the Community Development Department if they conform to the general sign requirements and standards of Section 15.08.060; and the regulations for special signs of Section 15.08.070; ~~and to any applicable master sign plan.~~

a. Directory signs, provided the sign does not exceed ten (10) square feet in area, nor a height of six (6) feet.

b. Community event signs. (Note: A temporary use permit is typically required for the community event itself)

c. ~~All building and ground signs authorized by this Chapter that do not require a sign permit pursuant to Paragraph 2 below~~ Any sign that is proposed for a property that is consistent in terms of size, number, and location with a previously-approved master sign plan, unless otherwise specified in an applicable master sign plan.

d. All building and ground signs proposed for individual businesses that are located on a property that has a previous approval for similar signage, and the proposed sign(s) are consistent in terms of size, number, and location with the previous approval. (This provision does not apply to a Corner Lot or Through Lot where signage is being proposed along multiple property frontages)

2. Exception. Any sign proposal considered within the parameters of this subsection that in the judgement of the Community Development Director may not comply with the intent or purpose of this Chapter may be referred to the Planning Commission for consideration.

3. ~~A sign permit shall be required for the following signs and shall be processed according to the procedures set out in Planning Commission Review and Approval. The following signs shall be reviewed and approved by the Planning Commission in accordance with Chapter 17.64 of the Clayton Municipal Code.~~

a. Master sign plans.

b. Neighborhood/district entry signs.

c. Commercial center entry signs.

d. Subdivision marketing sign program.

e. Public/quasi-public institution signs.

f. ~~A sign not in accordance with an approved master sign plan but conforming to the general sign requirements and standards of Section 15.08.070 of this Chapter~~ Directory signs that exceed ten (10) square feet in area and six (6) feet in height.

g. All building and ground signs for individual businesses that are located on a property that have not had previous approval for signage, involve signage on multiple frontages, and/or involve an increase in the previously-approved signage area, increase in the number of signs, or substantially change the location of signage.

h. Any sign proposal that, in the judgement of the Community Development Director, may not comply with the intent or purpose of this Chapter.

4. Variance. A variance shall be required from the Planning Commission for any deviations from the general sign requirements and standards of Section 15.08.060 or the regulations for special signs of Section 15.08.070 of this Chapter according to the procedures set out in Chapter 17.52 of the Clayton Municipal Code. (Ord. 328, Sec. 2, 1997)"

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

SECTION 3. This Ordinance shall become effective thirty (30) days from and after its passage. Within fifteen (15) days after the passage of the Ordinance, the City Clerk shall cause it to be posted in three (3) public places heretofore designated by resolution by the City Council for the posting of ordinance and public notices. Furthermore, the City Clerk is directed to post Section 1 of this Ordinance to the Clayton Municipal Code.

The foregoing Ordinance was introduced at a regular public meeting of the City Council of Clayton, California, held on [month] [day], 2009.

Passed, adopted, and ordered posted by the City Council of Clayton, California, at a regular public meeting thereof held on [month] [day], 2009, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

THE CITY COUNCIL OF CLAYTON, CA

Julie K. Pierce, Mayor

ATTEST

Laci J. Jackson, City Clerk

APPROVED AS TO FORM

APPROVED BY ADMINISTRATION

Dan Adams, City Attorney

Gary A. Napper, City Manager

I hereby certify that the foregoing Ordinance was duly introduced at a regular public meeting of the City Council of Clayton, California, held on [month] [day], 2009, and was duly adopted, passed, and ordered posted at a regular public meeting of the City Council held on [month] [day], 2009.

Laci J. Jackson, City Clerk

ZOA\2009\01-09.ord1



Agenda Date: 8-4-09

Agenda Item: 9b

STAFF REPORT

Approved:

Gary A. Napper
City Manager/Executive Director

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: RICK ANGRISANI, CITY ENGINEER

DATE: AUGUST 4, 2009

SUBJECT: CONSIDERATION OF A RESOLUTION AWARDING A CONTRACT TO GRANITE CONSTRUCTION COMPANY IN THE AMOUNT OF \$341,341.00 FOR THE CONSTRUCTION OF THE 2009 ARTERIAL OVERLAY PROJECT, CIP PROJECT NO. 10412.

RECOMMENDATION

Adopt a Resolution awarding contract to Granite Construction Company ("Granite").

BACKGROUND

On July 10th, we opened bids for the above project. We received a total of four bids as follows:

#	Bidder	Total
1	Granite Construction Company.	\$341,341.00
2	MCK Services, Inc.	\$374,665.50
3	G. Bortolotto & Co., Inc.	\$399,399.99
4	Independent Construction, Co.	\$432,143.50

The scope of work includes the overlay of Clayton Road from El Camino Drive to Mitchell Canyon Road (includes the full intersection at Mitchell Canyon Road) and Oakhurst Drive from the westerly City Limits to the Oakhurst Subdivision.

Disadvantaged Business Enterprise (DBE) Participation

Due to the federal funding involved, the City is required to encourage participation by disadvantaged businesses. As required by State law, the City's existing DBE program has always been non-race conscious. During the project approval process, the federal

government required that all DBE programs in the state utilize race-conscious goals. Our DBE program was therefore amended to include Underutilized Disadvantaged Business Enterprises (UDBEs) and established a 13.6% contract goal for UDBE participation. The bidders were required to either meet this goal or provide evidence of "Good Faith Efforts" if they were unable to reach the contract goal.

If any of the three lowest bidders were unable to satisfy the project's UDBE goals, the bid specifications required them to submit evidence of their "Good Faith Efforts" within 4 business days of the bid opening. We did receive submittals from the two lowest bidders, Granite Construction and MCK Services. Granite's UDBE participation rate of 3.15% is far below our goals (MCK Services achieved a 3.9% rate), but the evidence provided showed they did indeed make a good faith effort to find UDBE subcontractors to participate in the contract.

Granite solicited bids from 25 registered UDBE firms. They received and rejected bids from five trucking firms due to higher bid prices than those received from non-UDBE firms (an acceptable reason for not using UDBE firms).

Project Budget and Costs

The approved project budget of \$585,000 allocated \$31,000 for plan preparation and grant processing, \$525,000 for construction and \$29,000 for construction inspection and contract administration.

The approved project limits on Oakhurst Drive ran from the westerly City Limits to the westerly leg of Eagle Peak Avenue. Due to concerns regarding the unit cost of the asphalt overlay work, the bid quantities only included the portion of Oakhurst Drive along the Silvercreek Unit 2 subdivision (Yolanda Circle to Yolanda Circle). With the unexpected but favorable low unit price bid, we will be able to expand the limits of work to include the entire approved length of Oakhurst Drive to and including the intersection with the westerly leg of Eagle Peak Avenue.

The \$29,000 budgeted for construction inspection and contract administration will not be adequate. For a relatively simple project such as this, we would normally approve a specification sheet for the materials to be used (primarily asphalt and fabric) and then accept certifications from the suppliers stating that the materials delivered to the project conform to the approved specification sheet. However, due to the federal funding involved, we were required to update our Quality Assurance Plan to include a requirement that we hire an independent materials testing firm to perform quality control testing on the project's materials both at the plant and in the field. In addition, we are required to hire a second independent testing firm to check the methods and work of the first firm! We estimate that this additional testing will add approximately \$15,000 to the project costs.

Even with the extended limits of the work, we will likely be unable to utilize all of the federal funds approved for the City. The time required to process a new project (or even a change in

project limits) and receive federal approval makes it impossible to meet the obligation deadlines of the American Reinvestment and Recovery Act (ARRA).

FISCAL IMPACT

In order to be eligible for an American Reinvestment and Recovery Act (ARRA) grant, it was necessary for the City to fund the application, processing and design work (\$31,000) with the City's own monies (Gas Tax funds). Based upon the bids received, the construction portion of the project is well within the available federal funding and no additional City funds will be required.

CONSTRUCTION TIMELINE

Assuming the contract is awarded at tonight's meeting, we would anticipate commencement of construction on or around August 31st (Contractor has 8 working days to return contract and bonds, then 15 calendar days to start work after contract is signed by City). The contract allows 30 working days (six weeks) to complete the work. However, we would expect the work to be essentially complete within 3 to 4 weeks after commencement.

CONCLUSION

Staff recommends the City Council approve the attached Resolution awarding a contract in the amount of \$341,341.00 for the 2009 Arterial Overlay Project to Granite Construction Company.

Attachments: Council Resolution
 Contract

RESOLUTION NO. - 2009

**A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF A
CONTRACT WITH GRANITE CONSTRUCTION COMPANY FOR THE 2009
ARTERIAL OVERLAY PROJECT [FEDERAL AID – ESPL 5386(009)]**

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

WHEREAS, in anticipation of receiving stimulus funds from the federal government as part of the American Reinvestment and Recovery Act (ARRA), the City of Clayton prepared plans and specifications for the overlay of portions of Clayton Road and Oakhurst Drive; and

WHEREAS, the City of Clayton filed an application for such funding and received approval for ARRA funding for the proposed project; and

WHEREAS, approximately \$554,000 in ARRA funds have been allocated for this work; and

WHEREAS, sealed bids were publicly opened on July 10, 2009; and

WHEREAS, Granite Construction Company submitted a low bid of \$341,341.00; and

WHEREAS, the City Engineer has reviewed the low bid, found it to be responsive in all respects, and has recommended awarding the contract to the low bidder;

NOW, THEREFORE, BE IT RESOLVED that the City Council of Clayton, California hereby names Granite Construction Company responsible low bidder, approves the proposed construction contract, and authorizes the Mayor to execute the contract for the 2009 Arterial Overlay Project (CIP No. 10412) on behalf of the City.

PASSED, APPROVED and ADOPTED by the City Council of Clayton, California at a regular public meeting thereof held on the 4th day of August 2009 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

THE CITY COUNCIL OF CLAYTON, CA

Julie K. Pierce, Mayor

ATTEST:

Laci J. Jackson, City Clerk

I hereby certify that the foregoing resolution was duly and regularly passed by the City Council of Clayton, California at a regular meeting held on August 4, 2009.

Laci J. Jackson, City Clerk

CITY OF CLAYTON

DEPARTMENT OF PUBLIC WORKS

CONTRACT NO. _____

THIS AGREEMENT, made and concluded, in duplicate, _____,
between the **CITY OF CLAYTON**, party of the first part, and **GRANITE CONSTRUCTION COMPANY**, Contractor,
party of the second part.

ARTICLE I.--WITNESSETH, That for and in consideration of the payments and agreements hereinafter mentioned, to be made and performed by the said party of the first part, and under the conditions expressed in the two bonds, bearing even date with these presents, and hereunto annexed, the said party of the second part agrees with the said party of the first part, at his own proper cost and expense, to do all the work and furnish all the materials, except such as are mentioned in the specifications to be furnished by said party of the first part, necessary to construct and complete in a good, workmanlike and substantial manner and to the satisfaction of the City of Clayton, the work described in the special provisions and the project plans described below, including any addenda thereto, and also in conformance with the California Department of Transportation Standard Plans, dated May 2006 the Standard Specifications, dated May 2006 and the Labor Surcharge and Equipment Rental Rates in effect on the date the work is accomplished, which said special provisions, project plans, Standard Plans, Standard Specifications, and Labor Surcharge and Equipment Rental Rates are hereby specially referred to and by such reference made a part hereof.

The special provisions for the work to be done are dated May, 2009, and are entitled:

**CITY OF CLAYTON
DEPARTMENT OF PUBLIC WORKS
NOTICE TO BIDDERS AND SPECIAL PROVISIONS FOR**

2009 ARTERIAL OVERLAY PROJECT

***CLAYTON ROAD: EL CAMINO DRIVE TO E/O MITCHELL CANYON ROAD
OAKHURST DRIVE: WESTERLY CITY LIMITS TO EAGLE PEAK AVENUE
IN
CLAYTON, CALIFORNIA***

The project plans for the work to be done were approved March 26, 2009, and are entitled:

**CITY OF CLAYTON
DEPARTMENT OF PUBLIC WORKS
PROJECT PLANS FOR**

2009 ARTERIAL OVERLAY PROJECT

***CLAYTON ROAD: EL CAMINO DRIVE TO E/O MITCHELL CANYON ROAD
OAKHURST DRIVE: WESTERLY CITY LIMITS TO EAGLE PEAK AVENUE
IN
CLAYTON, CALIFORNIA***

ARTICLE II.--The said party of the first part hereby promises and agrees with the said Contractor to employ, and does hereby employ, the said Contractor to provide the materials and to do the work according to the terms and conditions herein contained and referred to, for the prices hereinafter set forth, and hereby contracts to pay the same at the time, in the manner and upon the conditions herein set forth; and the said parties for themselves, their heirs, executors, administrators, successors and assigns, do hereby agree to the full performance of the covenants herein contained.

ARTICLE III.--The State general prevailing wage rates determined by the Director of Industrial Relations are hereby made a part of this contract. It is further expressly agreed by and between the parties hereto that should there be any conflict between the terms of this instrument and the bid or bid of said Contractor, then this instrument shall control and nothing herein shall be considered as an acceptance of the said terms of said bid conflicting herewith.

ARTICLE IV.--By my signature hereunder, as Contractor, I certify that I am aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for worker's compensation or to undertake self insurance in conformance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this contract.

ARTICLE V.--And the said Contractor agrees to receive and accept the following prices as full compensation for furnishing all materials and for doing all the work contemplated and embraced in this agreement; also for all loss or damage, arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work until its acceptance by the City of Clayton, and for all risks of every description connected with the work; also for all expenses incurred by or in consequence of the suspension or discontinuance of work and for well and faithfully completing the work, and the whole thereof, in the manner and according to the plans and specifications, and the requirements of the Engineer under them, to wit:

No.	Item Description	Unit of Measure	Estimated Quantity	Unit Price (In Figures)	Item Total (In Figures)
1	Mobilization	LS	1	13,000.00	13,000.00
2	Project Sign	EA	2	897.50	1,795.00
3	Traffic Control System	LS	1	23,650.00	23,650.00
4	2" AC Overlay including Grinding & Fabric	SF	250,000	1.02	255,000.00
5	Pedestrian Ramp Modification: Reconstruct Case C Curb Ramp	EA	4	2,446.00	9,784.00
6	Pedestrian Ramp Modification: Add Truncated Domes to Existing Case A Curb Ramp including grinding ½" curb lip and grooves	EA	1	1,100.00	1,100.00
7	Pedestrian Ramp Modification: Add Truncated Domes to Existing Case B Curb Ramp including grinding ½" curb lip and grooves	EA	2	1,250.00	2,500.00
8	Pedestrian Ramp Modification: Add Truncated Domes to Existing Case C Curb Ramp including grinding ½" curb lip and grooves	EA	9	1,250.00	11,250.00
9	Replace Traffic Signal Detector Loop	EA	6	425.00	2,550.00
10	Adjust Water Valve Can to Grade	EA	11	325.00	3,575.00
11	Adjust Monument Can to Grade	EA	7	325.00	2,275.00
12	Adjust Manhole Cover to Grade	EA	11	455.00	5,005.00
13	Adjust Miscellaneous Utility Cover to Grade	EA	2	350.00	700.00

14	12" White Thermoplastic Stripe	LF	310	1.80	558.00
15	12" Yellow Thermoplastic Stripe	LF	325	1.80	585.00
16	Lane Line (Detail 10)	LF	7,965	0.30	2,389.50
17	Channelized Line (Detail 38C)	LF	660	1.00	660.00
18	6" White Bike Lane Line (Detail 39)	LF	6,110	0.45	2,749.50
19	6" White Bike Lane Line (Detail 39A)	LF	1,250	0.40	500.00
20	Type IV (L) Arrow	EA	16	45.00	720.00
21	"Bike Lane" Marking and Arrow	EA	17	35.00	595.00
22	"Signal Ahead" Marking	EA	2	200.00	400.00
	Total Cost				\$341,341.00

IN WITNESS WHEREOF, The parties to these presents have here-unto set their hands the year and date first above written

CITY OF CLAYTON

By _____
Authorized Local Agency Representative

GRANITE CONSTRUCTION COMPANY

By _____

Licensed in accordance with
an act providing for the
registration of contractors,

License No. 89 _____

Federal Employer Identification

Number _____

Approved and certified as being in conformance with the requirements of the State Contract Act.

Attorney, City of Clayton

Approved Effective _____

CITY OF CLAYTON
DEPARTMENT OF PUBLIC WORKS

PAYMENT BOND

(Section 3247, Civil Code)

WHEREAS, The City of Clayton, acting by and through the Department of Public Works, hereafter referred to as "Obligee", has awarded to Contractor, **GRANITE CONSTRUCTION COMPANY**, hereafter designated as the "Principal", a contract for the work described as follows:

**2009 ARTERIAL OVERLAY PROJECT
CLAYTON ROAD: EL CAMINO DRIVE TO E/O MITCHELL CANYON ROAD
OAKHURST DRIVE: WESTERLY CITY LIMITS TO EAGLE PEAK AVENUE
IN
CLAYTON, CALIFORNIA**

AND WHEREAS, said Principal is required to furnish a bond in connection with said contract, to secure the payment of claims of laborers, mechanics, materialmen and other persons as provided by law.

NOW, THEREFORE, we, the undersigned Principal and Surety, are bound unto the Obligee in the sum of Three Hundred Forty One Thousand, Three Hundred Forty One dollars (\$ 341,341.00), for which payment, we bind ourselves, jointly and severally.

THE CONDITION OF THIS OBLIGATION IS SUCH,

That if said Principal or its subcontractors shall fail to pay any of the persons named in Civil Code Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by such claimant, or any amounts required to be deducted, withheld, and paid over to the Franchise Tax Board for the wages of employees of the Principal and his subcontractors pursuant to Section 18806 of the Revenue and Taxation Code, with respect to such work and labor, that the surety herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In case suit is brought upon this bond, the surety will pay a reasonable attorney's fee to fixed by the court.

This bond shall inure to the benefit of any of the persons named in Civil Code Section 3181 as to give a right of action to such persons or their assigns in any suit brought upon this bond.

Dated: _____, 2009

Correspondence or claims relating to this bond should be sent to the surety at the following address:

Principal

Surety (SEAL)

By : Attorney-in-Fact

NOTE: Signatures of those executing for the surety must be properly acknowledged.

CERTIFICATE OF ACKNOWLEDGEMENT

STATE OF CALIFORNIA }
COUNTY OF _____ }

On _____, before me, _____, a Notary Public, 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)

CITY OF CLAYTON
DEPARTMENT OF PUBLIC WORKS

PERFORMANCE BOND

Bond No. _____

WHEREAS, the City of Clayton, acting by and through the Department of Public Works, has awarded to Contractor, **GRANITE CONSTRUCTION COMPANY**, hereafter designated as the "Contractor", a contract for the work described as follows:

**2009 ARTERIAL OVERLAY PROJECT
CLAYTON ROAD: EL CAMINO DRIVE TO E/O MITCHELL CANYON ROAD
OAKHURST DRIVE: WESTERLY CITY LIMITS TO EAGLE PEAK AVENUE
IN
CLAYTON, CALIFORNIA**

AND WHEREAS, the Contractor is required to furnish a bond in connection with said contract, guaranteeing the faithful performance thereof:

NOW, THEREFORE, we the undersigned Contractor and Surety are held firmly bound to the City of Clayton in the sum of Three Hundred Forty One Thousand, Three Hundred Forty One dollars (\$ 341,341.00), to be paid to said City or its certain attorney, its successors and assigns: for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors or assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH,

That if the above bound Contractor, its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and agreements in the foregoing contract and any alteration thereof made as therein provided, on his or their part to be kept and performed at the time and in the manner therein specified, and in all respects according to their intent and meaning, and shall indemnify and save harmless the City of Clayton, its officers and agents, as therein stipulated, then this obligation shall become and be null and void; otherwise it shall be and remain in full force and virtue.

IN WITNESS WHEREOF, We have hereunto set our hands and seals on this _____ day of _____, 2009.

Correspondence or claims relating to this bond should be sent to the surety at the following address:

Contractor

Name of Surety (SEAL)

By : Attorney-in-Fact

NOTE: Signatures of those executing for the surety must be properly acknowledged.

CERTIFICATE OF ACKNOWLEDGEMENT

STATE OF CALIFORNIA;
COUNTY OF _____ }

On _____, before me, _____, a Notary Public, 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)



Agenda Date: 8-4-09

Agenda Item: 9c

STAFF REPORT

Approved:

Gary A. Napper
City Manager/Executive Director

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: Laci J. Jackson, City Clerk

DATE: August 4, 2009

SUBJECT: Designation of Voting Representative and Alternate for League of California Cities 2009 Annual Conference being held September 16 thru 18, in San Jose.

RECOMMENDATION

It is recommended the City Council consider designating one of its members as the Voting Delegate and one member as the Alternate to represent the City of Clayton during the 2009 League of California Cities Annual Business Meeting.

BACKGROUND

The League of California Cities' "Annual Conference" is scheduled for Wednesday, September 16 through Friday, September 18 at the Long Beach Convention Center. A Business Meeting will take place on Friday, September 18, 2009 at 3:15 p.m.. Vice Mayor Stratford is the City Council's delegate to the East Bay Division of the League of California Cities (Councilmember Shuey is the alternate). Mayor Pierce serves on the Transportation, Communications and Public Works Policy Committee of the League of California Cities.

League bylaws provide that each City is entitled to one vote in matters affecting municipal or League policy. Per the attached Annual Conference Voting Procedures, a City official must have in possession the City's Voting Card and be registered with the Credentials Committee to cast City's vote. A voting card will be issued to the City officials designated by the City Council on the attached Voting Delegate Form.

Conference registration is required for voting delegates.

FISCAL IMPACT

In order to balance the FY 2009-2010 budget the vast majority of conference and training budget for the City Council was eliminated. If the Council wishes to send a delegate funds will need to be allocated. Expenses for the conference registration is \$500 for the full event and \$250 per day excluding lodging and transportation.



1400 K Street, Suite 400 • Sacramento, California 95814
Phone: 916.658.8200 Fax: 916.658.8240
www.cacities.org

Annual Conference Voting Procedures 2009 Annual Conference

1. **One City One Vote.** Each member city has a right to cast one vote on matters pertaining to League policy.
2. **Designating a City Voting Representative.** Prior to the Annual Conference, each city council may designate a voting delegate and up to two alternates; these individuals are identified on the Voting Delegate Form provided to the League Credentials Committee.
3. **Registering with the Credentials Committee.** The voting delegate, or alternates, may pick up the city's voting card at the Voting Delegate Desk in the conference registration area. Voting delegates and alternates must sign in at the Voting Delegate Desk. Here they will receive a special sticker on their name badge and thus be admitted to the voting area at the Business Meeting.
4. **Signing Initiated Resolution Petitions.** Only those individuals who are voting delegates (or alternates) and who have picked up their city's voting card by providing a signature to the Credentials Committee at the Voting Delegate Desk may sign petitions to initiate a resolution.
5. **Voting.** To cast the city's vote, a city official must have in his or her possession the city's voting card and be registered with the Credentials Committee. The voting card may be transferred freely between the voting delegate and alternates, but may not be transferred to another city official who is neither a voting delegate or alternate.
6. **Voting Area at Business Meeting.** At the Business Meeting, individuals with a voting card will sit in a separate area. Admission will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate.
7. **Resolving Disputes.** In case of dispute, the Credentials Committee will determine the validity of signatures on petitioned resolutions and the right of a city official to vote at the Business Meeting.



CITY: _____

**2009 ANNUAL CONFERENCE
VOTING DELEGATE/ALTERNATE FORM**

Please complete this form and return it to the League office by Friday, August 21, 2009. Forms not sent by this deadline may be submitted to the Voting Delegate Desk located in the Annual Conference Registration Area. Your city council may designate one voting delegate and up to two alternates.

In order to vote at the Annual Business Meeting, voting delegates and alternates must be designated by your city council. Please attach the council resolution as proof of designation. As an alternative, the Mayor or City Clerk may sign this form, affirming that the designation reflects the action taken by the council.

Please note: Voting delegates and alternates will be seated in a separate area at the Annual Business Meeting. Admission to this special area will be limited to individuals (voting delegates and alternates) who are identified with a special sticker on their conference badge. This sticker can be obtained only at the Voting Delegate Desk.

1. VOTING DELEGATE

Name: _____

Title: _____

2. VOTING DELEGATE - ALTERNATE

Name: _____

Title: _____

3. VOTING DELEGATE - ALTERNATE

Name: _____

Title: _____

PLEASE ATTACH COUNCIL RESOLUTION DESIGNATING VOTING DELEGATE AND ALTERNATES.

OR

ATTEST: I affirm that the information provided reflects action by the city council to designate the voting delegate and alternate(s).

Name: _____ E-mail: _____

Title: _____ Phone: _____

Date: _____

Please complete and return by Friday, August 21 to:

League of California Cities
ATTN: Mary McCullough
1400 K Street
Sacramento, CA 95814

FAX: (916) 658-8240
E-mail: mccullom@cacities.org
(916) 658-8247