



AGENDA
REGULAR MEETING
* * *
CLAYTON CITY COUNCIL
TUESDAY, November 3, 2009
7:00 p.m.

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

Mayor: Julie K. Pierce
Vice Mayor: Hank Stratford

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

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

*** CITY COUNCIL ***

November 3, 2009

7:00 p.m.

1. **CALL TO ORDER CITY COUNCIL** – Mayor Pierce.

2. **CLOSED SESSION** – None.

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

4. **CONSENT CALENDAR**

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

- (a) Approve the minutes of the regular meeting of October 20, 2009. ([View Here](#))
- (b) Approve Financial Demands and Obligations of the City. ([View Here](#))
- (c) Accept the City's Investment Portfolio Report for the First Quarter of Fiscal Year 2009-2010 ending September 30, 2009. ([View Here](#))
- (d) Adopt a motion approving the Resolution accepting the Town Center Entry Improvement Project (CIP Nos. 10402 & 10403) and Black Diamond Plaza Bridge Repair as complete, ordering the filing of a Notice of Completion, and authorizing \$5,492 from the Capital Improvement Budget (CIP) to gap fund the total construction cost. ([View Here](#))

5. **RECOGNITIONS AND PRESENTATIONS**

- (a) Proclamation declaring November 4, 2009 as "Shelter in Place Education Day." ([View Here](#))
- (b) Proclamation declaring November 2009 as "Pancreatic Cancer Awareness Month." ([View Here](#))

6. **REPORTS**

- (a) Planning Commission – Commissioner Dan Richardson
- (b) Trails and Landscaping Committee – No meeting held to report.
- (c) City Manager/Staff
- (d) City Council - Reports from Council liaisons to Regional Committees, Commissions and Boards.
- (e) Other

7. PUBLIC COMMENT ON NON-AGENDA ITEMS

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

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

8. PUBLIC HEARING - None.

9. ACTION ITEMS

- (a) Discussion on setting a City Council Study Session with Clayton Town Center business owners and local merchants to discuss details and scheduling of the 2010 Concerts in The Grove series and exchange ideas and support for further Downtown activities. ([View Here](#))
(City Manager)

Staff recommendation: That Council determine and then by motion set a date, time and location (Hoyer Hall) for a City Council Study Session on the two topics.

- (b) Consideration of Council Sub-Committee suggestion to expand Endeavor Hall patio area and discuss other ideas to enhance rental usability of the facility.
(Councilmembers Geller and Medrano) ([View Here](#))

Staff recommendation: That Council provide direction to staff.

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

11. ADJOURNMENT– the next regularly scheduled City Council meeting is November 17, 2009.

#

MINUTES
OF THE
REGULAR MEETING
CLAYTON CITY COUNCIL

Agenda Date: 11-3-09

Agenda Item: 4a

TUESDAY, October 20, 2009

1. **CALL TO ORDER & ROLL CALL** – The meeting was called to order at 7:03 p.m. by Mayor Pierce in Hoyer Hall of the Clayton Community Library, 6125 Clayton Road, Clayton, CA. Councilmembers present: Mayor Pierce, Vice Mayor Stratford, Councilmembers Geller, Medrano and Shuey. Staff present: City Manager Gary Napper, Assistant to the City Manager Laura Hoffmeister, City Attorney Dan Adams, Police Chief Dan Lawrence, and City Clerk Laci Jackson.
2. **CLOSED SESSION** – None.
3. **PLEDGE OF ALLEGIANCE** – led by Mayor Pierce.
4. **CONSENT CALENDAR-** Mayor Pierce and Councilmember Medrano requested item 4(d) be pulled for discussion.

Councilmember Medrano asked if it was possible to move to web based streaming as opposed to Comcast TV playback? Mayor Pierce stated the money had to be used for capital purchases and TV playback. Councilmember Medrano stated many cities already have web streaming and stated he wanted to make sure the money could not be used for the purchase of these items. The Assistant to the City Manager responded the money available was for PEG (Public/Education/Government) access and this Comcast money cannot be expended for streaming. She stated there are unrestricted funds which can be used for streaming and the TV playback does not preclude the City from looking into the feasibility of streaming.

Councilmember Shuey asked if there was equipment that could do both streaming and TV playback? The Assistant to the City Manager responded they are different medias and that if the City did not spend its PEG funds they would have be given to the school district, a non-profit or given back to Comcast.

The City Manager stated the Pleasant Hill City Attorney has found that there is still a large portion of their populous who are not comfortable with web-streaming, hence that city is keeping cable playback and using web streaming.

Councilmember Shuey asked about the ongoing cost of the TV playback. The Assistant to the City Manager stated she had done a five year budget and there would be no effect to the general fund.

Councilmember Shuey asked what the non-participating cities are doing with their funds. The Assistant to the City Manager stated the other cities hired their own staff to handle the TV playback.

The City Manager noted citizens routinely ask why Astound or ATT services are not available in the City of Clayton. He stated their absence is due to their own lack of resources and that the City is not preventing them from providing services here.

Councilmember Medrano asked why there needed to be a five year contract? The Assistant to the City Manager responded this is a capital investment in equipment and the equipment has about a 5 year life.

Mayor Pierce asked for language to be added to the contract that would require the County to provide a budget and financial accounting of each year's expenditures.

It was moved by Vice Mayor Stratford, seconded by Councilmember Geller to approve the Consent Calendar as amended in the Contract of Item 4(d) (Passed; 5-0 vote).

- (a) Approved the minutes of the regular meeting of October 6, 2009.
- (b) Approved Financial Demands and Obligations of the City.
- (c) Approved the closure of the Clayton Community Library on seven (7) Sundays in calendar year 2010 for observance of certain holidays and holiday weekends.
- (d) Adopted Resolution 42-2009 authorizing the City Manager to execute a Memorandum of Understanding with Martinez, Pleasant Hill and Contra Costa County for the joint operations of a shared government channel to carry government programming provided by each City and the County.
- (e) Adopted Resolution 43-2009 establishing and approving pay rate schedules for certain Hourly Wage positions within the City of Clayton's employment organization.

5. RECOGNITIONS AND PRESENTATIONS

- (a) Presentation: Report on services and programs provided by the Contra Costa County Fire Protection District.

Emily Hopkins, Community Relations Manager, presented the Annual Report for the Fire District. She stated Clayton's Station 11 provides many services to the community such as participating in the Fall prevention coalition, installing smoke detectors, Halloween at the Fire house, and other community activities.

Richard Carpenter, Kevin Neiland and the Acting Assistant Chief Henry Warren outlined the emergency services provided to the community

The Council thanked the Fire District for their hard work in community.

6. REPORTS

- (a) Planning Commission – Chairman Bob Armstrong reported on the October 10th Planning Commission meeting. The Commission reviewed manufactured housing and density options for compliance with the Housing Element.
- (b) Trails and Landscaping Committee – No meeting held to report.
- (c) The City Manager reported the Governor signed Senate Bill 67 to allow for the selling of the Prop. 1A notes. He stated Wednesday, October 28th the YMCA is holding Boo Night at Clayton Community Gym 6pm-8pm and on October 31st, Richard Taylor is hosting the Clayton Ghost Walk downtown and those interested are asked to meet at Endeavor Hall at 7:30pm and bring flashlights. The Trails and Landscaping Committee will meet the third Monday in November and the Girls Scouts completed their first Adopt-a-Trail walk and clean up.

- (d) City Council

Councilmember Geller stated he wants to set up a joint meeting with Clayton merchants and the Council for a roundtable discussion regarding the Main Street Program. He stated it would be the same merchants invited to discuss the Concerts in The Grove.

Mayor Pierce attended a Transportation Authority meeting, and an ABAG Regional Planning Committee meeting. She stated the New Year's Eve Committee met and are seeking donations to put on the free community event. This year's event will again be held at the Clayton Community Gym from 6pm-9pm. She noted Travis Credit Union pledged a \$1,000 donation to the event. Lastly, she attended the LAFCO and the East Bay Division League of California Cities meetings.

- (e) Other – None.

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

8. **PUBLIC HEARINGS** –None.

9. **ACTION ITEMS**

- (a) Consider a Resolution approving a Memorandum of Understanding with the Central Contra Costa Sanitary District for the establishment of an unused pharmaceutical collection box at the Clayton Police Station (2nd floor of City Hall) in combination with an arrangement for a sharps (needles) drop-off/collection box serviced by Republic Services, Inc.

The Chief of Police presented the staff report and stated in partnership with Central Contra Sanitation District staff wants to create a local drop off area to collect old pharmaceuticals. The bin for the pharmaceuticals will be placed on the second floor in view of the Police Department. Along with the pharmaceutical bin, Republic Services will provide and service a sharps collection box.

Mayor Pierce suggested the City hold a kick-off event on a Saturday to give citizens and chance to discard of their pharmaceuticals on a weekend.

The Assistant to the City Manager stated the drop boxes will give the City credit on its annual solid waste/recycling and stormwater pollution management reports.

It was moved by Councilmember Shuey, seconded by Councilmember Medrano to adopt Resolution 44-2009 approving the Memorandum of Understanding with the Central Contra Costa Sanitary District (Passed; 5-0 vote).

11. **COUNCIL ITEMS**

Councilmember Geller requested a discussion to add to the patio area of Endeavor Hall.

12. **ADJOURNMENT**– On call by Mayor Pierce the meeting adjourned at 8:13 p.m.

Respectfully submitted,

Laci J. Jackson, City Clerk

APPROVED BY CLAYTON CITY COUNCIL

Julie K. Pierce, Mayor



Agenda Date: 11/03/09

Agenda Item: 4b

Approved:

Gary A. Napper
City Manager/Executive Director

STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: MERRY PELLETIER, FINANCE MANAGER

DATE: NOVEMBER 3, 2009

SUBJECT: OBLIGATION SUMMARY

RECOMMENDATION Approve the following obligations.

<u>RUN DATE</u>	<u>OBLIGATION NUMBERS</u>	<u>TOTALS</u>
10/29/09	16463 – 16502	\$317,200.16

Invoice Distribution Report

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

Attachments:
Invoice Distribution Report 10/29/09 (14 pages)

Run date: 10/29/2009 @ 14:26
Bus date: 10/29/2009

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			
16477 Refund SWP 16-09 10/09	2588 Michael Lewis & Hui Chen Yeh 2 OH Rec SWP 16-09 10/09	Inv	-12.45
Invoice number.: SWP 16-09			
16486 Refund SWP 09-09 10/09	403 Julie Pierce 2 OH Rec SWP 09-09 10/09	Inv	-37.35
Invoice number.: SWP 09-09			
A101-5791-00.0.0-000 - Overhead cost recovery	*** Account total ***		-49.80
A101-7218-02.0.0-000 - Life and LTD Insurance			
16503 LTD, Life & ADD 11/09	65 Municipal Pooling Authority 1 Adm LTD 11/09	Inv	389.09
Invoice number.: 11/09			
A101-7218-02.0.0-000 - Life and LTD Insurance	*** Account total ***		389.09
A101-7218-03.0.0-000 - Life and LTD Insurance			
16503 LTD, Life & ADD 11/09	65 Municipal Pooling Authority 2 PW LTD 11/09	Inv	226.41
Invoice number.: 11/09			
A101-7218-03.0.0-000 - Life and LTD Insurance	*** Account total ***		226.41
A101-7218-04.0.0-000 - Life and LTD Insurance			
16503 LTD, Life & ADD 11/09	65 Municipal Pooling Authority 3 Planning LTD 11/09	Inv	115.21
Invoice number.: 11/09			
A101-7218-04.0.0-000 - Life and LTD Insurance	*** Account total ***		115.21
A101-7218-06.0.0-000 - Life and LTD Insurance			
16503 LTD, Life & ADD 11/09	65 Municipal Pooling Authority 4 PD LTD 11/09	Inv	591.11
Invoice number.: 11/09			
A101-7218-06.0.0-000 - Life and LTD Insurance	*** Account total ***		591.11
A101-7220-02.0.0-000 - PERS Retirement			
16491 Retirement PPE 10/18/09	201 CalPERS 2 Admin 10/18/09	Inv	3,968.69
Invoice number.: PPE 10/18/09			
A101-7220-02.0.0-000 - PERS Retirement	*** Account total ***		3,968.69
A101-7220-03.0.0-000 - PERS Retirement			
16491 Retirement PPE 10/18/09	201 CalPERS 3 PW 10/18/09	Inv	2,316.73
Invoice number.: PPE 10/18/09			
A101-7220-03.0.0-000 - PERS Retirement	*** Account total ***		2,316.73

Run date: 10/29/2009 @ 14:26
 Bus date: 10/29/2009

City of Clayton
 Invoice Distribution Report

OTDIST.L02 Page 2

Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A101-7220-04.0.0-000 - PERS Retirement			
16491 Retirement PPE 10/18/09	201 CalPERS		
Invoice number.: PPE 10/18/09	4 Planning 10/18/09	Inv	1,176.89
A101-7220-04.0.0-000 - PERS Retirement	*** Account total ***		1,176.89
A101-7220-06.0.0-000 - PERS Retirement			
16491 Retirement PPE 10/18/09	201 CalPERS		
Invoice number.: PPE 10/18/09	5 Police 10/18/09	Inv	12,302.71
A101-7220-06.0.0-000 - PERS Retirement	*** Account total ***		12,302.71
A101-7246-01.0.0-000 - Benefit Insurance			
16501 Dental Premium 11/09	540 Health Care Dental Trust		
Invoice number.: 97585	6 Cc Geller 11/09	Inv	45.95
A101-7246-01.0.0-000 - Benefit Insurance	*** Account total ***		45.95
A101-7246-02.0.0-000 - Benefit Insurance			
16501 Dental Premium 11/09	540 Health Care Dental Trust		
Invoice number.: 97585	1 Admin Dental 11/09	Inv	521.02
16502 Health Insurance 11/09	1316 CalPERS Health		
Invoice number.: 383	1 Admin 11/09	Inv	6,173.84
Invoice number.: 383	6 Adm Fees Health 11/09	Inv	104.84
16503 LTD, Life & ADD 11/09	65 Municipal Pooling Authority		
Invoice number.: 11/09	6 Adm Life, ADD 11/09	Inv	67.50
A101-7246-02.0.0-000 - Benefit Insurance	*** Account total ***		6,867.20
A101-7246-03.0.0-000 - Benefit Insurance			
16501 Dental Premium 11/09	540 Health Care Dental Trust		
Invoice number.: 97585	2 PW Dental 11/09	Inv	556.95
16502 Health Insurance 11/09	1316 CalPERS Health		
Invoice number.: 383	2 PW 11/09	Inv	4,916.80
16503 LTD, Life & ADD 11/09	65 Municipal Pooling Authority		
Invoice number.: 11/09	7 PW Life, ADD 11/09	Inv	56.25
A101-7246-03.0.0-000 - Benefit Insurance	*** Account total ***		5,530.00

Run date: 10/29/2009 @ 14:26
Bus date: 10/29/2009

City of Clayton
Invoice Distribution Report

OTDIST.L02 Page 3

Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A101-7246-04.0.0-000 - Benefit Insurance			
16501 Dental Premium 11/09	540 Health Care Dental Trust 3 Planning Dental 11/09	Inv	214.56
Invoice number.: 97585			
16502 Health Insurance 11/09	1316 CalPERS Health 3 Planning 11/09	Inv	2,338.18
Invoice number.: 383			
16503 LTD, Life & ADD 11/09	65 Municipal Pooling Authority 8 Planning Life, ADD 11/09	Inv	22.50
Invoice number.: 11/09			
A101-7246-04.0.0-000 - Benefit Insurance	*** Account total ***		2,575.24
A101-7246-06.0.0-000 - Benefit Insurance			
16501 Dental Premium 11/09	540 Health Care Dental Trust 4 Police Dept Dental 11/09	Inv	822.95
Invoice number.: 97585			
16502 Health Insurance 11/09	1316 CalPERS Health 4 Police Dept 11/09	Inv	9,289.24
Invoice number.: 383			
	5 ER Share -retired PD 11/09	Inv	.01
Invoice number.: 383			
16503 LTD, Life & ADD 11/09	65 Municipal Pooling Authority 9 PD Life, ADD 11/09	Inv	123.75
Invoice number.: 11/09			
A101-7246-06.0.0-000 - Benefit Insurance	*** Account total ***		10,235.95
A101-7311-06.0.0-000 - General Supplies			
16479 PD Uniform - Davidson 10/09	2528 Concord Uniforms 1 PD Uniform - Davidson 10/09	Inv	198.56
Invoice number.: 4165			
A101-7311-06.0.0-000 - General Supplies	*** Account total ***		198.56
A101-7314-05.0.0-000 - Postage			
16465 Added postage 10/21/09	2100 Neopost (add postage) 1 Postage added 10/21/09	Paid	300.00
Invoice number.:			
A101-7314-05.0.0-000 - Postage	*** Account total ***		300.00
A101-7329-09.0.0-000 - Park Supplies			
16482 PW Landscaping Supp 10/09	2070 John Deere Landscapes Inc 2 PW Landscaping Supp 10/09	Inv	928.84
Invoice number.: 52874448			

Run date: 10/29/2009 @ 14:26
Bus date: 10/29/2009

City of Clayton
Invoice Distribution Report

OTDIST.L02 Page 4

Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A101-7329-09.0.0-000 - Park Supplies	*** Continued ***		
16483 PW Landscaping Supp 10/09	2070 John Deere Landscapes Inc		
Invoice number.: 52788610	1 PW Landscaping Supp 10/09	Inv	107.01
A101-7329-09.0.0-000 - Park Supplies	*** Account total ***		1,035.85
A101-7331-05.0.0-000 - Rentals/Leases			
16498 Admin Copier Copies 10/09	2371 Konica Minolta Bus Sol-Copies		
Invoice number.: 213267036	1 Adm Copier Copies 10/09	Inv	250.42
A101-7331-05.0.0-000 - Rentals/Leases	*** Account total ***		250.42
A101-7332-02.0.0-000 - Telecommunications			
16490 Local Phone Svc 10/09A	1243 AT&T/ CalNet 2		
Invoice number.: 10/09A	2 CH Local Phone 10/09A	Inv	167.17
A101-7332-02.0.0-000 - Telecommunications	*** Account total ***		167.17
A101-7332-03.0.0-000 - Telephone			
16490 Local Phone Svc 10/09A	1243 AT&T/ CalNet 2		
Invoice number.: 10/09A	1 PW Local Phone 10/09A	Inv	32.80
A101-7332-03.0.0-000 - Telephone	*** Account total ***		32.80
A101-7332-04.0.0-000 - Telephone			
16490 Local Phone Svc 10/09A	1243 AT&T/ CalNet 2		
Invoice number.: 10/09A	3 Ping Local Phone 10/09A	Inv	41.76
A101-7332-04.0.0-000 - Telephone	*** Account total ***		41.76
A101-7332-06.0.0-000 - Telephone			
16490 Local Phone Svc 10/09A	1243 AT&T/ CalNet 2		
Invoice number.: 10/09A	7 PD Local Phone 10/09A	Inv	452.45
A101-7332-06.0.0-000 - Telephone	*** Account total ***		452.45
A101-7332-08.0.0-000 - Telephone			
16490 Local Phone Svc 10/09A	1243 AT&T/ CalNet 2		
Invoice number.: 10/09A	5 Eng Local Phone 10/09A	Inv	83.07
A101-7332-08.0.0-000 - Telephone	*** Account total ***		83.07

Run date: 10/29/2009 @ 14:26
 Bus date: 10/29/2009

City of Clayton
 Invoice Distribution Report

OTDIST.L02 Page 5

Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A101-7335-03.0.0-000 - Gas & Electricity			
16493 Service 10/09 (Small Master)	113 PG&E		
Invoice number.: 10/22/09	1 City Hall Svc 10/09	Inv	2,302.08
16494 Service 10/09 (Master)	113 PG&E		
Invoice number.: 10/15/09	1 City Hall 10/09	Inv	335.60
Invoice number.: 10/15/09	3 Lydia Pump Station 10/09	Inv	136.73
Invoice number.: 10/15/09	12 Westwood Pk Well 10/09	Inv	147.33
16495 Service 10/09 (Individual Inv)	113 PG&E		
Invoice number.: 10/22/09	1 PW Bldg Svc 10/09	Inv	21.63
Invoice number.: 10/22/09	5 Oak St Svc 10/09	Inv	40.80
A101-7335-03.0.0-000 - Gas & Electricity	*** Account total ***		2,984.17
A101-7335-07.0.0-000 - Gas & Electricity			
16494 Service 10/09 (Master)	113 PG&E		
Invoice number.: 10/15/09	4 Library 10/09	Inv	4,779.54
A101-7335-07.0.0-000 - Gas & Electricity	*** Account total ***		4,779.54
A101-7335-09.0.0-000 - Gas & Electricity			
16494 Service 10/09 (Master)	113 PG&E		
Invoice number.: 10/15/09	2 Community Restroom 10/09	Inv	280.61
A101-7335-09.0.0-000 - Gas & Electricity	*** Account total ***		280.61
A101-7346-03.0.0-000 - HVAC Mtn & Repairs			
16489 Library, City Hall EMS 10/09	1265 ACCO Engineered Systems		
Invoice number.: 516287-89	2 City Hall EMS 10/09	Inv	205.00
A101-7346-03.0.0-000 - HVAC Mtn & Repairs	*** Account total ***		205.00
A101-7346-07.0.0-000 - HVAC Mtn & Repairs			
16489 Library, City Hall EMS 10/09	1265 ACCO Engineered Systems		
Invoice number.: 516287-89	1 Library EMS 10/09	Inv	205.00
A101-7346-07.0.0-000 - HVAC Mtn & Repairs	*** Account total ***		205.00

Run date: 10/29/2009 @ 14:26
Bus date: 10/29/2009

City of Clayton
Invoice Distribution Report

OTDIST.L02 Page 6

Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A101-7372-01.0.0-000 - Conferences			
16485 Mayor's Conference 11/09	48 Town of Moraga		
Invoice number.: 11/09	1 Mayors Conference 11/09	Inv	100.00
A101-7372-01.0.0-000 - Conferences	*** Account total ***		100.00
A101-7373-06.0.0-000 - Education & Training			
16471 PD Training-Billington 10/09	2568 CCC Sheriff - LETC		
Invoice number.: 10-13496	1 PD Training-Billington 10/09	Inv	1,183.00
16472 PD Fld Training-Enea 10/09	2568 CCC Sheriff - LETC		
Invoice number.: 10-13504	1 PD Fld Training-Enea 10/09	Inv	226.00
A101-7373-06.0.0-000 - Education & Training	*** Account total ***		1,409.00
A101-7411-08.0.0-000 - Professional Services Retainer			
16497 Eng Svc 10/10/09-10/23/09	116 PERMCO, Inc.		
Invoice number.: 8987-8994	1 Eng Svc 10/10/09-10/23/09	Inv	3,043.00
A101-7411-08.0.0-000 - Professional Services Retainer	*** Account total ***		3,043.00
A101-7419-01.0.0-000 - Other Professional Services			
16474 Video City Council Mtg 10/20/0	1467 LarryLogic Productions		
Invoice number.: 1001	1 Video CC Mtg 10/20/09	Inv	270.00
A101-7419-01.0.0-000 - Other Professional Services	*** Account total ***		270.00
A101-7419-05.0.0-000 - Other Professional Services			
16464 3 Year CD-2.49% yield	2161 Financial Northeastern Corp		
Invoice number.:	2 BofA fee for Wire 10/21/09	Paid	25.00
16500 CD Investment 10/28/09	2094 Morgan Stanley		
Invoice number.: Wld Fn 10/28/09	2 Wire Trx Fee 10/28/09	Inv	25.00
A101-7419-05.0.0-000 - Other Professional Services	*** Account total ***		50.00
A101-7419-06.0.0-000 - Other Professional Services			
16468 PD-Crossing Guard WE 10/10/09	1538 All City Management Services,		
Invoice number.: 17741	1 PD-Crossing Guard WE 10/10/09	Inv	465.00
16470 PD Live Scan 10/09	42 City of Concord		
Invoice number.: 17331	1 PD Live Scan 10/09	Inv	73.00
A101-7419-06.0.0-000 - Other Professional Services	*** Account total ***		538.00

Run date: 10/29/2009 @ 14:26
Bus date: 10/29/2009

City of Clayton
Invoice Distribution Report

OTDIST.L02 Page 7

Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A101-7425-06.0.0-000 - Crime Lab			
16469 PD-Blood WD 7-9/09	641 CCC Office of the Sheriff-Coro 1 PD-Blood WD 7-9/09	Inv	837.96
Invoice number.: ClayPD-309			
A101-7425-06.0.0-000 - Crime Lab	*** Account total ***		837.96
A101-7426-06.0.0-000 - Jail Booking Fee			
16467 Booking Fees 9/09	416 CCC Auditor-Controller 1 Booking Fees 9/09	Inv	20.00
Invoice number.: 9/09			
A101-7426-06.0.0-000 - Jail Booking Fee	*** Account total ***		20.00
A101-7427-06.0.0-000 - CAL ID			
16480 PD CAL-ID FY 09-10	562 CCC Treasurer/ Sheriff-Coroner 1 PD CAL-ID FY 09-10	Inv	9,644.00
Invoice number.: FY 09-10			
A101-7427-06.0.0-000 - CAL ID	*** Account total ***		9,644.00
A101-7428-06.0.0-000 - C Net			
16475 PD CCNET Cost FY 08-09	1966 CCC Office of the Sheriff-Fisc 1 PD CCNET Cost FY 08-09	Inv	1,820.00
Invoice number.: 08/09C			
A101-7428-06.0.0-000 - C Net	*** Account total ***		1,820.00
A201-7335-00.0.0-000 - Gas & Electricity			
16492 Svc: Irrig & Signal 10/09 (Mst	113 PG&E 2 Clayton Traffic Sgn 10/09	Inv	34.55
Invoice number.: 10/16/09			
16493 Service 10/09 (Small Master)	113 PG&E 5 Traffic Sgn & St Lt 10/09	Inv	191.06
Invoice number.: 10/22/09			
16494 Service 10/09 (Master)	113 PG&E 9 Traffic Signals 10/09	Inv	419.64
Invoice number.: 10/15/09			
10 Street Lights - Arterial 10/09	Inv	2,768.82	
Invoice number.: 10/15/09			
A201-7335-00.0.0-000 - Gas & Electricity	*** Account total ***		3,414.07
A201-7345-00.0.0-000 - Traffic Signal Maintenance			
16473 Traffic Signal Maintenance 8/0	234 CCC General Services 1 Traffic Signal Mtn 8/09	Inv	3,534.09
Invoice number.: 3608			
A201-7345-00.0.0-000 - Traffic Signal Maintenance	*** Account total ***		3,534.09

Run date: 10/29/2009 @ 14:26
Bus date: 10/29/2009

City of Clayton
Invoice Distribution Report

OTDIST.L02 Page 8

Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A201-7412-00.0.0-000 - Engineering/Inspection Service 16497 Eng Svc 10/10/09-10/23/09	116 PERMCO, Inc. 4 Gas Tax Insp #8988	Inv	198.25
Invoice number.: 8987-8994			
A201-7412-00.0.0-000 - Engineering/Inspection Service	*** Account total ***		198.25
A210-7311-00.0.0-000 - General Supplies 16481 PW Landscaping Supp 10/09	2070 John Deere Landscapes Inc 1 PW Landscaping Supp 10/09	Inv	52.88
Invoice number.: 52801657			
16482 PW Landscaping Supp 10/09	2070 John Deere Landscapes Inc 1 PW Landscaping Supp 10/09	Inv	2,921.56
Invoice number.: 52874448			
16484 PW General Supplies 10/09	17 Bay Area Barricade Serv. 1 PW General Supplies 10/09	Inv	424.71
Invoice number.: 0253889-IN			
A210-7311-00.0.0-000 - General Supplies	*** Account total ***		3,399.15
A210-7335-00.0.0-000 - Gas & Electricity 16492 Svc: Irrig & Signal 10/09 (Mst)	113 PG&E 1 OH Irrigation 10/09	Inv	479.98
Invoice number.: 10/16/09			
16493 Service 10/09 (Small Master)	113 PG&E 2 Clock Service 10/09	Inv	79.49
Invoice number.: 10/22/09			
Invoice number.: 10/22/09	3 Outdoor Lt Service 10/09	Inv	118.34
Invoice number.: 10/22/09	4 Irrigation Service 10/09	Inv	341.49
16494 Service 10/09 (Master)	113 PG&E 5 Monument Lights 10/09	Inv	248.09
Invoice number.: 10/15/09			
Invoice number.: 10/15/09	6 Oakhurst Pump (Fountain) 10/09	Inv	1,316.44
Invoice number.: 10/15/09	7 Outdoor Lights 10/09	Inv	15.26
Invoice number.: 10/15/09	8 Sprinkler Cont/Lndscp 10/09	Inv	96.06

Run date: 10/29/2009 @ 14:26
 Bus date: 10/29/2009

City of Clayton
 Invoice Distribution Report

OTDIST.L02 Page 9

Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A210-7335-00.0.0-000 - Gas & Electricity	*** Continued ***		
16495 Service 10/09 (Individual Inv)	113 PG&E		
Invoice number.: 10/22/09	4 Irrigation Svc 10/09	Inv	190.25
A210-7335-00.0.0-000 - Gas & Electricity	*** Account total ***		2,885.40
A211-7335-00.0.0-000 - Gas & Electricity			
16495 Service 10/09 (Individual Inv)	113 PG&E		
Invoice number.: 10/22/09	3 Grove Park Svc 10/09	Inv	92.98
A211-7335-00.0.0-000 - Gas & Electricity	*** Account total ***		92.98
A214-7335-00.0.0-000 - Gas & Electricity			
16494 Service 10/09 (Master)	113 PG&E		
Invoice number.: 10/15/09	11 Street Lights-Res 10/09	Inv	8,306.44
A214-7335-00.0.0-000 - Gas & Electricity	*** Account total ***		8,306.44
A230-7218-00.0.0-000 - LTD Insurance-COPS			
16503 LTD, Life & ADD 11/09	65 Municipal Pooling Authority		
Invoice number.: 11/09	5 PD Grant LTD 11/09	Inv	42.43
A230-7218-00.0.0-000 - LTD Insurance-COPS	*** Account total ***		42.43
A230-7220-00.0.0-813 - PERS Retirement-COPS			
16491 Retirement PPE 10/18/09	201 CalPERS		
Invoice number.: PPE 10/18/09	6 PD Grant 10/18/09	Inv	918.05
A230-7220-00.0.0-813 - PERS Retirement-COPS	*** Account total ***		918.05
A230-7246-00.0.0-000 - Benefit Insurance			
16501 Dental Premium 11/09	540 Health Care Dental Trust		
Invoice number.: 97585	5 PD Grant Dental 11/09	Inv	127.83
16502 Health Insurance 11/09	1316 CalPERS Health		
Invoice number.: 383	7 PD Grants 11/09	Inv	1,321.58
16503 LTD, Life & ADD 11/09	65 Municipal Pooling Authority		
Invoice number.: 11/09	10 PD Grant Life, ADD 11/09	Inv	11.25
A230-7246-00.0.0-000 - Benefit Insurance	*** Account total ***		1,460.66

Run date: 10/29/2009 @ 14:26
 Bus date: 10/29/2009

City of Clayton
 Invoice Distribution Report

OTDIST.L02 Page 10

Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A301-7361-00.0.0-000 - Advertising			
16496 EH Yellow Pg Ads 8-9-10/09	2014 AT&T Yellow Pages 1 EH Yellow Page Ads 8-9-10/09	Inv	117.00
Invoice number.: 8-9-10/09			
A301-7361-00.0.0-000 - Advertising	*** Account total ***		117.00
A301-7413-00.0.0-000 - Legal Services			
16488 Land Use & Econ Dev Legal 10/0	2355 Rutan & Tucker LLP 1 Lnd Use & Econ Dev Legal 10/09	Inv	850.00
Invoice number.: 567571			
A301-7413-00.0.0-000 - Legal Services	*** Account total ***		850.00
A302-7413-00.0.0-000 - Legal Services			
16487 RDA LMI Legal Svc 9/09	79 Goldfarb & Lipman 1 RDA LMI Legal Svc 9/09	Inv	465.50
Invoice number.: 95349			
A302-7413-00.0.0-000 - Legal Services	*** Account total ***		465.50
A303-7520-00.0.0-106 - Clayton Rd Trail Connection			
16497 Eng Svc 10/10/09-10/23/09	116 PERMCO, Inc. 3 Eng Svc #8991	Inv	190.63
Invoice number.: 8987-8994			
A303-7520-00.0.0-106 - Clayton Rd Trail Connection	*** Account total ***		190.63
A303-7520-00.0.0-114 - 2009 Arterial Overlay Project			
16473 Traffic Signal Maintenance 8/0	234 CCC General Services 2 Traffic Sgn Mtn 8/09	Inv	2,759.90
Invoice number.: 3608			
16497 Eng Svc 10/10/09-10/23/09	116 PERMCO, Inc. 2 Eng Svc #8992	Inv	851.81
Invoice number.: 8987-8994			
A303-7520-00.0.0-114 - 2009 Arterial Overlay Project	*** Account total ***		3,611.71
A601-2731-00.0.0-552 - Tom O'Neil EP2841 Cash Deposit			
16478 Refund EP 2841 10/09	2473 Tom & Carol O'Neil 1 Refund EP 2841 10/09	Inv	500.00
Invoice number.: EP 2841			
A601-2731-00.0.0-552 - Tom O'Neil EP2841 Cash Deposit	*** Account total ***		500.00
A601-2741-00.0.0-153 - Seeno Grading Insp (10351)			
16497 Eng Svc 10/10/09 10/23/09	116 PERMCO, Inc. 5 Eng Svc #8989	Inv	41.50
Invoice number.: 8987-8994			
A601-2741-00.0.0-153 - Seeno Grading Insp (10351)	*** Account total ***		41.50

Run date: 10/29/2009 @ 14:26
Bus date: 10/29/2009

City of Clayton
Invoice Distribution Report

OTDIST.L02 Page 11

Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A601-2743-00.0.0-085 - St Bonaventure-Traffic Sig Mtn 16473 Traffic Signal Maintenance 8/0	234 CCC General Services 3 Traffic Sgn Mtn 8/09	Inv	111.00
Invoice number.: 3608			
A601-2743-00.0.0-085 - St Bonaventure-Traffic Sig Mtn	*** Account total ***		111.00
A601-2744-00.0.0-189 - Riessen SW Permit 17-05 16497 Eng Svc 10/10/09-10/23/09	116 PERMCO, Inc. 9 Eng Svc #8990	Inv	41.50
Invoice number.: 8987-8994			
A601-2744-00.0.0-189 - Riessen SW Permit 17-05	*** Account total ***		41.50
A601-2744-00.0.0-329 - Lemke Diablo Pt SW permit28-06 16497 Eng Svc 10/10/09-10/23/09	116 PERMCO, Inc. 7 Eng Svc #8994	Inv	221.74
Invoice number.: 8987-8994			
A601-2744-00.0.0-329 - Lemke Diablo Pt SW permit28-06	*** Account total ***		221.74
A601-2744-00.0.0-381 - Gonzalez SW Permit 18-07 16497 Eng Svc 10/10/09-10/23/09	116 PERMCO, Inc. 10 Eng Svc #8990	Inv	41.50
Invoice number.: 8987-8994			
A601-2744-00.0.0-381 - Gonzalez SW Permit 18-07	*** Account total ***		41.50
A601-2744-00.0.0-446 - Oakhurst CC SWP I cool0441 16497 Eng Svc 10/10/09-10/23/09	116 PERMCO, Inc. 6 Eng Svc #8993	Inv	1,369.00
Invoice number.: 8987-8994			
A601-2744-00.0.0-446 - Oakhurst CC SWP I cool0441	*** Account total ***		1,369.00
A601-2744-00.0.0-495 - D. Lombardo SWP 25-08 16497 Eng Svc 10/10/09-10/23/09	116 PERMCO, Inc. 11 Eng Svc #8990	Inv	41.50
Invoice number.: 8987-8994			
A601-2744-00.0.0-495 - D. Lombardo SWP 25-08	*** Account total ***		41.50
A601-2744-00.0.0-518 - Weisendanger SWP 16497 Eng Svc 10/10/09-10/23/09	116 PERMCO, Inc. 12 Eng Svc #8990	Inv	41.50
Invoice number.: 8987-8994			
A601-2744-00.0.0-518 - Weisendanger SWP	*** Account total ***		41.50

Run date: 10/29/2009 @ 14:26
 Bus date: 10/29/2009

City of Clayton
 Invoice Distribution Report

OTDIST.L02 Page 12

Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A601-2744-00.0.0-540 - Barnes/Pierce SWP 09-09 16486 Refund SWP 09-09 10/09 Invoice number.: SWP 09-09	403 Julie Pierce 1 Refund SWP 09-09 10/09	Inv	1,751.00
A601-2744-00.0.0-540 - Barnes/Pierce SWP 09-09	*** Account total ***		1,751.00
A601-2744-00.0.0-549 - Anderson SWP 14-09 16497 Eng Svc 10/10/09-10/23/09 Invoice number.: 8987-8994	116 PERMCO, Inc. 13 Eng Svc #8990	Inv	41.50
A601-2744-00.0.0-549 - Anderson SWP 14-09	*** Account total ***		41.50
A601-2744-00.0.0-553 - Dobson Constr Minor SWP09-12 16476 Refund SWP 09-12 10/09 Invoice number.: SWP 09-12	2589 Gary Dobson Construction 1 Refund SWP 09-12 10/09	Inv	500.00
A601-2744-00.0.0-553 - Dobson Constr Minor SWP09-12	*** Account total ***		500.00
A601-2744-00.0.0-554 - Majestic Pool SWP 17-09 16497 Eng Svc 10/10/09-10/23/09 Invoice number.: 8987-8994	116 PERMCO, Inc. 14 Eng Svc #8990	Inv	41.50
A601-2744-00.0.0-554 - Majestic Pool SWP 17-09	*** Account total ***		41.50
A601-2744-00.0.0-555 - Clyde Constr SWP 15-09 16497 Eng Svc 10/10/09-10/23/09 Invoice number.: 8987-8994	116 PERMCO, Inc. 15 Eng Svc #8990	Inv	41.50
A601-2744-00.0.0-555 - Clyde Constr SWP 15-09	*** Account total ***		41.50
A601-2744-00.0.0-556 - Lewis SWP 16-09 16477 Refund SWP 16-09 10/09 Invoice number.: SWP 16-09 16497 Eng Svc 10/10/09-10/23/09 Invoice number.: 8987-8994	2588 Michael Lewis & Hui Chen Yeh 1 Refund SWP 16-09 10/09 116 PERMCO, Inc. 16 Eng Svc #8990	Inv	1,917.00 41.50
A601-2744-00.0.0-556 - Lewis SWP 16-09	*** Account total ***		1,958.50
A601-2746-00.0.0-129 - Diablo Pt Grading Inspections 16497 Eng Svc 10/10/09-10/23/09 Invoice number.: 8987-8994	116 PERMCO, Inc. 8 Eng Svc #8994	Inv	320.76
A601-2746-00.0.0-129 - Diablo Pt Grading Inspections	*** Account total ***		320.76

Run date: 10/29/2009 @ 14:26
 Bus date: 10/29/2009

City of Clayton
 Invoice Distribution Report

OTDIST.L02 Page 13

Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A601-2750-00.0.0-000 - Community Gym Donations 16463 Boo Nite Inspection@YMCA	1383 CCC Fire Protection Dist. 1 YMCA Boo Nite Inspection	Paid	180.00
Invoice number.:			
A601-2750-00.0.0-000 - Community Gym Donations	*** Account total ***		180.00
A701-7310-00.0.0-000 - Supplies & Equipment 16466 DV Gym Expenses 7-9/09	512 Mt. Diablo Unified School Dist 2 DV Gym Mat & Supp 7-9/09	Inv	657.61
Invoice number.: AR212385			
A701-7310-00.0.0-000 - Supplies & Equipment	*** Account total ***		657.61
A701-7335-00.0.0-000 - Gas & Electricity 16466 DV Gym Expenses 7-9/09	512 Mt. Diablo Unified School Dist 1 DV Gym Utilities 7-9/09	Inv	4,727.01
Invoice number.: AR212385			
A701-7335-00.0.0-000 - Gas & Electricity	*** Account total ***		4,727.01
A702-2730-00.0.0-002 - Endeavor Hall Cash Deposits 16499 Refund EH Deposit 10/17/09	2590 Jeannie Merchant 1 Refund EH Deposit 10/17/09	Inv	500.00
Invoice number.: EH 10/17/09			
A702-2730-00.0.0-002 - Endeavor Hall Cash Deposits	*** Account total ***		500.00
A702-7332-00.0.0-000 - Telephone 16490 Local Phone Svc 10/09A	1243 AT&T/ CalNet 2 6 EH Local Phone 10/09A	Inv	58.50
Invoice number.: 10/09A			
A702-7332-00.0.0-000 - Telephone	*** Account total ***		58.50
A702-7335-00.0.0-000 - Gas & Electricity 16495 Service 10/09 (Individual Inv)	113 PG&E 2 EH Svc 10/09	Inv	196.94
Invoice number.: 10/22/09			
A702-7335-00.0.0-000 - Gas & Electricity	*** Account total ***		196.94
A702-7346-00.0.0-000 - HVAC Mtn & Repairs 16489 Library, City Hall EMS 10/09	1265 ACCO Engineered Systems 3 EH EMS 10/09	Inv	290.00
Invoice number.: 516287-89			
A702-7346-00.0.0-000 - HVAC Mtn & Repairs	*** Account total ***		290.00

Run date: 10/29/2009 @ 14:26
Bus date: 10/29/2009

City of Clayton
Invoice Distribution Report

OTDIST.L02 Page 14

Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A999-1205-00.0.0-000 - Long Term Invest MorganStanley			
16500 CD Investment 10/28/09	2094 Morgan Stanley		
	1 CD Investment 10/28/09	Inv	100,000.00
Invoice number.: Wld Fn 10/28/09			
A999-1205-00.0.0-000 - Long Term Invest MorganStanley	*** Account total ***		100,000.00
A999-1210-00.0.0-000 - Long Term Invest FinNorEastern			
16464 3 Year CD-2.49% yield	2161 Financial Northeastern Corp		
	1 3 year 2.49% CD	Paid	99,000.00
Invoice number.:			
A999-1210-00.0.0-000 - Long Term Invest FinNorEastern	*** Account total ***		99,000.00
* Report total *	*** Total ***		317,200.16



Agenda Date: 11-3-09

Agenda Item: 4c

STAFF REPORT

Approved:


Gary A. Napper
City Manager/Executive Director

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: MERRY PELLETIER

DATE: NOVEMBER 3, 2009

SUBJECT: INVESTMENT PORTFOLIO REPORT FIRST QUARTER SEPT 30, 2009

RECOMMENDATION:

Accept the Investment Portfolio Report for the First Quarter Fiscal Year 2009-10 ending June 30, 2010.

BACKGROUND

With adoption of the revised Investment Policy reviewed on July 18, 2006, the Finance Manager is required to submit a quarterly investment report to the City Council. The First Quarter 2009-10 Fiscal Year report is provided herein.

FISCAL IMPACT

With the first quarter of the fiscal year completed, interest earnings for the General Fund are now at 35.86% of the '09-10 Budget for a total of \$26,892. Average annual interest yield for the past 3 months was 3.19% compared to 3.49% in the prior period however the interest yield has dropped 16.7% compared to a year ago when the rate was 4.08%. Total City interest earnings through the first quarter were \$86,523 compared to \$113,783 a year ago. This is a decrease of 23.96% and is a reflection of the continuing decline in interest rates.

Over 30.1% of the current investment portfolio is invested in Local Agency Investment Funds (LAIF) a decrease of 19.5% 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 September was .90% a decrease from 1.51% in the prior quarter. Our Certificates of Deposit (CD) total 69.9% of our portfolio an increase of 7.29% from the prior quarter. At this same time last year, 41.58% of our investments were in LAIF with a quarterly apportionment rate of 2.77% interest. In the past twelve months the LAIF interest rate has dropped by 67.5%

decreasing our rate of return drastically. The market value of the total investment portfolio as of September 30, 2009 was \$17,086,724 compared to \$13,897,558 in September 2008. Our investment portfolio current carrying value of \$16,770,171 is \$316,553 less than current market value showing the strength of our investments in a continual declining economy.

CONCLUSION

As interest rates continue to decrease our interest revenues will be negatively impacted. LAIF interest rates have continued to decline to .90% in September. That is an all time low rate since my records dating back to 1977. Market yields for 12 month CD's have drastically decreased from a high of 5% in November 2007 to a low of .70% in October 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 (30.1%) and then staggered less than one year (5.8%), two years (16.7%), three years (24.9%), 4 years (13.7%) and less than 5 years (8.8%). By staggering our investment portfolio in this manner the impact of rate changes will be lessened.

Respectively submitted,



Merry Pelletier
Finance Manager

Attachments:

City of Clayton Investment Portfolio First Quarter Fiscal Year 2009-2010 Report
(July 1, 2009 – September 30, 2009)

City of Clayton Investment Portfolio
July 1, 2009 - September 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:	\$ 5,135,761.04	0.90%				\$ 5,142,461.89
Financial North Eastern CD's						
Baylake Bank (WI)	\$ 99,000.00	3.60%	3.59%	04/28/08	10/28/09	\$ 99,184.00
Advanta Bank Corp. Utah	\$ 99,000.00	4.50%	4.46%	01/10/08	12/10/09	\$ 99,815.00
Columbia St. Bank (Tacoma WA)	\$ 100,000.00	4.00%	3.96%	02/01/08	02/01/10	\$ 101,026.00
NBT BK Nat'l Assn Norwich New	\$ 99,000.00	3.70%	3.65%	03/19/08	03/19/10	\$ 100,285.00
Flushing Savings Bank FSB	\$ 99,000.00	3.65%	3.59%	04/30/08	04/30/10	\$ 100,536.00
Select Bank (Grand Rapids, MI)	\$ 99,000.00	3.65%	3.57%	03/28/08	09/28/10	\$ 101,367.00
State Bk India New York	\$ 100,000.00	5.00%	4.81%	10/30/07	11/01/10	\$ 103,962.00
Enterprise National Bank Palm Beach	\$ 100,000.00	5.00%	4.81%	11/07/07	11/08/10	\$ 104,017.00
First Federal BK of CA (Santa Monica)	\$ 100,000.00	4.35%	4.21%	11/26/08	11/24/10	\$ 103,390.00
1st Financial Bank USA	\$ 98,000.00	4.74%	3.59%	12/17/08	12/17/10	\$ 101,035.00
Key Bank C/D	\$ 99,000.00	4.80%	4.59%	12/26/07	12/27/10	\$ 103,445.00
Washington Mutual Bank, Henderson	\$ 97,000.00	4.50%	4.33%	01/16/08	01/14/11	\$ 100,714.00
Union National Bank & Trust	\$ 100,000.00	3.00%	2.93%	01/22/09	01/22/11	\$ 102,331.00
Newbank	\$ 100,000.00	4.00%	3.86%	01/23/08	01/24/11	\$ 103,635.00
Washington Mutual Bank, Pk City	\$ 99,000.00	3.90%	3.78%	03/19/08	03/18/11	\$ 102,225.00
Bank of Nevada	\$ 99,000.00	3.75%	3.64%	03/26/08	03/28/11	\$ 102,053.00
Commerce National Bank, Geneva, MN	\$ 99,000.00	3.60%	3.50%	03/28/08	03/28/11	\$ 101,836.00
Community First Bank (Harrison, AR)	\$ 99,000.00	3.70%	3.59%	03/28/08	03/28/11	\$ 101,981.00
Paragon Commercial Bank, Raleigh NC	\$ 100,000.00	4.00%	3.86%	05/09/08	05/09/11	\$ 103,514.00
Peach St Bank (Gainesville)	\$ 99,000.00	4.00%	3.86%	06/06/08	06/06/11	\$ 102,501.00
Bank of Fairfield (Wash)	\$ 99,000.00	4.50%	4.31%	07/18/08	07/18/11	\$ 103,384.00
Bay Cities Bank, Tampa, FL	\$ 99,000.00	4.55%	4.35%	09/02/08	09/02/11	\$ 103,489.00
Nicolet Bank (Greenbay, WI)	\$ 100,000.00	4.00%	3.86%	03/14/08	09/14/11	\$ 103,516.00
Business First Bank (Baton Rouge)	\$ 99,000.00	4.00%	3.86%	03/26/08	09/26/11	\$ 102,468.00
Banner Bank, Walla Walla, WA	\$ 98,000.00	2.65%	2.63%	04/08/09	10/11/11	\$ 98,837.00
Investors Community Bank (WI)	\$ 99,000.00	3.90%	3.77%	04/18/08	10/18/11	\$ 102,301.00
Carolina First Bank	\$ 98,000.00	2.60%	2.58%	04/22/09	04/24/11	\$ 98,718.00
First Guarantee Bank, Jacksonville purchased C	\$ 99,000.00	5.00%	4.73%	12/15/06	12/15/11	\$ 104,709.00
VIST Bank, Womissing, PA	\$ 99,000.00	3.40%	3.30%	12/29/08	12/29/11	\$ 102,143.00
City Bank Lynnwood Washington	\$ 100,000.00	3.00%	2.96%	12/31/08	12/30/11	\$ 101,471.00
Nexity Bank, Alabama	\$ 99,000.00	3.10%	3.05%	01/16/09	01/16/12	\$ 100,641.00
Wachovia Bank, Houston TX	\$ 97,000.00	4.50%	4.30%	01/16/08	01/17/12	\$ 101,606.00
BMW BK North Amer (Salt Lake)	\$ 99,000.00	4.00%	3.86%	03/19/08	03/19/12	\$ 102,675.00
BB&T Finl FSB Columbus, GA	\$ 100,000.00	3.00%	2.96%	03/18/09	03/19/12	\$ 101,342.00
Shore Bank (Chicago, IL)	\$ 100,000.00	3.00%	2.96%	03/19/09	03/19/12	\$ 101,350.00
Imperial Capital Bank, La Jolla, CA	\$ 99,000.00	4.00%	3.86%	03/28/08	03/28/12	\$ 102,682.00
Monona State Bank	\$ 99,000.00	3.80%	3.68%	03/28/08	03/28/12	\$ 102,224.00
National City Bank (Cleveland, OH)	\$ 99,000.00	4.00%	3.86%	03/31/08	04/02/12	\$ 102,681.00
Doral Bank (Catano, PR)	\$ 99,000.00	3.05%	3.00%	4/8/2009	04/09/12	\$ 100,417.00
Westernbank Puerto Rico, Mayaguez, PR	\$ 99,000.00	3.10%	3.05%	04/15/09	04/16/12	\$ 100,525.00
Franklin Templeton (SLC, UT)	\$ 99,000.00	4.00%	3.86%	04/18/08	04/18/12	\$ 102,710.00
Saeahan Bank, Los Angeles, CA	\$ 99,000.00	3.00%	2.96%	04/21/09	04/23/12	\$ 100,268.00
Minwest Bank Metro (Rochester, MN)	\$ 98,000.00	2.85%	2.83%	04/29/09	04/30/12	\$ 98,869.00
R-G Premier Bank Puerto Rico	\$ 99,000.00	3.10%	3.05%	04/29/09	04/30/12	\$ 100,500.00
Eurobank, San Juan, PR	\$ 99,000.00	3.25%	3.19%	05/12/09	05/12/09	\$ 100,848.00
Hillcrest Bank, Overland Park, Kansas	\$ 99,000.00	3.00%	2.96%	04/30/09	05/30/12	\$ 100,188.00
Clayton Bank & Trust (TN)	\$ 99,000.00	4.65%	4.41%	07/09/08	07/09/12	\$ 104,401.00
Community First Bank (Corydon, IN)	\$ 99,000.00	3.00%	2.97%	01/15/09	07/16/12	\$ 100,071.00
Investors Bank (Wisconsin-42 Mo)	\$ 99,000.00	3.00%	2.98%	04/08/09	10/09/12	\$ 99,822.00
First Peoples Bank (Port St. Lucie, FL)	\$ 99,000.00	2.90%	2.88%	04/24/09	04/24/12	\$ 99,483.00
GE Money Bank (SLC, UT)	\$ 99,000.00	4.15%	3.99%	12/18/08	12/18/12	\$ 103,036.00
GE Capital Financial, Inc (Holladay, UT)	\$ 99,000.00	4.15%	3.99%	12/18/08	12/18/12	\$ 103,036.00
Wachovia Bank, Las Vegas NV	\$ 97,000.00	4.60%	4.36%	01/16/08	01/18/13	\$ 102,279.00
Private Bank of Buckhead (Atlanta, Georgia)	\$ 100,000.00	3.10%	3.08%	02/27/09	02/27/13	\$ 100,627.00
Bank of Illinois, Normal, IL	\$ 99,000.00	3.00%	3.00%	04/08/09	04/08/13	\$ 99,145.00
Primesouth Bank (Alabama)	\$ 99,000.00	4.05%	3.91%	04/18/08	04/18/13	\$ 102,605.00
Signature Bank, Chicago, IL	\$ 98,000.00	3.00%	3.00%	04/23/09	04/23/13	\$ 98,102.00
Integrity First Bank	\$ 99,000.00	4.10%	3.95%	04/25/08	04/25/13	\$ 102,770.00
Goldman Sachs Bank (Salt Lake)	\$ 99,000.00	4.45%	4.24%	05/07/08	05/07/13	\$ 103,912.00
Republic Bank (Bountiful, UT)	\$ 99,000.00	3.15%	3.13%	05/11/09	05/13/13	\$ 99,557.00
M&T Bank(Oakfield NY)	\$ 99,000.00	4.41%	4.18%	05/27/08	05/27/13	\$ 104,571.00
Lehman Commercial Bank (UT)	\$ 100,000.00	5.00%	4.70%	06/30/08	07/01/13	\$ 106,378.00
Cole Taylor Bank (IL)	\$ 99,000.00	5.00%	4.68%	07/11/08	07/11/13	\$ 105,872.00
Flagstar Bank FSB Troy, MI	\$ 99,000.00	5.00%	4.67%	09/19/08	09/19/13	\$ 106,029.00
Worlds Foremost Bank Lincoln, NE	\$ 100,000.00	5.06%	4.68%	11/10/08	11/12/13	\$ 108,151.00
Sallie Mae Bank, Murray, UT	\$ 100,000.00	5.00%	4.66%	12/05/08	12/05/13	\$ 107,235.00
Discover Bank Greenwood DEL	\$ 100,000.00	4.16%	3.98%	12/18/08	12/18/13	\$ 104,652.00
Beacon Federal (Syracuse, NY)	\$ 99,000.00	3.20%	3.20%	04/15/09	04/15/14	\$ 98,854.00
Toyota Financial Savings Bank (Henderson, NV)	\$ 98,000.00	3.45%	3.42%	04/17/09	04/16/14	\$ 98,878.00
First Reliance Bank (Florence, SC)	\$ 99,000.00	3.25%	3.25%	04/17/09	04/17/14	\$ 99,057.00
First Bank of Highland Park (IL)	\$ 98,000.00	3.20%	3.19%	04/22/09	04/22/14	\$ 98,330.00
Summit Community Bank (Moorefield, WV)	\$ 100,000.00	3.20%	3.22%	08/19/09	08/19/14	\$ 99,456.00
Barclays Bank, Del	\$ 99,000.00	3.15%	3.18%	09/23/09	03/23/14	\$ 98,122.00
Net credit balance	\$ 20,800.00					\$ 20,800.00
TOTAL Financial North Eastern	\$ 7,251,800.00					\$ 7,454,845.00

City of Clayton Investment Portfolio
July 1, 2009 - September 30, 2009

Investment Description	Carrying Value	Rate	Current Yield to Maturity	Purchase Date	Maturity Date	Market Value
Multi-Bank Securities, Inc. CD's						
Cash Account	\$ 2,124.32					\$ 2,124.32
Wachovia Bk FSB, Houston, TX	\$ 98,000.00	4.30%	4.30%	02/29/08	03/07/13	\$ 102,384.52
TOTAL Multi-Bank Securities:	\$ 100,124.32					\$ 104,508.84
Morgan Stanley						
Cash Account	\$ 485.41					\$ 485.41
Tifton Bkg Co., GA	\$ 99,000.00	4.55%	4.50%	12/31/07	12/31/09	\$ 99,884.07
Bank First National, WIS	\$ 98,000.00	3.70%	3.65%	03/13/08	03/12/10	\$ 99,221.08
Bloomfield St Bank, IN	\$ 99,000.00	4.00%	3.91%	06/25/08	06/25/10	\$ 101,175.03
Commerce National Bk, Columbus, Ohio	\$ 99,000.00	4.50%	4.33%	01/10/08	01/10/11	\$ 102,780.81
American Chartered Bank	\$ 98,000.00	3.95%	3.82%	03/19/08	03/21/11	\$ 101,280.06
Darby Bank, Vidalia, GA	\$ 98,000.00	3.90%	3.77%	04/23/08	04/25/11	\$ 101,256.54
Crescent St Bank, North Carolina	\$ 99,000.00	3.75%	3.63%	04/23/08	04/22/11	\$ 102,079.89
Medallion Bank, Salt Lake City	\$ 98,000.00	3.90%	3.77%	04/25/08	04/25/11	\$ 101,256.54
M&I Marshall & Isley Bank	\$ 98,000.00	4.00%	3.86%	05/23/08	05/23/11	\$ 101,434.90
Merrick Bank, UT	\$ 97,000.00	4.30%	4.13%	06/20/08	06/20/11	\$ 100,904.25
Washington TR RI	\$ 97,000.00	4.50%	4.31%	07/09/08	07/11/11	\$ 101,259.27
First Bank, Puerto Rico	\$ 99,000.00	2.10%	1.76%	08/25/09	08/29/11	\$ 98,351.55
Irwin Un BK & TR, Columbus, Ind	\$ 98,000.00	4.05%	1.52%	04/25/08	10/25/11	\$ 96,564.30
Morgan Stanley Bank, SLC, UT	\$ 97,000.00	4.45%	4.25%	11/28/08	11/28/11	\$ 101,406.71
First Business BK, Madison, WI	\$ 98,000.00	4.10%	3.95%	05/16/08	11/16/11	\$ 101,686.76
Florida Cmnty BK, Immokalee, FL	\$ 99,000.00	4.50%	4.29%	06/27/08	12/27/11	\$ 103,682.70
American Express Centurion, SLC, UT	\$ 98,000.00	3.75%	3.63%	12/24/08	12/27/11	\$ 101,021.34
Capmark Bank, Midvale, UT	\$ 98,000.00	3.00%	2.95%	01/28/09	01/30/12	\$ 99,389.64
First Business BK, Madison, WI	\$ 99,000.00	2.39%	2.06%	08/17/09	02/17/12	\$ 98,226.81
Capital One Bank, Glen Allen, VA	\$ 98,000.00	4.00%	3.85%	03/12/08	03/12/12	\$ 101,632.86
BMW Bank of NA, SLC, UT	\$ 99,000.00	2.20%	2.21%	09/16/09	03/16/12	\$ 98,463.42
Alliance Bank, Syracuse, NY	\$ 98,000.00	4.05%	3.90%	03/24/08	03/21/12	\$ 101,754.38
Byron Bank, Michigan	\$ 98,000.00	3.90%	3.76%	03/14/08	03/14/12	\$ 101,403.54
Hillcrest Bank, Overland Pk, KS	\$ 150,000.00	2.70%	2.68%	07/15/09	04/16/12	\$ 150,838.50
Atlanta Business BK, GA	\$ 99,000.00	4.20%	4.02%	05/28/08	05/29/12	\$ 103,232.25
Centennial BK, Fountain Vy, CA	\$ 99,000.00	4.25%	4.07%	05/30/08	05/30/12	\$ 103,357.98
Cowlitz Bank, Longview, WA	\$ 98,000.00	3.05%	3.00%	05/08/09	05/08/12	\$ 99,337.70
CIT Bank, Salt Lake City, UT	\$ 147,000.00	2.95%	2.92%	7/1/2009	7/2/2012	\$ 148,437.66
Queensborough Nat'l Bk, Louisville, GA	\$ 99,000.00	4.65%	4.40%	07/16/08	07/16/12	\$ 104,449.95
Enterprise Bk & TR, Clayton, MO	\$ 150,000.00	3.00%	2.98%	07/08/09	01/08/13	\$ 150,759.00
Broadway Bk, Chicago, IL	\$ 99,000.00	4.15%	3.99%	04/30/08	04/30/13	\$ 102,937.23
Ally Bank, Midvale Utah	\$ 98,000.00	3.20%	3.17%	04/03/09	04/03/13	\$ 98,800.66
American Cmnty BK, Woodstock	\$ 99,000.00	4.10%	3.94%	04/25/08	04/25/13	\$ 102,769.92
Amcore Bk, Rockford, IL	\$ 97,000.00	4.25%	4.07%	04/25/08	04/25/13	\$ 101,155.48
Capmark Bank, Midvale, UT	\$ 147,000.00	3.35%	3.31%	7/1/2009	7/1/2013	\$ 148,669.92
Pacific St Bank, Stockton, CA	\$ 99,000.00	3.20%	3.18%	04/22/09	10/22/13	\$ 99,319.77
American Express Bank, SLC, UT	\$ 97,000.00	4.75%	4.47%	12/24/08	12/24/13	\$ 103,048.92
Bank Little Rock, ARK	\$ 99,000.00	3.20%	3.23%	04/08/09	04/08/14	\$ 98,875.26
CIT Bank, Salt Lake City, UT	\$ 98,000.00	3.40%	3.35%	4/1/2009	4/1/2014	\$ 99,324.96
Broadway Bk, Chicago, IL	\$ 150,000.00	3.70%	3.63%	7/10/2009	7/10/2014	\$ 152,683.50
TOTAL Morgan Stanley	\$ 4,184,485.41					\$ 4,284,600.52
RBC Wealth Management						
Cash Account	\$ 0.14					\$ 0.14
North Milwaukee Sls. Bank, WI	\$ 98,000.00	3.50%	3.50%	12/18/08	12/23/11	\$ 100,507.82
Total RBC Wealth Management	\$ 98,000.14					\$ 100,507.96
Local Agency Investment Funds						
Financial Northeastern	\$ 5,135,761.04		30.10%	0.900%		\$ 5,142,461.89
Multi-Bank Securities	\$ 7,251,800.00		43.63%	3.683%		\$ 7,454,645.00
Morgan Stanley	\$ 100,124.32		0.61%	4.300%		\$ 104,508.84
RBC Dain Rauscher	\$ 4,184,485.41		25.08%	3.556%		\$ 4,284,600.52
	\$ 98,000.14		0.59%	3.500%		\$ 100,507.96
Grand Total Investment Portfolio:	\$ 16,770,170.91		100.00%			\$ 17,086,724.21
2009-10 Budgeted Interest-General Fund	\$ 75,000					
2009-10 Budgeted Interest Received-General Fund	\$ 26,892					
Percent of General Fund Budget Received			35.86%			
2009-10 Average Annual Yield			3.19%			
2009-10 Total Interest Income to date	\$ 86,523					

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.

Finance Manager

Date:

City Treasurer

Date:



Agenda Date: 11-3-09
Agenda Item: 4d

STAFF REPORT

Approved:

Gary A. Napper
City Manager/Executive Director

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: RICK ANGRISANI, CITY ENGINEER

DATE: NOVEMBER 3, 2009

SUBJECT: RESOLUTION ACCEPTING THE TOWN CENTER ENTRY IMPROVEMENTS PROJECT AS COMPLETE AND ORDERING THE FILING OF A NOTICE OF COMPLETION (CIP Nos. 10402 & 10403)

RECOMMENDATION

Adopt a motion approving the Resolution and authorizing \$5,492 from the Capital Improvement Budget (CIP) interest earnings to fund the total construction cost.

BACKGROUND

The contractor, Maxicrete, Inc., has completed construction of the Town Center Entry Improvements Project and has requested acceptance of the work. The Engineering Department has completed inspections of the site improvements and the project is now ready for acceptance.

The original scope of work included the demolition of the flimsy old monument sign on Clayton Road and the construction of a new monument sign (in behalf of CBCA), installation of a trail along Clayton Road from Marsh Creek Road to Longs Drugs (now CVS), hardscape, lighting, and irrigation in the Daffodil Hill area at the SE corner of Clayton Road and Marsh Creek Road, fabrication and installation of Town Center directional signs at the Main Street off-ramp and at Daffodil Hill.

Additional items of work added during construction were the demolition and replacement of the bridge decking at Black Diamond Plaza and the preparation of planting pits on Daffodil Hill for future installation of landscaping. The planting pit preparation included the excavation and disposal of native soils and the installation of new planting soil. The actual planting of landscape was deferred to a future time due to the drought conditions and imposed water conservation by Contra Costa Water District.

Date: November 4, 2009

Page 2 of 2

Upon completion of the sign installation, it was noted the back of the directional signs at Daffodil Hill were aesthetically lacking and that the NW facing sign appeared to be sloped (measurements confirmed that the sign was perfectly level, but the sloping ground at the bottom of the sign created an optical illusion when driving by the location). It was decided to adjust the sign and to add back plates to the signs at Daffodil Hill.

The contractor was very cooperative and his work was generally very acceptable. The bridge decking was installed with the wrong screws and he was required to remove and reinstall the bridge decking. Due to delays at the beginning of the work, the contractor was unable to meet the contract deadline of 30 working days. Per the terms of the contract, the City imposed liquidated damages of \$5,500.00.

FISCAL IMPACT

As indicated in the Final Project Report attached hereto, the final project costs totaled \$264,451.46, approximately \$5,492 (2.1%) more than the approved budget. Staff recommends the additional funding be provided by the CIP Budget interest earnings account.

CONCLUSION

The project is complete and the work has satisfied the project's specifications. Therefore, Staff recommends approval of this Resolution accepting the work as complete, ordering the filing of a Notice of Completion, and the payment of all retained funds 35 days after filing of the notice. In addition, Staff further recommends the Council authorize the transfer of additional funds in the amount of \$5,492 from the CIP Budget interest earnings account.

Attachments: Resolution
 Notice of Completion
 Final Project Report

RESOLUTION NO.

**A RESOLUTION ACCEPTING THE CONSTRUCTION OF THE TOWN CENTER ENTRY
IMPROVEMENTS PROJECT AS COMPLETE AND ORDERING THE FILING OF A
NOTICE OF COMPLETION.
(CIP #10402 & #10403)**

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

WHEREAS, on May 5, 2009 the City Council of Clayton did award contract to Maxicrete, Inc. for the construction of its Town Center Entry Improvements Project (CIP Nos. 10402 & 10403); and

WHEREAS, Maxicrete, Inc. has stated their work is complete and they are requesting acceptance by the City; and

WHEREAS, the City Council must accept the work as complete and order the filing of a Notice of Completion prior to release of the retained funds; and

WHEREAS, the City Engineer has inspected the work, declares that the contract and related project specifications have been fulfilled and the City Engineer now requests the City Council to accept the work and authorize the filing of a Notice of Completion;

NOW, THEREFORE, BE IT RESOLVED that the City Council of Clayton, California does hereby accept as completed as of the date of adoption of this Resolution the construction of the Town Center Entry Improvements, authorizes the City Engineer to file a Notice of Completion with the County Recorder and further authorizes the release of the contract retention after the required 35 day waiting period.

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

AYES:

NOES:

ABSTAIN:

ABSENT:

THE CITY COUNCIL OF CLAYTON, CA

JULIE K. PIERCE, Mayor

ATTEST:

Laci Jackson, City Clerk

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

Laci Jackson, City Clerk

Recorded at the request of:

City of Clayton
6000 Heritage Trail
Clayton, CA 94517

**NOTICE OF ACCEPTANCE
AND COMPLETION OF PUBLIC WORKS**

NOTICE IS HEREBY GIVEN that the City of Clayton did, on or about June 15, 2009, contract with Maxicrete, Inc., 1125 Missouri Street, Suite 201, Fairfield, California, 94533, for the construction of the Town Center Entry Improvements Project in accordance with the plans and specifications prepared by the City of Clayton and said contractor's surety was and is Insurance Company of the West, 11455 El Camino Real, San Diego, California, 92186-5563.

NOTICE IS FURTHER GIVEN that the Clayton City Engineer has inspected said work of the Contractor and reported that the work complies with the approved plans and specifications and recommended its acceptance as complete; also that the City Council of the City of Clayton, California, by adopting Resolution No. XX-2009 on November 4, 2009, accepted said public work as complete.

I hereby certify that the foregoing is true and correct and that the aforesaid action of the City Council of the City of Clayton, in accepting said public work as completed, was duly entered on the minutes of said Council's meeting of November 4, 2009. I declare under penalty of perjury that the foregoing is true and correct.

Dated: November 5, 2009, at Clayton, California.

Laci J. Jackson, City Clerk

**CITY OF CLAYTON
ENGINEERING DEPARTMENT
925/363-7433
fax 925/825-5294**

**FINAL PROJECT REPORT
TOWN CENTER ENTRY IMPROVEMENTS PROJECT
CIP 10402 & 10403**

Project Description

Construction of monument sign, trail, hardscape, lighting, and irrigation on Daffodil Hill, directional signs at Main Street off-ramp and Clayton Road/Marsh Creek Road.

Scope Changes During Construction

Added removal and replacement of bridge decking at Black Diamond Plaza (funded from Deferred Maintenance) and preparation of planting pits on Daffodil Hill. Modified sign design to add backing.

CIP Budget and Funding Sources

Initial Budget:	Design/Bid	\$25,000
	Construction	100,000
	Admin./Inspection	<u>25,000</u>
	Total Budget	\$150,000

Sources:		
	RDA	\$150,000

Final Pre-const. Budget:	Design/Bid	\$65,000
	Construction	154,750
	Admin./Inspection	<u>23,210</u>
	Total Budget	\$242,960

Sources:		
	RDA	\$150,000
	Transfer from CIP Interest	27,460
	CBCA Contribution	<u>65,500</u>
	Total	\$242,960

Final Costs

The Zahn Group (preliminary design)	\$6,548.45
Permco (design, admin & inspect. – est. to compl.)	82,000.00
Dillon Electric (design)	1,600.00
Maxicrete Construction (paid to date)	154,378.80
Maxicrete Construction (retention)	15,653.20
Arrow Sign (paid to date)	1,986.50
Arrow Sign (remaining)	1,986.50
County Signals (USA markings)	248.01
Notice of Exemption (Petty Cash)	<u>50.00</u>
Total Project Costs	\$264,451.46

CITY OF CLAYTON
ENGINEERING DEPARTMENT
925/363-7433
fax 925/825-5294

Budget Variance:	
Pre-const. Budget	\$242,960.00
Transfer from Deferred Maintenance	<u>15,500.00</u>
Total Approved Budget	\$258,960.00

Variance over (under) \$5,491.46 - 2.1%

Variance due to additional work of planting pit preparation (\$3,800) and sign backing (\$3,973). Staff recommends additional funding to be provided from CIP Interest account.

Recommended Final Funding Sources:

RDA	\$150,000.00
CBCA Contribution	365,000.00
CIP Interest (initial)	27,460.00
CIP Interest (additional)	<u>5,491.46</u>
Total	\$264,451.46

Declaring

November 4, 2009

Agenda Date: 11-3-09

as

Agenda Item: 5a

“Shelter-In-Place Education Day”

WHEREAS, schools and childcare facilities throughout Contra Costa County are invited to participate in the annual All School Drill on November 4, 2009 to promote emergency preparedness in our schools and childcare centers; and

WHEREAS, the Contra Costa Community Awareness and Emergency Response Group (CAER) is sponsoring the All School Drill and assisting schools with their emergency preparedness plans and drills; and

WHEREAS, Emergency Response Agencies including police, fire, sheriff and emergency services agree that “Shelter-In-Place” is the recommended action in the event of a hazardous release; and

WHEREAS, the All School Drill increases public awareness about Shelter-in Place and teaches students throughout the county about this important protective procedure; and

WHEREAS, the County Office of Education has endorsed the Shelter-in-Place Drill and encourages all sites to participate.

NOW, THEREFORE, BE IT RESOLVED that, I, Julie K. Pierce Mayor, on behalf of the Clayton City Council do hereby declare November 4, 2009 as “Shelter-In-Place Education Day”, and urge all schools and childcare facilities in the City of Clayton to participate in the “All School Drill.”

Agenda Date: 11-3-09

Declaring

November 2009 as

"Pancreatic Cancer Awareness Month"

Agenda Item: 5b

WHEREAS, over 37,000 people will be diagnosed with pancreatic cancer this year in the United States and over 34,000 will die from the disease; and

WHEREAS, pancreatic cancer is the deadliest cancer and the fourth leading cause of cancer death in the United States and approximately 64 deaths will occur in Contra Costa County alone; and

WHEREAS, 75 percent of pancreatic cancer patients die within the first year of their diagnosis and 95 percent of pancreatic cancer patients die within the first five years; and

WHEREAS, there is no cure for pancreatic cancer and there have been no significant improvements in early detection, treatments, or survival rates in the last 30 years; and

WHEREAS, when symptoms of pancreatic cancer present themselves, it is usually too late for an optimistic prognosis, and the average life expectancy of those diagnosed with metastasis disease is only three to six months; and

WHEREAS, incidence of pancreatic cancer is 20 to 30 percent higher in men than in women and 40 to 50 percent higher in African Americans than in other ethnic groups; and

WHEREAS, the Federal Government invests less money in pancreatic cancer research than it does in any of the other leading cancer killers; and

WHEREAS, the Pancreatic Cancer Action Network is the first and only national patient advocacy organization that serves the pancreatic cancer community in Clayton and nationwide by focusing its efforts on public policy, research funding, patient services, and public awareness and education related to the developing effective treatments and a cure for pancreatic cancer; and

WHEREAS, the Pancreatic Cancer Action Network and its affiliates in Clayton support those patients currently battling pancreatic cancer, as well as to those who have lost their lives to the disease, and are committed to nothing less than a cure.

NOW THEREFORE, I, Julie K. Pierce, Mayor on behalf of the Clayton City Council, do hereby proclaim November 2009 as "Pancreatic Cancer Awareness Month" and urge my fellow citizens to increase awareness about pancreatic cancer and research early detection, causes and effective treatments to support good health and well-being.



Agenda Date: 11-3-09

Agenda Item: 9a

Approved:

Gary A. Napper
City Manager/Executive Director

AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: CITY MANAGER

DATE: 03 NOVEMBER 2009

**SUBJECT: SET DATE FOR COUNCIL STUDY SESSION WITH LOCAL MERCHANTS
2010 CONCERTS SERIES AND ADDITIONAL DOWNTOWN ACTIVITIES**

RECOMMENDATION

It is recommended by motion the City Council determine a suitable date, time and location to hold a Study Session with local Clayton merchants to discuss the parameters of the 2010 Concerts in The Grove series and the opportunity of merchant support for further Downtown activities to draw additional public patronage to the Clayton Town Center.

BACKGROUND

The City Council has recently identified two matters it wishes to obtain input and feedback on from local Clayton business owners and merchants, and to measure direct support for continuance and/or initiation of additional activities Downtown to enhance public foot traffic and patronage. The two subjects are:

1. Event details for and schedule of the 2010 Concerts in The Grove series;
2. Consideration of additional activities and events in the Town Center area.

The first item would include the sharing of survey results about the Concerts series gathered at the last Concert in 2009 plus consideration of the survey replies by Town Center merchants and business owners. The City Council earlier indicated it would meet directly with Town Center merchants to discuss their thoughts and concerns with The Grove concerts.

The second subject arose from Council Member ideas about the possibilities of additional events in the Downtown area, such as art in the park shows, various music in The Grove played over the sound system, antique faires, organized kids activities (e.g. relay races), and downtown treasure hunts. The Council Sub-Committee of Council Members Geller and

Medrano met on October 15th to discuss the possibilities and concurred a meeting with the Town Center merchants would be key to the success of any new ventures involving business owner support and partnership.

SPECIAL STUDY SESSION

Recognizing having the entire City Council present to receive and exchange communication with our local merchants regarding both matters could elevate participation levels, it is necessary for the City Council to select a date and time likely to accommodate the working schedules of each party. Consequently, monthly calendars for November and December of 2009 and January 2010 are attached to facilitate the determination of the appropriate date, time and location (Hoyer Hall).

By its very nature, a Study Session involves the collection of input and information regarding the agendaized subject matters and no City Council actions or motions could be adopted at the Session. Depending on the degree of general consensus and collective feelings, either or both subjects could then be placed on the next agenda for a regular public meeting of the City Council to enact directions to staff concerning the topics. Decisions regarding the 2010 Concerts in The Grove are pressing in order to lock in preferred bands on the intended concert dates.

FISCAL IMPACT

There are no direct financial impacts for the holding of a Study Session by the City Council.

Attachments: 1. Monthly calendars [3 pp.]

November 2009						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1 End Daylight Savings Fall Back	2	3	4	5	6	7
8	9	10 Veteran's Day	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26 Thanksgiving	27	28
29	30					
<<<	www.Printfree.com			Red = Federal Holidays U.S. >>>		

December 2009						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21 Winter Begins	22	23	24	25 Christmas	26 Boxing Day Kwanzaa
27	28	29	30	31		
<<<	www.Printfree.com			Red = Federal Holidays U.S.		
					>>>	

January 2010						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1 New Year's Day	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18 Martin Luther King Jr. Day	19	20	21	22	23
24	25	26	27	28	29	30
31						
<<<	www.Printfree.com			Red = Federal Holidays U.S.	>>>	



Agenda Date: 11-3-09

Agenda Item: 9b

Approved:

Gary A. Napper
City Manager/Executive Director

AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: CITY MANAGER

DATE: 03 NOVEMBER 2009

SUBJECT: CONSIDER SUGGESTION FOR EXPANSION OF ENDEAVOR HALL PATIO

RECOMMENDATION

Following the Council Sub-Committee's report and Council discussion of the concept, it is recommended the City Council provide policy direction to staff regarding the ideas to expand the patio area and usability of Endeavor Hall for rental events.

BACKGROUND

At its Goals Setting Session held on 03 February 2009, the City Council identified the objective of making Endeavor Hall more profitable as one of its goals. A Council sub-committee of Council Members Geller and Medrano was appointed to work on this endeavor. Over the years since its opening in late 2001, the rental revenues from Endeavor Hall have marginally met operations and maintenance expenses, and the rental rates have never been increased since its grand opening.

Recently, the Sub-committee pinpointed the lack of facility space as a constraint on the flexibility of Endeavor Hall to accommodate medium to large sized functions. While a charming historic resource with a commercial kitchen, stage, restrooms and tasteful décor, potential rental groups find the facility limited in space and flow for their planned events. The City's most recent upgrade to the building was the installation of plantation shutters over the windows to enhance aesthetics and replace the blinds that had become tattered. Average rental revenue from Endeavor Hall over the last six (6) fiscal years is about \$20,000 per year.

ENDEAVOR HALL

Endeavor Hall is generally marketed by the City via a brochure, on the City's website, and through listings in the Yellow Pages and White Pages under rental halls. Since rental rates have not been altered in eight (8) years the booking rates are favorably competitive to surrounding options, and certainly the Hall's ambiance and setting are unmatched.

The Hall itself has a seating area of approximately 875 sq. ft. and an elevated stage of about 344 sq. ft. (plus a piano). The outdoor patio within an enclosed fence has approximately 1,200 sq. ft. of useable area. From event experiences, staff generally advises renters that the indoor Hall can seat 120 people in an assembly setting (chairs in rows) with a maximum capacity of 90-95 in a dining arrangement with tables. The outdoor patio has a dining comfort of 50-60 persons (see attached schematic).

PATIO EXPANSION CONCEPT

Without disturbing the Hall's historic footprint and building renovation design, which won the California Governor's Historic Preservation Award in December 2002, the Council Subcommittee seeks the full Council's consideration of pushing the outdoor patio area to the east into the adjacent Endeavor Hall parking lot. An exhibit (attached) produced by the City Engineer estimates a logical expansion could nearly double the size of the patio by obtaining an additional 1,000 sq. ft. Further suggestions for discussion include a patio covering (e.g. retractable awning; colored netting canopies, etc.), arbor misters for crowd cooling, and opening up a portion of the east wall of Endeavor Hall to install a sliding patio door for better crowd movement and flows.

Pushing the patio area to the east would cause improvements to overlap existing parcel lines, although real property ownership remains with the City of Clayton. A lot line adjustment would need to be approved by the City Council as part of the actions to implement any patio expansion. It would ultimately result in the net loss of two (2) existing off-street general parking spots as the remaining two (2) spots in that area must be restricted for handicap parking only. The monetary value of the "lost" parking spots is about \$22,600 (land at \$6,700 per spot plus design/construction cost of \$4,600 per spot).

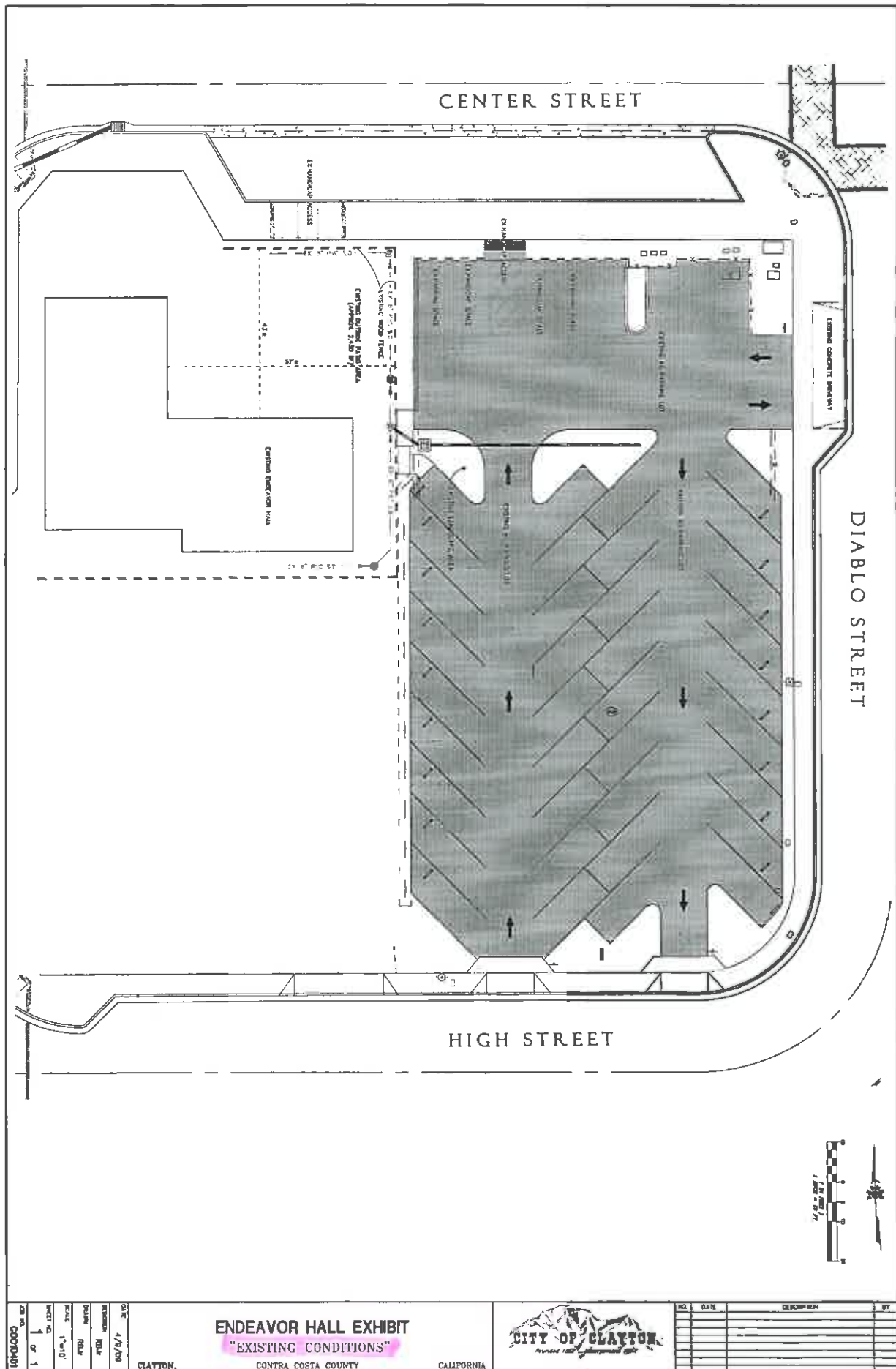
FISCAL IMPACT

The City used Clayton Redevelopment Agency monies for the renovation of Endeavor Hall as an eligible project for the preservation of an historic resource and adaptive commercial reuse of an existing building within the Project Area. Use of redevelopment agency funds to further improve the usability of the Hall for commercial assembly purpose and economic development revitalization in the Clayton Town Center is consistent with the Agency's 5-Year Implementation Plan adopted in June 2008.

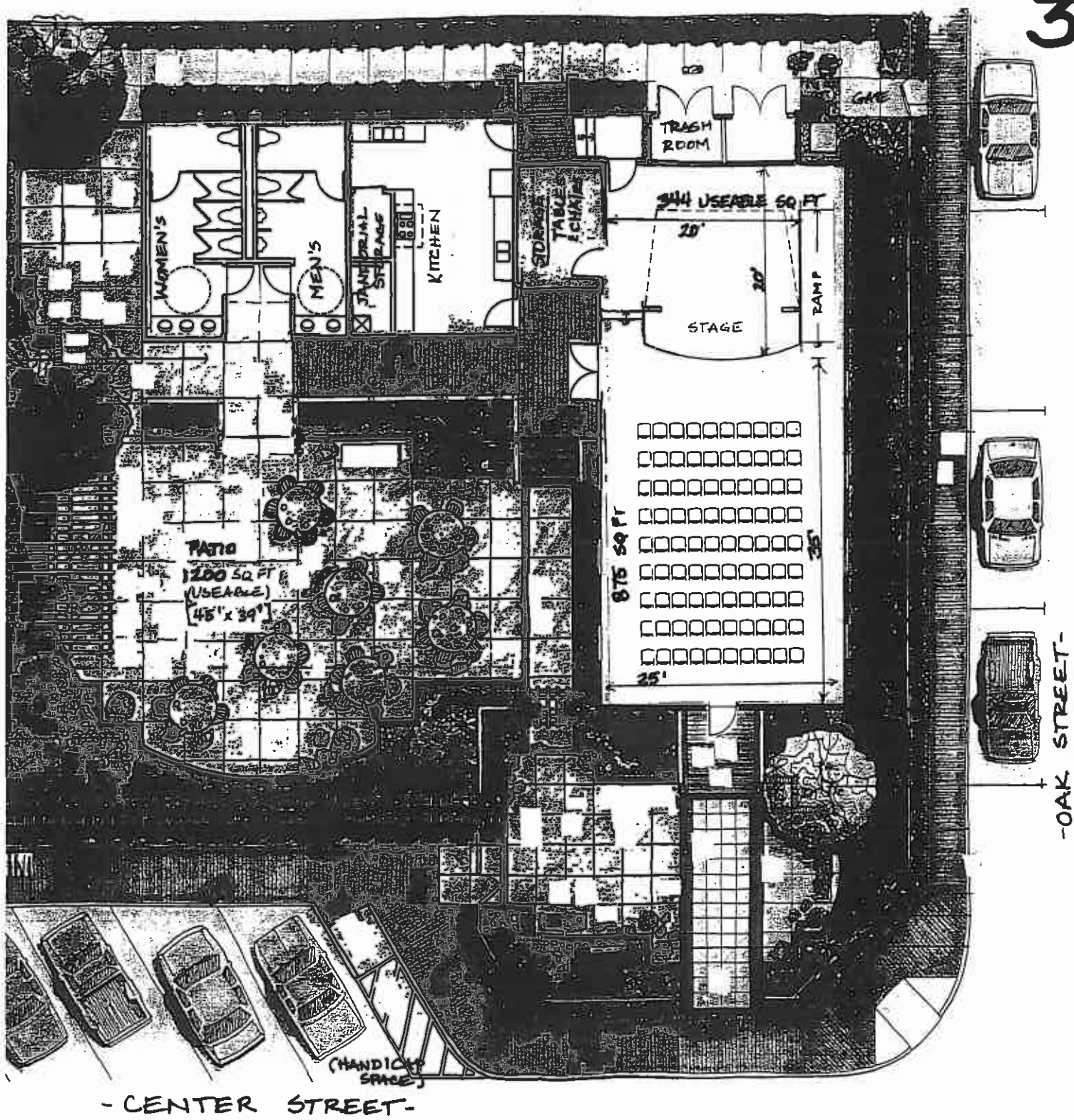
No cost estimates for the Sub-committee's suggestions have been generated and the consensus was that any alterations supported in concept by the City Council would require the retention of an architect to work with the Sub-committee and staff on design options.

With the adopted State Budget slated to take \$1.965 million away from the Clayton Redevelopment Agency this fiscal year, the working equity of the Agency for non-housing projects is approximately \$830,000 in the Downtown Economic Development Fund (CIP No. 10400).

- Attachments:
1. Endeavor Hall patio expansion exhibit [1 pg.]
 2. Endeavor Hall existing conditions exhibit [1 pg.]
 3. Endeavor Hall facility use schematic [1 pg.]



10/10/00	DATE	1/1/00	PROJECT	REDA	SCALE	1"=10'	SHEET NO.	1 OF 1	CONTRACT	10/10/00
CLAYTON,	CONTRA COSTA COUNTY	CALIFORNIA	CITY OF CLAYTON	Project 10/10/00	NO.	DATE	REVISION	BY		



ENDEAVOR HALL
 6008 CENTER STREET
 CLAYTON, CA 94517