CITY OF CLAYTON
Founded 1857 . . Incorporated 1964

AGENDA

REGULAR MEETINGS

* * *

CLAYTON CITY COUNCIL
and
CLAYTON FINANCING AUTHORITY

* * *

TUESDAY, January 18, 2011

7:00 p.m.

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

Mayor: David T. Shuey
Vice Mayor: Howard Geller

Council Members
Joseph A. Medrano
Julie K. Pierce
Hank Stratford

- 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 *

January 18, 2011

7:00 P.M.

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

2. **PLEDGE OF ALLEGIANCE** – led by Mayor Shuey.

3. **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 December 21, 2010. (View Here)

(b) Approve Financial Demands and Obligations of the City. (View Here)

(c) Set Monday, January 31, 2011 at 6:30 p.m. in the Contra Costa Transportation Authority's (CCTA) Board Room, Suite 100, 2999 Oak Road, Walnut Creek as the date, time and location of a City Council special meeting for the purpose of meeting jointly with other city councils within TRANSPAC's jurisdiction and the Board of Supervisors for a collective presentation and briefing on SB 375 – Sustainable Communities Strategy (SCS) by staff of CCTA and the Association of Bay Area Government (ABAG). (View Here)

4. **RECOGNITIONS AND PRESENTATIONS**

(a) Presentation: City of Clayton's Community Emergency Response Team (CERT) (Herb Yonge, Chairman, Citizens Corps Council)

5. **REPORTS**

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

6. 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 when each item is considered by the City Council.

7. PUBLIC HEARINGS – None.

8. ACTION ITEMS

(a) Consideration of an award of contract to Bay Area Economics (Davis, CA) in the amount of $35,760.00 for the preparation of the Fiscal Impacts and Potential Economic Implications Analysis on the proposed Clayton Community Church mixed-use project in the Clayton Town Center. (View Here)
(Community Development Director)

Staff recommendation: Following staff report and public comment, that Council adopt a motion awarding contract to the recommended consultant.

(b) Review and determination of City Council sub-committee, inter-governmental and regional board assignments for 2011. (View Here)
(Mayor Shuey)

Staff recommendation: Determine and approve City Council Member assignments for calendar year 2011.

(c) Determination of the date, time and location for the City Council's annual Goals and Objectives Setting Session with its City Manager. (View Here)
(City Manager)

Staff recommendation: That Council determine a suitable date and time to hold its annual Goals Session, and then by motion call a City Council special meeting for the date, time and location determined.

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

10. **ADJOURNMENT**– the next regularly scheduled City Council meeting is February 1, 2011.

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* CLAYTON FINANCING AUTHORITY *

January 18, 2011

1. **CALL TO ORDER AND ROLL CALL** – President Shuey.

2. **CLOSED SESSION** – None.

3. **PUBLIC COMMENTS ON NON-AGENDA ITEMS**

Citizens may address the Financing Authority on items within the Authority's jurisdiction, (which are not on the agenda) by completing a speaker card and forwarding 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 President's discretion. When one's name is called by the President, the speaker shall advance to the public podium and adhere to the time limit. In accordance with State Law, no action may take place on any item not appearing on the posted agenda. The Financing Authority 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.

4. **CONSENT CALENDAR**

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

(a) Approve the minutes of the regular meeting of January 5, 2010. *(View Here)*

(b) Approve the Clayton Financing Authority's Annual Report for Calendar Year 2010. (View Here)

5. **ACTION ITEMS** - None.

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

7. **ADJOURNMENT** – the Clayton Financing Authority's next meeting will be scheduled when necessary.

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MINUTES
OF THE
REGULAR MEETING
CLAYTON CITY COUNCIL

Agenda Date: 1-18-11

Agenda Item: 3a

TUESDAY, December 21, 2010

1. **CALL TO ORDER & ROLL CALL** – The meeting was called to order at 7:02 p.m. by Vice Mayor Geller in Hoyer Hall of the Clayton Community Library, 6125 Clayton Road, Clayton, CA. Councilmembers present: Vice Mayor Geller, Councilmembers Medrano, Pierce, and Stratford. Councilmember absent: Mayor Shuey. Staff present: City Manager Gary Napper, City Attorney Dan Adams, Community Development Director David Woltering, and City Clerk Laci Jackson.

2. **PLEDGE OF ALLEGIANCE** – led by Vice Mayor Geller.

3. **CONSENT CALENDAR**- Councilmember Medrano pulled Item 3(c) for discussion. **It was moved by Councilmember Pierce seconded by Councilmember Stratford to approve the remainder of the Consent Calendar as submitted (Passed; 4-0 vote).**

(a) Approve the minutes of the regular meeting of December 7, 2010.

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

(c) Award of contract to Bay Area Economics (Davis, CA) in the amount of $35,760.00 for the preparation of a Fiscal Impacts and Potential Economic Implications Analysis of the proposed Clayton Community Church mixed-use project in the Town Center area.

Vice Mayor Geller stated he had a speaker card from Glenn Miller for this item. Mr. Miller stated he was representing the Applicant and stated they wished for the Item to be pulled and continued in order for sufficient time for the church to react.

Councilmember Stratford asked what impact it would have on the project if the time for approval was delayed? The City Manager responded the January 4th meeting is possibly lacking agenda items and may be cancelled so the next meeting would be held on January 18th which would delay the process for at least a month.

Councilmember Pierce asked if there was any harm in delaying it for another month? The Community Development Director stated there is a relationship between the Fiscal Impact Study and the EIR and it would be helpful to move forward with the Fiscal Impact Study so that its results could feed into the other report.

Glenn Miller stated postponing the decision on this item will allow time for the Applicant's Leadership Council to meet.

Councilmember Medrano asked if it was appropriate to ask questions tonight regarding the report. The City Manager responded yes.

Councilmember Medrano stated there were 5 bids submitted for work on the project and the prices for the bid ranged considerably. He stated since the Applicant is required to pay for the study they should have time to review staff's report.

The City Manager stated staff is prepared to respond to those issues. He stated the most responsive consultant is the one staff recommends for approval. He stated the church provided an economic study in their packet submittal and it is in the best interest of the community for those statements to be independently reviewed. Bay Area Economics provided the most responsive and complete response to the City's RFP.

The Community Development Director stated there were other more expensive proposals and even those did not understand what the RFP outlined. He stated Bay Area Economics provided a proposal at a much lower cost. He stated in terms of the overall scope, Bay Area Economics understood the fiscal and economic issues. He stated the Applicant's Development Study is very much in support of the project and is not balanced. Bay Area Economics picked up on specific examples in that study they will look at it including parking for patrons of the project. Overall, Bay Area Economics came in about mid point on cost.

Councilmember Medrano asked if all of the respondents met the bid requirements? The Community Development Director stated technically they all met the requirements, though Bay Area Economics included all of the information staff feels is relevant to the project, not just the information outlined. Councilmember Medrano asked if other companies could provide the same at a lower cost?

Councilmember Pierce stated to her, Bay Area Economics was the most responsive and they responded with a more complete response. She stated this is not a bid process, but it is a Request for Proposal, and staff was looking for completeness and competency of the firm. She stated staff's recommendation is valid.

Councilmember Medrano stated since it's the Applicant's money they should have some input if the other bids met the RFP requirements.

Councilmember Pierce stated the Council and community needs the study to provide as much information as possible and cost is the last factor.

The City Manager stated Bay Area Economics understood the core issue of the project. He stated Bay Area Economics goal is to evaluate the economic impact of the project in the downtown. He stated it is only fair that the community get the most complete response. He also stated the applicant is not typically a part of this selection process because the City represents the objective viewpoint of the community and is seeking information the public may want to know about the project.

No action taken. Item is continued to the next Agenda.

4. RECOGNITIONS AND PRESENTATIONS

(a) Certificate of Appreciation to James Van Wyck, Troop 262 of the Mt. Diablo Silverado Council – Muir District of the Boy Scouts of America, for preparation and construction of a horseshoe pit at Lydia Lane Park as his Eagle Scout Project.

Vice Mayor Geller stated Mr. Wyck would be mailed his certificate.

5. REPORTS

(a) Planning Commission – Vice Chairman Dan Richardson stated at the Commission's December 14th meeting they reviewed the Clayton Community Park Parking lot expansion project. They also discussed conflicts of interest for the downtown church project in order to provide a fair review for the community.

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

(c) The City Manager reported the family New Year's Eve event is scheduled for December 31st from 5 p.m – 8 p.m. at the Clayton Community Gym.

(d) City Council

Councilmember Stratford attended the East Contra Costa County Habitat Conservancy meeting held in Clayton.

Councilmember Medrano reminded citizens about the Clayton Counts Down and stated more volunteers are needed.

Councilmember Pierce attended a Transpac meeting and an ABAG Admin. Committee meeting. She stated at the ABAG meeting it was suggested that central county leaders come together for a joint meeting on January 31st at 6:30 p.m. to hear from ABAG staff on how the implementation of the Sustainable Communities Strategy is moving forward.

The City Manager noted he attended a meeting with Lynn Overcashier of Transpac to discuss projects in the community where funding may be possible including funding bike racks at different locations around town. The idea would be to promote alternative transportation modes throughout the City. He stated Transpac is currently working with the Police Department to bring additional bicycles to patrol. He stated these initiatives would be focused on for the coming year.

Councilmember Pierce added Transpac would be working with the middle school to promote bike safety week in March and would be working to organize bike and walk pooling to promote less driving to the school campuses.

Councilmember Stratford asked if these projects might include lighted crosswalks? The City Manager stated they might look at some of those alternatives.

Vice Mayor Geller attended the Pioneer's Cookie Contest, met with the Budget Sub-committee and completed is required bi-annual Ethics Training.

(e) Other – None.

9. PUBLIC COMMENTS- None.

10. PUBLIC HEARINGS - None.

7:45 p.m. Vice Mayor Geller recessed the meeting until the end of the Clayton Redevelopment Agency meeting.

7:47 p.m. Vice Mayor Geller resumed the meeting.

11. ACTION ITEMS

(a) Review and determination of City Council sub-committee, inter-governmental and regional board assignments for 2011.

Vice Mayor Geller stated Mayor Shuey would like to continue this item to the next agenda.

11. **ADJOURNMENT**– On call by Vice Mayor Geller the meeting adjourned at 7:48 p.m.

Respectfully submitted,

Laci J. Jackson, City Clerk

APPROVED BY CLAYTON CITY COUNCIL

Howard Geller, Vice Mayor

CITY OF CLAYTON

Agenda Date: 1/18/11

Agenda Item: 3b

Approved:

Gary A. Napper
City Manager/Executive Director

STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: MERRY PELLETIER, FINANCE MANAGER

DATE: JANUARY 18, 2011

SUBJECT: INVOICE SUMMARY

RECOMMENDATION **Approve the following Invoices.**

1/14/11	Invoice Expense Allocation Report	$252,736.50

Attachments:
Invoice Expense Allocation Report (14 pages)

City of Clayton
Invoice Expense Allocation Report
CC Meeting 1/18/11

Vendor Name / Tax Identification Number	Transaction Date / Transaction Number	Description / Transaction Type	Status	Account Number	Account Description	Amount
Access One						
Access One	1/2/2011	Long Distance Phone Svc 12		101-7332-02	Telephone	$1.99
	1107544	Invoice	Approved	101-7332-03	Telephone	$5.10
				101-7332-04	Telephone	$7.45
				101-7332-07	Telephone	$0.66
				101-7332-06	Telephone	$28.90
					Totals for Access One:	*$44.10*
Alameda County Sheriff's Office						
Alameda County Sheriff's Office	12/23/2010	PD Training Courses 1/11		101-7373-06	Education & Training	$348.00
	1/11 Training	Invoice	Approved			
					Totals for Alameda County Sheriff's Office:	*$348.00*
AT&T Yellow Pages						
AT&T Yellow Pages	12/23/2010	EH Yellow Pg Ads 1-6/11		301-7361-00	Advertising	$1,419.00
	1/11-6/11	Invoice	Approved			
					Totals for AT&T Yellow Pages:	*$1,419.00*
AT&T/ CalNet 2						
AT&T/ CalNet 2	12/22/2010	Local Phone Service 12/10B		101-7332-03	Telephone	$32.69
	12/10B	Invoice	Approved	101-7332-02	Telephone	$162.67
				101-7332-04	Telephone	$40.47
				101-7332-08	Telephone	$82.45
				702-7332-00	Telephone	$58.04
				101-7332-06	Telephone	$451.80
				230-7485-00	Capital Equipment	$496.16
					Totals for AT&T/ CalNet 2:	*$1,324.28*
Bay Area News Group East Bay						
Bay Area News Group East Bay	11/26/2010	CCP NOI Notice 11/10		101-7384-04	Legal Notices	$378.20
	3770618	Invoice	Approved			
					Totals for Bay Area News Group East Bay:	*$378.20*
Blackbaud						
Blackbaud	12/30/2010	FE Implementation Consulta		502-7485-00	Capital Equipment	$213.75
	90270835	Invoice	Approved			

City of Clayton
Invoice Expense Allocation Report
CC Meeting 1/18/11

Vendor Name / Tax Identification Number	Transaction Date / Transaction Number	Description / Transaction Type	Status	Account Number	Account Description	Amount
					Totals for Blackbaud:	*$213.75*
Boething Treeland Farms, Inc.						
Boething Treeland Farms, Inc.	12/13/2010	PW Landscape Material 12/		211-7310-00	Supplies and Equipment	$447.37
	LV061751	Invoice	Approved	210-7520-00	Landscape Projects	$2,453.23
					Totals for Boething Treeland Farms, Inc.:	*$2,900.60*
CA Dept of Industrial Relations						
CA Dept of Industrial Relations	12/7/2010	Elevator Inspection 12/10		101-7341-03	Buildings/Grounds Maintenance	$225.00
	E900029SD	Invoice	Approved			
					Totals for CA Dept of Industrial Relations:	*$225.00*
CalPERS Health						
CalPERS Health	12/15/2010	Health Premiums 1/11		101-7246-01	Benefit Insurance	$568.99
	399	Invoice	Approved	101-7246-02	Benefit Insurance	$6,947.37
				101-7246-04	Benefit Insurance	$2,617.35
				101-7246-03	Benefit Insurance	$5,724.70
				101-7246-06	Benefit Insurance	$10,993.69
				230-7246-06	Benefit Insurance COPS	$1,479.37
				101-7246-02	Benefit Insurance	$114.55
				101-7246-06	Benefit Insurance	$210.60
					Totals for CalPERS Health:	*$28,656.62*
CalPERS Retirement						
CalPERS Retirement	12/26/2010	Retirement PPE 12/26/10		101-7220-02	PERS Retirement	$3,958.97
	PPE 12/26/10	Invoice	Approved	101-7220-03	PERS Retirement	$2,311.05
				101-7220-04	PERS Retirement	$1,174.00
				101-7220-06	PERS Retirement	$12,104.14
				230-7220-00	PERS Retirement	$884.14
				101-2206-00	PERS Liability	$23.25
	1/9/2011	Retirement PPE 1/9/11		101-7220-01	PERS Retirement	$412.97
	1-2011-3	Invoice	Approved	101-7220-02	PERS Retirement	$3,958.97
				101-7220-03	PERS Retirement	$2,311.05
				101-7220-04	PERS Retirement	$1,174.00
				101-7220-06	PERS Retirement	$12,114.93
				230-7220-00	PERS Retirement	$883.29

City of Clayton
Invoice Expense Allocation Report
CC Meeting 1/18/11

Vendor Name / Tax Identification Number	Transaction Date / Transaction Number	Description / Transaction Type	Status	Account Number	Account Description	Amount
				101-2206-00	PERS Liability	$23.25
					Totals for CalPERS Retirement:	*$41,334.01*
CCC Animal Svcs Dept						
CCC Animal Svcs Dept	12/17/2010 ASD M5501	Animal Control Svcs 1/11-3/ Invoice	Approved	101-7429-06	Animal Control	$14,422.00
					Totals for CCC Animal Svcs Dept:	*$14,422.00*
CCC Auditor-Controller						
CCC Auditor-Controller	12/10/2010 11/10	PD Booking Fees 11/10 Invoice	Approved	101-7426-06	Jail Booking Fee	$49.00
					Totals for CCC Auditor-Controller:	*$49.00*
CCC Sheriff - Forensic Svc Division						
CCC Sheriff - Forensic Svc Division	12/9/2010 CLPD-1011	PD Forensics 11/10 Invoice	Approved	101-7425-06	Crime Lab	$480.00
					Totals for CCC Sheriff - Forensic Svc Division:	*$480.00*
CCC Sheriff-Coroner (CLETS)						
CCC Sheriff-Coroner (CLETS)	11/18/2010 09/10	PD CLETS 09/10 Annual Fee Invoice	Approved	101-7419-06	Other Professional Services	$736.48
					Totals for CCC Sheriff-Coroner (CLETS):	*$736.48*
CERCO Analytical, Inc.						
CERCO Analytical, Inc.	12/21/2010 1012149	Well Monitoring 12/10 Invoice	Approved	101-7430-08	Well Monitoring Svc Charge	$420.00
					Totals for CERCO Analytical, Inc.:	*$420.00*
Chairs for Affairs						
Chairs for Affairs	12/22/2010 PRI-101530-1	Clayton 1st Night-Heaters & I Invoice	Paid	601-2750-00	Donations/Contributions	$675.00
					Totals for Chairs for Affairs:	*$675.00*
City National Bank						
City National Bank	1/15/2011 99-131 1/11	CFD 90-2 Debt Service 1/11 Invoice	Approved	421-7612-00	Interest Expense	$15,841.50

City of Clayton
Invoice Expense Allocation Report
CC Meeting 1/18/11

Vendor Name / Tax Identification Number	Transaction Date / Transaction Number	Description / Transaction Type	Status	Account Number	Account Description	Amount
					Totals for City National Bank:	*$15,841.50*
Clayton Historical Society						
Clayton Historical Society	1/13/2011 EH 1/10/11	Refund EH 1/10/11 Deposit Invoice	 Approved	702-2010-00	Endeavor Hall Cash Deposits	$500.00
					Totals for Clayton Historical Society:	*$500.00*
CMRTA State Treasurer						
CMRTA State Treasurer	1/4/2010 420	2011 Membership Dues Invoice	 Approved	101-7324-02	Dues and Subscriptions	$50.00
					Totals for CMRTA State Treasurer:	*$50.00*
Contra Costa Topsoil						
Contra Costa Topsoil	12/16/2010 91054	PW Project Topsoil Mix 12/ Invoice	 Approved	210-7520-00	Landscape Projects	$721.05
	12/15/2010 91038	PW Cedar 12/10 Invoice	 Approved	211-7310-00 210-7520-00	Supplies and Equipment Landscape Projects	$393.30 $1,179.90
					Totals for Contra Costa Topsoil:	*$2,294.25*
Corliss Construction						
Corliss Construction	1/10/2011 SWP 12/10	SWP 12/10 Costs 1/11 Credit memo	 Applied	601-2101-00	Accounts Payable	($95.45)
	1/10/2011 SWP 12-10	Refund Bal of SWP 12-10 De Invoice	 Approved	601-2744-00	T&A Projects - Stormwater	$2,000.00
					Totals for Corliss Construction:	*$1,904.55*
Critical Reach						
Critical Reach	12/10/2010 11-105	TRAK Annual Dues 2011 Invoice	 Approved	101-7419-06	Other Professional Services	$135.00
					Totals for Critical Reach:	*$135.00*
CSAC Excess Insurance Authority						
CSAC Excess Insurance Authority	1/1/2011 1120263-IN	Employee Assistance Progra Invoice	 Approved	501-7351-00	Insurance Premiums	$304.98

City of Clayton
Invoice Expense Allocation Report
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Vendor Name / Tax Identification Number	Transaction Date / Transaction Number	Description / Transaction Type	Status	Account Number	Account Description	Amount
					Totals for CSAC Excess Insurance Authority:	*$304.98*
Cynthia Soto						
Cynthia Soto	12/21/2010	RV Permit #1626 - Refund 1		101-5302-00	Police Services	$25.00
	RV #1626 Ref	Invoice	Approved			
					Totals for Cynthia Soto:	*$25.00*
E L Hobbs Company						
E L Hobbs Company	12/14/2010	Holiday Tree Arborist Inspec		210-7419-00	Other Professional Services	$300.00
1099	237	Invoice	Approved			
					Totals for E L Hobbs Company:	*$300.00*
East Bay Rgn Comm System Auth						
East Bay Rgn Comm System Auth	12/23/2010	EBRCSA Assessment 812/10		230-7485-00	Capital Equipment	$53,800.00
	12/10	Invoice	Approved			
					Totals for East Bay Rgn Comm System Auth:	*$53,800.00*
East Bay-League of Calif. Cities						
East Bay-League of Calif. Cities	1/5/2010	Membership & Fees 2011		101-7324-01	Dues and Subscriptions	$550.00
	2011	Invoice	Approved			
					Totals for East Bay-League of Calif. Cities:	*$550.00*
Employee Benefit Specialists, Inc						
Employee Benefit Specialists, Inc	12/31/2010	FSA Admin Fees 12/10		101-7419-05	Other Professional Services	$100.00
	51456-IN	Invoice	Approved			
					Totals for Employee Benefit Specialists, Inc:	*$100.00*
Graybar Electric Co, Inc						
Graybar Electric Co, Inc	12/7/2010	City Damage-Robichand & M		601-2740-00	T&A Projects - Planning	$689.98
	951340547	Invoice	Approved			
					Totals for Graybar Electric Co, Inc:	*$689.98*
Hammons Supply Company						
Hammons Supply Company	12/16/2010	Janitorial Supplies 12/10		101-7417-07	Janitorial Service	$276.38
	63960	Invoice	Approved			
					Totals for Hammons Supply Company:	*$276.38*

City of Clayton
Invoice Expense Allocation Report
CC Meeting 1/18/11

Vendor Name / Tax Identification Number	Transaction Date / Transaction Number	Description / Transaction Type	Status	Account Number	Account Description	Amount
Health Care Dental Trust						
Health Care Dental Trust	12/14/2010	Dental Premiums 1/11		101-7246-01	Benefit Insurance	$47.73
	118030	Invoice	Approved	101-7246-02	Benefit Insurance	$498.76
				101-7246-04	Benefit Insurance	$223.02
				101-7246-03	Benefit Insurance	$578.92
				101-7246-06	Benefit Insurance	$988.20
				230-7246-06	Benefit Insurance COPS	$132.88
					Totals for Health Care Dental Trust:	*$2,469.51*
HUB Inter of CA Ins Svc						
HUB Inter of CA Ins Svc	12/18/2010	Special Event Insurance 10/1		101-7351-05	Insurance Premiums	$200.42
	10/11	Invoice	Approved			
					Totals for HUB Inter of CA Ins Svc:	*$200.42*
John Deere Landscapes Inc						
John Deere Landscapes Inc	12/13/2010	Project Landscape Supplies 1		210-7520-00	Landscape Projects	$225.78
	56612197	Invoice	Approved	210-7520-00	Landscape Projects	$225.78
				210-7520-00	Landscape Projects	$225.79
					Totals for John Deere Landscapes Inc:	*$677.35*
Konica Minolta Bus Sol-Copies						
Konica Minolta Bus Sol-Copies	12/25/2010	Admin Copier Copies 12/10		101-7331-05	Rentals/Leases	$192.87
	216573610	Invoice	Approved			
	11/25/2010	Adm Copier Copy Exp 11/10		101-7331-05	Rentals/Leases	$323.28
	216331484	Invoice	Approved			
					Totals for Konica Minolta Bus Sol-Copies:	*$516.15*
LarryLogic Productions						
LarryLogic Productions	12/21/2010	CC Meeting 12/21/10 Video		101-7419-01	Other Professional Services	$270.00
1099	1108	Invoice	Approved			
					Totals for LarryLogic Productions:	*$270.00*
League of CA cities						
League of CA cities	1/31/2011	League Membership Dues 20		101-7324-01	Dues and Subscriptions	$5,507.00
	105309	Invoice	Approved			

City of Clayton
Invoice Expense Allocation Report
CC Meeting 1/18/11

Vendor Name / Tax Identification Number	Transaction Date / Transaction Number	Description / Transaction Type	Status	Account Number	Account Description	Amount
					Totals for League of CA cities:	*$5,507.00*
MCK Services Inc						
MCK Services Inc	11/30/2010	Old MCR Project 11/10		303-7520-00	CIP Project Expenses	$16,861.32
	17499	Invoice	Approved			
					Totals for MCK Services Inc:	*$16,861.32*
Municipal Pooling Authority						
Municipal Pooling Authority	1/12/2011	LTD, Life AD&D Premiums 1		101-7218-02	Life and LTD Insurance	$262.21
	LTD 1/11	Invoice	Approved	101-7218-03	Life and LTD Insurance	$152.58
				101-7218-04	Life and LTD Insurance	$77.64
				101-7218-06	Life and LTD Insurance	$423.43
				230-7218-06	Life and LTD Insurance - COPS	$28.60
				101-7246-02	Benefit Insurance	$49.50
				101-7246-03	Benefit Insurance	$41.25
				101-7246-04	Benefit Insurance	$16.50
				101-7246-06	Benefit Insurance	$99.00
				230-7246-06	Benefit Insurance COPS	$8.25
					Totals for Municipal Pooling Authority:	*$1,158.96*
NBS Govt. Finance Group						
NBS Govt. Finance Group	1/1/2011	CFD Admin Fees 1/11 to 3/		420-7419-00	Other Professional Services	$2,049.04
	C01011107	Invoice	Approved	421-7419-00	Other Professional Services	$991.21
				210-7419-00	Other Professional Services	$859.40
				211-7420-00	Other Outside Service	$858.91
					Totals for NBS Govt. Finance Group:	*$4,758.56*
Pacific Telemanagement Svc						
Pacific Telemanagement Svc	12/22/2010	Outside Phone Booth 1/11		101-7332-05	Telephone	$73.00
	243209	Invoice	Approved			
					Totals for Pacific Telemanagement Svc:	*$73.00*
Paramount Elevator Corp.						
Paramount Elevator Corp.	12/15/2010	CH Elevator Service Repair 1		101-7341-03	Buildings/Grounds Maintenance	$594.00
	146212	Invoice	Approved			

City of Clayton
Invoice Expense Allocation Report
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Vendor Name / Tax Identification Number	Transaction Date / Transaction Number	Description / Transaction Type	Status	Account Number	Account Description	Amount
	12/17/2010 145402	CH Elevator Monthly Maint 1 Invoice	Approved	101-7341-03	Buildings/Grounds Maintenance	$110.00
					Totals for Paramount Elevator Corp.:	*$704.00*
PERMCO, Inc.						
PERMCO, Inc.	12/23/2010 9325	Invoice	Approved	101-7411-08	Professional Services Retainer	$2,542.00
	12/23/2010 9326	Invoice	Approved	216-7412-00	Engineering/Inspection Service	$258.44
	12/23/2010 9328	Invoice	Approved	303-7520-00	CIP Project Expenses	$762.50
	12/23/2010 9329	Invoice	Approved	303-7520-00	CIP Project Expenses	$4,648.75
	12/23/2010 9330	Invoice	Approved	303-7520-00	CIP Project Expenses	$1,400.88
	12/23/2010 9327	Invoice	Approved	601-2744-00	T&A Projects - Stormwater	$41.50
	12/23/2010 9327	Invoice	Approved	601-2744-00	T&A Projects - Stormwater	$41.50
	1/7/2011 9335	Invoice	Approved	101-7411-08	Professional Services Retainer	$766.50
	1/7/2011 9337	Invoice	Approved	303-7520-00	CIP Project Expenses	$610.00
	1/7/2011 9338	Invoice	Approved	303-7520-00	CIP Project Expenses	$3,181.75
	1/7/2011 9339	Invoice	Approved	303-7520-00	CIP Project Expenses	$414.75

City of Clayton
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Vendor Name / Tax Identification Number	Transaction Date / Transaction Number	Description / Transaction Type	Status	Account Number	Account Description	Amount
	1/7/2011			601-2744-00	T&A Projects - Stormwater	$41.50
	9336	Invoice	Approved			
	1/7/2011			601-2744-00	T&A Projects - Stormwater	$41.50
	9336	Invoice	Approved			
	1/7/2011			601-2744-00	T&A Projects - Stormwater	$83.00
	9336	Invoice	Approved			
					Totals for PERMCO, Inc.:	*$14,834.57*
PG&E						
PG&E	12/24/2010	Individual Invoice Service 12		101-7335-03	Gas & Electricity	$134.21
	Ind Inv 12/10	Invoice	Approved	210-7335-00	Gas & Electricity	$225.53
				702-7335-00	Gas & Electricity	$150.09
				211-7335-00	Gas & Electricity	$128.91
	12/17/2010	Mst #729... Service 12/10		101-7335-03	Gas & Electricity	$501.58
	Mst 729.. 12/10	Invoice	Approved	210-7335-00	Gas & Electricity	$1,221.25
				201-7335-00	Gas & Electricity	$3,085.55
				101-7335-09	Gas & Electricity	$150.07
				101-7335-07	Gas & Electricity	$3,153.86
				214-7335-00	Gas & Electricity	$7,912.23
	12/20/2010	Mst 119... Service 12/10		210-7335-00	Gas & Electricity	$33.59
	Mst 119... 12/10	Invoice	Approved	201-7335-00	Gas & Electricity	$420.92
					Totals for PG&E:	*$17,117.79*
Raney Planning & Management, Inc.						
Raney Planning & Management, Inc.	12/7/2010	CCP Pkg Lot Expansion Con		303-7520-00	CIP Project Expenses	$8,192.20
	1018E-2	Invoice	Approved			
					Totals for Raney Planning & Management, Inc.:	*$8,192.20*
Sprayer Sales Co						
Sprayer Sales Co	12/15/2010	PW Wash Rack Mtn 12/10		216-7419-00	Other Professional Services	$225.00
1099	10496	Invoice	Approved			
					Totals for Sprayer Sales Co:	*$225.00*
Thales Consulting Inc						

City of Clayton
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Vendor Name / Tax Identification Number	Transaction Date / Transaction Number	Description / Transaction Type	Status	Account Number	Account Description	Amount
Thales Consulting Inc	12/28/2010	State Controllers Reports 12/1		101-7419-02	Other Professional Services	$1,000.00
	426	Invoice	Approved	302-7419-00	Other Professional Services	$1,800.00
					Totals for Thales Consulting Inc:	*$2,800.00*
Thomas, Wirig, Doll & Co CPAs						
Thomas, Wirig, Doll & Co CPAs	1/6/2011	EH 1/5/11 Refund		702-2010-00	Endeavor Hall Cash Deposits	$500.00
	EH 1/5/11	Invoice	Approved			
					Totals for Thomas, Wirig, Doll & Co CPAs:	*$500.00*
Toni Guttry						
Toni Guttry	1/6/2011	Repay for Planning Staff Tim		601-2740-00	T&A Projects - Planning	($1,333.75)
	Plan #0516	Credit memo	Applied			
	1/6/2011	C &D Staff Time 1/6/11		601-2101-00	Accounts Payable	($200.00)
	C & D #0516	Credit memo	Applied			
	1/6/2011	Refund SW Bal #0516 1/6/11		601-2744-00	T&A Projects - Stormwater	$99.59
	SW #0516	Invoice	Approved			
	1/6/2011	Refund Bal of C&D less fees		601-2745-00	T&A Projects - C&D	$2,610.00
	C&D #0516	Invoice	Approved			
					Totals for Toni Guttry:	*$1,175.84*
Turner, Huguet & Adams						
Turner, Huguet & Adams	12/31/2010	GHAD Legal Services 12/10		212-7413-00	Legal Services	$536.50
1099	2229	Invoice	Approved			
					Totals for Turner, Huguet & Adams:	*$536.50*
US Bank						
US Bank	12/24/2010	RDA 96 Fiscal Agent Fees 2		401-7613-00	Paying Agent Fee	$2,740.00
	2768294	Invoice	Approved			
					Totals for US Bank:	*$2,740.00*
Valerie Fisher						
Valerie Fisher	1/12/2011	EH 12/19/10 Refund		702-2010-00	Endeavor Hall Cash Deposits	$500.00
	EH 12/19 Ref	Invoice	Approved			

City of Clayton
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Vendor Name / Tax Identification Number	Transaction Date / Transaction Number	Description / Transaction Type	Status	Account Number	Account Description	Amount
					Totals for Valerie Fisher:	*$500.00*
Victoria Steenson						
Victoria Steenson	1/10/2011	EH 1/8/11 Refund, Insurance		702-2010-00	Endeavor Hall Cash Deposits	$500.00
	EH 1/8/11	Invoice	Approved	101-5319-00	Misc. City Services	$20.65
					Totals for Victoria Steenson:	*$520.65*

City of Clayton
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Account Summary

Account Number	Description	Net Amount
101-2206-00	PERS Liability	$46.50
101-5302-00	Police Services	$25.00
101-5319-00	Misc. City Services	$20.65
101-7218-02	Life and LTD Insurance	$262.21
101-7218-03	Life and LTD Insurance	$152.58
101-7218-04	Life and LTD Insurance	$77.64
101-7218-06	Life and LTD Insurance	$423.43
101-7220-01	PERS Retirement	$412.97
101-7220-02	PERS Retirement	$7,917.94
101-7220-03	PERS Retirement	$4,622.10
101-7220-04	PERS Retirement	$2,348.00
101-7220-06	PERS Retirement	$24,219.07
101-7246-01	Benefit Insurance	$616.72
101-7246-02	Benefit Insurance	$7,610.18
101-7246-03	Benefit Insurance	$6,344.87
101-7246-04	Benefit Insurance	$2,856.87
101-7246-06	Benefit Insurance	$12,291.49
101-7324-01	Dues and Subscriptions	$6,057.00
101-7324-02	Dues and Subscriptions	$50.00
101-7331-05	Rentals/Leases	$516.15
101-7332-02	Telephone	$164.66
101-7332-03	Telephone	$37.79
101-7332-04	Telephone	$47.92
101-7332-05	Telephone	$73.00
101-7332-06	Telephone	$480.70
101-7332-07	Telephone	$0.66
101-7332-08	Telephone	$82.45
101-7335-03	Gas & Electricity	$635.79
101-7335-07	Gas & Electricity	$3,153.86
101-7335-09	Gas & Electricity	$150.07
101-7341-03	Buildings/Grounds Maintenance	$929.00
101-7351-05	Insurance Premiums	$200.42

City of Clayton
Invoice Expense Allocation Report
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101-7373-06	Education & Training	$348.00
101-7384-04	Legal Notices	$378.20
101-7411-08	Professional Services Retainer	$3,308.50
101-7417-07	Janitorial Service	$276.38
101-7419-01	Other Professional Services	$270.00
101-7419-02	Other Professional Services	$1,000.00
101-7419-05	Other Professional Services	$100.00
101-7419-06	Other Professional Services	$871.48
101-7425-06	Crime Lab	$480.00
101-7426-06	Jail Booking Fee	$49.00
101-7429-06	Animal Control	$14,422.00
101-7430-08	Well Monitoring Svc Charge	$420.00
201-7335-00	Gas & Electricity	$3,506.47
210-7335-00	Gas & Electricity	$1,480.37
210-7419-00	Other Professional Services	$1,159.40
210-7520-00	Landscape Projects	$5,031.53
211-7310-00	Supplies and Equipment	$840.67
211-7335-00	Gas & Electricity	$128.91
211-7420-00	Other Outside Service	$858.91
212-7413-00	Legal Services	$536.50
214-7335-00	Gas & Electricity	$7,912.23
216-7412-00	Engineering/Inspection Service	$258.44
216-7419-00	Other Professional Services	$225.00
230-7218-06	Life and LTD Insurance - COPS	$28.60
230-7220-00	PERS Retirement	$1,767.43
230-7246-06	Benefit Insurance COPS	$1,620.50
230-7485-00	Capital Equipment	$54,296.16
301-7361-00	Advertising	$1,419.00
302-7419-00	Other Professional Services	$1,800.00
303-7520-00	CIP Project Expenses	$36,072.15
401-7613-00	Paying Agent Fee	$2,740.00
420-7419-00	Other Professional Services	$2,049.04
421-7419-00	Other Professional Services	$991.21
421-7612-00	Interest Expense	$15,841.50
501-7351-00	Insurance Premiums	$304.98
502-7485-00	Capital Equipment	$213.75

City of Clayton
Invoice Expense Allocation Report
CC Meeting 1/18/11

601-2101-00	Accounts Payable		($295.45)
601-2740-00	T&A Projects - Planning		($643.77)
601-2744-00	T&A Projects - Stormwater		$2,348.59
601-2745-00	T&A Projects - C&D		$2,610.00
601-2750-00	Donations/Contributions		$675.00
702-2010-00	Endeavor Hall Cash Deposits		$2,000.00
702-7332-00	Telephone		$58.04
702-7335-00	Gas & Electricity		$150.09
		GRAND TOTAL:	$252,736.50

Agenda Date: 1-18-11

Agenda Item: 3c

Approved:

Gary A. Napper
City Manager/Executive Director

AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: CITY MANAGER

DATE: 18 JANUARY 2011

SUBJECT: SET SPECIAL MEETING OF THE CITY COUNCIL FOR JANUARY 31, 2011

RECOMMENDATION

It is recommended the City Council, by Consent Calendar minute motion, set Monday, January 31, 2011 at 6:30 p.m. in the Contra Costa Transportation Authority's (CCTA) Board Room, Suite 100, 2999 Oak Road in Walnut Creek as the date, time and location of a special meeting of the Clayton City Council for the purpose of attending jointly with other city councils within TRANSPAC's jurisdiction and the County Board of Supervisors for a collective presentation and briefing on the mandates of Senate Bill 375 – Sustainable Communities Strategy (SCS) by staff from CCTA and from the Association of Bay Area Governments (ABAG).

SUBJECT BACKGROUND

In 2006 the California Legislature passed into law the groundbreaking Assembly Bill 32, thereby requiring California to reduce its overall Green House Gas (GHG) emissions to 1990 levels by the year 2020. Pursuant to the requirements of AB 32 the California Air Resources Board (ARB) approved its Scoping Plan in 2008. That plan sets out the regulations and policies through which California will achieve its target GHG reductions by 2020. The ARB and other state agencies are now in the process of writing regulations to give effect to the plan's recommendations, many of which are scheduled to become effective in 2012.

Passed into law in 2008, Senate Bill 32 requires the ARB to set regional GHG emission reduction targets for automobile emissions. Under SB 375, each metropolitan planning organization (i.e. in our planning area, the Metropolitan Transportation Commission – MTC) must submit a "sustainable communities strategy" to the California ARB, setting out how, through land use and transportation planning, it will reach its automobile GHG reduction goals by 2020 and 2035. SB 375 specifically recognized the connection between often poor city land use planning and reliance on automobiles as the primary mode of transportation, with the result being emissions from vehicles accounts for approximately 30% of GHG emissions in California.

PURPOSE AND CALLING OF SPECIAL MEETING

In partnership with the MTC, it is incumbent on each city and county in the metropolitan planning organization's jurisdiction to understand the ramifications of SB 375 on its land use plans and to engage in the preparation of the regionally-required "Sustainable Communities Strategy" which must be enacted by this state law. To aid public officials in this task, ABAG initially desired each agency's planning director or staff to separately brief its legislative body on the requirements and steps toward implementation. Recognizing varying degrees of planning staffing and expertise at the local level to accomplish this update, it has been proposed that public officials in central Contra Costa County meet jointly for such a briefing provided by staff from ABAG and CCTA that are already heavily involved in the SB 375 process.

Consequently, TRANSPAC has offered to host the legislative officials, planning commissioners and key staff of the public entities within its jurisdiction (central county) at a meeting on January 31, 2011 for the purpose of presenting and exchanging comments on the SB 375 – Sustainable Communities Strategy process and requirements.

Although the public meeting laws of California (aka "the Brown Act") provide an exception to the definition of a "meeting" by a legislative body for this purpose, in consultation with staff and legal counsel it is recommended the City Council call and set a special meeting for this purpose at the stated date, time and location. By doing so, our City keeps its citizens better informed as to the City Council's purpose for collectively meeting at this briefing as well as provides the members of the City Council with the necessary authorization to discuss the subject matter amongst itself during the joint briefing, should such dialogue evolve.

No action by the City Council is to be taken at the meeting, nor is any expected.

Attachments: 1. TRANSPAC meeting notice and agenda [2 pp.]
2. Basics of SB 375 [2 pp.]

ATTACHMENT -1-

TRANSPAC

Meeting Notice and Agenda

PLEASE NOTE DATE, TIME & LOCATION

Monday, January 31, 2011
6:30 PM – 9:30 PM
Contra Costa Transportation Authority – Suite 100
2999 Oak Road, Walnut Creek, CA

1. **Convene Meeting/Pledge of Allegiance/Self-Introductions**

2. **Public Comment**

   At this time, the public is welcome to address TRANSPAC on any item not on this agenda. Please complete a speaker card and hand it to a member of the staff. Please begin by stating your name and address and indicate whether you are speaking for yourself or an organization. Please keep your comments brief. In fairness to others, please avoid repeating comments.

3. **Overview of SB 375.** Presentation by Martin Engelmann, CCTA Deputy Executive Director, Planning, and group discussion of the basic requirements of the SB 375 legislation, which requires that the Metropolitan Transportation Commission (MTC) and the Association of Bay Area Governments (ABAG) develop a Sustainable Communities Strategy (SCS) for inclusion in the 2013 Regional Transportation Plan (RTP). Review of overall schedule and major steps towards implementation, FAQs, and discussion of the SCS "Vision Scenario".

4. **Implementing and Responding to SB 375 at the Local Level:** Discussion led by Martin Engelmann, CCTA Deputy Executive Director, Planning and ABAG staff, on current efforts to develop the Contra Costa portion of the SCS for the Bay Area, including use of the information developed through Contra Costa's Shaping Our Future; roles and responsibilities for local jurisdictions; how SB 375 affects the Regional Housing Needs Allocation (RHNA); development of Priority Development Areas; expected challenges.

5. **Engagement Strategy for SB 375:** Discussion led by City of Clayton Councilmember and ABAG representative Julie Pierce, on how members of the public, local jurisdictions and CCTA can work effectively with MTC and ABAG towards development of the SCS.

6. **For the Good of the Order**

7. **Adjournment:** The next meeting is scheduled for February 10, 2011 at 9 a.m in the Community Room at Pleasant Hill City Hall.

Transportation Partnership and Cooperation
Clayton, Concord, Martinez, Pleasant Hill, Walnut Creek and Contra Costa County
2300 Contra Costa Boulevard, Ste. 360 Pleasant Hill, CA 94523
(925) 969-0841 FAX (925) 969-9135

NOTE: The purpose of this TRANSPAC meeting is to provide a briefing to public officials in TRANSPAC jurisdictions on the SB 375/Sustainable Communities (SCS) process.

As such, this gathering meets the definition of an exception to the definition of "meeting" in the Brown Act. As such, a majority of TRANSPAC local jurisdiction Councilmembers may attend 1) a conference or similar gathering open to the public that involves a discussion of issues of general interest to the public; or 2) an open and publicized meeting organized to address a topic of local community concern by a person or organization other than the local agency; or 3) an open and noticed meeting of another body of the local agency, or at an open and noticed meeting of a legislative body of another local agency. (Govt. Code 54952.2).

TRANSPAC, has convened this meeting, City Councilmembers and Planning Commissioners from other jurisdictions can attend as long as these representatives do not discuss among themselves, other than as part of the scheduled meeting, City business related to their own city.

At some point, TRANSPAC jurisdictions may need to take action(s) with respect to this issue but it is unknown at this time to define those actions on an agenda in advance of this meeting. At some later point in time, individual jurisdictions may need to agendize this issue for consideration on their own agendas or a special joint meeting may need to be held pursuant to Government Code section 54954(b)(3) if all jurisdictions want to discuss some particular action.

The meeting has been convened by TRANSPAC which reserves the right to take formal action on any item included on this agenda, whether or not a form of resolution, motion or other indication that action will be taken is included on the agenda or attachments thereto.

ATTACHMENT -2-

Institute for Local Government

The Basics of SB 375:
Transportation, Housing and Greenhouse Gases

About the Institute for Local Government

The Institute for Local Government is the nonprofit research affiliate of the League of California Cities and the California State Association of Counties. ILG's mission is to promote well-informed, ethical, inclusive, effective and responsive local government in California through innovative (state of the art) resources, tools and programs.

The Institute's Current Program Areas Include:

- Climate Change
- Collaborative Governance Initiative
- Communities for Healthy Kids
- Intergovernmental Conflict Resolution
- Healthy Neighborhoods
- Land Use & Environment
- Local Government 101
- Public Service Ethics

For More on SB 375:

Visit www.ca-ilg.org/sb375 for links, analysis and additional information, including:

- California State Association of Counties Summary: www.counties.csac.org
- League of California Cities Analysis: www.cacities.org

Reducing Greenhouse Gas Emissions through Coordinated Regional and Local Planning for Housing and Transportation

SB 375 (Chapter 728, Statutes of 2008 directs the California Air Resources Board to set regional targets for reducing greenhouse gas emission. The new law establishes a "bottom up" approach to ensure that cities and counties are involved in the development of regional plans to achieve those targets.

SB 375 builds on the existing framework of regional planning to tie together the regional allocation of housing needs and regional transportation planning in an effort to reduce greenhouse gas (GHG) emissions from motor vehicle trips.

What is SB 375?

AB 32, California's *Global Warming Solutions Act of 2006*, gives the California Air Resources Board authority over sources of greenhouse gas emissions, including cars and light trucks. According to the California Air Resources Board, transportation accounts for some 40 percent of greenhouse gas emissions, with cars and light trucks accounting for almost three-quarters of those emissions (30 percent overall).

SB 375, authored by Senator Darrell Steinberg, directs the Air Resources Board to set regional targets for the reduction of greenhouse gas emissions. Aligning these regional plans is intended to help California achieve GHG reduction goals for cars and light trucks under AB 32, the state's landmark climate change legislation.

Because the existing regional transportation planning and housing allocation processes are overseen by local elected officials selected by their peers to serve on regional agency boards, the law is intended to ensure that cities and counties are closely involved in developing an effective plan for the region to achieve the targets.

To increase public participation and local government input, the law strengthens several existing requirements for public involvement in regional planning. The new law establishes a collaborative process between regional and state agencies to set regional GHG reduction targets, and provides CEQA incentives for development projects that are consistent with a regional plan that meets those targets. Cities and counties maintain their existing authority over local planning and land use decisions.

SB 375 Has Three Major Components:

1. Using the regional transportation planning process to achieve reductions in greenhouse gas emissions consistent with AB 32's goals;
2. Offering California Environmental Quality Act incentives to encourage projects that are consistent with a regional plan that achieves greenhouse gas emission reductions; and
3. Coordinating the regional housing needs allocation process with the regional transportation process while maintaining local authority over land use decisions.

1400 K Street, Suite 301 Sacramento, CA 95814 916.658.8208 F 916.444.7535 www.ca-ilg.org

How Will SB 375 work?

1. SB 375 sets up a collaborative process between metropolitan planning organizations (MPOs) and the ARB to establish greenhouse gas emissions targets for each region in the state. A Regional Targets Advisory Committee including city and county officials is advising ARB on the targets.
2. SB 375 requires each MPO to include a "Sustainable Communities Strategy" in the regional transportation plan that demonstrates how the region will meet the greenhouse gas emission targets. If the sustainable communities strategy falls short of meeting the targets, the region must prepare an "alternative planning strategy" that, if implemented, would meet the targets.
3. SB 375 requires that decisions relating to the allocation of transportation funding be consistent with the Sustainable Communities Strategy.

4. SB 375 creates California Environmental Quality Act (CEQA) streamlining incentives for projects that are consistent with the regional Sustainable Communities Strategy (or the Alternative Planning Strategy if one is required.)
5. SB 375 changes housing element law to synchronize the schedule and develop common land use assumptions for regional housing and transportation planning.
6. SB 375 strengthens the existing requirements for input by the public and local officials into the development and review of MPO plans.

SB 375, General Plans and Local Land Use

Local officials will be key decision-makers in how the provisions of SB 375 are ultimately implemented.

While the Air Resources Board is responsible for setting region-wide greenhouse gas emission targets for each MPO in the state, each MPO will be responsible for developing its own sustainable communities strategy (and alternative planning strategy if necessary). MPOs are governed by local elected officials.

Neither the "sustainable communities strategy" nor the "alternative planning strategy" will supersede a city's or county's general plan or other planning policies or authorities. Nor must a local agency's planning policies be consistent with either strategy.

Rather, these strategies provide a basis for determining eligibility of residential development or transportation projects for SB 375's CEQA streamlining incentives, if cities or counties choose to offer them.

More About Sustainable Communities Strategies

The sustainable communities strategy is a growth strategy for the region which, in combination with transportation policies and programs, strives to reduce greenhouse gas (GHG) emissions and, if it is feasible, help meet ARB's targets for the region.

Specifically, a Sustainable Communities Strategy (SCS) will:

- Identify the general location of uses, residential densities, and building intensities within the region;
- Identify areas within the region sufficient to house all the population of the region, including all economic segments of the population, over the course of the planning period of the regional transportation plan;
- Identify areas within the region sufficient to house an eight-year projection of the regional housing need for the region;
- Identify a transportation network to service the transportation needs of the region;
- Gather and consider the best practically available scientific information regarding resource areas and farmland in the region; and
- Quantify the reductions in GHG emissions the SCS is projected to achieve and any shortfall in reaching the regional target.

It is important to emphasize that this development pattern must comply with federal law, which requires that any pattern be based upon "current planning assumptions" that include the information in local general plans and sphere of influence boundaries.

If the sustainable communities strategy will not achieve the region's greenhouse gas reduction target, the region must also prepare a separate document called the "alternative planning strategy." Projects consistent with this strategy also qualify for CEQA incentives.

Source: California State Association of Counties Summary of SB 375

CITY OF CLAYTON
Founded 1857 .. Incorporated 1964

Agenda Date: 1-18-11

Agenda Item: 8a

Approved:

Gary A. Napper
City Manager/Executive Director

AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: DAVID WOLTERING, COMMUNITY DEVELOPMENT DIRECTOR DW

DATE: JANUARY 18, 2011

SUBJECT: AWARD OF CONTRACT TO BAY AREA ECONOMICS IN THE AMOUNT OF $35,760 FOR PREPARATION OF A FISCAL IMPACT/POTENTIAL ECONOMIC IMPLICATIONS ANALYSIS RELATED TO THE PROPOSED CLAYTON COMMUNITY CHURCH MIXED USE PROJECT

(CONTINUED FROM THE DECEMBER 21, 2010 CITY COUNCIL MEETING)

RECOMMENDATION

Ordinarily this matter would be handled and resolved at the staff level without the necessity of Council action. The matter is before you because the anticipated contract amount exceeds the City Manager's $20,000 contracting authority. Generally, for sound policy reasons, the City's practice with regard to such contracts is that the review and approval of the scope of professional services, the approval of qualifications, and award of contract is conducted at the staff level. Staff does not believe there is any reason to deviate from this policy and practice.

It is recommended the City Council authorize the City Manager to enter into a Consulting Services Agreement with Bay Area Economics in the amount of $35,760 for the preparation of a Fiscal Impact/Potential Economic Implications Analysis related to the proposed Clayton Community mixed use project.

This authorization is contingent upon the project sponsor, the Clayton Community Church, paying the full cost of this work effort by remitting the full $35,760 contract amount to the City of Clayton. Additionally, there will be staff costs incurred that will be charged to the project sponsor's deposit account for the administration and review of this work. The deposit account may need to be replenished from time to time to cover actual time and material costs, in accordance with the City approved fee schedule for processing land use applications.

CONTINUANCE REQUEST

At the December 21, 2010 City Council meeting, a representative of the Clayton Community Church requested this item be continued to the next City Council meeting (i.e., January 18, 2011) to allow Church representatives more time to review the staff report. Clayton

Community Church representatives were sent the staff report Friday evening, December 18, 2010, as the Agenda Packet was released to the Clayton City Council members. However, the pastor was out of town and the Church representatives, accordingly, asked for additional time for review. The Clayton City Council, with staff's recommendation, agreed to the continuance. It should be noted that Clayton staff had informed the applicant's representatives in February of 2009, prior to the Church making formal application, that a Fiscal Impact/Economic analysis would be required, given the nature of this proposed project; that the analysis would need to be prepared by an independent consultant; that the Church would be responsible for its costs; and that the City would administer the preparation of this analysis (see the Attached Letter to Alan Fishman, ASLA, Clayton Community Church representative, dated February 5, 2009 from Community Development Director David Woltering). Additionally, the applicant was reminded in the July 6, 2010 City Council staff report regarding the EIR consultant selection that a separate fiscal/market analysis would be required (see Attached Excerpt from July 6, 2010 City Council staff report).

BACKGROUND

The City of Clayton received an application from the Clayton Community Church to develop/redevelop its 2.3-acre, two-parcel property in Clayton's Town Center area on December 9, 2009. Development in this area is guided by the Clayton Town Center Specific Plan, which was adopted in 1990, and most recently revised in February of 2008.

The subject property is presently improved with the former and potentially historic Pioneer Inn building which measures approximately 6,800 square feet and a paved parking area to support that building. The remainder of the property is unimproved. The Clayton Community Church remodeled and uses the former Pioneer Inn building for its church office and associated activities. The develop/redevelop proposal involves the construction of four buildings, including a 22,244 square-foot sanctuary building with an approximate 500-seat main sanctuary area and three other buildings that combined would provide approximately another 20,000 square feet of space. An applicant proposed Phase 1 would involve the construction of the sanctuary building and an 8,516 square-foot building that would have retail uses and youth ministry on the ground floor and church administration on the second floor. A third building, which measures approximately 10,204 square feet in area, is proposed to have retail uses on the ground floor and commercial office uses on the second floor. The existing building on the property would be removed to accommodate this third building as part of the applicant-proposed Phase 2. The fourth building measures approximately 1,200 square feet in area and could be built in either the first or second Phase. On-site parking requirements for the project, as proposed, would be approximately 222 spaces; the applicant is proposing to provide approximately 54 spaces on-site. There are several key issues associated with this application, including the following:

This project proposal requires a number of Planning approvals as follows:

- General Plan Amendment (to Allow Assembly Uses);
- Specific Plan Amendment (to Allow Assembly Uses, Parking);
- Zoning Amendments (to Allow Assembly Uses; Establish a Consistent Zoning Classification for Property; Parking);

- Use Permit Approval (to Allow Proposed Uses)
- Development Plan Approval (to Approve Overall Plan for Development)
- Tentative Parcel Map Approval to Divide the Property into Four (4) Parcels

The project application was deemed complete on March 26, 2010, after the applicant submitted required supplementary information and materials. On April 23, 2010, staff determined, based on its preliminary environmental review of the application, that an environmental impact report (EIR) must be prepared for this proposed project. A contract for the EIR work was approved by the City Council on July 6, 2010. The City Council was not involved in determining the scope of services for the EIR consultant nor was the contract awarded to the lowest monetary responder. Consultant services contracts are typically awarded to the respondent which best demonstrates a grasp of the issues to be evaluated, while offering a competitive overall package. That was the circumstance with the EIR selection process and with the staff recommendation below regarding the fiscal/economic consultant selection process.

DISCUSSION

This proposed project involves significant amendments to various City code and policy documents in the areas of land use and parking requirements. The potential environmental impacts are being assessed in the EIR that is being prepared. There will also be fiscal and economic impacts and related implications that may have important consequences to the community that should be considered during the public review. Staff has requested that specified potential fiscal and economic impacts and implications of this proposed project be analyzed to assure adequate and appropriate information is available for considering and acting upon this proposal. The importance and need for this type of analysis had been mentioned by staff at the outset of processing of this application, and will include critique of the applicant's submitted economic Development Study.

Accordingly, staff prepared a request for proposals (RFP) and distributed it to five multi-disciplinary fiscal/economics consulting firms that have known capability in preparing fiscal and real estate development economics studies. All five (5) of the firms responded with proposals: Bay Area Economics; CBRE; Economic & Planning Systems, Inc.; Keyser Marsten Associates; and Urban Community Economics.

Upon receiving the proposals, staff reviewed them with consideration to the following primary evaluation criteria:

- Scope of Work
- Staffing/Project Manager
- Cost
- Schedule

Attached is a Consultant Evaluation form that provides summary information pertaining to the proposals received and the evaluation criteria listed above.

All five firms that submitted proposals offered fairly standard methodologies for their proposed fiscal impact analyses. Staff had requested that the consultants evaluate the potential fiscal impacts of the proposed project and two alternatives anticipated in the environmental impact report being prepared for this proposed project. The other two

alternatives are the Town Policy Consistency alternative which assumes the property is developed in accordance with the City's currently adopted codes and a Reduced Intensity/Density alternative in which a down-sized alternative of the proposed project is considered. The objective is that decision-makers and community members would have the benefit of both environmental and fiscal/market assessments of the proposed project to consider when deciding how to act on this proposal.

The second request of the consultants was to provide a third party review and assessment of the Development Study submitted by the project sponsor for this proposal. The Bay Area Economics (BAE) proposal offers a thorough assessment of this Development Study, whereas the other consultants focused more on a simple evaluation for reasonableness of assumptions and conclusions of the Study. Additionally, BAE offers to evaluate the patronage potential for other downtown merchants of those individuals using the Church, the commercial absorption potential of the Church property, the City's "opportunity cost" of allowing the Church use, and the impact of the Church using on-street parking on the marketability of other Town Center commercial spaces.

While all five proposals submitted met the base submittal requirements and were initially considered, the professional services proposals varied in important areas such as understanding and approach to the needed analyses and staffing assignments. The BAE proposal appears from staff's perspective to provide the opportunity to obtain very important information for the decision-making process on this project. The base fiscal impact analyses offered by all five consultants are similar. BAE's proposed approach to the Development Study Review, which offers examination of the potential economic implications of the proposed project, has substantial merit. The project manager proposed by BAE has approximately 19 years experience and is a principal of the firm. The schedules offered by the firms for completing this work range from about eight to ten weeks; BAE proposes nine weeks. The cost estimates range from $19,945 to $48,265; BAE proposes $35,760, approximately at the midpoint. Overall, staff recommends the BAE scope of work appears most responsive to the information needs for this proposed project; the firm is experienced, has assigned a very qualified project manager, and offers a competitive cost estimate, particularly given the scope of work proposed. Accordingly, staff recommends that BAE be selected to prepare the fiscal/economic implications analyses requested for this proposed project.

FISCAL IMPACT

The project applicant, the Clayton Community Church, will be responsible for all costs associated with the preparation and processing of the subject fiscal/economics study, including monetary augmentations necessitated as the project's review moves forward.

Attachments:

1. Consultant Evaluation Form
2. Bay Area Economics Proposal, dated December 10, 2010
3. Full Copies of Individual Proposals are available for review in the Mayor/Council Office and in the Community Development Department
4. Letter to Alan Fishman, ASLA, Clayton Community Church representative, dated February 5, 2009, from Community Development Director David Woltering.
5. Excerpt from July 6, 2010 City Council staff report.

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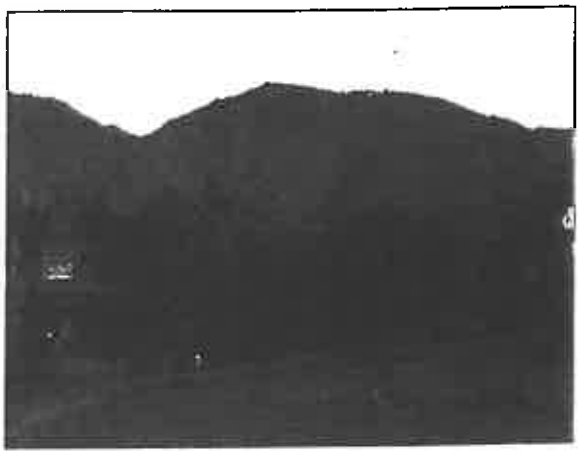
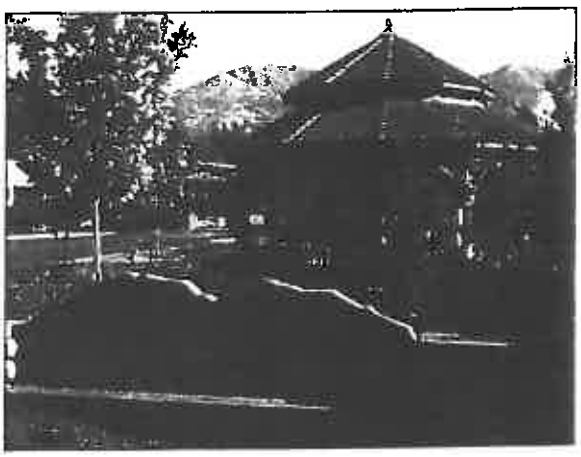
CLAYTON COMMUNITY CHURCH FISCAL IMPACT CONSULTANT EVALUATION

Firms/ Evaluation Criteria	Bay Area Economics	CBRE	Economic & Planning Systems, Inc.	Keyser Marsten Associates	Urban Community Economics
Scope	Fiscal impact model of two base alternatives and qualitative comparison of third reduced density/intensity alternative; Assessment of Development Study to include evaluation of Church use compatibility with Town Center area patronage patterns, commercial absorption potential, opportunity cost assessment of proposed use, and evaluation of impact of shared on-street parking on marketability of other Town Center commercial spaces	Analysis of municipal revenues and costs of three alternatives; Assessment of Development Study to determine reasonableness of findings and recommendations	Analysis of municipal revenues and costs of three alternatives; Assessment of Development Study to determine adequacy of the analysis and to determine if additional information may be desirable	Evaluation of recurring annual fiscal impacts of three alternatives; Evaluate Development Study relative to the report's assessment of general market absorption of commercial uses in Clayton's Town Center area	Fiscal impact model to estimate the net fiscal impact of the proposed alternatives on the City's General Fund and relevant special funds; Evaluation of assumptions and analysis contained in Development Study as well as changed circumstances that may have changed conclusions
Staffing	Project Manager: Matt Kowta M.C.P. (19+ years experience)	Project Manager: Amy Herman, AICP (25+ years experience)	Project Manager: Michael Nimon (5+ years experience)	Project Manager: Debbie Kern (25+ years experience)	Project Manager: James Edison (10+ years experience)
Cost	$35,760	$34,865	$19,945	$48,265	$23,872
Proposed Meetings	Three (3) meetings with staff; Four (4) Public Hearings	Three (3) meetings with staff; Four (4) Public Hearings	Three (3) meetings with staff; Four (4) Public Hearings	Three (3) meetings with staff: Four (4) Public Hearings	Three (3) meetings with staff; Four (4) Public Hearings
Schedule	Estimated that final report(s) would be completed in nine (9) weeks	Estimate that final report(s) would be completed in eight (8) weeks	Estimated that final report(s) would be completed in ten (10) weeks	Estimated that final report(s) would be completed in eight (8) weeks	Estimated that final report(s) would be completed in eight (8) weeks



Proposal to Prepare

Fiscal Impact Analysis/
Development Study Review for the
Clayton Community Church
Development/Redevelopment
Proposal



Submitted to:
Mr. David Woltering
Community Development Director
City of Clayton

December 10, 2010

December 10, 2010

Mr. David Woltering
Community Development Director
City of Clayton
6000 Heritage Trail
Clayton, CA 94517-1250

Dear David:

Bay Area Economics (BAE) is pleased to submit the attached proposal to prepare the fiscal impact analysis and review of the Development Study for the Clayton Community Church's proposed development proposal in downtown Clayton.

We believe that the City will be faced with important decisions that will have a long-lasting impact on the implementation of the City's Town Center plan, and while the proposed project offers an exciting vision for development of a key portion of the Town Center, it will be important for the City of Clayton to understand the potential fiscal impacts and other potential economic implications of granting the requested project approvals.

With BAE's extensive experience analyzing fiscal impacts and forecasting impacts of proposed development projects, as well as our understanding of the workings of successful downtowns and downtown revitalization efforts, we are particularly well suited to assist the City with the required analysis. I am personally excited about the prospect of working with you and the City to evaluate this important project, and you will note that our proposed work scope and budget calls for me to be heavily involved in all aspects of this assignment.

We would be most pleased with the opportunity to meet with you and your selection committee, to more fully explain our qualifications and our approach to this study. Please do not hesitate to contact me in our Davis office, at 530-750-2195, if I can provide any further information.

Sincerely,

Matt Kowta

Matt Kowta, M.C.P.
Principal

Bay Area Economics

Sacramento Region Office
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Introduction

This section summarizes Bay Area Economics' (BAE) understanding of the consulting assignment and our proposed approach.

Project Understanding

The Clayton Community Church has proposed a project to develop its property in downtown Clayton with a range of facilities to accommodate the needs of its growing congregation. This project would also include office and retail space intended for lease to private parties seeking downtown business locations.

Because the project site is situated in a prominent location within the City of Clayton's downtown, and because the project would require General Plan, Specific Plan, and Zoning amendments, a parcel map, and a use permit in order to gain Development Plan approval, it is important for the City to evaluate a number of issues that the project raises, including:

1. The need for the City to understand the potential fiscal impacts of the proposed project on the City of Clayton General Fund. One unique consideration is that at least a portion of the development will likely qualify for exemption from property taxes.

2. The need for the City to have a third party review of the applicant's Development Study, which provides justifications for the requested amendments to established City regulations and the applicant's requested approvals.

3. How the proposed project may fit within the City's overall Town Center and citywide planning objectives, including the potential opportunity cost to the City from allowing the rezone of a portion of the City's limited downtown area for non-commercial use. Such assessments should take into account the potential benefits from the spillover of church members/visitors to other businesses in the downtown area versus the reduction in the amount of commercial activity that the downtown can accommodate if the project is developed as proposed. It would also be important to consider the potential impacts of granting approval for the project's request for reduced on-site parking requirements on the desirability and marketability of the other nearby commercial spaces that could be impacted by the church parking demands.

Qualifications

BAE offers an expert consulting team that is capable of providing a balanced evaluation of the proposed project from the standpoint of potential fiscal and economic impacts, and impacts on the City's overall downtown planning efforts. The following provides general background on the firm, while subsequent sections of this proposal present our specific qualifications and capabilities in relation to this particular consulting assignment.

BAE Firm Overview

Since 1986, BAE has focused on creating sustainable communities by providing real estate economics and development advisory services to clients throughout the U.S. BAE's experience ranges from statewide policy studies to strategic planning to development projects. Our work reflects our commitment to excellence and dedication to the future of our places.

BAE's services include feasibility studies, strategic planning, revitalization, public-private transactions, public financing, fiscal and economic impacts analyses, and development advisory services. We have extensive work experience in:

- Fiscal and Economic Impacts
- Smart Growth
- Economic Development
- Parks and Community Facilities
- Revitalization
- TOD & Mixed-Use Development
- Affordable and Workforce Housing
- Sustainable Agriculture and Food Systems
- Climate Change and GHG Reduction Actions
- Child Care and Social Services

Our key asset is our highly-skilled core team of staff members who have worked together for many years. Collectively, we bring our training in real estate development, city planning, geography, economic development, marketing, and public policy to every engagement.

Our communities face unprecedented change. Scarce resources, climate change, traffic congestion, changing lifestyles, and high home prices are leading to a reorganization of the places we live using smart growth and sustainability principles. The urban economist is critical to the process of creating sustainable communities. Questions of market acceptance, incentives, investor returns, public subsidy, costs/benefits, and infrastructure financing all play key roles in the transformation of cities and regions.

The challenges of creating sustainable communities require experts grounded in demographics, markets, public policies, and finance. BAE has earned national recognition as a leader in urban economics and development for public benefit. We go far beyond traditional services by integrating survey research, GIS, econometric models, and community involvement into our work. Our innovative research, hands-on development advising, and attention to quality achieve repeated success for our clients. Celebrating our 24th year, BAE continues to fulfill its mission – to help create sustainable communities for generations to come.

Project Team

BAE possesses all of the skills and expertise necessary to complete the requested analysis in-house, drawing on our expertise in municipal finance, planning, and economic development. Matt Kowta, M.C.P., will serve as BAE's principal in charge of this assignment, and in the process he will have hands-on involvement in every aspect of the project. He will represent BAE at key meetings, oversee other BAE staff who will conduct research for the project, serve as a lead analyst, and will co-author BAE's work products. Matt is the principal in charge of BAE's Sacramento Region office in Davis, and he has worked at BAE for almost 20 years. He brings a wealth of experience in fiscal impact analysis, economic impact analysis, and studies of downtowns and other commercial areas. Prior to founding BAE's Sacramento Region office, he worked as a senior associate in BAE's East Bay office, and he continues to have involvement in Bay Area projects.

Nina Meigs, M.C.P., Associate will provide research support to Mr. Kowta. Under his direction, she will collect data to assist in constructing the fiscal impact model, and to assist in evaluating on potential impacts of the proposed project. She will also assist in the preparation of the project work products. Nina works with Matt in BAE's Sacramento region office, where she provides research and analytical support for the office's diverse range of consulting assignments. As an East Bay resident, she is familiar with Clayton and environs.

Alex Werth, Analyst, will provide additional research support for the project under Mr. Kowta's direction as needed.

Following the format of the RFP for this project, resumes for Mr. Kowta, Ms. Meigs, and Mr. Werth are included below.

Representative Projects

This section presents a sampling of BAE's past assignments that demonstrates our experience preparing fiscal impact analyses and evaluating other types of economic impacts from proposed development projects. Matt Kowta was BAE's Principal in Charge for all of these assignments.

Examples of Relevant Projects

In addition to the examples of fiscal impact analyses for a range of different project types, provided below, BAE has experience analyzing other types of economic impacts from a range of specialized developments, including religious institutions, casinos, museum/interpretive centers, hospitals, and court facilities. Descriptions of several such projects are provided at the end of this section. With this diverse experience to draw upon, BAE is well equipped to evaluate non-fiscal impacts of the proposed Clayton Community Church project.

Riverdale Ranch Fiscal Impact Analysis

City of Cloverdale

The City of Cloverdale commissioned BAE to prepare a fiscal impact analysis for a proposed project that would involve annexation of vacant land and development of approximately 230 homes and 10,000 to 15,000 square feet of commercial space. As background for the analysis, BAE conducted research into the likely selling prices of the proposed housing units, which included market rate and affordable units. BAE also analyzed the revenue generating potential of the commercial space, including likely assessed value and sales tax generation potential. BAE then prepared a fiscal impact model to project the increased General Fund costs and revenues that the City could anticipate. This included case study conversations with the City Police Chief regarding the likely service costs impacts associated with expanding current Police coverage to include the additional land area and new development. For this project, BAE also conducted analysis of the potential cost implications of extending City water and sewer services to this area, and in so doing create a more economical opportunity to also extend City utilities to an existing pocket of unincorporated development threatened with failing septic systems.

Initial Budget: $35,600 Completed Budget: $37,600
Initial Schedule: 4 months Completed Schedule: 11 months
Notes: Increased budget and extended schedule due to project delays directed by City and applicant.

General Plan Pro-Forma Project

City of Rancho Cordova, CA

BAE served as an economics consultant for the Rancho Cordova General Plan Pro-Forma project. This project is part of the process that this newly incorporated City undertook to establish its own

General Plan, to plan for a tripling of the City's size over the next 30 years. The General Plan pro-forma project used economic analysis to help shape the General Plan in a way that is responsive to market opportunities and also safeguards the City's fiscal security as it takes on considerable new service responsibilities, not only from service area expansions, but also from expanding the range of municipal services provided. BAE assisted with the preparation of project-specific fiscal impact analyses as well as a General Plan-level fiscal impact model which was designed to evaluate alternatives. BAE also provided market analysis to project demand for retail, office, and industrial land uses, in order to fine-tune the General Plan land use mix.

Initial Budget: $ 60,000	Completed Budget: $60,000
Initial Schedule: 4 months	Completed Schedule: 4 months

Covell Village Economic and Fiscal Analysis

City of Davis, CA

BAE supported the City of Davis in its evaluation of this proposal to develop a major mixed-use development proposal. BAE's work included an analysis of the fiscal impacts on the City's General Fund on the County of Yolo General Fund, an economic evaluation of an innovative technique for the project to meet its inclusionary affordable housing requirements, and an assessment of the project's effect on existing citywide infrastructure financing plans. The project included over 1,500 single and multifamily residential units; a senior congregate care facility; a village core that includes over 333,500 square feet of shops and offices, as well as residential units; and a whole complement of roadways, parks, and greenbelts. BAE's analysis of fiscal impacts served as a model in Yolo County for subsequent discussions between cities and the County on property tax sharing agreements for new annexations.

Initial Budget: $76,700	Completed Budget: $76,700
Initial Schedule: n.a.	Completed Schedule: n.a.

Note: BAE provided a range of services over a period of 24 months as requested by client. All work products delivered on time.

Homewood Mountain Resort Fire Service Financial Impacts Study

North Tahoe Fire Protection District, CA

The North Tahoe Fire Protection District retained BAE to prepare a fiscal impact analysis for a proposed project to undertake a major upgrade and expansion of the Homewood Ski Resort at Lake Tahoe. The aim of the proposed project was to transform the small day-trip oriented ski area on the lake's west shore into a year round destination resort, with increased lodging and housing, increased commercial offerings, an amphitheater, and expanded ski area operations. BAE worked with District staff to identify the needs for expanded fire and rescue services, to allocate costs between the proposed project and other anticipated development within the District, and to project

the net fiscal impacts on the District after considering increased revenues that the project would generate. BAE found that the proposed project would require revenue enhancements in order to ensure the district would experience no net fiscal deficit; however, the necessary mitigations appeared financially feasible.

Initial Budget: $11,900 Completed Budget: $13,300
Initial Schedule: 4 months Completed Schedule: 9 months
Note: Increased budget and schedule due to request by project applicant and client for additional work.

Yolo County General Plan Update Fiscal and Economic Evaluation

County of Yolo, CA

BAE was the economics subconsultant on a team that prepared the Yolo County General Plan Update. This General Plan update, covering agricultural areas of Yolo County as well as a number of smaller unincorporated towns sought to balance growth pressures, need for fiscal sustainability, and preservation of agricultural lands and related activities. BAE first prepared a local economic background study that analyzed demographics and economic conditions in the unincorporated area of the County and helped the consultant team as well as policy makers understand the market forces that were driving an unprecedented number of proposals for large-scale developments in the unincorporated areas and their economic implications for the future of the County. This phase also included preparation of the housing needs assessment portion of the Housing Element update. In support of economic development, BAE compiled information about the existing local economic activity in targeted industry sectors, including agriculture, biotechnology, and tourism. BAE then collaborated with County staff to conduct analysis to support the preparation of an economic development strategy that would accompany the General Plan and serve as a work program for economic development staff. BAE's role included attending and facilitating a series of targeted industry focus group meetings to explore local economic development opportunities and needs. BAE then drafted recommended policies to be included in the economic development strategy, to best support economic development in the targeted industry sectors.

BAE's work on General Plan alternatives included evaluating market demand in the absence of historic regulatory constraints to growth, fiscal implications of growth, community size thresholds to support various community services and amenities, and the market viability of various growth models. BAE then prepared a market and fiscal analysis for the Draft General Plan Update, to evaluate such issues as the viability of the plan's jobs/housing balance and match policies as they applied to key development locations within the county, potential fiscal impacts of the overall General Plan buildout and fiscal impacts of buildout of key sub-areas. BAE's work on the final phases of the General Plan Update assisted in fine-tuning General Plan policies, to ensure a feasible and sustainable General Plan implementation.

Initial Budget: $48,000 Completed Budget: $48,000
Initial Schedule: 5 months Completed Schedule: 5 months

East Riverfront Property Evaluation

City of West Sacramento, CA

To assist the West Sacramento City Council in determining the appropriate use of the Redevelopment Agency's East Riverfront property, BAE prepared an evaluation of the suitability of the site for various uses, along with the potential economic and community benefits, finding that the proposed use of the site for the California Indian Heritage Center and a California State park was the most feasible and most likely to help the City achieve overall economic and community development objectives. Commercial uses were found to be infeasible due to relatively low demand for such uses in this particular location, coupled with high costs to prepare the site for commercial use.

Initial Budget: $11,500 Completed Budget: $11,500
Initial Schedule: 6 weeks Completed Schedule: 6 weeks

Morgan Hill Court House Impacts Study

City of Morgan Hill

When the Santa Clara County Superior Court proposed to locate a new South County facility with six courtrooms in Morgan Hill, including a potential downtown site, the City requested that BAE conduct an analysis of the potential impacts on the downtown from locating such a large institutional use within the downtown area. BAE conducted analysis to understand the daytime population that would be attracted to the courthouse, ancillary legal services office demand that might be generated due to the court house presence, the potential for local purchase of supplies and services by the courthouse, and the potential for courthouse visitors to make expenditures in downtown establishments. Among BAE's findings was the fact that although modest, potential economic benefits from the project were highest in the downtown location scenario, because the pedestrian-oriented downtown layout would encourage court employees and visitors to walk to nearby businesses to patronize them versus a more peripheral location where employees and visitors would need to drive their in order to retail and services. Under that scenario, the likelihood was increased that they would drive to a location nearer their home or other places of business in order to access goods and services.

Initial Budget: $4,000 Completed Budget: $4,000
Initial Schedule: 3 weeks Completed Schedule: 3 weeks

Economic Impacts of Rideout Hospital Consolidation

City of Marysville

As a subconsultant to the EIR consultant for this project to consolidate the Fremont Medical Center hospital in Yuba City with the Rideout Memorial Hospital in Marysville, BAE evaluated a number of potential impacts, including effects on local area residents' access to patient services, and impacts on the downtown Yuba City medical office market from the pullout of the Fremont Memorial Hospital. Through interviews with office real estate brokers, analysis of the current locations of doctors currently affiliated with the two hospitals and their specialties, and analysis of the availability of office space in the area near the Rideout Memorial Hospital, BAE was able to estimate the potential portion of office space in the Fremont Medical Center area that might become vacant, and then evaluate the potential for that office space to be re-leased to other users. BAE found that less than 10 percent of the Fremont Medical Center medical office tenants were likely at risk of relocating in order to be closer to the consolidated hospital site.

Initial Budget: $12,500	Completed Budget: $12,500
Initial Schedule:	Completed Schedule:

Project Report Sample

Included in the transmittal with this proposal is a copy of the Fiscal Impact Analysis that BAE recently prepared for the Riverdale Ranch Fiscal Impact Analysis, which is described above.

References

Riverdale Ranch Fiscal Impact Analysis
Betsi Lewitter, Contract Planner
City of Cloverdale
126 S. Cloverdale Blvd.
Cloverdale, CA 95425
707-894-1723
blewitter@ci.cloverdale.ca.us

Homewood Mountain Resort Fiscal Impact Analysis
Dave Ruben, Battalion Chief
North Tahoe Fire Protection District
300 N. Lake Blvd.
Tahoe City, CA 96145
530-583-6911
ruben@ntfire.net

Yolo County General Plan Update Fiscal Impact Analysis
David Morrison, Assistant Director of Planning and Public Works
County of Yolo
292 W. Beamer St.
Woodland, CA 95696
530-666-8041
david.morrison@yolocounty.net

Additional references available upon request.

Resumes of Project Team Members

Matt Kowta, M.C.P., Principal

Matt Kowta specializes in public finance, real estate advisory, affordable housing, economic development and redevelopment, and fiscal and economic impact analysis. Through his work, Mr. Kowta has pioneered innovative techniques in economic analysis to meet the challenges of contemporary urban development. He has worked for BAE for over 19 years, and he established BAE's Sacramento Region office in 1995. Prior to establishing the Sacramento Region office he was a senior associate in BAE's East Bay office.

Since establishing Sacramento Region office, Matt has led economic consulting assignments throughout the Sacramento Region, Bay Area, and elsewhere in California and the Western U.S. Matt has managed BAE's work on numerous projects involving fiscal impact analysis, from studies of individual buildings to Specific Plans, to City and County General Plans. Matt is experienced in conducting fiscal analysis for projects involving special uses as well as projects in areas where revenue allocations are affected by Redevelopment Project Areas. Recently completed fiscal impact analysis assignments have included a fiscal impact analysis for a residential project in Cloverdale, a fiscal evaluation for the Yolo County 2030 General Plan Update, and an analysis of the fiscal impacts from expansion of the Homewood Mountain Resort on the North Tahoe Fire Protection District. He is currently assisting with planning for joint development around the South Hayward BART Station. He prepared an analysis of the potential fiscal impacts of new mixed use development including housing and commercial space on the City of Hayward.

Matt brings perspective to local projects from ongoing experience managing projects in locations ranging from the Central Valley, the San Francisco Bay Area, the Reno/Tahoe area, Oregon, Washington State, and Colorado. His experience spans the full continuum of the development process, from long range planning and pre-development through redevelopment and revitalization. He provides expert witness and litigation support services to public agency and private sector clients.

Matt earned a B.A. in Geography from U.C.L.A. and a Masters in City and Regional Planning from U.C. Berkeley. He has lectured at U.C. Berkeley, and has been a featured speaker for U.C. Davis, the California Downtown Association, the California Local Agency Formation Commission annual conference, and the Urban Land Institute Real Estate School. He is a member of professional organizations including the Urban Land Institute, the American Planning Association, the International Economic Development Council (IEDC), and the California Association for Local Economic Development. Mr. Kowta is past president of the Board of Directors of the Davis Downtown Business Association.

Nina Meigs, M.C.P., Associate

Nina specializes in economic development, public finance, and affordable housing, and contributes to most BAE Sacramento Region engagements. She is currently supporting BAE's Economic Sustainability Plan framework study for the Sacramento-San Joaquin Delta region, which is the first of a two-part strategic planning process designed to articulate the importance of the Delta economy and develop a plan to sustain it over the long-term. In addition, Nina is conducting research for an agricultural industries and green technologies economic development strategy in Glenn County, and she is also supporting the Truckee Waterfront Revitalization Strategy. The latter is focusing on market and financial feasibility analysis for developing a Town-owned riverfront parcel in the downtown area as a combination of public open space/plaza and mixed-use development. Other recent projects include a retail market analysis to assist U.C. Davis in marketing the retail component of the mixed-use West Village project, a sustainable development project.

Before joining BAE, Nina worked for the Downtown Berkeley Association where she managed all property and budget data as part of a campaign to covert the BID to a property-based business improvement district (PBID). She also served as a Research Fellow at the Center for Community Innovation, where she analyzed the potential for new affordable housing finance mechanisms in Contra Costa County.

Nina holds a B.A. in Public Policy and Economics from the University of Chicago, and an M.C.P. with a concentration in Housing and Economic Development from U.C. Berkeley.

Alex Werth, BA, Analyst

Alex Werth conducts market, financial, and economic analysis for many BAE projects. Recently, he researched Sacramento's economic base for business planning at Mather Airport and compared best practices in public-private park financing. In one of his latest endeavors at BAE, Alex developed calculators for the City of Pittsburgh that will serve to model the regional economic benefits and fiscal impacts of converting vacant and abandoned properties into public open space.

Prior to joining BAE, Alex served as an intern at the Tenderloin Neighborhood Development Corporation in San Francisco, where he supported financing for new affordable housing projects. In addition, he served as a housing and neighborhood development consultant for a start-up college in Providence, RI that was founded to educate low-income students through real-world learning. Alex earned a B.A. with honors in Urban Studies from Brown University, which awarded top honors to his thesis on the politics of historic preservation and downtown renewal in 2010. He also completed a one-year program in architectural design at Columbia University's Graduate School of Architecture, Planning and Preservation.

Work Plan and Schedule

The following provides a task-by-task description of the work that BAE proposes to complete in response to the City's request for proposals, and the anticipated schedule for completion. BAE would welcome the opportunity to fine-tune the work scope and schedule to best meet the City's needs.

Scope of Work

1. *Start-Up and Review of Background Materials*

BAE staff will attend a project start-up meeting with City staff, to discuss overall project objectives, review the project work scope and schedule, and obtain copies of any relevant background materials, including the Clayton Community Church Downtown Clayton Development Study, the City Budget, any available EIR materials, and copies of any other fiscal or economic studies prepared for the City. BAE will request contact information for representatives of key City departments, for consultations regarding the project's potential service demands and for General Fund cost and revenue projection methodologies. In conjunction with this meeting, BAE staff will also visit the project site and tour the Town Center area and the surrounding area in order to gain familiarity with the project context and begin field research. Subsequent to the meeting BAE staff will review the background materials for information relevant to the current study. This will include further review of the studies conducted by Economic Development Systems for the City in regard to downtown tenant recruiting as well as the 1998 analysis by Keyser Marston Associates for the Town Center plan.

2. *Analyze Current Budget and Develop Service Cost and Revenue Projection Methodologies*

BAE will analyze the current City budget and develop a series of cost and revenue projection methodologies that will be appropriate to address the City's objectives for this consulting assignment. The service cost methodologies will likely largely rely on current average service costs per capita or per "service population" as the basis to project increased City service costs. In lieu of detailed case study interviews with various City representatives, BAE will interview the City Manager, the Finance Director, or other designated City representative to discuss overall service cost calculations and any concerns specific to the proposed project. Revenue projections will entail a combination of average revenue multipliers and direct revenue estimates based on the specific methods of apportionment for General Fund revenues and the specific revenue-generating characteristics of the proposed project.

3. *Conduct Local Research to Inform Fiscal Impact Model and Review of Applicant's Development Study*

BAE will conduct research on local conditions to generate assumptions for use in the fiscal impact model, and to aid in the evaluation of the applicant's Development Study. This research will include surveys of real estate brokers and property owners/managers on commercial and residential property values, vacancy rates, and absorption trends in the Town Center area as well as other commercial areas in Clayton. BAE will conduct interviews with selected Town Center area merchants in order to understand customer shopping patterns, to help understand how the church's use of the proposed project site may fit with overall Town Center area patronage patterns. Findings from this set of interviews will be incorporated into Task 5, below. For this task, BAE will compile information on existing local population and employment, and information on property tax allocation in the Town Center area considering the Redevelopment Project Area, to serve as base information for calculation of current average cost and revenue multipliers, as needed for the fiscal model.

4. *Prepare Fiscal Impact Models*

Having completed the information gathering phase, BAE will prepare customized electronic spreadsheet-based fiscal impact models to project the increased General Fund costs and revenues that could be expected under the proposed project and the EIR alternative for development under existing Town Center regulations. For each of the two modeled alternatives, the fiscal impact model will project increased General Fund costs by department and increased General Fund revenues by revenue item. The model will identify the anticipated net fiscal impact (increased costs less increased revenues) of each alternative when fully developed, expressed in terms of 2010/2011 dollars. The models will be constructed so that in reviewing the draft analysis with City staff, it will be possible to easily manipulate key model inputs in order to test sensitivity of the fiscal impact model results to changes in assumptions. In lieu of preparing a fiscal model for the EIR reduced intensity alternative, BAE will instead provide qualitative evaluation of how its fiscal impacts would vary from the other two for which fiscal impacts will be quantified. BAE will project impacts on Redevelopment Area Tax Increment from the proposed project, in Task 6, below.

5. *Review Applicant's Development Study*

BAE will conduct a review of the applicant's development study, prepared by Colliers International, noting particular planning and economics related assumptions and/or assertions that are used to support or justify the requested regulatory amendments or approvals. Considering findings from research conducted by BAE for this study, experience with other projects, and

assessment of the proposed project's characteristics, BAE will prepare an evaluation of the Development Study's key assumptions and assertions, highlighting any other considerations or factors that the City should consider on conjunction with the perspective expressed in the Development Study. The purpose of this review is to balance the Development Study's perspective with the important factors that should be considered from the City's perspective. Key aspects of the Development Study to be addressed in this task include:

- Assertion that the site will not be able to attract the uses desired in the Town Center plan due to market considerations.

Based on information from the Community Development Department on Town Center commercial capacity, prior economic analyses conducted by Keyser Marston and Economic Development Systems for the Town Center Area, and BAE's own evaluation of the Town Center area in the context of the larger sub-regional commercial market in which the Town Center competes for tenants and shoppers, BAE will provide the City with an analysis of the reasonableness of this assertion or whether a more nuanced conclusion should be drawn.

- Assertion that the proposed project will increase pedestrian retail/office activity and create synergy with other tenants in the Town Center area to increase revenues.

BAE's approach to this task will be to first review any quantitative assumptions and methodologies used in the Development Study for accuracy and appropriateness. Then, BAE will augment the findings from interviews with existing Town Center merchants conducted in Task 3 with interviews with approximately ten additional merchants located near other existing churches in Clayton and the surrounding area in order to learn of their experiences operating in close proximity to other churches, exploring such topics as the "spillover" effect of church patrons to patronize nearby commercial establishments, and the effect of church parking demands on overall retail area parking availability. For this task, BAE will attempt to identify merchants near churches with congregations that are similar in size to the Clayton Community Church.

6. *Evaluation of "Opportunity Cost" to City from Allowing Proposed Project*

For this task, BAE would provide further elaboration on the issue of whether the City would be making a significant sacrifice, in terms of its potential to maximize commercial development and associated revenues, by approving the proposed project. Based on findings from prior tasks, BAE will address the question of whether it is likely that the City would be able to generate increased revenues from commercial development over the long run, if it upholds the current Town Center land use regulations, or whether the proposed project would not likely displace potential revenue generating commercial uses due to lack of long-term demand for such uses at the location of the

proposed project. As part of this task, BAE will also project increases in the Redevelopment agency tax increment that would accrue from development consistent with current Town Center land use regulations compared to that which would accrue as a result of the proposed project. Finally, BAE will also provide qualitative commentary on the potential for the location and design of the proposed project, at a gateway to the Town Center, to support or detract from the overall identity of the Town Center as a mixed-use commercial destination.

7. *Evaluation of Impact of Shared On-Street Parking On Marketability of Other Town Center Commercial Spaces*

BAE will review the EIR traffic analysis, as well as the findings from the interviews conducted in Tasks 3 and Task 5 in order to more fully consider the potential impacts of granting the applicant's request to accommodate a significant portion of the proposed project's peak parking needs through use of on-street parking and other arrangements such as agreements for shared off-street parking. BAE will summarize the findings and then draw conclusions on whether the proposed reduced on-site parking for the project is likely to have adverse impacts on the desirability and marketability of other nearby commercial spaces that may rely on a portion of the on-street parking within the Town Center area to satisfy employee and customer parking needs.

7. *Prepare Administrative Draft Report*

BAE will prepare an Administrative Draft report that documents the research, analysis, and findings from the preceding tasks. Tentatively, the report will be organized with the following sections:

- Executive Summary
- Introduction and Background Information
- Fiscal Impact Analysis
- Review of Development Study
- Opportunity Cost Analysis
- Analysis of Parking Impacts on Marketability of Other Town Center Commercial Space

This report will include tables showing the assumptions, base cost and revenue data, and projections of increased costs, revenues, and net fiscal impacts of the three EIR alternatives. Additional tables and figures will be provided as appropriate to summarize other information presented in the report.

BAE will provide the City with one electronic copy (MS Word) and one hard copy of the Administrative Draft Report. BAE staff will be available to discuss the Draft Report with the

City's project manager, via telephone or in-person. This discussion can include on-the fly sensitivity analysis by adjusting inputs in the fiscal model for one or more of the three alternatives analyzed. This testing may lead to some adjustment of modeling assumptions or simply augmented discussion of fiscal impact results in the Final Draft report.

Based on the review and discussion of the Administrative Draft Report, City staff will provide BAE will a single consolidated set of comments to finalize the report.

8. Prepare Final Draft Report

If necessary, BAE staff will review the City comments on the Administrative Draft report with the City's project manager and determine the course of action to address comments and prepare a Final Draft report. BAE will then make revisions as appropriate, and submit a Final Draft Report.

BAE will provide the City with one electronic copy (MS Word), one electronic copy (Adobe PDF), and one hard copy of the Final Report.

9. Public Meetings

BAE staff will be available to attend four public meetings to present the results of the study: two Planning Commission meetings and two City Council meetings. Meeting costs include the cost of preparation as well as meeting attendance. In the event that fewer meetings are required, the budget will be adjusted accordingly.

Schedule

BAE will schedule the preparation of the report for this project to coincide with the review of the Final EIR for the proposed project. With an anticipated project start-up in late December or early January 2011, BAE will conduct the bulk of the research and analysis for the project in January and February of 2011, and will submit the Administrative Draft Report (Task 8) by late February. This will allow for review and comment by City staff, and for BAE to prepare necessary revisions and submit a Final Draft by mid-March, to coincide with release of the FEIR for public review. Following is a preliminary listing of key project milestones and dates:

Project Start-Up:	late Dec./early Jan. 2011
Submit Administrative Draft Report:	February 18, 2011
Receive Staff Comments:	February 25, 2011
Submit Final Draft Report:	March 11, 2011

Cost Proposal

Project Budget

BAE will conduct the basic proposed scope of work on a fixed-fee basis, for a total budget of $35,760 including all consultant costs (personnel, overhead, travel, incidentals). A preliminary budget breakdown is provided in Exhibit 1. BAE reserves the right to re-allocate budget within the total authorized fixed-fee amount as deemed necessary to best meet project objectives.

Per Meeting Cost

For any additional meetings requested beyond the meetings described in the proposed scope of work, the additional cost will be a flat rate of $1,000 per meeting with staff, and $1,250 per public meeting.

Exhibit 1: Proposed Budget

	Matt Kowta *Principal*		Nina Meigs *Associate*		Alex Werth *Analyst*		PROJECT TOTAL	
Task	Hours	Cost	Hours	Cost	Hours	Cost	**Hours**	**Cost**
1. Start-Up and Review Background Materials	6	$1,500	6	$540	2	$150	**14**	**$2,190**
2. Analyze Current Budget	12	$3,000	8	$720	0	$0	**20**	**$3,720**
3. Conduct Local Research	6	$1,500	16	$1,440	16	$1,200	**38**	**$4,140**
4. Prepare Fiscal Impact Models	14	$3,500	12	$1,080	0	$0	**26**	**$4,580**
5. Review Applicant Development Study	4	$1,000	12	$1,080	12	$900	**28**	**$2,980**
6. Evaluate Opportunity Cost to City	8	$2,000	12	$1,080	0	$0	**20**	**$3,080**
7. Evaluate Impact of Shared On-Street Parking	8	$2,000	12	$1,080	0	$0	**20**	**$3,080**
8. Prepare Admin. Draft Report	8	$2,000	14	$1,260	8	$600	**30**	**$3,860**
9. Prepare Final Draft Report	8	$2,000	8	$720	0	$0	**16**	**$2,720**
10. Attend Public Meetings	16	$4,000	9	$810	0	$0	**25**	**$4,810**
Total Personnel and Overhead Costs	90	$22,500	109	$9,810	38	$2,850	**237**	**$35,160**
Travel and Incidentals								**$600**
PROJECT TOTAL COST								**$35,760**
Hourly Billing Rates	***$250***		***$90***		***$75***			

Additional Cost Per Meeting:

Meetings with Staff	$1,000
Public Meetings	$1,250

February 5, 2009

Mr. Alan Fishman, ASLA
Principal/Manager – Community Planning
William Hezmalhalch Architects Inc.
6111 Bollinger Canyon Road, Suite 495
San Ramon, CA 94583-5186

Re: Pre-Application Comments Regarding Clayton Community Church (CCC) Concept Development/Redevelopment Plan

Dear Alan:

Thank you for submitting copies of your presentation booklet, dated November 2008, and CDs of the booklet, which include detailed conceptual drawings of the proposed development and redevelopment of the Clayton Community Church property on Main Street in the City of Clayton's Town Center area. As offered to you and Pastor Shawn Robinson, our staff has finished review of these materials at no charge and offers the comments below to assist you in preparing a formal application to have a refined version of the concept considered for approval by the City of Clayton. Please understand our review is based on reviewing concept-level plans and that our comments are intended to aid in assembling your application, not to determine completeness. It is understood the proposed plans must continue to be refined and that the ultimate application will likely vary from the concept plans we reviewed.

Upon receiving your formal development application, the City has 30 days to review the materials submitted for completeness. If the application is deemed incomplete, additional information will be requested to complete the application. Thereafter, based on a review of the environmental checklist (assessment) for the proposed project, staff will determine the level of environmental review required for the proposed project. Based on the concept drawings reviewed, it is highly likely the environmental assessment will result in a determination that either a mitigated negative declaration or a full environmental impact report will be required for the proposed project. Either level of environmental review will necessitate additional information and studies to be completed plus the retention of a third-party environmental consultant to complete this work.

The focus of the staff review of the pre-application concept-level materials you submitted was to address the following:

1. Apparent deviations from standard City code requirements;
2. Anticipated planning entitlements/approvals needed to accomplish this concept;
3. Anticipated special studies that may be useful or necessary to prepare a formal application based on the concept reviewed;
4. Anticipated standard application requirements;
5. Anticipated processing fees or deposits; and,
6. Anticipated Development Impact fees or deposits.

1. Apparent Code Deviations

- Proposed Assembly Use in Town Center Area not Presently Permitted
- Proposed Parking Supply does not Conform with Present Parking Standards

2. Anticipated Planning Entitlements/Approvals

- CEQA Environmental Review
- General Plan Amendment (Assembly Use)
- Specific Plan Amendment (Consistent Land Use District; Assembly Use; Parking)
- Zoning Ordinance Amendment (Consistent Land Use District; Assembly Use; Parking)
- Development Plan (Development Plan Approval)
- Use Permit (Assembly Use; Possibly Parking)
- Tentative Subdivision/Tentative Parcel Map (Create Condo Map/Divide Portions of Site for Sale or Lease)
- Lot Line Adjustment (Remove Interior Lot Lines to Create a Single Parcel)

3. Anticipated Special Studies at Time of Application

- Traffic/Circulation (Review Scope with City Engineer) - Peer Review by Environmental Consultant
- Parking (Review Scope with Community Development Director and City Engineer) - Peer Review by Environmental Consultant
- Fiscal Impact/Economic (Review by Fiscal Impact/Economic Analysis Consultant)
- Historical/Cultural/Architectural Resources/Archaeology (Review Scope with Community Development Director) - Peer Review by Environmental Consultant
- Biology/Environmental Resources (Review Scope with Community Development Director) - Peer Review by Environmental Consultant
- Stormwater Control/Hydrology/Drainage* (Review Scope with City Engineer and Assistant to the City Manager) - Peer Review by City and Environmental Consultant

- Tree Preservation (Review Scope with Community Development Director) – Peer Review by Environmental Consultant
- Open Space Compliance (Review Scope with Community Development Director – Peer Review by City and Environmental Consultant

*Note: see http://www.cccleanwater.org/new-developmentc3/stormwater-c3-guidebook/ for guidance on preparing submittal materials for stormwater control/hydrology/drainage.

4. Anticipated Standard Application Requirements

See attached application forms for submittal requirements. The applicant is encouraged to meet with the Community Development Director to review these forms to avoid redundancy of exhibits submitted while assuring the completeness of a combined application for multiple entitlements requested for approval at one time. Please refer to #2 above for the entitlements anticipated to accomplish the proposed concept (project).

5. Anticipated Application Processing Fees/Deposits

See attached Community Development Department Fee Schedule. Generally, the City's application review operates on a cost-recovery for staff time and materials expended. Individual minimum deposits for most of the entitlements that will be under consideration are a minimum of $5,000. Given the range of land-use entitlements potentially involved, the applicant will be asked to submit a deposit in the amount of $20,000.00 for City staff time, with replenishment required as needed. In addition, the applicant will be required to pay consultant agreement costs to produce required studies such as the Fiscal Impact/Economic Analysis, CEQA document, etc.

6. Anticipated Development Impact Fees/Deposits

See the attached City of Clayton Development Impact Fees and Deposits Schedule. The purpose of this schedule is to give the applicant a summary of the standard development impact fees that may apply to a proposed project and the timing of the payment of those fees. It will be important for the applicant to review this fee and deposit schedule with the Community Development Director during the process of preparing and submitting an application.

Other Agencies

It is important to note there will be other agencies besides the City of Clayton the applicant will need to interact with during the preparation and processing of a development/redevelopment application through the City of Clayton.

A summary of some of the key agencies that you will need to interact with is listed below:

1. Allied Waste Management (Garbage/Yard Waste/Recycling)
   (925) 685-4711

2. City of Concord (Sewer Service)
   (925) 671-3021 (Senior Civil Engineer-Current Development)

3. Contra Costa Building Department (Clayton Contractor for Building Services)
   (925) 335-1360 (Applications)
   (925) 335-1158 (Building Inspections/Code Inquiries)
   (925) 335-1163 (engineers, Structural Plan Check)

4. Contra Costa Fire Department
   (925) 941-3300

5. Contra Costa Water District (Water Service)
   (925) 688-8147 (Planning)
   (925) 688-8130 (Construction Department)
   (925) 688-8014 (Engineering/Engineering Services)

After you have had the opportunity to review this letter and the attached materials, please call me at (925) 673-7343 to schedule a meeting should further clarification be of assistance.

Sincerely,

David Woltering, AICP
Community Development Director

Attachments:
1. Application Forms
2. Community Development Department Fee Schedule
3. Clayton Development Impact Fees and Deposits Schedule

cc: Pastor Shawn Robinson
Clayton Community Church
6055 Main Street
Clayton, CA 94517

Clayton Mayor and City Council Members
Clayton City Manager

PD\2009\01-09.CCC-Pre-Application Comment Letter-2.5.09 (2)

and proposes the lowest proposed budget for the Clayton Community Church EIR at $127, 610. LSA offers an adjusted budget of $133,500, and offers to have both its Principal-in-Charge and Project Manager at all meetings. Both LSA and Raney have more detailed scopes of work and budgets as compared to ESA. ESA has indicated to Clayton staff that it is likely they would need to increase their budget by $10,000 from $153,477 to address augmenting the applicant submitted Phase 1 Cultural Resources Assessment.

Both LSA and ESA indicate very applicable examples of direct relevant experience, given the subject Clayton Community Church proposed project.

In terms of proposed schedule, LSA anticipates having a Final Draft EIR with Responses to Comments ready for public hearings within seven months of receiving a notice to proceed, Raney within 10 months, and ESA within13 months.

Generally, staff finds ESA does not measure up well in terms of clarity of scope of work, certainty of budget, and schedule with the other two respondents. Staff believes that LSA offers a strong overall proposal and responsiveness to the needs of this project. While LSA does not have the familiarity with this jurisdiction that Raney has, LSA has extensive relevant experience, a strong team, and demonstrated a willingness take responsibility for accelerating their learning curve. Staff submits it may be beneficial for a fresh but very experienced team to take on this interesting project for the City and its community. Accordingly, staff recommends that LSA Associates, Inc., based on its adjusted June 2010 proposal, be selected to prepare the EIR for the Clayton Community Church project. Staff offers the attached Consultant Evaluation Form in support of this recommendation.

FISCAL IMPACT

The project applicant, the Clayton Community Church, will be responsible for all costs associated with the preparation and processing of the subject environmental impact report (EIR), including monetary augmentations necessitated as the project's review moves forward. It should be noted that a separate Fiscal/Market Impact analysis will also be required for this project.

Attachments:

1. Consultant Evaluation Form
2. Full Copies of Individual Proposals are available for review in the Mayor/Council Office and in the Community Development Department

Agenda Date: 1-18-11

Agenda Item: 8b

Approved:

Gary A. Napper
City Manager/Executive Director

AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: CITY MANAGER

DATE: 18 JANUARY 2011

SUBJECT: DETERMINATION OF COUNCIL COMMITTEE ASSIGNMENTS

RECOMMENDATION

It is recommended the City Council determine its Council sub-committee assignments for the ensuing year of 2011.

BACKGROUND

In addition to its primary role as elected officials of the City of Clayton, members of the City Council have a variety of sub-committee assignments that involve the direct participation of its members in a host of local and regional issues and intergovernmental organizations. Pursuant to the adopted *Council Guidelines and Procedures*, the Mayor makes the Council sub-committee appointments annually each December. It is also an opportunity to review the established sub-committees and determine their relevance, need to create new ones or abolish existing ones. In making the assignments, the Mayor is encouraged to seek input from members of the City Council regarding appointment preferences.

Attached is the current list of City Council sub-committees and associated assignments during 2010. The list has been updated (*in red font*) to reflect the elections made at the Council Reorganization Meeting held on December 7th relative to the chairs and vice chairs of the Clayton Redevelopment Agency (RDA) and the Oakhurst Geologic Hazard Abatement District (GHAD). The Clayton Financing Authority (CFA) chair and vice chair are automatically filled by the mayor and vice mayor of the City, respectively, per its By-Laws.

Also attached are the pertinent pages from the *Council Guidelines and Procedures* referencing Council sub-committee assignments.

Attachments: City Council Committee Assignments – 2010 [2 pp.]
Council Guidelines and Procedures [2 pp.]

CITY COUNCIL COMMITTEE ASSIGNMENTS

CITY OF CLAYTON

2010

Association of Bay Area Governments (ABAG)	Julie Pierce Alternate: David Shuey
Budget/Audit Committee	Hank Stratford, Howard Geller
Citizens Corps Council (CERT)	Hank Stratford
Clayton Financing Authority [CFA]* *[offices automatically go to Mayor & Vice Mayor, per Bylaws]	President – David Shuey Vice President – Howard Geller
Contra Costa Water District [CCWD]	Howard Geller
Central Contra Costa Transit Authority [CCCTA]	Gregg Manning Alternate: Howard Geller
Downtown Park Activities Committee	Julie Pierce, Howard Geller
East Bay Division - League of California Cities	Joe Medrano Alternate: David Shuey
East Contra Costa County Habitat Conservancy	Hank Stratford Alternate: David Shuey
Economic Development Sub-Committee	Julie Pierce David Shuey Alternate: Joe Medrano
Endeavor Hall Marketing Committee	Howard Geller, Joe Medrano
Garbage & Recycling Ad Hoc Committee	Joe Medrano, David Shuey

Interview Committees:	
a. Planning Commission applicants	City Council
b Trails and Landscaping Committee applicants	Vice Mayor Howard Geller
Library Foundation Liaison	Hank Stratford Alternate: Howard Geller
Mayors' Conference – Contra Costa County	Mayor & Council
Oakhurst Geologic Hazard Abatement District [GHAD]	Chair – Hank Stratford Vice Chair – Joe Medrano
Redevelopment Agency [of Clayton]	Chair – Julie Pierce Vice Chair – Howard Geller
Trails and Landscaping Committee (TLC) liaison	Vice Mayor Alternate: Howard Geller
TRANSPAC	Julie Pierce Alternate: Joe Medrano

* * * * *

Revised: *07 December 2010*
Adopted: 17 December 2004

~~4. Council Members exhibit care and respect for each other as persons.~~

5. Council Members promote care and respect for each other's point of view. Each Member has a right to be heard.

6. Opinions are expressed honestly, openly, civilly and with integrity.

7. Humor is an important tool.

~~8. Traditions are respected but not always binding.~~

C. COUNCIL INTERACTION AND COMMUNICATION

1. The Mayor makes Council sub-committee appointments annually in December; the Mayor is encouraged to seek input from Council regarding appointment preferences.

2. Members will take seriously the responsibility of reporting to Council on sub-committees and other regional, state and national board/agency/group activities in which they are involved.

3. Each Council Member has the responsibility to initiate resolution of problems as soon as possible.

4. Members shall recall and abide by the Brown Act when giving information to each other outside of public meetings.

5. Cheap shots at each other are not allowed by Members during public meetings, in the media, or at any other time.

6. Relationships are informal, but Council Members need to be aware of impact on and perception of the public.

7. Council Members will be flexible in covering Council responsibilities for each other.

8. Council Sub-Committees.

   a. Sub-committee areas belong to the Council as a whole; they are not seen as territorial.

   b. Sub-committees shall keep the rest of the Council fully informed. The rest of the Council is responsible for letting a sub-committee know if they want more information or to give input.

   c. Before sub-committees start moving in new directions, they will obtain direction from the rest of the Council.

d. Sub-committee reports will be made under "Council Reports" at Council meetings, when appropriate.

e. Sub-committee memos will be sent on an interim basis to update other Council Members on:

   1). Issues being discussed.

   2). Options being considered.

   3). Progress.

f. Appropriate reports will also be included in the City Manager's "Weekly Report".

g. Council may contact Department Heads or the City Manager to be briefed on any sub-committee work.

h. Council shall review the performance of citizen committees no less frequently than every six months.

i. Sub-committees are task oriented with scheduled dates of completion.

Agenda Date: 1-18-11

Agenda Item: 8c

Approved:

Gary A. Napper
City Manager/Executive Director

AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: CITY MANAGER

DATE: 18 JANUARY 2011

SUBJECT: SET DATE FOR CITY COUNCIL SPECIAL MEETING
COUNCIL - MANAGER GOALS AND OBJECTIVES FOR 2011

RECOMMENDATION

It is recommended the City Council determine a date, time and location for a City Council special meeting for the purpose of discussing progress and relevance of existing goals, and setting goals and objectives for Calendar Year 2011.

BACKGROUND

The Clayton City Council meets at least once a year with its City Manager to discuss progress on the Council – Manager goals and objectives set in motion the previous year(s), and to establish new and/or modified goals for the ensuing calendar year.

A separate meeting for this purpose allows sole attention and focus specifically on the achievement, progress, and establishment of City goals and objectives for the current calendar year.

Attached are calendars for the months of January and February 2011 as reference for the selection of a date and time for the special meeting. In the past the meeting has been held in the 3rd Floor Conference Room of Clayton City Hall.

FISCAL IMPACT

No direct fiscal impact. The lack of clearly defined goals and objectives may actually cost the City and its community money over the short and long-term operations of the public entity due to misdirection and/or absence of priorities.

Attachment: Calendars for January & February 2011 [2 pp.]

CITY OF CLAYTON

Sun	Mon	Tue	~ January 2011 ~ Wed	Thu	Fri	Sat
						1
2	3 City Hall Closed * **FURLOUGH DAY**	4 City Council Meeting	5	6	7	8
9	10	11 Planning Commission Meeting	12	13	14	15
16	17 Martin Luther King Jr. Day Holiday City Hall Closed	18 City Council Meeting	19	20	21	22
23	24 Trails and Landscaping Committee Meeting	25 Planning Commission Meeting	26	27	28	29
30	31 Special Joint Meeting	**Notes:** ***Furlough Day" is an unpaid off-work day of City employees (except sworn police) due to Budget deficits in FY 2010-22 (11 furlough days).**				

More Calendars: 2011 Calendar, 2012 Calendar, Calendar Template

CITY OF CLAYTON

Sun	Mon	Tue	Wed	Thu	Fri	Sat
~ February 2011 ~						
		1 City Council Meeting	2	3	4	5
6	7	8 Planning Commission Meeting	9	10	11 Lincoln's Birthday Holiday City Hall Closed	12
13	14 * City Hall Closed **FURLOUGH DAY**	15 City Council Meeting	16	17	18	19
20	21 Presidents' Day Holiday City Hall Closed	22 Planning Commission Meeting	23	24	25	26
27	28	**Notes:** **"Furlough Day" is an unpaid off-work day of City employees (except sworn police) due to Budget deficits in FY 2010-22 (11 furlough days).**				

MINUTES
CLAYTON FINANCING AUTHORITY
REGULAR MEETING
JANUARY 5, 2010

Agenda Date: 1-18-11

Agenda Item: 4a FIN

1. **CALL TO ORDER AND ROLL CALL** - the meeting was called to order by President Stratford at 7:56 p.m. in the Clayton Community Library, 6125 Clayton Road. Board of Directors present: President Stratford, Vice President Shuey, Board Members Geller, Medrano, and Pierce. Staff members present: Executive Director, Secretary, and City Attorney.

2. **CLOSED SESSION** – None.

3. **PUBLIC COMMENTS** – None.

4. **CONSENT CALENDAR – It was moved by Board Member Pierce, seconded by Vice President Shuey to approve the Consent Calendar as submitted (Passed; 5-0 vote).**

(a) Approved the minutes of the regular meeting of January 6, 2009.

(b) Accepted the Clayton Financing Authority Annual Report for Fiscal Year 2009.

5. **ACTION ITEMS** - None.

6. **BOARD ITEMS** – None.

7. **ADJOURNMENT**- On call by President Stratford the meeting adjourned at 7:57p.m.

Respectfully submitted,

Laci J. Jackson, Secretary

Approved by
Clayton Finance Authority Board of Directors

Hank Stratford, President

Agenda Date: 1-18-11

* CLAYTON FINANCING AUTHORITY *

Agenda Item: 4b FIN

ANNUAL REPORT

TO: **HONORABLE PRESIDENT AND BOARD OF DIRECTORS**

FROM: **EXECUTIVE DIRECTOR**

MEETING DATE: **18 JANUARY 2011**

SUBJECT: **ANNUAL REPORT FOR 2010**

RECOMMENDATION

It is recommended the Board of Directors receive and approve for file the Clayton Financing Authority Annual Report for 2010.

BACKGROUND

On 04 December 1990, the City Council of Clayton, California adopted Resolution No. 120-90, which created the Clayton Financing Authority via a joint exercise of powers agreement. This Financing Authority was initially established to allow redevelopment tax allocation bonds to be sold at a more favorable negotiation basis versus a public basis. This Financing Authority is registered with the State of California Controller's Office and is subject to the laws pertaining to special districts. As a legal, separate public entity, the Authority is required to file an Annual Report with the State of California [ref. Section 26909, *CA Government Code*].

The By-Laws of the Clayton Financing Authority require an annual meeting at the same place immediately following the completion of the first Clayton City Council meeting held in January of each year. Article VIII of the Joint Powers Agreement requires the Board to adopt an annual budget for the Financing Authority and to report on activities of the Authority during the proceeding calendar year.

2010 ACTIVITY REPORT

In Calendar Year 2010, the Clayton Financing Authority met once and conducted corresponding activity as summarized below:

1. 05 January 2010 Meeting
   The Board approved minutes from its meeting on 06 January 2009 and adopted its Annual Report for 2009.

FINANCIAL REPORT

A. All Authority debt, demands and other fiscal obligations were paid in full and on time. The Authority did not enact an annual budget in Year 2010 as no routine expenses, administrative overhead or inter-agency expenses were charged against the Authority by the Clayton Redevelopment Agency or the City of Clayton.

B. As a result of the Authority's sale of title to its one acre commercial real property on 31 October 2006 to Endashiian, LLC in the amount of $800,815 (for subsequent development of the Longs Drugs Store, now CVS/Pharmacy, located at the southwest corner of the Center Street and Clayton Road intersection), the Authority holds cash proceeds from the sale of this land. As of 30 June 2009 the current cash value is $731,640 (includes posted interest earnings on 30 June 2010 of $24,149).

In FY 2007-08 the Board transferred $170,000 from this account to assist the City in completing necessary and desired picnic and play apparatus improvements at Clayton Community Park (CIP Nos. 10385 & 10407).

The Board of Directors has full discretion as to the ultimate disposition of these funds.

C. In November 1997, the Clayton Financing Authority issued $7,160,000 in Special Tax Revenue Refunding Bonds. These bonds were used primarily to purchase a series of special tax bonds issued by the City of Clayton to refinance the City's $6,435,000 original aggregate principal amount of Community Facilities District No. 1990-1 [original] Special Tax Bonds issued in December 1990, and which had an outstanding balance of $6,295,000 at the time of refunding issuance. The original Special Tax Bonds were issued to finance a portion of the construction of a public middle school (i.e. Diablo View Middle School) and site preparation of adjacent playing fields (i.e. Clayton Community Park). These obligations are secured by annual special taxes levied on taxable real properties within the specified Community Facilities District (CFD) of the Oakhurst Development (1,358 parcels). The bonds are a non-City obligation.

These bonds were refinanced by Board action in May 2007 to obtain a lower interest rate resulting in lower annual payments for the CFD's real property owners, with ultimate sale occurring on 07 June 2007 in the face amount of $5,060,000. The information herein is dated as of 30 June 2010:

The outstanding principal of the 2007 Special Tax Revenue Refunding Bonds is $4,500,000. A comparison of the trend line in delinquent taxpayers within the specified District for the Tax Year is outlined below:

Tax Year	Delinquency Rate	Delinquency Amount
2009-2010	2.60%	$14,404.71
2008-2009	2.39%	$18,998
2007-2008	1.15%	$12,043.60
2006-2007	2.98%	$16,099.14
2005-2006	0.98%	$ 5,309.24

As of 30 June 2010 there were no delinquent taxpayers responsible for five percent (5%) or more of the total special taxes levied, the issuance threshold requiring stricter Board intervention and foreclosure action. The most current listing of delinquencies amounts to thirty (30) accounts (2.21% of the total number of assessed parcels). City staff and NBS monitor the delinquency status regularly with Reminder Letters as well as Demand Letters sent as appropriate to delinquent property owners to remind them of their financial obligation.

The required Reserve Fund has a balance of $251,983.13 (as of 30 June 2010) which is sufficiently funded to address actual and all nominal delinquencies. Therefore, no projected draw on Reserves is necessary at this time. The total assessed value of all parcels within the District subject to this Special Tax is $621 million (as of 01 January 2010), the same overall value as in 2009 yet a decline of approximately seven percent (7%) from assessed value posted for 2008.

D. It is recommended the Board not create an annual budget for 2011 due to *de minimus* activity required of the Authority in this calendar year.

Respectfully submitted,

Gary A. Napper
Executive Director