



AGENDA

REGULAR MEETINGS

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CLAYTON CITY COUNCIL and CLAYTON REDEVELOPMENT AGENCY and OAKHURST GEOLOGIC HAZARD ABATEMENT DISTRICT

* * *

TUESDAY, June 21, 2011

3:45 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 ***

June 21, 2011

3:45 P.M.

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

2. **INTERVIEW OF PLANNING COMMISSION APPLICANTS**

Six applicants for two full-term appointed offices (ending 30 June 2013) plus one unexpired term of office ending 30 June 2012 (open effective 01 August 2011).

5:45 P.M.

3. **CLOSED SESSION**: Adjournment into Closed Session by Mayor Shuey

- (a) Conference with Labor Negotiator
Government Code Section 54957.6.

Instructions to City-designated negotiator: City Manager

- (1) Employee Organization: Clayton Police Officers Association (CPOA)

- (2) Employee Organization: Undesignated City Employees Unit

Report Out from Closed Session: Mayor Shuey.

7:00 P.M.

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

5. **CONSENT CALENDAR**

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

- (a) Approve the minutes of the regular meeting of June 7, 2011. ([View Here](#))

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

- (c) Approve a one (1) year time extension to the City's Agreement with All Out Sports League (AOSL) for development and operation of community recreation services at the joint use Clayton Community Gymnasium (through June 2012). ([View Here](#))

- (d) Adopt a Resolution authorizing the City to join other Contra Costa County cities and special districts in filing litigation to challenge the County Auditor-Controller's determination to charge all taxing entities in the County for the ordered refund of property taxes to Chevron Corporation for its refinery in the city of Richmond.
([View Here](#))
- (e) Accept with regret the resignation of Tuija I. Catalano from her appointed office as a City Planning Commissioner, effective 01 August 2011. ([View Here](#))

6. RECOGNITIONS AND PRESENTATIONS

- (a) Appreciation Plaque to Jim Webb for 5 years of sponsorship donations to the City's 4th of July Parade.
- (b) Certificates of Recognition: "Do The Right Thing" school students (22).

7. REPORTS

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

8. 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.

9. PUBLIC HEARINGS

- (a) Public Hearing on the proposed City of Clayton Budget for Fiscal Year 2011-2012 and its 5-Year Capital Improvement Project Budget (CIP) for Fiscal Years 2011-2016. ([View Here](#))
(City Manager)

Staff recommendations: **1)** Receive the staff report; **2)** Open the Public Hearing and receive public comments; **3)** Close the Public Hearing; and **4)** Provide any final Budget modifications and then by motion adopt the Resolution approving a City Budget for FY 2011-2012 and a 5-Year CIP for FY 2011-2016.

10. ACTION ITEMS

- (a) Public Meeting on the proposed levy of annual assessments on real property in the Street Lighting Assessment District (residential street lights) for FY 2011-2012, pursuant to Streets and Highways Code 18070 and Government Code 54954.6.
(City Engineer) ([View Here](#))

Staff recommendation: Receive public comments on the proposed zero increase in the existing annual assessment for residential street lighting in FY 2011-2012.

- (b) Request for the City Council to fully endorse the charter petition and application for a Clayton Valley Charter High School as presented to the Board of Education of the Mount Diablo Unified School District on June 8, 2011. ([View Here](#))
(Mayor Shuey)

Staff recommendation: Following Council discussion and public comment, a motion to support the charter petition and application as submitted to the MDUSD Board of Education.

- (c) Consideration of the various redistricting map options for Contra Costa County supervisorial districts and determination of City preference(s). ([View Here](#))
(Councilmember Pierce)

Staff recommendation: Following presentation of the redistricting map options and opportunity for public comment, that Council by motion indicate its redistricting boundary preference(s) and authorize one of its elected members to attend the June 28, 2011 meeting of the County Board of Supervisors and provide the City's input accordingly.

- (d) City Council discussion and determination of citizen appointments to three (3) vacancies on the Clayton Planning Commission: two (2) full terms of appointed office from 01 July 2011 through 30 June 2013, and one (1) unexpired term of appointed office effective 01 August 2011 through 30 June 2012. ([View Here](#))
(Mayor Shuey)

Staff recommendation: Determine the respective citizen appointments, and then adopt the Resolution appointing three citizens to the respective terms of appointed office on the Clayton Planning Commission.

- (e) City Council discussion of holding regularly scheduled Council meetings in July, August and/or September 2011 relative to quorum availability and summer vacation plans. ([View Here](#))
(City Manager)

Staff recommendation: That Council provide direction regarding the cancellation of any regularly scheduled City Council meetings in July, August and/or September 2011.

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

12. ADJOURNMENT – the next regularly scheduled City Council meeting is July 5, 2011.

#

*** CLAYTON REDEVELOPMENT AGENCY ***

June 21, 2011

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

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

Citizens may address the Redevelopment Agency on items within the Board's jurisdiction, (which are not on the agenda) by completing a speaker card available on the Lobby table and submitting it to the Secretary. To assure an orderly meeting and an equal opportunity for everyone, each speaker is limited to 3 minutes, enforced at the Chair's discretion. When one's name is called by the Chair, 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. Board Members may respond to statements made or questions asked, or may request Staff to report back at a future meeting concerning the matter.

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

3. **CONSENT CALENDAR**

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

- (a) Approve the minutes of the regular meeting of June 7, 2011.
([View Here](#))

4. **PUBLIC HEARINGS**

- (a) Public Hearing on the proposed Clayton Redevelopment Agency Budget for Fiscal Year 2011 – 2012. ([View Here](#))
(Executive Director)

Staff recommendation: **1)** Receive the staff report; **2)** Open the Public Hearing and receive public comments; **3)** Close the Public Hearing; and **4)** Provide any final Budget modifications and then by motion adopt the Resolution approving a Redevelopment Agency Budget for FY 2011-2012.

5. **ACTION ITEMS** – None.

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

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

#

*** OAKHURST GEOLOGIC HAZARD ABATEMENT DISTRICT ***

June 21, 2011

1. CALL TO ORDER AND ROLL CALL – Chairman Stratford.

2. PUBLIC COMMENTS

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

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

3. CONSENT CALENDAR

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

- (a) Approve the Oakhurst Geologic Hazard Abatement District Board minutes for its regular meetings of December 7, 2010. ([View Here](#))

4. PUBLIC HEARINGS – None.

5. ACTION ITEMS

- (a) Presentation and consideration of the proposed Oakhurst Geologic Hazard Abatement District (GHAD) Budget for Fiscal Year 2011-2012. ([View Here](#)) (District Manager)

Staff recommendations: **1)** Receive the Manager's report; **2)** Receive public comments; **3)** Adopt the Resolution approving the District's Budget for FY 2011-2012, which action also sets July 19, 2011 as the Public Hearing date on the proposed GHAD real property assessments for FY 2011-2012.

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

7. ADJOURNMENT – the next meeting of the GHAD Board of Directors will be July 19, 2011.

#

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

TUESDAY, June 7, 2011

Agenda Date: 6-21-11

Agenda Item: 5a

1. **CALL TO ORDER & ROLL CALL** – The meeting was called to order at 7:00 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 and Pierce. Councilmembers absent: Mayor Shuey and Councilmember Stratford. Staff present: City Manager Gary Napper, Assistant City Attorney Maury Huguet Jr., Community Development Director David Woltering, and City Clerk Laci Jackson.
2. **CLOSED SESSION**- Vice Mayor Geller noted the earlier posted Closed Session was not held (cancelled).
 - (a) Conference with Labor Negotiator
Government Code Section 54957.6.
Instructions to City-designated negotiator: City Manager
 - (1) Employee Organization: Clayton Police Officers Association (CPOA)
 - (2) Employee Organization: Undesignated City Employees Unit
3. **PLEDGE OF ALLEGIANCE** – led by Vice Mayor Geller.
4. **CONSENT CALENDAR**- It was moved by Councilmember Pierce seconded by Councilmember Medrano to approve the Consent Calendar as submitted (Passed; 3-0 vote).
 - (a) Approved the minutes of the regular meeting of May 17, 2011.
 - (b) Rejected the liability claim of Judith Wilson for alleged damages by a tree located in or near City open space which occurred on or about March 24, 2011.
 - (c) Adopted Clayton's Growth Management Program (GMP) Compliance Checklist for calendar years 2008 & 2009, per CCTA Measure J.
5. **RECOGNITIONS AND PRESENTATIONS**
 - (a) Vice Mayor Geller presented a Certificate of Recognition to Garrett Blatter for his BSA Eagle Scout Project of two new water stations at the Clayton Dog Park.
6. **REPORTS**
 - (a) Planning Commission –Commissioner Bob Armstrong reported on the May 24th meeting of the Planning Commission. He stated the Planning Commission had a presentation on the Draft EIR for the Clayton Community Church project.
 - (b) Trails and Landscaping Committee – Chairman Jake Pauline reported on the Commissions May 16th meeting. He stated the committee reviewed the Landscape Maintenance District budget and discussed the recommended projects for the next fiscal year. He stated the Committee recommends the Council approve the District budget as proposed by the City Manager.

- (c) The City Manager stated the State is still battling its budget deficit of \$9.6 billion and Governor Brown is still urging that RDA's be eliminated but no state takeaways on the plate right now due to Prop. 22's passage. He stated the 4th of July Parade is not far away and volunteers are needed.

- (d) City Council

Councilmember Medrano attended the East Bay League of Cities meeting and stated the American Lung Association gave a presentation on local anti-smoking regulations and ranked cities as to their effectiveness. He stated teachers at Clayton Valley voted and 75% were in favor of the transition to a Charter High School so the group will be submitting their application to the school board soon.

Councilmember Pierce attended a Transportation Authority meeting, an Administration Projects Committee meeting, an ABAG Executive Board meeting, and a meeting for the Legislative and Government Operations Committee. She attended the Contra Costa Council Transportation Forum and the county supervisorial redistricting meeting at Endeavor Hall. Lastly, she attended the Housing Methodology Committee meeting and the Mayors' Conference.

Vice Mayor Geller stated the June 4th Concert was cancelled due to rainy weather and he will be working with the band to try to reschedule. He stated the previous Concert (Sun Kings) had record breaking donations from the audience at \$1,625. He also attended the Mayors' Conference.

- (e) Other – None.

7. PUBLIC COMMENTS

Marcy Moss stated there is a group of organized Clayton residents who have started a website to discuss concerns over the proposed Church www.saveclayton.com

Linda Hudak stated she could not make the Planning Commission meeting but stated the Clayton Community Church project does not fit downtown and she is opposed to tearing down the old Pioneer Inn.

Elise Agnew stated the story poles [for the Clayton Community Church project] seem completely out of place and the parking spots required would impact trying to get anywhere in downtown Clayton.

Tamara Steiner stated the East Contra Costa County Fire Protection Board voted to continue fire protection for the Morgan Territory area.

The City Manager stated the public comment period for the Clayton Community Church Draft EIR ends on June 25th. He stated all comments will be given to the consultant to analyze, comment on, and place in the final version of the EIR. The City Manager stated the Public Hearings on the church project will be at the Planning Commission in the latter part of September or the beginning of October.

8. PUBLIC HEARINGS – None.

9. ACTION ITEMS

- (a) Second Reading and Adoption of a Planning Commission-recommended Ordinance to amend the *Clayton Municipal Code* regarding the number of administratively-issued Temporary Use Permits (TUPs) allowed per parcel per year and other TUP procedural requirements.

The Community Development Director presented the staff report and stated the Ordinance amends the current requirements for administratively approved temporary use permits. The amendments clarify that the allowed temporary uses could not exceed 45 days per application, sets a minimum time for submittal of application materials prior to a TUP event (45 days vs. the 48 hrs in the current code), increases the number of temporary use permits allowed per property from 3 to 4, and adds that a Maintenance supervisor review the Temporary Use Permit applications.

No public comments were received.

It was moved by Councilmember Medrano, seconded by Councilmember Pierce to have the City Clerk read Ordinance No. 433 by title and number only and waive further reading (Passed; 3-0 vote).

The City Clerk read Ordinance No. 433 by title and number only.

It was moved by Councilmember Medrano, seconded by Councilmember Pierce to adopt Ordinance No. 433 (Passed; 3-0 vote).

- (b) Second Reading and Adoption of an Ordinance amending Title 17 (Zoning) of the *Clayton Municipal Code* to increase the minimum interior side and rear yard setback requirement for a detached accessory structure and detached accessory buildings from three (3) feet to five (5) feet (ZOA 04-11).

The Community Development Director presented the staff report and stated by approving the Ordinance the setback requirements will be moved from 3 feet to 5 feet to be consistent with County Building and Fire Codes. He noted this does not apply to exempt structures such as sheds.

No public comments were received.

It was moved by Councilmember Medrano, seconded by Councilmember Pierce to have the City Clerk read Ordinance No. 434 by title and number only and waive further reading (Passed; 3-0 vote).

The City Clerk read Ordinance No. 434 by title and number only.

It was moved by Councilmember Medrano, seconded by Councilmember Pierce to adopt Ordinance No. 434 (Passed; 3-0 vote).

- (c) Introduction and consideration of the recommended City of Clayton Budget for Fiscal Year 2011–2012 and the Capital Improvement Program (CIP) for Fiscal Years 2011–2016.

The City Manager stated the overall budget is a status quo budget, with no reductions in services or programs. He noted the total budget is \$21,376 less than last year's budget. The General Fund budget is balanced at \$3.65 million and property taxes and sales taxes make up the majority of the budget revenues. He stated of a Clayton resident's property tax bill, the City gets 4.2%. He stated most of the money goes to the State to fund public education. He stated this budget calls for no use of one time monies for general operations. He stated one area that is troubling is the COPS grant funds of \$100,000 which is now paid via vehicle license fees. He noted locally this grant funds one Police Officer position and two Police Services Aides. He stated the funding expires on June 30th and may require a ballot measure in November for tax extensions for the VLF tax. He stated due to the un-assured funding this budget is patched to keep the 11th Officer position funded until the outcome of the budget negotiations or the November election. He stated there are two labor units still in negotiations and the Budget does not address that outcome. He stated the General Fund Reserve is \$5.1 million (140% of the annual operating budget).

He stated the Budget is built of four major categories: General Fund, Other Funds, CIP, and RDA. He stated the economic recession has hit everyone and while costs have increased City revenues have remained flat. The City of Clayton employees have made concessions equaling \$310,294 in each of the last three years, through furloughs, lack of COLA increases, and other cost saving measures. He stated in order to work as effectively as possible the City needs to do Capital Equipment Replacements in the amount of \$70,000 using one-time monies, and install a Credit Card Payment System so the public can pay fees using plastic cards.

He stated the Landscape Maintenance District will continue the work started this year and will do many projects next year, which is exactly what the voters wanted when they voted for the tax measure; namely, a pay-as-you-go improvement plan.

He stated Capital Improvement budget (CIP) includes a street paving project, the new parking lot expansion at the Community Park (partially funded by the Measure WW grant), and a sanitary sewer improvement for El Molino Drive.

Councilmember Pierce thanked the Finance Manager and the City Manager for putting the budget together. She stated the Finance Manager is extremely conservative with the revenue projections and considering the money that has been taken by the state, the City has fared well.

Councilmember Medrano asked for the budget to be amended to include adding a back-up tape for the taping of the City Council meetings by using Comcast PEG monies.

Vice Mayor Geller thanked the City Manager and the Finance Manager.

No public comments were received.

It was moved by Councilmember Pierce, seconded by Councilmember Medrano to instruct the City Manager to prepare the amended Budgets for Public Hearing and adoption at the June 21st City Council meeting (Passed; 3-0 vote).

- (d) Consideration of the establishment of a Reward Program (up to \$1,000 each occurrence) for information leading to the arrest and conviction of person(s) responsible for damage (graffiti and vandalism included) to City facilities, assets and property.

The Chief of Police presented the staff report. He stated since June 30, 2010 there have been 30 vandalism incidents reported and 14 to public properties. He stated three local cities offer rewards: Richmond, Hayward, and San Francisco. The Hayward Police Department said they had only paid a reward out three times since the program started. He stated staff feels a reward program could work if people would come forward but the language would have to be crafted and it is unknown if this would control or stop vandalism. He stated there are possible downsides if two people conspire to receive the reward. He stated security surveillance cameras could also be another option to look into for catching vandals in the act.

Councilmember Pierce stated the vandalism is an ongoing problem and initially she thought the reward system might be workable, but she fears bullying. Cameras really do work, and some strategically placed cameras around Endeavor Hall and at The Grove Park may be a better way to go.

Councilmember Medrano agreed with looking into the cameras but thinks putting out a reward system could work. He asked staff to look into whether the reward funds could be paid by the perpetrator's parents as part of the restitution program.

Vice Mayor Geller thinks the reward program could be beneficial but would like to see if the cameras would be an option.

No public comments were received.

Pursuant to Council consensus, staff will look into camera options and draft language for a reward program for a future meeting.

10. **COUNCIL ITEMS-** None.

11. **ADJOURNMENT-** On call by Vice Mayor Medrano the meeting adjourned at 8:32 p.m.

Respectfully submitted,

Laci J. Jackson, City Clerk

APPROVED BY CLAYTON CITY COUNCIL

Howard Geller, Mayor



Agenda Date: 6/21/11

Agenda Item: 5b

Approved:

Gary A. Napper
City Manager/Executive Director

STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: MERRY PELLETIER, FINANCE MANAGER

DATE: JUNE 21, 2011

SUBJECT: INVOICE SUMMARY

RECOMMENDATION

Approve the following Invoices.

5/24/11	Cash Requirements Report	\$1,822.00
6/1/11	Cash Requirements Report	\$2,500.00
6/9/11	Cash Requirements Report	\$185,425.58
6/17/11	Cash Requirements Report	\$166,735.75

Attachments:

Cash Requirements Report, dated 5/25/11 (1 page)
Cash Requirements Report, dated 6/9/11 (1 page)
Cash Requirements Report, dated 6/9/11 (5 pages)
Cash Requirements Report, dated 6/17/11 (6 pages)

City of Clayton
Cash Requirements Report
CC Meeting 6/7/11 - 6/21/11

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
Neopost (add postage)	5/25/2011	5/24/2011	5/24/11	Postage Added - St Lt AD + Regular 5/24/11	\$1,822.00	\$0.00		\$1,822.00
Neopost (add postage)				Totals for Neopost (add postage):	\$1,822.00	\$0.00		\$1,822.00
				GRAND TOTALS:	\$1,822.00	\$0.00		\$1,822.00

City of Clayton
Cash Requirements Report
CC Meeting 6/7/11 - 6/21/11

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
Middleton, Young & Minney, LLP	6/1/2011	5/31/2011	5/31/11	Clayton Valley Charter HS Legal Svc 5/11	\$2,500.00	\$0.00		\$2,500.00
Middleton, Young & Minney, LLP				Totals for Middleton, Young & Minney, LLP:	\$2,500.00	\$0.00		\$2,500.00
				GRAND TOTALS:	\$2,500.00	\$0.00		\$2,500.00

City of Clayton

Cash Requirements Report

CC Meeting 6/2/11

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
AAUW								
AAUW	6/9/2011	6/9/2011	EH 3/23/11	Refund Deposit Less Fees 3/23/11	\$350.00	\$0.00		\$350.00
				Totals for AAUW:	\$350.00	\$0.00		\$350.00
All City Management Services, Inc.								
All City Management Services, Inc.	6/1/2011	5/9/2011	22810	Crossing Guard WE 5/7/11	\$186.00	\$0.00		\$186.00
All City Management Services, Inc.	6/9/2011	5/23/2011	5/23	Crossing Guard WE 5/21/11	\$465.00	\$0.00		\$465.00
				Totals for All City Management Services, Inc.:	\$651.00	\$0.00		\$651.00
AT&T/ CalNet 2								
AT&T/ CalNet 2	6/9/2011	5/22/2011	5/11A	Local Phone Service 5/11A	\$1,309.70	\$0.00		\$1,309.70
				Totals for AT&T/ CalNet 2:	\$1,309.70	\$0.00		\$1,309.70
BAE Urban Economics Inc								
BAE Urban Economics Inc	6/1/2011	5/6/2011	1712-Apr11	CC Church Impacts Study 4/11	\$430.00	\$0.00		\$430.00
				Totals for BAE Urban Economics Inc:	\$430.00	\$0.00		\$430.00
CalPERS Health								
CalPERS Health	6/1/2011	5/15/2011	404	Health Premiums 6/11	\$29,199.02	\$0.00		\$29,199.02
				Totals for CalPERS Health:	\$29,199.02	\$0.00		\$29,199.02
CalPERS Retirement								
CalPERS Retirement	6/9/2011	5/16/2011	PPE 5/15/11	Retirement PPE 5/15/11	\$20,458.67	\$0.00		\$20,458.67
CalPERS Retirement	6/9/2011	5/30/2011	PPE 5/29/11	Retirement PPE 5/29/11	\$20,471.20	\$0.00		\$20,471.20
				Totals for CalPERS Retirement:	\$40,929.87	\$0.00		\$40,929.87
Caltronics Business Systems, Inc								
Caltronics Business Systems, Inc	6/1/2011	5/16/2011	858012	Admin Copier Copies 5/11	\$238.05	\$0.00		\$238.05
				Totals for Caltronics Business Systems, Inc:	\$238.05	\$0.00		\$238.05
CCC Auditor-Controller (Booking)								
CCC Auditor-Controller (Booking)	6/1/2011	4/10/2011	4/10/11	PD Booking fees 3/11	\$147.00	\$0.00		\$147.00
				Totals for CCC Auditor-Controller (Booking):	\$147.00	\$0.00		\$147.00
CCC General Services (Traffic)								
CCC General Services (Traffic)	6/1/2011	4/21/2011	4160	Traffic Signal Maintenance 3/11	\$2,967.98	\$0.00		\$2,967.98
CCC General Services (Traffic)	6/1/2011	5/18/2011	4184	Traffic Signal Maintenance 4/11	\$1,501.63	\$0.00		\$1,501.63
				Totals for CCC General Services (Traffic):	\$4,469.61	\$0.00		\$4,469.61
CCC Office of the Sheriff - Forensic Svc Division (Lab)								
CCC Office of the Sheriff - Forensic Svc	6/1/2011	5/11/2011	CLPD-11104	PD Crime Lab 4/11	\$300.00	\$0.00		\$300.00
				Totals for CCC Office of the Sheriff - Forensic Svc Division (Lab):	\$300.00	\$0.00		\$300.00
City of Concord								
City of Concord	6/1/2011	2/18/2011	23720	PD Printing 2/11	\$158.00	\$0.00		\$158.00

City of Clayton Cash Requirements Report CC Meeting 6/21/11

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
City of Concord	6/1/2011	5/6/2011	24666	PD Dispatch & Router 5/11	\$13,285.00	\$0.00		\$13,285.00
City of Concord	6/1/2011	5/13/2011	24700	St Lt & GHAD Mailer Printing 5/11	\$232.00	\$0.00		\$232.00
City of Concord	6/1/2011	5/13/2011	24707	PD Vehicle Maintenance 4/11	\$994.89	\$0.00		\$994.89
City of Concord	6/1/2011	5/13/2011	24718	PD Live Scans 5/11	\$273.00	\$0.00		\$273.00
Clean Street				Totals for City of Concord:	\$14,942.89	\$0.00		\$14,942.89
Clean Street	6/9/2011	5/31/2011	63839	Street Sweeping 5/11	\$3,500.00	\$0.00		\$3,500.00
Contra Costa Tractor Mobile Svc				Totals for Clean Street:	\$3,500.00	\$0.00		\$3,500.00
Contra Costa Tractor Mobile Svc	6/1/2011	5/24/2011	015043	PW Tractor Repair 5/11	\$3,161.54	\$0.00		\$3,161.54
Employee Benefit Specialists, Inc				Totals for Contra Costa Tractor Mobile Svc:	\$3,161.54	\$0.00		\$3,161.54
Employee Benefit Specialists, Inc	6/9/2011	5/31/2011	0052733-IN	FSA Admin Fees 5/11	\$100.00	\$0.00		\$100.00
EnviroTech Services (Training)				Totals for Employee Benefit Specialists, Inc:	\$100.00	\$0.00		\$100.00
EnviroTech Services (Training)	6/9/2011	6/4/2011	6/4/11	QSP/QSD Stormwater Training 6/11	\$550.00	\$0.00		\$550.00
Globalstar LLC				Totals for EnviroTech Services (Training):	\$550.00	\$0.00		\$550.00
Globalstar LLC	6/9/2011	5/16/2011	3039074	PD Sat Phone 5/11	\$26.98	\$0.00		\$26.98
Hammons Supply Company				Totals for Globalstar LLC:	\$26.98	\$0.00		\$26.98
Hammons Supply Company	6/1/2011	5/23/2011	66415	Janitorial Supplies 5/11	\$437.74	\$0.00		\$437.74
Health Care Dental Trust				Totals for Hammons Supply Company:	\$437.74	\$0.00		\$437.74
Health Care Dental Trust	6/1/2011	5/10/2011	125386	Dental Premiums 6/11	\$2,574.95	\$0.00		\$2,574.95
John Deere Landscapes Inc				Totals for Health Care Dental Trust:	\$2,574.95	\$0.00		\$2,574.95
John Deere Landscapes Inc	6/1/2011	4/29/2011	57631258	Landscape Material 5/11	\$2,818.84	\$0.00		\$2,818.84
John Deere Landscapes Inc	6/1/2011	5/2/2011	57650909	Landscape Material 5/11	\$86.53	\$0.00		\$86.53
John Deere Landscapes Inc	6/1/2011	5/3/2011	57668798	Landscape Material 5/11	\$874.76	\$0.00		\$874.76
John Deere Landscapes Inc	6/1/2011	5/3/2011	57668851	Landscape Material 5/11	\$243.03	\$0.00		\$243.03
John Deere Landscapes Inc	6/1/2011	5/3/2011	57669334	Landscape Material 5/11	\$376.04	\$0.00		\$376.04
John Deere Landscapes Inc	6/1/2011	5/4/2011	57687105	Landscape Material 5/11	\$605.68	\$0.00		\$605.68
John Deere Landscapes Inc	6/1/2011	5/5/2011	57703199	Landscape Material 5/11	\$44.25	\$0.00		\$44.25
John Deere Landscapes Inc	6/1/2011	5/5/2011	57703221	Landscape Material 5/11	\$1,627.26	\$0.00		\$1,627.26
John Deere Landscapes Inc	6/1/2011	5/6/2011	57720182	Landscape Material 5/11	\$486.05	\$0.00		\$486.05
John Deere Landscapes Inc	6/1/2011	5/11/2011	57791450	Landscape Material 5/11	\$157.70	\$0.00		\$157.70

City of Clayton

Cash Requirements Report

CC Meeting 6/21/11

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
John Deere Landscapes Inc	6/1/2011	5/12/2011	57805529	Landscape Material 5/11	\$122.05	\$0.00		\$122.05
John Deere Landscapes Inc	6/1/2011	5/13/2011	57822055	Landscape Material 5/11	\$584.50	\$0.00		\$584.50
John Deere Landscapes Inc	6/1/2011	5/17/2011	57868690	Landscape Material 5/11	\$298.71	\$0.00		\$298.71
John Deere Landscapes Inc	6/1/2011	5/19/2011	57899752	Landscape Material 5/11	\$1,585.60	\$0.00		\$1,585.60
LarryLogic Productions				Totals for John Deere Landscapes Inc:	\$9,911.00	\$0.00		\$9,911.00
LarryLogic Productions	6/1/2011	5/18/2011	1148	City Council Meeting Video 5/17/11	\$360.00	\$0.00		\$360.00
LarryLogic Productions	6/9/2011	6/7/2011	1153	City Council Meeting Video 6/7/11	\$292.50	\$0.00		\$292.50
Local Government Consultants				Totals for LarryLogic Productions:	\$652.50	\$0.00		\$652.50
Local Government Consultants	6/1/2011	4/11/2011	81	State Mandated Claiming Svc 10-11 #2	\$1,000.00	\$0.00		\$1,000.00
LSA Associates Inc				Totals for Local Government Consultants:	\$1,000.00	\$0.00		\$1,000.00
LSA Associates Inc	6/1/2011	5/10/2011	107586	CC Church EIR 4/11	\$13,843.52	\$0.00		\$13,843.52
Lynn Christ - Petty Cash				Totals for LSA Associates Inc:	\$13,843.52	\$0.00		\$13,843.52
Lynn Christ - Petty Cash	6/9/2011	6/6/2011	PD PC 6/11	PD Petty Cash Reimbursement 6/11	\$131.91	\$0.00		\$131.91
Marken Mechanical Services Inc				Totals for Lynn Christ - Petty Cash:	\$131.91	\$0.00		\$131.91
Marken Mechanical Services Inc	6/1/2011	5/4/2011	111-13905	Library HVAC Repair 5/11	\$1,016.96	\$0.00		\$1,016.96
Marken Mechanical Services Inc	6/1/2011	5/4/2011	111-13920	CH, Library, EH Condenser Coil Clean 5/11	\$1,105.00	\$0.00		\$1,105.00
Marken Mechanical Services Inc	6/1/2011	5/3/2011	411-1147-4	EH HVAC Maintenance 4/11	\$247.00	\$0.00		\$247.00
Marken Mechanical Services Inc	6/1/2011	5/3/2011	411-1151-5	CH HVAC Maintenance 5/11	\$150.00	\$0.00		\$150.00
Marken Mechanical Services Inc	6/1/2011	5/3/2011	411-1152-5	Library HVAC Maintenance 5/11	\$150.00	\$0.00		\$150.00
Municipal Pooling Authority				Totals for Marken Mechanical Services Inc:	\$2,668.96	\$0.00		\$2,668.96
Municipal Pooling Authority	6/1/2011	6/1/2011		LTD, Life & ADD Premiums 6/11	\$1,158.96	\$0.00		\$1,158.96
Pacific Nurseries				Totals for Municipal Pooling Authority:	\$1,158.96	\$0.00		\$1,158.96
Pacific Nurseries	6/1/2011	5/16/2011	SI-231299	Landscape Planting Material 5/11	\$4,194.98	\$0.00		\$4,194.98
Pacific Telemanagement Svc				Totals for Pacific Nurseries:	\$4,194.98	\$0.00		\$4,194.98
Pacific Telemanagement Svc	6/8/2011	5/18/2011	273699	Outside Phone Booth 6/11	\$73.00	\$0.00		\$73.00
Pavement Engineering Inc				Totals for Pacific Telemanagement Svc:	\$73.00	\$0.00		\$73.00
Pavement Engineering Inc	6/1/2011	5/9/2011	1105-002	Street Overlay Project Consultant 5/11	\$1,400.00	\$0.00		\$1,400.00

City of Clayton Cash Requirements Report CC Meeting 6/21/11

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
PERMCO, Inc.				<i>Totals for Pavement Engineering Inc.:</i>	<i>\$1,400.00</i>	<i>\$0.00</i>		<i>\$1,400.00</i>
PERMCO, Inc.	6/9/2011	5/31/2011	9433	Eng Retainer - General Svc	\$4,750.75	\$0.00		\$4,750.75
PERMCO, Inc.	6/9/2011	5/31/2011	9434	PG&E Minor EPs	\$601.75	\$0.00		\$601.75
PERMCO, Inc.	6/9/2011	5/31/2011	9435	CCWD Minor EPs	\$352.75	\$0.00		\$352.75
PERMCO, Inc.	6/9/2011	5/31/2011	9436	CCC Water Program Update	\$610.00	\$0.00		\$610.00
PERMCO, Inc.	6/9/2011	5/31/2011	9437	Weisendanger SWP 13-09 Insp	\$41.50	\$0.00		\$41.50
PERMCO, Inc.	6/9/2011	5/31/2011	9437	O'Meara SWP 01-10 Insp	\$41.50	\$0.00		\$41.50
PERMCO, Inc.	6/9/2011	5/31/2011	9437	Richards SWP 11-10 Insp	\$41.50	\$0.00		\$41.50
PERMCO, Inc.	6/9/2011	5/31/2011	9438	CCP Parking Lot Pre-Construction Mtg	\$3,132.94	\$0.00		\$3,132.94
PERMCO, Inc.	6/9/2011	5/31/2011	9439	2010 Pavement Rehab	\$781.56	\$0.00		\$781.56
PERMCO, Inc.	6/9/2011	5/31/2011	9441	Diablo Pointe SW Inspections	\$83.00	\$0.00		\$83.00
PERMCO, Inc.	6/9/2011	5/31/2011	9442	St Lt AD FY 11-12 Eng Report	\$122.00	\$0.00		\$122.00
PERMCO, Inc.	6/9/2011	5/31/2011	9443	Hedges CAP 0004 SW Insp	\$41.50	\$0.00		\$41.50
PERMCO, Inc.	6/9/2011	5/31/2011	9443	Zachan CAP 0006 EP Insp	\$41.50	\$0.00		\$41.50
PERMCO, Inc.	6/9/2011	5/31/2011	9443	Pallotta CAP 0007 SW Insp	\$41.50	\$0.00		\$41.50
PERMCO, Inc.	6/9/2011	5/31/2011	9443	Van Brusselen CAP 0010 SW Insp	\$41.50	\$0.00		\$41.50
PERMCO, Inc.	6/9/2011	5/31/2011	9443	Caldwell CAP 0012 SW Insp	\$41.50	\$0.00		\$41.50
				<i>Totals for PERMCO, Inc.:</i>	<i>\$10,766.75</i>	<i>\$0.00</i>		<i>\$10,766.75</i>
PG&E								
PG&E	6/9/2011	5/24/2011	Indv 5/11	PW, EH, Grove Pk Service 5/11	\$436.15	\$0.00		\$436.15
PG&E	6/9/2011	5/19/2011	Mst #119.. 5/11	Traffic Signal & Irrigation Service 5/11	\$472.68	\$0.00		\$472.68
PG&E	6/9/2011	5/24/2011	Mst #121.. 5/11	CH & Misc Service 5/11	\$2,372.14	\$0.00		\$2,372.14
PG&E	6/9/2011	5/18/2011	Mst #729.. 5/11	St Lts, Library & Misc Service 5/11	\$15,565.77	\$0.00		\$15,565.77
				<i>Totals for PG&E:</i>	<i>\$18,846.74</i>	<i>\$0.00</i>		<i>\$18,846.74</i>
R&S Erection of Concord								
R&S Erection of Concord	6/1/2011	4/30/2011	76924 COMR	CCP Repair of Steel Roll-up Door 4/11	\$238.00	\$0.00		\$238.00
				<i>Totals for R&S Erection of Concord:</i>	<i>\$238.00</i>	<i>\$0.00</i>		<i>\$238.00</i>
Raney Planning & Management, Inc.								
Raney Planning & Management, Inc.	6/1/2011	5/9/2011	1107P-3	Growth Management Update 4/11	\$1,809.20	\$0.00		\$1,809.20
Raney Planning & Management, Inc.	6/1/2011	5/6/2011	1108P-2	Housing Element Update 4/11	\$270.00	\$0.00		\$270.00
				<i>Totals for Raney Planning & Management, Inc.:</i>	<i>\$2,079.20</i>	<i>\$0.00</i>		<i>\$2,079.20</i>
Riso Products of Sacramento								
Riso Products of Sacramento	6/9/2011	5/23/2011	74386	PD Copier 5/11	\$95.07	\$0.00		\$95.07
				<i>Totals for Riso Products of Sacramento:</i>	<i>\$95.07</i>	<i>\$0.00</i>		<i>\$95.07</i>
Rock & Waterfall Co								
Rock & Waterfall Co	6/9/2011	5/1/2011	100-69	OH Waterfall Maintenance 5/11	\$650.00	\$0.00		\$650.00
				<i>Totals for Rock & Waterfall Co:</i>	<i>\$650.00</i>	<i>\$0.00</i>		<i>\$650.00</i>

City of Clayton

Cash Requirements Report

CC Meeting 6/21/11

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
Rolling Hills Landscape, Inc								
Rolling Hills Landscape, Inc	6/9/2011	5/12/2011	702	Water Feature Curbs 5/11	\$7,800.00	\$0.00		\$7,800.00
				<i>Totals for Rolling Hills Landscape, Inc:</i>	<u>\$7,800.00</u>	<u>\$0.00</u>		<u>\$7,800.00</u>
Sprayer Sales Co								
Sprayer Sales Co	6/9/2011	4/7/2011	10672	PW Wash Rack Maintenance 2/11	\$225.00	\$0.00		\$225.00
Sprayer Sales Co	6/9/2011	4/14/2011	10677	PW Wash Rack Maintenance 3/11	\$225.00	\$0.00		\$225.00
				<i>Totals for Sprayer Sales Co:</i>	<u>\$450.00</u>	<u>\$0.00</u>		<u>\$450.00</u>
Sprint Comm (PD)								
Sprint Comm (PD)	6/9/2011	5/29/2011	114	PD Cell Phone Service 5/11	\$292.90	\$0.00		\$292.90
				<i>Totals for Sprint Comm (PD):</i>	<u>\$292.90</u>	<u>\$0.00</u>		<u>\$292.90</u>
Sprint Comm (PW & ADM)								
Sprint Comm (PW & ADM)	6/9/2011	5/29/2011	109	PW & Admin Cell Phone Service 5/11	\$268.74	\$0.00		\$268.74
				<i>Totals for Sprint Comm (PW & ADM):</i>	<u>\$268.74</u>	<u>\$0.00</u>		<u>\$268.74</u>
Stericycle Inc								
Stericycle Inc	6/1/2011	6/1/2011	3001408983	Haz Material Overweight Surcharge 3/11	\$35.00	\$0.00		\$35.00
				<i>Totals for Stericycle Inc:</i>	<u>\$35.00</u>	<u>\$0.00</u>		<u>\$35.00</u>
Waraner Brothers Tree Service								
Waraner Brothers Tree Service	6/1/2011	4/19/2011	9294	Clayton Road Pepper Tree Work 4/11	\$750.00	\$0.00		\$750.00
Waraner Brothers Tree Service	6/1/2011	5/24/2011	9338	Oakhurst Drive Tree Work 5/11	\$750.00	\$0.00		\$750.00
Waraner Brothers Tree Service	6/1/2011	5/24/2011	9339	Oakhurst Drive Extra Tree Work 5/11	\$4,050.00	\$0.00		\$4,050.00
				<i>Totals for Waraner Brothers Tree Service:</i>	<u>\$5,550.00</u>	<u>\$0.00</u>		<u>\$5,550.00</u>
GRAND TOTALS:					\$185,425.58	\$0.00		\$185,425.58

City of Clayton

Cash Requirements Report

CC Meeting 6/21/11

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
ABAG								
ABAG	7/1/2011	4/19/2011	1038656	ABAG Dues FY 11-12	\$2,547.00	\$0.00		\$2,547.00
				Totals for ABAG:	<u>\$2,547.00</u>	<u>\$0.00</u>		<u>\$2,547.00</u>
Abdul Shaikh								
Abdul Shaikh	6/14/2011	6/14/2011	Libr 5/21/11	Refund Library Deposit 5/21/11	\$200.00	\$0.00		\$200.00
				Totals for Abdul Shaikh:	<u>\$200.00</u>	<u>\$0.00</u>		<u>\$200.00</u>
Access One								
Access One	6/16/2011	6/2/2011	1153530	Long Distance Service 5/11	\$51.63	\$0.00		\$51.63
				Totals for Access One:	<u>\$51.63</u>	<u>\$0.00</u>		<u>\$51.63</u>
Allied Waste Services								
Allied Waste Services	6/14/2011	5/31/2011	2551769	Garbage Svc 268 Stranahan 5/11	\$42.68	\$0.00		\$42.68
				Totals for Allied Waste Services:	<u>\$42.68</u>	<u>\$0.00</u>		<u>\$42.68</u>
Arlene H. Kikkawa-Nielsen								
Arlene H. Kikkawa-Nielsen	6/15/2011	6/15/2011	6/11	Library Volunteer Coordinator 6/11	\$820.00	\$0.00		\$820.00
				Totals for Arlene H. Kikkawa-Nielsen:	<u>\$820.00</u>	<u>\$0.00</u>		<u>\$820.00</u>
AT&T Yellow Pages								
AT&T Yellow Pages	7/1/2011	6/15/2011	7/11-12/11	EH Yellow Pages Ad Contract 7/11-12/11	\$1,419.00	\$0.00		\$1,419.00
				Totals for AT&T Yellow Pages:	<u>\$1,419.00</u>	<u>\$0.00</u>		<u>\$1,419.00</u>
BAE Urban Economics Inc								
BAE Urban Economics Inc	6/15/2011	6/6/2011	1712-May11	CC Church Impacts Study 5/11	\$930.00	\$0.00		\$930.00
				Totals for BAE Urban Economics Inc:	<u>\$930.00</u>	<u>\$0.00</u>		<u>\$930.00</u>
Bay Area Barricade Serv.								
Bay Area Barricade Serv.	6/14/2011	5/13/2011	0270447-IN	PW Brooms 5/11	\$116.89	\$0.00		\$116.89
Bay Area Barricade Serv.	6/14/2011	5/23/2011	0270684-IN	Water Feature Straw Wattle 5/11	\$76.83	\$0.00		\$76.83
				Totals for Bay Area Barricade Serv.:	<u>\$193.72</u>	<u>\$0.00</u>		<u>\$193.72</u>
Bay Area News Group East Bay (CCT)								
Bay Area News Group East Bay (CCT)	6/16/2011	5/7/2011	3990759-9189	Legal Notices 5/11	\$702.20	\$0.00		\$702.20
				Totals for Bay Area News Group East Bay (CCT):	<u>\$702.20</u>	<u>\$0.00</u>		<u>\$702.20</u>
Blackbaud								
Blackbaud	7/1/2011	6/14/2011	90322481	Financial Edge Software Maint 11-12	\$2,150.00	\$0.00		\$2,150.00
				Totals for Blackbaud:	<u>\$2,150.00</u>	<u>\$0.00</u>		<u>\$2,150.00</u>
Boething Treeland Farms, Inc.								
Boething Treeland Farms, Inc.	6/16/2011	5/16/2011	LV065186	Water Feature Landscape Material 5/11	\$4,454.28	\$0.00		\$4,454.28
				Totals for Boething Treeland Farms, Inc.:	<u>\$4,454.28</u>	<u>\$0.00</u>		<u>\$4,454.28</u>

City of Clayton

Cash Requirements Report

CC Meeting 6/21/11

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
CalPERS Retirement								
CalPERS Retirement	6/16/2011	6/16/2011	PPE 6/12/11	Retirement PPE 6/12/11	\$20,872.13	\$0.00		\$20,872.13
				<i>Totals for CalPERS Retirement:</i>	<u>\$20,872.13</u>	<u>\$0.00</u>		<u>\$20,872.13</u>
CCC Treasurer/ Sheriff-Coroner (CAL-ID)								
CCC Treasurer/ Sheriff-Coroner (CAL-I	7/1/2011	5/31/2011	FY 11-12	PD CAL-ID Program FY 11-12	\$10,621.00	\$0.00		\$10,621.00
				<i>Totals for CCC Treasurer/ Sheriff-Coroner (CAL-ID):</i>	<u>\$10,621.00</u>	<u>\$0.00</u>		<u>\$10,621.00</u>
Concord Garden Equipment								
Concord Garden Equipment	6/14/2011	4/11/2011	407403	PW Equipment Maintenance 4/11	\$71.56	\$0.00		\$71.56
Concord Garden Equipment	6/16/2011	5/4/2011	408713	PW Equipment Repair 5/11	\$620.43	\$0.00		\$620.43
				<i>Totals for Concord Garden Equipment:</i>	<u>\$691.99</u>	<u>\$0.00</u>		<u>\$691.99</u>
Contra Costa Topsoil								
Contra Costa Topsoil	6/16/2011	5/19/2011	92770	Water Feature Topsoil Mix 5/11	\$721.05	\$0.00		\$721.05
Contra Costa Topsoil	6/16/2011	5/23/2011	92814	Water Feature Topsoil Mix 5/11	\$721.05	\$0.00		\$721.05
				<i>Totals for Contra Costa Topsoil:</i>	<u>\$1,442.10</u>	<u>\$0.00</u>		<u>\$1,442.10</u>
Contra Costa Tractor Mobile Svc								
Contra Costa Tractor Mobile Svc	6/16/2011	6/6/2011	015059	PW Tractor Repair 6/11	\$1,177.87	\$0.00		\$1,177.87
				<i>Totals for Contra Costa Tractor Mobile Svc:</i>	<u>\$1,177.87</u>	<u>\$0.00</u>		<u>\$1,177.87</u>
Contra Costa Water Dist.								
Contra Costa Water Dist.	6/16/2011	6/8/2011	L Series 4-5/11	Water Services 4-5/11	\$13,174.62	\$0.00		\$13,174.62
				<i>Totals for Contra Costa Water Dist.:</i>	<u>\$13,174.62</u>	<u>\$0.00</u>		<u>\$13,174.62</u>
CR Fireline Inc								
CR Fireline Inc	6/16/2011	6/3/2011	88234	Library Qtr Fire Sprinkler Inspection 6/11	\$110.00	\$0.00		\$110.00
CR Fireline Inc	6/16/2011	6/3/2011	88248	CH Qtr Fire Sprinkler Inspection 6/11	\$110.00	\$0.00		\$110.00
CR Fireline Inc	6/16/2011	6/3/2011	88249	EH Qtr Fire Sprinkler Inspection 6/11	\$110.00	\$0.00		\$110.00
				<i>Totals for CR Fireline Inc:</i>	<u>\$330.00</u>	<u>\$0.00</u>		<u>\$330.00</u>
Crop Production Svcs								
Crop Production Svcs	6/16/2011	5/27/2011	218023	PW Landscape Supplies 5/11	\$1,507.65	\$0.00		\$1,507.65
				<i>Totals for Crop Production Svcs:</i>	<u>\$1,507.65</u>	<u>\$0.00</u>		<u>\$1,507.65</u>
De Lage Landen Financial Services, Inc.								
De Lage Landen Financial Services, Inc.	6/14/2011	6/11/2011	9869251	Admin Copier Lease 6/11	\$435.67	\$0.00		\$435.67
				<i>Totals for De Lage Landen Financial Services, Inc.:</i>	<u>\$435.67</u>	<u>\$0.00</u>		<u>\$435.67</u>
Delta Bay Concrete Cutting								
Delta Bay Concrete Cutting	6/14/2011	4/20/2011	28682	Water Feature Core Drill Catch Basin 4/11	\$325.00	\$0.00		\$325.00
				<i>Totals for Delta Bay Concrete Cutting:</i>	<u>\$325.00</u>	<u>\$0.00</u>		<u>\$325.00</u>
Don Stone								

City of Clayton

Cash Requirements Report

CC Meeting 6/21/11

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount Expires On	Net Amount Due
Don Stone	7/1/2011	5/23/2011	11021	4th of July Parade Sound 7/11	\$400.00	\$0.00	\$400.00
				<i>Totals for Don Stone:</i>	<i>\$400.00</i>		<i>\$400.00</i>
Environtech Enterprises							
Environtech Enterprises	6/16/2011	6/4/2011	A001AN-1B-11	Weed Abatement 6/11	\$8,708.00	\$0.00	\$8,708.00
Environtech Enterprises	6/16/2011	6/14/2011	A001AS-1B-11	Weed Abatement 6/11	\$8,708.00	\$0.00	\$8,708.00
Environtech Enterprises	6/16/2011	5/4/2011	A001BN-1B-11	Weed Abatement 5/11	\$8,999.75	\$0.00	\$8,999.75
Environtech Enterprises	6/16/2011	6/4/2011	A001BS-1B-11	Weed Abatement 6/11	\$5,400.00	\$0.00	\$5,400.00
Environtech Enterprises	6/16/2011	6/14/2011	A001BS-2B-11	Weed Abatement 6/11	\$6,249.75	\$0.00	\$6,249.75
				<i>Totals for Environtech Enterprises:</i>	<i>\$38,065.50</i>	<i>\$0.00</i>	<i>\$38,065.50</i>
Graybar Electric Co, Inc							
Graybar Electric Co, Inc	6/16/2011	5/17/2011	954029987	Street Light Repl due to Damage 5/11	\$1,692.48	\$0.00	\$1,692.48
				<i>Totals for Graybar Electric Co, Inc:</i>	<i>\$1,692.48</i>		<i>\$1,692.48</i>
Hammons Supply Company							
Hammons Supply Company	6/16/2011	6/3/2011	66579	Janitorial Supplies 6/11	\$223.93	\$0.00	\$223.93
				<i>Totals for Hammons Supply Company:</i>	<i>\$223.93</i>		<i>\$223.93</i>
Hdl Coren & Cone							
Hdl. Coren & Cone	7/1/2011	6/3/2011	0008352-IN	Business License Program Maintenance 11-12	\$2,858.49	\$0.00	\$2,858.49
Hdl. Coren & Cone	6/14/2011	5/31/2011	0017019-IN	2010-11 Parcel Data	\$1,061.00	\$0.00	\$1,061.00
				<i>Totals for Hdl. Coren & Cone:</i>	<i>\$3,919.49</i>	<i>\$0.00</i>	<i>\$3,919.49</i>
Hildy Van Wyck							
Hildy Van Wyck	6/15/2011	6/15/2011	EH 6/10/11	Refund Deposit EH 6/10/11	\$500.00	\$0.00	\$500.00
				<i>Totals for Hildy Van Wyck:</i>	<i>\$500.00</i>		<i>\$500.00</i>
HUB Inter of CA Ins Svc							
HUB Inter of CA Ins Svc	6/15/2011	6/15/2011	5/11	Special Event Insurance 5/11	\$126.02	\$0.00	\$126.02
				<i>Totals for HUB Inter of CA Ins Svc:</i>	<i>\$126.02</i>		<i>\$126.02</i>
J & R Floor Services							
J & R Floor Services	6/16/2011	6/1/2011	5/11	Janitorial Services 5/11	\$4,879.96	\$0.00	\$4,879.96
				<i>Totals for J & R Floor Services:</i>	<i>\$4,879.96</i>		<i>\$4,879.96</i>
Jarvis Fay Doportto & Gibson, LLP							
Jarvis Fay Doportto & Gibson, LLP	6/14/2011	6/8/2011	6/8/11	Chevron Property Tax Share 5/11	\$17.57	\$0.00	\$17.57
				<i>Totals for Jarvis Fay Doportto & Gibson, LLP:</i>	<i>\$17.57</i>		<i>\$17.57</i>
Joe Pargett Landscape & Lghtg							
Joe Pargett Landscape & Lghtg	6/15/2011	5/21/2011	863	Landscape Maint 268 Stanahan 5/11	\$120.00	\$0.00	\$120.00
				<i>Totals for Joe Pargett Landscape & Lghtg:</i>	<i>\$120.00</i>		<i>\$120.00</i>
John Deere Landscapes Inc							
John Deere Landscapes Inc	6/16/2011	5/26/2011	57989848	Water Feature Sprinkler Material 5/11	\$649.60	\$0.00	\$649.60

City of Clayton

Cash Requirements Report

CC Meeting 6/21/11

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount Expires On	Discount Expires On	Net Amount Due
Kelly Meadows				<i>Totals for John Deere Landscapes Inc:</i>	<u>\$649.60</u>	<u>\$0.00</u>		<u>\$649.60</u>
Kelly Meadows	6/14/2011	6/14/2011	EH 6/5/11	Refund EH Deposit Less Fees 6/5/11	\$350.00	\$0.00		\$350.00
Kimberly Rogers				<i>Totals for Kelly Meadows:</i>	<u>\$350.00</u>	<u>\$0.00</u>		<u>\$350.00</u>
Kimberly Rogers	6/14/2011	6/14/2011	EH 6/12/11	Refund Deposit EH 6/12/11	\$500.00	\$0.00		\$500.00
L H Voss Materials, Inc				<i>Totals for Kimberly Rogers:</i>	<u>\$500.00</u>	<u>\$0.00</u>		<u>\$500.00</u>
L H Voss Materials, Inc	6/14/2011	4/30/2011	109149	Water Feature Filter Mix 4/11	\$1,198.78	\$0.00		\$1,198.78
L H Voss Materials, Inc	6/16/2011	5/31/2011	109275	Water Feature Filter Mix 5/11	\$632.82	\$0.00		\$632.82
Marken Mechanical Services Inc				<i>Totals for L H Voss Materials, Inc:</i>	<u>\$1,831.60</u>	<u>\$0.00</u>		<u>\$1,831.60</u>
Marken Mechanical Services Inc	6/16/2011	6/7/2011	411-1146-5	Library HVAC Service 5/11	\$502.17	\$0.00		\$502.17
Marken Mechanical Services Inc	6/16/2011	6/7/2011	411-1148-5	CH HVAC Service 5/11	\$332.50	\$0.00		\$332.50
Marken Mechanical Services Inc	6/16/2011	6/2/2011	411-1151-6	CH HVAC Maintenance 6/11	\$150.00	\$0.00		\$150.00
Marken Mechanical Services Inc	6/16/2011	6/2/2011	411-1152-6	Library HVAC Maintenance 6/11	\$150.00	\$0.00		\$150.00
Metro PCS				<i>Totals for Marken Mechanical Services Inc:</i>	<u>\$1,134.67</u>	<u>\$0.00</u>		<u>\$1,134.67</u>
Metro PCS	6/14/2011	3/8/2011	76723	PD Text Message Retrieval 9/10	\$50.00	\$0.00		\$50.00
Municipal Pooling Authority				<i>Totals for Metro PCS:</i>	<u>\$50.00</u>	<u>\$0.00</u>		<u>\$50.00</u>
Municipal Pooling Authority	6/14/2011	5/31/2011	A051103	Claim Unmet Liability Deductible 5/11	\$2,629.80	\$0.00		\$2,629.80
Neopost (add postage)				<i>Totals for Municipal Pooling Authority:</i>	<u>\$2,629.80</u>	<u>\$0.00</u>		<u>\$2,629.80</u>
Neopost (add postage)	6/15/2011	6/15/2011	6/15/11	Postage Added 6/15/11	\$300.00	\$0.00		\$300.00
Nicholas Engineering				<i>Totals for Neopost (add postage):</i>	<u>\$300.00</u>	<u>\$0.00</u>		<u>\$300.00</u>
Nicholas Engineering	6/16/2011	5/2/2011	2190-1	Water Testing on Cabernet Ct 5/11	\$4,050.00	\$0.00		\$4,050.00
NSP3				<i>Totals for Nicholas Engineering:</i>	<u>\$4,050.00</u>	<u>\$0.00</u>		<u>\$4,050.00</u>
NSP3	6/16/2011	6/6/2011	12996	Grove Play Equipment Repair 6/11	\$580.52	\$0.00		\$580.52
PERMCO, Inc.				<i>Totals for NSP3:</i>	<u>\$580.52</u>	<u>\$0.00</u>		<u>\$580.52</u>
PERMCO, Inc.	6/15/2011	5/31/2011	9440	Diablo Pointe Grading Insp 5/11	\$1,704.50	\$0.00		\$1,704.50
PERMCO, Inc.	6/16/2011	6/13/2011	9447	Retainer-General Svc 5/27/11-6/10/11	\$3,448.50	\$0.00		\$3,448.50
PERMCO, Inc.	6/16/2011	6/13/2011	9448	CCWD Minor EPs	\$228.25	\$0.00		\$228.25

City of Clayton

Cash Requirements Report

CC Meeting 6/21/11

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
PERMCO, Inc.	6/16/2011	6/13/2011	9449	O'Meara SWP 01-10 Insp	\$41.50	\$0.00		\$41.50
PERMCO, Inc.	6/16/2011	6/13/2011	9449	Richards SWP 11-10 Insp	\$41.50	\$0.00		\$41.50
PERMCO, Inc.	6/16/2011	6/13/2011	9450	CCP Pkg Lot Pre Construction Migs	\$4,058.00	\$0.00		\$4,058.00
PERMCO, Inc.	6/16/2011	6/13/2011	9451	2010 Pavement Rehab	\$305.00	\$0.00		\$305.00
PERMCO, Inc.	6/16/2011	6/13/2011	9452	Diablo Estates Review SPR	\$450.00	\$0.00		\$450.00
PERMCO, Inc.	6/16/2011	6/13/2011	9453	Diablo Pointe Grading Inspections	\$705.50	\$0.00		\$705.50
PERMCO, Inc.	6/16/2011	6/13/2011	9454	Diablo Pointe SW Inspections	\$83.00	\$0.00		\$83.00
PERMCO, Inc.	6/16/2011	6/13/2011	9455	Hedges CAP 0004 SW Insp	\$41.50	\$0.00		\$41.50
PERMCO, Inc.	6/16/2011	6/13/2011	9455	Pallotta/Majestic Pools CAP 0007 SW Insp	\$41.50	\$0.00		\$41.50
PERMCO, Inc.	6/16/2011	6/13/2011	9455	Van Brusselen CAP 0010 SW Insp	\$41.50	\$0.00		\$41.50
PERMCO, Inc.	6/16/2011	6/13/2011	9455	Caldwell/ Swan Pools CAP 0012 SW Insp	\$41.50	\$0.00		\$41.50
PERMCO, Inc.	6/16/2011	6/13/2011	9455	JMS Builders/ Magdefrau CAP 0016 SW Insp	\$62.25	\$0.00		\$62.25
				Totals for PERMCO, Inc.:	\$11,294.00	\$0.00		\$11,294.00
Raney Planning & Management, Inc.								
Raney Planning & Management, Inc.	6/14/2011	6/10/2011	1107P-4	Growth Management Elem Update 5/11	\$112.50	\$0.00		\$112.50
Raney Planning & Management, Inc.	6/14/2011	6/7/2011	1108P-3	Housing Element Implementation 5/11	\$382.50	\$0.00		\$382.50
				Totals for Raney Planning & Management, Inc.:	\$495.00	\$0.00		\$495.00
Rock & Waterfall Co								
Rock & Waterfall Co	6/16/2011	5/30/2011	101-23	OH Waterfall Maintenance 6/11	\$650.00	\$0.00		\$650.00
				Totals for Rock & Waterfall Co:	\$650.00	\$0.00		\$650.00
Sean Foley								
Sean Foley	6/14/2011	6/14/2011	EH 6/11/11	Refund Deposit EH 6/11/11	\$500.00	\$0.00		\$500.00
				Totals for Sean Foley:	\$500.00	\$0.00		\$500.00
Toll Brothers Inc								
Toll Brothers Inc	6/14/2011	6/14/2011	Libr 4/7/11	Refund Library Deposit 4/7/11	\$200.00	\$0.00		\$200.00
				Totals for Toll Brothers Inc:	\$200.00	\$0.00		\$200.00
Treppa Law Group								
Treppa Law Group	6/14/2011	5/31/2011	508	JFC Litigation Legal Svc 5/11	\$478.50	\$0.00		\$478.50
Treppa Law Group	6/14/2011	5/31/2011	509	Professional Neg Issues Legal Svc 5/11	\$264.00	\$0.00		\$264.00
				Totals for Treppa Law Group:	\$742.50	\$0.00		\$742.50
Turf Star, Inc.								
Turf Star, Inc.	6/14/2011	5/23/2011	6709343-00	PW Equipment Maintenance 5/11	\$584.54	\$0.00		\$584.54
				Totals for Turf Star, Inc.:	\$584.54	\$0.00		\$584.54
US Bank Corp Pymt System (Cal Card)								
US Bank Corp Pymt System (Cal Card)	6/17/2011	5/23/2011	ADM 5/11	Admin Office & Miscellaneous Supplies 5/11	\$486.48	\$0.00		\$486.48
US Bank Corp Pymt System (Cal Card)	6/17/2011	5/23/2011	ADM 5/11	Verizon ISDN Line 4-5/11	\$427.36	\$0.00		\$427.36
US Bank Corp Pymt System (Cal Card)	6/17/2011	5/23/2011	ADM 5/11	Admin Website Domain 5/11	\$269.90	\$0.00		\$269.90
US Bank Corp Pymt System (Cal Card)	6/17/2011	5/23/2011	ADM 5/11	Jobs Available (2) Ads for City Attorney 5/11	\$252.00	\$0.00		\$252.00

City of Clayton

Cash Requirements Report

CC Meeting 6/21/11

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
US Bank Corp Pymt System (Cal Card)	6/17/2011	5/22/2011	PD 5/11	PD Water for Art & Wine, Keys 5/11	\$114.16	\$0.00		\$114.16
US Bank Corp Pymt System (Cal Card)	6/17/2011	5/22/2011	PD 5/11	PD Power strip for radios 5/11	\$28.52	\$0.00		\$28.52
US Bank Corp Pymt System (Cal Card)	6/17/2011	5/22/2011	PD 5/11	PD Postage 5/11	\$33.54	\$0.00		\$33.54
US Bank Corp Pymt System (Cal Card)	6/17/2011	5/22/2011	PD 5/11	PD Background Credit Check 5/11	\$9.95	\$0.00		\$9.95
US Bank Corp Pymt System (Cal Card)	6/17/2011	5/22/2011	PD 5/11	PD Mini Video Recorders & Taser Batteries 5	\$1,140.69	\$0.00		\$1,140.69
US Bank Corp Pymt System (Cal Card)	6/17/2011	5/22/2011	PD 5/11	PD Car washes, flat repairs, misc. 5/11	\$540.46	\$0.00		\$540.46
US Bank Corp Pymt System (Cal Card)	6/17/2011	5/22/2011	PD 5/11	PD Vehicle fuel 5/11	\$3,411.81	\$0.00		\$3,411.81
US Bank Corp Pymt System (Cal Card)	6/17/2011	5/22/2011	PD 5/11	PD Frame 5/11	\$29.06	\$0.00		\$29.06
US Bank Corp Pymt System (Cal Card)	6/17/2011	5/23/2011	PW 5/11	PW Office & Miscellaneous Supplies 5/11	\$415.51	\$0.00		\$415.51
US Bank Corp Pymt System (Cal Card)	6/17/2011	5/23/2011	PW 5/11	PW Vehicle Fuel 5/11	\$1,206.34	\$0.00		\$1,206.34
US Bank Corp Pymt System (Cal Card)	6/17/2011	5/23/2011	PW 5/11	PW Baricade photo Cells 5/11	\$41.31	\$0.00		\$41.31
US Bank Corp Pymt System (Cal Card)	6/17/2011	5/23/2011	PW 5/11	PW Street Supplies 5/11	\$1,721.18	\$0.00		\$1,721.18
US Bank Corp Pymt System (Cal Card)	6/17/2011	5/23/2011	PW 5/11	PW Landscape tools & supplies 5/11	\$896.22	\$0.00		\$896.22
US Bank Corp Pymt System (Cal Card)	6/17/2011	5/23/2011	PW 5/11	PW Pins for tractor 5/11	\$201.48	\$0.00		\$201.48
US Bank Corp Pymt System (Cal Card)	6/17/2011	5/23/2011	PW 5/11	PW Landscape Fuel 5/11	\$1,847.94	\$0.00		\$1,847.94
US Bank Corp Pymt System (Cal Card)	6/17/2011	5/23/2011	PW 5/11	Water Feature Rental 5/11	\$679.33	\$0.00		\$679.33
US Bank Corp Pymt System (Cal Card)	6/17/2011	5/23/2011	PW 5/11	Water Feature rocks & supplies 5/11	\$5,498.57	\$0.00		\$5,498.57
US Bank Corp Pymt System (Cal Card)	6/17/2011	5/23/2011	PW 5/11	PW Annual flowers 5/11	\$27.53	\$0.00		\$27.53
US Bank Corp Pymt System (Cal Card)	6/17/2011	5/23/2011	PW 5/11	PW St Lt photo cells 5/11	\$364.35	\$0.00		\$364.35
Valley Yellow Pages				Totals for US Bank Corp Pymt System (Cal Card):	\$21,190.19	\$0.00		\$21,190.19
Valley Yellow Pages	7/1/2011	6/15/2011	7/11-3/12	EH Valley Yellow Pages Ad 7/11-3/12	\$1,039.50	\$0.00		\$1,039.50
Wally's Rental Center, Inc.				Totals for Valley Yellow Pages:	\$1,039.50	\$0.00		\$1,039.50
Wally's Rental Center, Inc.	6/14/2011	5/12/2011	98852-1	Water Feature Equip Rental 5/11	\$3,618.84	\$0.00		\$3,618.84
Western Exterminator				Totals for Wally's Rental Center, Inc.:	\$3,618.84	\$0.00		\$3,618.84
Western Exterminator	6/15/2011	5/31/2011	564722	Extermination Service 5/11	\$311.50	\$0.00		\$311.50
				Totals for Western Exterminator:	\$311.50	\$0.00		\$311.50
GRAND TOTALS:					\$166,735.75	\$0.00		\$166,735.75



Agenda Date: 6-21-11

Agenda Item: 5c

Approved:



Gary A. Napper
City Manager/Executive Director

AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: CITY MANAGER

DATE: 21 JUNE 2011

SUBJECT: 1-YEAR TIME EXTENSION WITH AOSL FOR OPERATION OF COMMUNITY RECREATION PROGRAMS AT CLAYTON COMMUNITY GYM

RECOMMENDATION

By minute motion, it is recommended the City Council approve a one (1) year time extension with All Out Sports League (AOSL) for its development and operation of community recreation programs and services at the Clayton Community Gymnasium.

BACKGROUND

Following the abrupt and unexpected withdrawal in March 2010 by the Mt. Diablo Region YMCA from its agreement with the City to run community recreation programs at the Clayton Community Gym during the City's use hours, the City was successful in obtaining a qualified replacement operator to resume community recreation services commencing mid-June 2010. At its public meeting on 01 June 2010, the City Council considered and approved an Agreement with AOSL (Casey Copeland, CEO) for the development and operation of recreation and enrichment programs at the Clayton Community Gymnasium. Since that time, AOSL has implemented and performed responsibly and adequately in handling the Clayton community's needs and expectations for joint use of this jointly-constructed public facility on the Diablo View Middle School campus.

The term of the initial Agreement was for approximately 13 months (June 2010 through June 2011), and in May of 2011 both parties are to determine whether each wish to mutually extend the contractual arrangement for an additional year (Section 3 – Term; pg. 5).

TIME EXTENSION CONSIDERATION

In verbal and written communication, AOSL has indicated its interest in continuing its contract with the City for this purpose for one more year (copy of AOSL letter attached). Various feedback from participants and community users is AOSL's recreation programs and services are highly organized, more successful and stable, and users are generally pleased with the new operator and their continuation of public access to this joint-use public

facility. AOSL notes the Clayton community is becoming more familiar with its existence and operation at the Gym and it hopes community participation and program enrollment will escalate during its 2nd year.

SUMMATION

The continuation of AOSL's presence and operation at the Clayton Community Gym during the City's allowable use hours (by agreement with the Mt. Diablo Unified School District, May 2001) appears to be beneficial to the City, AOSL, and the Clayton community. The absence of such public recreation services at the Gym would be a disservice to the community and to the financial investment the City and numerous community donors contributed for construction of the Gym.

Attached are copies of AOSL's monthly calendars which document the community's programmed use of the Gym during the summer months of 2011. In that regard, extension for one (1) year of AOSL's operation at the Gym is compatible with City and community goals.

Attachments: 1. Time Extension Letter from AOSL [1 pg.]
 2. Gym Use calendars for June through Sept. 2011 [4 pp.]



Kids Sports Camps
Adult and Youth Leagues
Home School PE classes
Events
Private Lessons
Birthday Parties

Received

MAY 24 2011

City of Clayton

To Gary Napper

From Casey Copeland

Date 5/24/11

Gary,

Hope all is well. This letter is to inform you that All Out Sports League (AOSL) would like to continue its contract with the city of Clayton for one more year. AOSL has begun to get a lot of support from the community and our name is becoming synonymous with fun, and highly organized youth and adult sports.

We are working on a new website for the residents of Clayton; one that will be more aesthetically pleasing and interactive for the residents of Clayton.

We are excited about our future in Clayton and appreciate your support.

Sincerely,

Casey Copeland

<< prev						
June 2011						
next >>						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1 DVMS Awards night. No AOSL Events 3:00 PM - 11:00 PM	2 KV Boys & Girls VB 3:45 PM - 5:00 PM Coed Adult Volleyball League 7:00 PM - 9:00 PM	3 Youth VB League 6:30 PM - 8:30 PM	4
5 TFS at Zero Elevation 71-72 box Bimmer Boys at Hoop Dreams 56-54 box Top Rim at Nellie Ball 60-46 box	6 AOSL AAU Practice 4:00 PM - 8:00 PM WCE-Jess Training 5:00 PM - 7:00 PM	7 DVMS-No AOSL Events 6:00 AM - 11:00 PM	8 DVMS-No AOSL Events 6:00 AM - 11:00 PM	9 DVMS-No AOSL Events 6:00 AM - 11:00 PM	10 Youth Volleyball Picture day 6:30 PM - 7:30 PM Youth VB League 6:30 PM - 8:30 PM	11
12 Old School at Top Rim 59-46 box Nellie Ball at TFS 57-91 box Bimmer Boys at Zero Elevation 72-76 box	13 Gym Floor Resurfaced-Gym Closed 7:00 AM	14 Gym Floor Resurfaced-Gym Closed 7:00 AM	15 Gym Floor Resurfaced-Gym Closed 7:00 AM	16 Gym Floor Resurfaced-Gym Closed 7:00 AM	17 Gym Floor Resurfaced-Gym Closed 7:00 AM	18 Gym Floor Resurfaced-Gym Closed 7:00 AM
19 Gym Floor Resurfaced-Gym Closed 7:00 AM	20 Gym Floor Resurfaced-Gym Closed 7:00 AM	21 Gym Floor Resurfaced-Gym Closed 7:00 AM	22 Gym Floor Resurfaced-Gym Closed 7:00 AM	23 Gym Floor Resurfaced-Gym Closed 7:00 AM	24 Gym Floor Resurfaced-Gym Closed 7:00 AM	25 Gym Floor Resurfaced-Gym Closed 7:00 AM
26 Gym Floor Resurfaced-Gym Closed 7:00 AM	27 Gym Floor Resurfaced-Gym Closed 7:00 AM Junior Golf Camp 6:00 PM - 8:00 PM	28 Cheer Camp 9:00 AM - 12:00 PM Junior Golf Camp 6:00 PM - 8:00 PM Youth VB League 6:30 PM - 8:30 PM	29 Cheer Camp 9:00 AM - 12:00 PM Junior Golf Camp 6:00 PM - 8:00 PM Youth VB League 6:30 PM - 8:30 PM	30 Cheer Camp 9:00 AM - 12:00 PM Junior Golf Camp 6:00 PM - 8:00 PM Coed Adult Volleyball League 7:00 PM - 9:00 PM		

<< prev July 2011 next >>						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1 AOSL Youth Basketball Practice 5:00 PM - 9:00 PM Junior Golf Camp 6:00 PM - 8:00 PM	2
3	4	5 Open Gym Adult Volleyball 7:00 PM - 9:30 PM	6	7 Coed Adult Volleyball League Playoffs & Championship 7:00 PM - 9:00 PM	8 AOSL Youth Basketball Practice 5:00 PM - 9:00 PM	9 Tot Soccer 9:00 AM - 10:30 PM AOSL Youth Basketball Games 12:00 PM - 5:00 PM
10 Top Rim at TFS 5:00 PM Zero Elevation at Old School 6:00 PM Hoop Dreams at Nellie Ball 7:00 PM	11 Youth Flag Football Camp 9:00 AM - 12:00 PM	12 Youth Flag Football Camp 9:00 AM - 12:00 PM Open Gym Adult Volleyball 7:00 PM - 9:30 PM	13 Youth Flag Football Camp 9:00 AM - 12:00 PM	14 Youth Flag Football Camp 9:00 AM - 12:00 PM	15 AOSL Youth Basketball Practice 5:00 PM - 9:00 PM	16 Youth Summer Volleyball League Games and Practice 9:00 AM - 11:00 AM Tot Soccer 9:00 AM - 10:30 PM AOSL Youth Basketball Games 12:00 PM - 5:00 PM
17 Old School at Nellie Ball 5:00 PM Hoop Dreams at Top Rim 6:00 PM Bimmer Boys at TFS 7:00 PM	18	19 Open Gym Adult Volleyball 7:00 PM - 9:30 PM	20	21 Coed Adult Volleyball League 7:00 PM - 9:00 PM	22 AOSL Youth Basketball Practice 5:00 PM - 9:00 PM	23 Youth Summer Volleyball League Games and Practice 9:00 AM - 11:00 AM Tot Soccer 9:00 AM - 10:30 PM AOSL Youth Basketball Games 12:00 PM - 5:00 PM
24 Birthday Party 11:00 AM - 3:00 PM Nellie Ball at Bimmer Boys 5:00 PM Hoop Dreams at Old School 6:00 PM Zero Elevation at Top Rim 7:00 PM	25	26 Open Gym Adult Volleyball 7:00 PM - 9:30 PM	27	28 Coed Adult Volleyball League 7:00 PM - 9:00 PM	29 AOSL Youth Basketball Practice 5:00 PM - 9:00 PM	30 Youth Summer Volleyball League Games and Practice 9:00 AM - 11:00 AM Tot Soccer 9:00 AM - 10:30 PM AOSL Youth Basketball Games

<< prev August 2011 next >>						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2 Open Gym Adult Volleyball 7:00 PM - 9:30 PM	3	4 Coed Adult Volleyball League 7:00 PM - 9:00 PM	5 AOSL Youth Basketball Practice 5:00 PM - 9:00 PM	6 Youth Summer Volleyball League Games and Practice 9:00 AM - 11:00 AM Tot Soccer 9:00 AM - 10:30 PM AOSL Youth Basketball Games 12:00 PM - 5:00 PM
7	8	9 Open Gym Adult Volleyball 7:00 PM - 9:30 PM	10	11 Coed Adult Volleyball League 7:00 PM - 9:00 PM	12 AOSL Youth Basketball Practice 5:00 PM - 9:00 PM	13 Youth Summer Volleyball League Games and Practice 9:00 AM - 11:00 AM Tot Soccer 9:00 AM - 10:30 PM AOSL Youth Basketball Games 12:00 PM - 5:00 PM
14	15	16 Open Gym Adult Volleyball 7:00 PM - 9:30 PM	17	18 Coed Adult Volleyball League 7:00 PM - 9:00 PM	19 AOSL Youth Basketball Practice 5:00 PM - 9:00 PM	20 Youth Summer Volleyball League Games and Practice 9:00 AM - 11:00 AM Tot Soccer 9:00 AM - 10:30 PM AOSL Youth Basketball Games 12:00 PM - 5:00 PM
21	22 DVMS-No AOSL Events 7:00 AM - 6:00 PM	23 Open Gym Adult Volleyball 7:00 PM - 9:30 PM	24	25 Coed Adult Volleyball League 7:00 PM - 9:00 PM	26	27 Youth Summer Volleyball League Games and Practice 9:00 AM - 11:00 AM
28	29	30 Open Gym Adult Volleyball 7:00 PM - 9:30 PM	31			

<< prev						
September 2011						
next >>						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1 Coed Adult Volleyball League 7:00 PM - 9:00 PM	2	3
4	5	6 Open Gym Adult Volleyball 7:00 PM - 9:30 PM	7	8 Coed Adult Volleyball League 7:00 PM - 9:00 PM	9 AOSL Youth Fall Basketball Practice 5:00 PM - 9:00 PM	10 CYO 7:00 AM - 5:00 PM
11 CYO 11:00 AM - 5:00 PM	12	13 Open Gym Adult Volleyball 7:00 PM - 9:30 PM	14	15 Coed Adult Volleyball League 7:00 PM - 9:00 PM	16 AOSL Youth Fall Basketball Practice 5:00 PM - 9:00 PM	17 AOSL Youth Fall Basketball Games 12:00 PM - 5:00 PM
18	19	20 Open Gym Adult Volleyball 7:00 PM - 9:30 PM	21	22 Coed Adult Volleyball League Playoffs & Championship 7:00 PM - 9:00 PM	23 AOSL Youth Fall Basketball Practice 5:00 PM - 9:00 PM	24 AOSL Youth Fall Basketball Games 12:00 PM - 5:00 PM
25	26	27 Open Gym Adult Volleyball 7:00 PM - 9:30 PM	28	29	30 AOSL Youth Fall Basketball Practice 5:00 PM - 9:00 PM	

[back to browser version](#)
[Print This Page](#)



Agenda Date: 6-21-11
Agenda Item: 5d

STAFF REPORT

Approved:


Gary A. Napper, City Manager

TO: HONORABLE MAYOR AND MEMBERS OF THE COUNCIL
FROM: DAN ADAMS, CITY ATTORNEY
DATE: June 21, 2011
SUBJECT: Chevron Property Tax Refund Challenge Litigation Authorization

RECOMMENDATION

Adopt a Resolution authorizing the filing of litigation with other Contra Costa cities and special districts against the County Auditor-Controller, and approving the First Amendment to Legal Services Agreement between Jarvis, Fay, Dopoto & Gibson, LLP and the City of Clayton.

DISCUSSION

At its March 15, 2011 public meeting the City Council adopted Resolution 07-2011 approving various Agreements including a Legal Services Agreement by which the City of Clayton joined other Contra Costa County Cities and Special Districts in challenging a plan by the Contra Costa County Auditor-Controller to charge all taxing entities in the County for a refund of property taxes the County is required to pay to Chevron Corporation. By that Resolution the City Council authorized the City Attorney to enter into the Legal Services Agreement.

The March 15, 2011 Resolution expressly stated that "the City Council of Clayton, California desires to join with this group to intervene and ***potentially jointly litigate*** this refund allocation methodology implemented by the Contra Costa County Auditor-Controller."

Date: June 21, 2011

Page 2 of 2

(emphasis added) Accordingly, the Resolution stated the potential of litigation although it did not expressly authorize the filing of litigation.

The retained attorney has now reported to the interested cities and special districts that he has been unsuccessful in his attempts to informally resolve the dispute with the County Auditor-Controller and has now recommended that a Petition for Writ of Mandate and Complaint for Declaratory Relief be filed on behalf of the special districts and cities. His recommendation has been endorsed by the attorneys committee supervising the litigation.

As the scope of both the prior Resolution and the Legal Services Agreement did not expressly authorize the filing of litigation on behalf of the City, staff has prepared a Resolution authorizing the Petition filing on behalf of the City of Clayton and the First Amendment to the Legal Services Agreement which expressly authorize the filing of litigation.

A copy of the proposed Resolution is attached as Exhibit "A" and the proposed First Amendment to the Legal Services Agreement is attached hereto as Exhibit "B".

FISCAL IMPACT

The fees and costs associated with this litigation are apportioned according to the potential expense to each city/district if the county is successful in its refund apportionment methodology. Clayton is currently at risk of being required to lose \$10,464.68 in current-year local property taxes, which amount will substantially increase should Chevron be further successful in its second refund application claiming an entitlement to an \$80 million dollar refund rather than \$17.9 million. Currently Clayton pays 0.65% of the legal fees and charges and the potential fiscal impact is less than the potential exposure.

JDA:lac

Attachments: Exhibits "A" and "B"

JDA/Clayton

Chevron Pty Tax Refund:Staff Report 110621

RESOLUTION NO. ____-2011

A RESOLUTION APPROVING A FIRST AMENDMENT TO THE LEGAL SERVICES AGREEMENT WITH JARVIS, FAY, DOPORTO & GIBSON, LLP FOR THE CITY TO JOIN OTHER CONTRA COSTA COUNTY CITIES AND DISTRICTS IN FILING LITIGATION TO CHALLENGE A PLAN BY THE CONTRA COSTACOUNTY AUDITOR-CONTROLLER TO CHARGE ALL TAXING ENTITIES IN THE COUNTY FOR A REFUND OF PROPERTY TAXES TO CHEVRON CORPORATION FOR ITS REFINERY LOCATED IN THE CITY OF RICHMOND

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

WHEREAS, on 19 November 2009 the Contra Costa Assessment Appeals Board awarded Chevron Corporation a reduction in the assessed value of its Richmond refinery for the 2004-05, 2005-06, and 2006-07 tax years, which resulted in Chevron Corporation being refunded \$17.9 million in previously-paid property taxes; and

WHEREAS, Chevron Corporation also has appeals pending before the Assessment Appeals Board for its tax assessments for the 2007-08, 2008-09, and 2009-10 tax years; and

WHEREAS, on 23 June 2010 the Auditor-Controller of Contra Costa County sent a memo to all of the taxing jurisdictions in the County informing them that he would be allocating the cost of this refund to Chevron Corporation amongst all taxing entities in the county, even though the vast majority of them, including the City of Clayton, did not receive property taxes derived from Chevron's refinery located in the city of Richmond, California; and

WHEREAS, on 17 May 2010 Chevron Corporation filed a lawsuit against Contra Costa County challenging the amount of the awarded refund, arguing the refund is too low and contending the amount of the refund should have been \$80 million instead of \$17.9 million; and

WHEREAS, the City of Clayton did not enjoy, receive or benefit from said taxes paid by Chevron Corporation during the tax years recently refunded, nor from the tax years presently under appeal by Chevron pending before the County Assessment Appeals Board, and is further threatened by the Auditor-Controller's refund allocation plan of taking unrelated City of Clayton property taxes associated with past and current appeals and the litigation filed by Chevron to refund even greater amounts of previously-paid property taxes; and

WHEREAS, as of March 15, 2011 eleven cities in Contra Costa County and three fire districts had already joined together to challenge the County Auditor-Controller's implemented and future plan to allocate the cost of Chevron's assessment refund(s) amongst all taxing entities in the county; and

EXHIBIT 11A11

WHEREAS, the City Council of Clayton, California on March 15, 2011 joined with this group to intervene and potentially jointly litigate this refund allocation methodology implemented by the Contra Costa County Auditor-Controller; and

WHEREAS, legal counsel has unsuccessfully explored informal resolution of the dispute with the County and now recommends that a Petition for Writ of Mandate and Complaint for Declaratory Relief be filed on behalf of the special districts and cities in Contra Costa County including the City of Clayton; and

WHEREAS, it is necessary for the City to specifically authorize the filing of said litigation on its behalf; and

WHEREAS, a First Amendment to Legal Services Agreement authorizing the filing of said lawsuit has been prepared.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Clayton, California does hereby elect to join other cities and districts in the County of Contra Costa to file litigation challenging the plan by the Contra Costa County Auditor-Controller to allocate Chevron Corporation's \$17.9 million property tax refund for the tax years 2004-05, 2005-06, and 2006-07, and all future assessment appeals awarded to Chevron Corporation, amongst all taxing entities within this county; and

BE IT FURTHER RESOLVED that the City Council does hereby authorize and direct its City Attorney to sign the First Amendment to the Legal Services Agreement, attached hereto and incorporated herein as if fully set forth in this Resolution, for and in behalf of the City of Clayton, California.

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California at a regular public meeting thereof held on the ____ day of June 2011 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

THE CITY COUNCIL OF CLAYTON, CA

David T. Shuey, Mayor

ATTEST:

Laci J. Jackson, City Clerk

FIRST AMENDMENT TO LEGAL SERVICES AGREEMENT

The Legal Services Agreement between Jarvis, Fay, Doporto & Gibson, LLP and the City of Clayton dated February 15, 2011 is hereby amended by adding to paragraph 1 entitled Scope of Engagement the following:

The Scope of Engagement shall include the filing and prosecution by Jarvis, Fay, Doporto & Gibson, LLP of the City of a Petition for Writ of Mandate and Complaint for Declaratory Relief.

Except as otherwise amended, the Legal Services Agreement remains in full force and effect.

The terms as set forth in this Amendment are accepted and agreed to:

JARVIS, FAY, DOPOTO & GIBSON, LLP

By: _____
Benjamin P. Fay

CITY OF CLAYTON

By: _____
J. Daniel Adams, City Attorney

EXHIBIT "B"



Agenda Date: 6-21-11

Agenda Item: 5e

Approved:

Gary A. Napper
City Manager/Executive Director

AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: CITY MANAGER

DATE: 21 JUNE 2011

SUBJECT: ACCEPT THE RESIGNATION OF TUIJA CATALANO AS A PLANNING COMMISSIONER, EFFECTIVE 01 AUGUST 2011

RECOMMENDATION

It is recommended the City Council, by minute motion, accept with regret the voluntary resignation of Tuija I. Catalano from her appointed office as a City Planning Commissioner, effective 01 August 2011.

BACKGROUND

On 15 June 2011 via email communication, Planning Commissioner Tuija Catalano tendered her written resignation from appointed public office on the City Planning Commission to become effective 01 August 2011. Ms. Catalano and family will be moving to Finland for personal and professional reasons.

Her current term of appointed office does not expire until 30 June 2012 so this matter constitutes the early vacancy of appointment and creates an unexpired term of office for eleven (11) months (August 2011 through June 2012). As the City Council is presently conducting interviews of eight (8) applicants for two (2) normal attrition offices of planning commissioner (on June 21st), it is recommended the City Council select a third citizen from this applicant group to fill Ms. Catalano's unexpired term of office.

FISCAL IMPACT

None.

Attachments: 1. Letter of Resignation [1 pg.]

Received

JUN 15 2011

City of Clayton

June 14, 2011

VIA EMAIL

Gary Napper
City Manager
6000 Heritage Way
Clayton, CA 94517

Re: Clayton Planning Commission

Dear Gary:

It is with sincere regret that I write this letter to you. Please accept this letter as notice that I will not be able to continue to serve on the Clayton Planning Commission past July 30, 2011. As you know I am a native of Finland, and have lived in the United States for almost 18 years. My husband and I have will be moving to Finland with our children in August, and therefore I will not be able to continue as a Planning Commissioner. While we are excited about our new course, we will remain as Clayton property owners with many Clayton friends and with the City close to our hearts.

I feel honored to have been able to serve the City in a Planning Commissioner capacity for the past 5 years. I am very thankful and appreciative for the City Council for appointing me originally in July 2006, and for re-appointing me twice in 2008 and 2010. I have truly enjoyed working with our knowledgeable and professional staff, including Mr. Woltering and Mr. Sikela, as well as with the current Planning Commissioners and those who have been part of the Commission during my 5 years.

My current term is set to continue until June 30, 2012, however I am confident that the City Council will be able to appoint a qualified replacement to fulfill my remaining term based on the number and quality of applicants who recently applied for the Planning Commission for the two seats that are subject to appointment at this time.

Very truly yours,



Tuija I. Catalano

cc: Mayor Shuey
Vice Mayor Geller
Councilmember Pierce
Councilmember Stratford
Councilmember Medrano
Chair Johnson
Vice Chair Richardson
Commissioner Armstrong
Commissioner Meriam
Director Woltering



Agenda Date: 6-21-11

Agenda Item: 9a

Approved:

Gary A. Napper
City Manager/Executive Director

AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: CITY MANAGER

DATE: 21 JUNE 2011

**SUBJECT: PUBLIC HEARING AND ADOPTION OF CITY BUDGETS
FISCAL YEAR 2011-2012**

RECOMMENDATION

Following the Public Hearing, it is recommended the City Council adopt the attached Resolution approving a City Budget for FY 2011-2012 and a multi-year Capital Improvement Program (CIP) Budget for FY's 2011-2016.

BACKGROUND

At the regularly scheduled meeting of the Clayton City Council on 07 June 2011, introduction and review of the proposed operational and capital improvement budgets of the City were provided by the City Manager. Consideration was also given to the numerous Special and Fiduciary Fund budgets of the City for the ensuing fiscal year, as well as a \$1.4 million Capital Improvement Program (CIP) budget for next year. It was noted the City's General Fund Budget was presented as "annually balanced" (meaning no draw on General Fund reserves or one-time monies) but it teeters on a precarious edge that any odious wind from Sacramento could blow over.

The City Council ordered the proposed budgets set for Public Hearing at this time and date, and instructed staff to prepare the Budgets for adoption at this meeting.

MUNICIPAL SERVICES

The proposed City Budget incorporates no actions that will reduce or eliminate public services to the community next year. However, part of its balanced platform includes reliance on existing labor concessions obtained last year to roll forward, at a minimum, through the coming fiscal year. Since March 2011 the City has been in negotiations with its

Police Officers Association (POA) regarding compensation and employment benefit issues for the coming fiscal year as the current 1-year contract expires on June 30th. To date, no agreement has been reached. Within the last week, the City's Miscellaneous Group employees submitted a proposal for consideration by the City Council, which will review it for the first time on June 21st in closed session. Although certain economic signs are stirring at the local and even state level, the dollar margins are so slim and the City's uncontrollable fixed costs continue to pick away at any true growth. Employee group dental rates are scheduled for a 7% increase in January 2012 and CalPERS will soon release its proposed premiums for health insurance effective at the mid-year point. Early news is these CalPERS rates, on average, will increase by 4.1%. Further, the City's CalPERS retirement rates are going up effective 01 July 2011 with a combined annual increase of \$43,575.

It is noted that while the level of municipal services provided to our community have not decreased in the last two years despite budget struggles, revenues have indeed decreased and it is our City employees that have shouldered this pain in the forms of unpaid furloughs, no cost-of-living adjustments, frozen merit pay advancements, absorbing health and dental premium increases, and the elimination of holiday premium pay for sworn law enforcement personnel. Such burdens have been shared by other households in our community as well and we recognize most citizens, business owners, and employees have encountered a new way of life over the last several years. Climbing out of this deepened recession is still a work in progress and it undoubtedly will be a few more years before relief is in sight.

Almost weekly our City receives depressing news that one or another service contract provider, another governmental entity, or the State of California are shoving their budget woes downhill to our small municipality. Just this week, due to State Budget deficits, our City received a letter from the County Administrator's Office indicating it will hold a public hearing on June 28th to consider raising its charges to local law enforcement agencies for police Booking Fees from \$170 to \$282 per booking (66% increase) and its Jail Access Fee from \$340 per booking to \$564 per booking (66% increase). With our City Budget so thin, we cannot chase and react fast enough to all of these expense increases barreling our way each week. It seems that government is pricing itself and each other out of business.

Should the final outcome of the collective bargaining processes with our City employees result in added net expense to the City's Budget (particularly agreements impacting the General Fund since police operations equal 50% of all General Fund expenses), such increases must be funded by transfers of one-time monies or the enactment of corresponding reductions in municipal services to balance the Budget. Despite the tenuous nature of enacting a budget at this stage in the annual game, the City must forge forward responsibly and enact a fiscal plan for next year that is balanced and meets the public service requirements of its community. The City can always revisit its budget plan in the ensuing months, and at mid-year, to make the necessary adjustments caused by another public entity.

STATE BUDGET STATUS (OR DODGING BULLETS)

June 15th roared like a lion this year as the California Legislature, under a voter-imposed deadline, placed its stamp of approval on an irresponsible and illegal [unconstitutional] State Budget plan to avoid a loss in legislator pay. Governor Brown, to his credit, immediately called the fiscal submittal a sham full of illegal maneuvers and announced his veto of that Budget. Foremost of concerns to certain cities among the various provisions was a partisan act by Democrats to terminate redevelopment agencies and establish "oversight boards" to dismantle these entities and dispose/liquidate their assets. An act deemed outrageously unconstitutional by the California Redevelopment Association and the League of CA Cities, legislators were responding to the Governor's own call for identical action and the enticing whispers of other taxing entities for the release of redevelopment agency tax increment to their coffers. For next year the state expected a windfall of \$1.7 billion to its treasury by this legislative action.

But wait – a redevelopment agency could resurrect itself and conduct business as usual should it decide to "voluntarily" contribute a proportionate share of that \$1.7 billion to the state next year, and each year thereafter according to a shared payment formula. By this sleight of hand, the State deftly thought it would avoid Proposition 22's restriction (November 2011 voter passage) that no local revenues can be taken by the state. Wrought with flaws and constitutional violations, the State Legislature's action showcased its desperate nature to bridge a \$9.6 billion deficit. The City of Clayton was not only facing the extermination of its redevelopment agency with corresponding beneficial capital improvement projects and its affordable housing programs and reserves, the City was staring at an immediate \$425,000 gap in its General Fund Budget (11.6%) that would be impossible to cure without service cuts, employee layoffs, and/or use of reserve monies. The City could avoid those wounds by sending approximately \$1.7 million to the State next year (and likely \$405,000 each year thereafter) from our Redevelopment Agency, whose annual revenues are already tied up (89%) each year to retire its previous debt issuance. Follow the money trail – the end justifies the means, according to Sacramento's reckless actions.

The Legislature's submitted budget also did not contain re-authorization for the COPS Grant Program as that issue is a partisan tussle over tax extensions, voter measure versus state legislated enactment (note: COPS Grant funding expires on June 30th without extension of the 0.15% surcharge to the Vehicle License Fee (VLF)). Consequently, the proposed City Budget to gap-fund our 11th sworn officer position for the coming fiscal year remains a solid and necessary strategy while awaiting its final fate.

This week the State Controller's Office added yet another twist to budget deliberations by announcing May's revenues were \$408.3 million above projections. This news means total state revenue was 5.9% above the estimates outlined in the Governor's "May Revision" press conference. Both personal income and sales taxes were showing signs of growth. This information feeds the partisan brawl as Republicans hold to claims a budget can be enacted without tax extensions.

What this all boils down to is: a local budget plan and corresponding budget message is likely outdated the day it is written. Until the final dust settles in Sacramento and one can view the carcasses, our City Budget is only a plan without assurance at this point.

PROPOSITION 4 APPROPRIATIONS LIMITATION

In 1978, the California electorate voted to end the perceived runaway "tax and spend" practices of local governments by restricting the amount of annual growth in tax money expenditures allowed for each public entity. This tax limit, known as the "Gann Appropriations Limitation" (Proposition No. 4), remains in law today. As part of the annual Budget cycle, it is incumbent upon each public entity to calculate and declare its associated compliance with this tax limitation.

For FY 2011-2012, the statutory tax limitation would allow the City of Clayton to spend \$12,323,379 in tax revenues over the next twelve months. The measly City Budget submitted for adoption this year contains only \$3,916,126 in tax revenues, as defined by this law, a far cry from our Tax Limit allowed 33 years.

The reality of the above mathematical exercise is our City receives less than one-third (31.8%) of the containment-cap taxes permissible under this former proposition imposed on local governments by tax-weary voters in California. In other words (in tax limitation theory), the City of Clayton could receive and spend an additional \$8,016,800 in tax revenues for local services, *if such taxes were approved or available from within our community*. Ironically, news continues to circulate that a few organizations are looking to place more measures on the ballot to again "control out-of-control government spending". Another cap on government spending? Our City cannot even approach the first cap....

COUNCIL BUDGET SUB-COMMITTEE REVIEW

At a meeting held on June 10th, a Council ad-hoc committee of Vice Mayor Geller and Council Member Stratford met with the City Manager and the Finance Manager to scrutinize the details and budget policies contained in the proposed City Budget for FY 2011-12. Following critical review of the financial minutia and the City's fiscal status, it is the recommendation of the Budget Sub-Committee for the City Council to adopt the budget as proposed, recognizing it will need to be revisited soon and at mid-year following conclusion of labor negotiations and State Budget actions.

The Council Sub-Committee also considered Council Member Medrano's request from the June 7th City Council meeting regarding amendment of the proposed budget to purchase an additional video machine for the taping of City Council meetings to produce a duplicate tape of the meetings should the current solo equipment fail during a meeting. As this matter involves the expense of likely \$300, it is the recommendation of the City Manager and the Council Budget Sub-Committee that the proposed City Budget not be amended for this

small expense but through the encumbrance of Comcast PEG grant monies from the current fiscal year (2010-11) to accomplish the intended objective.

SUMMATION

Addressing competing demands and needs for local public services has never been a cakewalk, and that work challenge has become increasingly difficult without the availability of good solutions during the last few years of this troubling recession. Everyone is weary from the current economic situation, both private and public sectors, household and corporate budgets, employees and chief executive officers. And yet, the City of Clayton continues to press forward with another fiscal year plan that gently balances its general operating budget while offering several improvements in landscape appearances and capital projects.

It has not been without sacrifices. My professional appreciation and recognition to each of our City employees who have helped weather the City's revenue plight by bearing personal and workplace burdens. My acknowledgement and appreciation to an elected City Council that understands the financial tests of these times, provides leadership during the fray, and is supportive of its organization and their deliverance of comparative quality community services. And finally, my tip of the hat to our Finance Manager, Merry Pelletier, who literally counts every dollar on both sides of the financial ledger to ensure our City stays as healthy and as solvent as possible. Together, we achieve, and look forward to serving this grand community in FY 2011-12.

Attachments: Draft Resolution adopting City Budget [3 pp.]
 Gann Taxation Limit exhibit [1 pg.]
 Budget Message and Budgets from June 7th

RESOLUTION NO. - 2011

**A RESOLUTION ADOPTING THE ANNUAL BUDGET FOR THE CITY
OF CLAYTON FOR THE 2011-2012 FISCAL YEAR BEGINNING JULY
1, 2011 AND ENDING JUNE 30, 2012, AND ADOPTING THE 2011-
2012 GANN APPROPRIATIONS LIMITATION**

THE CITY COUNCIL
City of Clayton, California

WHEREAS, on 07 June 2011 the City Manager had prepared, submitted and presented to the Clayton City Council the proposed budgets for operation of the City of Clayton in Fiscal Year 2011-2012 commencing 01 July 2011; and

WHEREAS, for 21 June 2011, a Public Hearing was set and duly held on the proposed budgets whereat opportunities were provided accordingly for members of the public to offer comments and input on the fiscal plans presented; and

WHEREAS, after due consideration and review, the Clayton City Council finds it is in the best interest of the general health, welfare and safety of this City, its citizens and businesspersons, to adopt a financial plan governing the receipt and expenditure of public monies in Fiscal Year 2011-2012.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Clayton, California does hereby adopt the budget revenue by fund for the City of Clayton for the Fiscal Year commencing 01 July 2011 and ending 30 June 2012 as follows:

<u>FUND</u>	<u>2011-2012 REVENUE</u>
General Fund – Fund No. 101	\$ 3,652,726
Gas Taxes – Fund No. 201	\$ 282,900
Landscape Maintenance District – Fund No. 210	\$ 941,054
The Grove Park Maintenance District – Fund 211	\$ 125,062
Geologic Hazard Abatement District – Fund No. 212	\$ 33,972
Street Light Assessment District – Fund No. 214	\$ 127,459
Storm Water Assessment – Fund No. 216	\$ 124,821
High Street Bridge Assessment District – Fund No. 217	\$ 4,370
Oak Street Bridge Assessment District – Fund No. 218	\$ 4,390
Measure “J” Fund – Fund No. 220	\$ 210,748
Lydia Lane Sewer Assessment District – Fund No. 222	\$ 19,700
Oak Street Sewer Assessment District – Fund No. 223	\$ 12,790
Restricted Grants – Fund No. 230	\$ 114,395
Development Impact Fees – Fund No. 304	\$ 17,302
Middle School CFD – Fund No. 420	\$ 683,856
Clayton Station CFD – Fund No. 421	\$ 139,474
Middle School Refunding – Fund 422	\$ 3,000
Self Insurance Fund – Fund No. 501	\$ 500
Capital Equipment Replacement Fund – Fund No. 502	\$ 191,401
Community Gym – Fund No. 701	\$ 41,000
Endeavor Hall – Fund No. 702	\$ 21,275
TOTAL REVENUE:	\$ 6,752,195 ; and

BE IT FURTHER RESOLVED that the budget appropriations by fund for the City of Clayton for the Fiscal Year beginning 01 July 2011 and ending 30 June 2012 are adopted as follows:

<u>FUND</u>	<u>2011-2012 APPROPRIATIONS</u>
General Fund – Fund No. 101	\$ 3,652,726
Gas Taxes – Fund No. 201	\$ 395,629
Landscape Maintenance District – Fund No. 210	\$ 1,210,723
The Grove Park Maintenance District – Fund No. 211	\$ 132,517
Geologic Hazard Abatement District – Fund No. 212	\$ 32,995
Street Light Assessment District – Fund No. 214	\$ 129,485
Storm Water Assessment – Fund No. 216	\$ 138,102
High Street Bridge Assessment District – Fund No. 217	\$ 2,385
Oak Street Bridge Assessment District – Fund No. 218	\$ 657
Measure “J” Fund – Fund No. 220	\$ 203,324
Lydia Lane Sewer Assessment District – Fund No. 222	\$ 19,614
Oak Street Sewer Assessment District – Fund No. 223	\$ 13,049
Restricted Grants – Fund No. 230	\$ 116,374
Development Impact Fees – Fund No. 304	\$ -0-
Middle School CFD – Fund No. 420	\$ 533,856
Clayton Station CFD – Fund No. 421	\$ 138,487
Middle School Refunding – Fund 422	\$ 477,428
Self Insurance Fund – Fund No. 501	\$ 26,220
Capital Equipment Replacement Fund – Fund No. 502	\$ 209,701
Community Gym – Fund No. 701	\$ 41,000
Endeavor Hall – Fund No. 702	\$ 26,502
TOTAL APPROPRIATIONS:	\$ 7,500,774 ; and

BE IT FURTHER RESOLVED that the Capital Improvement Budget (CIP) of the City of Clayton for the fiscal year beginning 01 July 2011 and ending 30 June 2012 is adopted as follows:

<u>PROJECT</u>	<u>AMOUNT</u>
Community Park Parking Lot Expansion Project	\$ 850,000
2011 Neighborhood Street Repaving Project	\$ 488,988
El Molino Drive Sanitary Sewer Improvements	\$ 330,000
Oak St./School Bridge Area Improvements	\$ 200,000
Cardinet Trail Restoration Project	\$ 50,000
ADA Handicap Parking Spot Updates	\$ 6,000
Downtown Economic Development Fund	\$ (530,000)
TOTAL CIP:	\$ 1,394,988 ; and

BE IT FURTHER RESOLVED the appropriations listed above constitute the budget for the Fiscal Year 2011-2012 and that the City Manager is herein authorized to transfer appropriations within the control accounts as deemed necessary, provided no change is made in the total amount designated for any one department; and

BE IT FURTHER RESOLVED that in the 2011-2012 Budget Document adopted herein, the adjusted base (annual Proposition 4 – Gann Appropriations Limitation) is calculated to be \$12,323,379 while the City's annual tax proceeds total \$3,916,126, an amount less than one-third (at 31.8%) of the City's allowable tax expenditure cap; and

BE IT FURTHER RESOLVED that the City Council of Clayton does hereby find and determine it has complied with all of the provisions of Article XIII B of the California Constitution in determining the annual Gann appropriations limit for Fiscal Year 2011 - 2012.

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California during a public hearing at a special public meeting thereof held on the 21st day of June 2011 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

THE CITY COUNCIL OF CLAYTON, CA

David T. Shuey, Mayor

ATTEST:

Laci J. Jackson, City Clerk

GANN TAXATION LIMIT

FY 2011-2012

**(per voter-approved
PROP. 4 – 1978)**

1. CLAYTON'S TAX LIMIT:
\$ 12,323,379

2. CLAYTON'S TAX REVENUES:
\$ 3,916,126
31.8%

3. AVAILABLE TAX GAP:
\$ 8,407,253

**PROPOSED CITY BUDGET
2011 – 2012**

Agenda Date: 6-7-11

Agenda Item: 9c

THE CITY COUNCIL

DAVID T. SHUEY, MAYOR
HOWARD GELLER, VICE MAYOR
JOSEPH A. MEDRANO, COUNCILMEMBER
JULIE K. PIERCE, COUNCILMEMBER
HANK STRATFORD, COUNCILMEMBER

* * *

PROPOSED AND PRESENTED BY:

GARY A. NAPPER, CITY MANAGER

* * * * *

PREPARED BY:

MERRY PELLETIER, FINANCE MANAGER

CITY OF CLAYTON, CALIFORNIA
94517
www.ci.clayton.ca.us

BUDGET MESSAGE

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: CITY MANAGER

MEETING DATE: 07 JUNE 2011

**SUBJECT: PROPOSED CITY, SPECIAL FUNDS, AND CIP BUDGETS
FISCAL YEAR 2011 - 2012**

RECOMMENDATION

Following introduction and presentation of the proposed operations and capital improvements budgets for FY 2011 – 2012, it is recommended the City Council provide any policy direction and amendments accordingly for a Public Hearing and adoption of the City, Special Funds, and Capital Improvement Budgets at its regular public meeting on 21 June 2011.

BACKGROUND

Austerity is the mode of operation and life these days, not only in the home but also in private business as well as for local government. Unable to print currency on our own [last time I checked], our City relies on general purpose revenues largely beyond our control while our service budgets experience the same fixed cost increases affecting households and businesses (e.g. water rates; gasoline prices; utility costs; insurance premiums, etc.). What becomes transparent today, with failed and mismanaged operations floundering everywhere, is government must learn to conduct its services within the resources provided by its constituents, and then do so accordingly. Fortunate in many regards for Clayton, as the smallest city in Contra Costa County, that mantra has always been its way of life.

For FY 2011-12, the primary theme is a “status quo” budget. How providential those words now sound and mean while daily headlines scream of cities, states, special districts, counties, and our federal government in endless trouble haunted by rising debt, disheartening news of public employee layoffs, bankruptcies, corruption and greed, ethical violations, and reductions in services to all strata of people. The last five (5) years have been challenges indeed for local government with its inherent desire and will to provide meaningful and quality public services to its community, and certainly the City of Clayton has not been immune from the tailspin of reduced property taxes, weakened sales taxes, and the voracious lion of State “takeaways”. And yet, despite these darts and arrows, local services provided to the community of Clayton have

largely been sustained, not reduced, and in some cases enhanced when the revenue source is not subject to the fickle fingers of "Fracturedmento". For examples, because local voters staunchly approved to tax themselves to provide a Downtown park (The Grove Park) and continued a Citywide Landscape Maintenance District, good things and improvements are occurring in this Budget for the enhancement in the local quality of life. Due to fiscally conservative practices, monies remain available to conduct an annual street repaving project, rectify a surcharged sewer main line (for public health and pollution prevention), and perform beautification projects in certain roadway medians and next to one of the two primary entrances to the Clayton Town Center (ref. School Bridge area improvements on Oak Street).

But "yes", there have indeed been sacrifices in City operations just as there have been sacrifices within households and private businesses. For the last two (2) years (and forecast for a third year in a row), Clayton city employees have shouldered most of the burden to offset the City's revenue reductions in order to maintain public services; these shared sacrifices have manifested in the forms of 11 furlough days per year (4.3% cut in pay), no cost-of-living adjustments, no salary advancements for merit performance, and absorbing the premium increases for employee medical and dental insurance landing often in double digits. Before it became politically correct to accept public employee compensation concessions, Clayton's city employees were already standing on 1st base.

The chart below captures the five (5) year history of our City's overall budget:

CITY OF CLAYTON BUDGETS

<u>Budget</u>	<u>FY 11-12</u>	<u>FY 10-11</u>	<u>FY 09-10</u>	<u>FY 08-09</u>	<u>FY 07-08</u>
General Fund	\$ 3,651,536	\$ 3,656,609	\$ 3,637,679	\$ 3,767,800	\$ 3,784,028
Other Funds	\$ 3,848,048	\$ 4,054,742	\$ 3,171,957	\$ 2,902,386	\$ 3,032,335
CIP	\$ 1,524,988	\$ 1,764,300	\$ 2,273,727	\$ 2,644,432	\$ 728,995
RDA	<u>\$ 5,540,625</u>	<u>\$ 5,110,922</u>	<u>\$ 5,196,353</u>	<u>\$ 5,225,457</u>	<u>\$ 4,395,587</u>
TOTALS:	\$14,565,197	\$14,586,573	\$14,279,716	\$14,540,075	\$11,940,945

PROPOSED TOTAL BUDGET

The combined financial program proposed for the City, its Other [Enterprise] Funds, the Redevelopment Agency, and its CIP Budget is \$14,565,197, an overall decrease of **\$21,376 (- 0.15%)** under last year's total Budget. In short, the "patient" [Budget] is breathing and resting comfortably, and actually not doing too bad for its advancing age of 47 years.

Revenues for the General Fund portion of the FY 2011–2012 City Budget are planned at \$3,651,536 offset by a matched expenditure program of \$3,651,536. Consistent with previous policy direction provided by the City Council, the operating budget of the City *does not* draw down on General Fund reserves to operate the City

In comparison to last year's Budget, the General Fund's flat line budget (0.1% decrease of **\$5,073**) means the City is remains on the treadmill plodding away and its heart is still pumping to provide local public services to our community. In today's economic environment, that status is remarkable indeed. This is the 2nd smallest General Fund Budget in 7 years (since FY 04-05) by a slim margin of \$13,857 (0.38%).

GENERAL FUND REVENUES

Last year's Budget predicted housing values would hit appraisal bottom in Clayton and begin the slow trek upward. The proposed City Budget mirrors that reflection as it estimates the City's share of the local real property tax rate (4.2%) will rise by 4% above last year's budgeted number (+ \$23,840). To our delight and contrary to consumer news, our sales tax revenues are displaying some perkiness rising 18% above last year's budget. Before anyone gets overly thrilled by that trend, the relative change is \$38,454; bear in mind the totality of Clayton's sales tax base (\$256,500) pales in comparison to the next smallest city (Moraga), which generates 2-3 times our sales tax revenue. Overall, the General Fund revenues for FY 2011-12 essentially equal those received last fiscal year – no growth is expected in revenues, operations, or public services (**- 0.1%**).

Revenue transfers into the General Fund (\$635,165) account for 17% of the fund and compensate for staff work, oversight and support services in the operation of those enterprise Districts and Redevelopment Agency activities. This fact acknowledges the reality that much of staffs' workweek is spent on tasks involving responsibilities and services outside the mainstream general purpose government operations. One of the continuing ironies of government in Clayton is that medium-sized cities in the county have divisions that operate with bigger budgets than our total \$3.65 million, and most have maintenance crews larger in number than our total employee count of 26.

In previous years' budgets the City planned on one-time transfers from its Trust & Agency Fund (interest earnings) for the purpose of setting an annually balanced budget. In FY 09-10, \$155,579 was deemed necessary and in FY 10-11 the transfer number was lessened but still budgeted at \$18,410. It is pleasing to note that in both cases, the General Fund operations for those years did not need to use those one-time monies to sustain its services. Tight rein on expenditures, by cost-conscious employees, contributed in each case to making sure the overall General Fund Budget operated within its means. Based on past practices and the revenue projections for FY 2011-12, no one-time transfer from the Trust & Agency Fund is planned or necessary at this time.

GENERAL FUND EXPENDITURES

With a **0.1%** decrease in overall General Fund expenditures compared to last year, there is little room for commentary on dramatic changes – it is truly a “status quo” Budget. In previous years the City eliminated expenses for employee training and attendance at information conferences, and even halted the expense for bottled water. Since labor negotiations with City Hall and Police public employees are on-going and have not been resolved yet as their 1-year contracts expire on June 30, 2011, it must be noted the Budget also assumes retaining the status quo on employee salaries and benefits. Should that outcome be different, modification of the Budget will be necessary and probably reliant on one-time transfer of funds as no new revenue sources are contemplated or envisioned. Further, such outcome might pull the City into a recurring structural deficit until corresponding permanent revenue increases are realized.

As a service-provider organization it is understandable our expense for Personnel Services consumes the majority of the General Fund. It holds steady at 68% of the overall \$3.65 million Budget (a drop from 72.5% three years ago). The City provides public services, not products for sale, and in that regard we are no different than private sector service providers (e.g. law firms; insurance and accounting offices). According to *Governing* magazine (May 2010), public school systems across the nation spend 85% or more on personnel services. Therefore, whenever the public calls for cuts in government spending, it often translates to cuts in personnel which morph into reductions in public services and programs. Past and current labor concessions of this City organization include:

<u>Labor Concessions</u>	<u>Value</u>
• No Cost-of-Living Adjustment to Salaries (2.8% COLA)	\$ 67,269
• Unpaid Furlough Days (11) for City Hall Employees	\$ 62,113
• No Holiday Premium Pay for sworn Police employees	\$ 55,899
• Organizational Downsizing (Assistant Planner to 24 hrs/wk)	\$ 40,000
• No Merit Increases for eligible Employees	\$ 53,968
• All Employees pay Medical & Dental Insr. Increases (10%)	<u>\$ 31,045</u>
Total Value:	\$310,294

Further, our contract City Attorney (Turner, Huguet and Adams) and contract City Engineer (Permco), each for the 4th straight year, have not sought increases in retainer service payments. An unknown cost variable facing the City in this year's Budget will be the retirement of its 47-year City Attorney law firm. The City is presently seeking Requests for Proposals (RFP's) from qualified law firms and individuals to replace this loss, which submittal deadline is not until June 30, 2011.

Once again, as in prior years as an interim measure to bridge budget gaps, the proposed budget halts the annual depreciation charge of \$97,582 to the City's Capital Equipment Replacement Fund (CERF). This internal service fund is normally replenished each year to underwrite automatic replacement of vehicles and other rolling stock as age and condition dictate; since it has an adequate reserve balance (see Section I. below) it is proposed another “stay” in allocation be implemented during this protracted fiscal squeeze.

Below is a recap of each Department in comparison to last year's Budget:

GENERAL FUND DEPARTMENTS

<u>DEPARTMENT</u>	<u>FY 11-12</u>	<u>FY 10-11</u>	<u>% CHANGE</u>
LEGISLATIVE	\$ 59,448	\$ 62,885	- 5.5%
ADMIN/FINANCE	\$ 833,745	\$ 817,793	+ 2.0%
PUBLIC WORKS	\$ 120,897	\$ 127,595	- 5.2%
COMMUNITY DEV.	\$ 255,833	\$ 257,565	- 0.7%
GENERAL SERVICES	\$ 143,380	\$ 177,105	- 19.0%
POLICE	\$ 1,834,622	\$ 1,827,232	+ 0.4%
LIBRARY	\$ 130,589	\$ 131,051	- 0.4%
ENGINEERING	\$ 96,448	\$ 96,261	+ 0.2%
COMMUNITY PARK	\$ 176,574	\$ 159,122	+ 11.0%
TOTAL:	\$ 3,651,536	\$ 3,656,609	- 0.1%

Police Department operations continue to hold at 50% of the General Fund Budget pie. This statistic means that of every \$1.00 paid by taxpayers as general tax revenues to the City, half of the tax monies (or 50¢ of every \$1) is used to provide local law enforcement services.

GENERAL FUND SHORTFALL

As noted previously, this Fiscal Year Budget has been prepared within a framework that does not rely on the subsidy of one-time monies to fill a revenue-expense gap.

GENERAL FUND EQUITY BALANCE

According to the City's audited financial statements, the un-earmarked fund balance of the General Fund on 30 June 2010 was \$5,109,933 (140%). Reducing that figure by the authorized FY 09-10 encumbrances of \$235,389 into the FY 10-11 Budget, the City's net unreserved fund balance on 01 July 2010 (start of last fiscal year) was \$4,874,544.

The City Council has directed an absolute minimum reserve of \$250,000 as our never-to-be-expended "catastrophic reserve", which practice is implemented (and should likely be updated). The stated Policy Goal of the City Council is to establish and retain an undesignated reserve of 50% relative to each annual General Fund Budget.

It is calculated our City might close Fiscal Year 2010-2011 with actual revenue exceeding expected expenses by \$67,673, a 1.85% surplus operation which represents a remarkable feat in government today. Although the City still has 1 final month of operation and then close-out tasks on the past fiscal year, it is refreshing to expect the

City once again operated within its allotted resources. Unless City Council action is directed otherwise, these monies automatically revert to the reserves of the General Fund. Therefore, it is plausible the opening unreserved General Fund balance of the City will uptick to \$4,942,217 on 01 July 2011. A General Fund reserve balance that is increasing, not decreasing?

The City's reserve equity is therefore equal to 135% of our annual General Fund operations for FY 2011-2012. Subtracting the "untouchable" \$250,000 reserve lowers our total reserve equity to a position of 129% (\$4,692,217).

In terms of raw purchase power, \$5.1 million does not buy much if confronted with civil emergencies, natural disasters or hillside failures. Further, this Reserve functions as an all-purpose repository for a variety of unfunded liabilities of the City (the \$1.5 million CalPERS), its public facility repairs (e.g. new HVAC at the Clayton Community Library; new roof on City Hall), or full depreciation of capital assets. However, without a doubt the City of Clayton is in an enviable financial position.

* * * * *

SPECIAL REVENUE AND ENTERPRISE FUNDS

An appendage to the General Fund operations of the City, the City Council and staff are charged with stewardship over the provision of public services employing restricted-use monies. Referred to as "Special Revenue" or "Enterprise" Funds, strict controls and regulations are placed on their express purpose and expenditure. They are in essence self-contained operations yet form a critical portion of the overall City Budget as these Funds underwrite much of the improvement mission of the City. Discussion of the fiscal status of each of these Special Funds takes place below:

A. Gas Tax Fund – No. 201

Derived from a series of state transportation taxes on the sale of gasoline [Street and Highway Code, Sections 2105, 2106, 2107 and 2107.5; voter-approved Proposition 42 "Traffic Congestion Relief Act" monies], this group of revenues is collectively referred to as our "Gas Tax Fund". Local gas tax funds in the past have been a reliable source of funding for cities since the 1970s and are universally used to fund local road maintenance and repairs. Our City uses these monies to perform annual street re-striping and safety re-markings, traffic regulation and warning signs and replacements, resealing of street cracks, sidewalk and gutter repairs, street name signs, operate and repair arterial street lights, and traffic signal maintenance.

Last year our City expects to receive \$326,059 in total local transportation funds, an amount slightly up from the previous year by about 4.5%. Despite the sluggish economy, high rate of unemployment, improved mileage vehicles and soaring gasoline prices, sales rose last year in gasoline gallons. Our City has been fortunate to have

cobbled monies from a variety of sources over the last 7 years (ARRA; Measure J; Gas Tax) to install approximately **\$4.5 million** in road and street resurfacing improvements in Clayton, an accomplishment which keeps our local roads consistently rated in the Top 5 of the county (Clayton's Pavement Condition Index, or PCI of 76, places our street conditions in the industry standard rank of "Very Good", the 2nd highest category).

During recent years in order to aid its deficit budget, the State of California shifted and delayed payments of state transportation monies to cities and counties ("floating" on the funds for interest earnings). Fortunately, voters' passage of Proposition 22 in November 2010 halted the state's notorious practice of delayed disbursements of local monies to local governments and we can effectively plan for the receipt of these gasoline sales tax revenues, at least until the next shoe is dropped by the state. At this time Gas Tax total revenues are estimated to be \$325,900 for FY 2011-12, essentially a flat line revenue projection given the uncertainty of this revenue source. Should additional gas tax revenues materialize during the fiscal year (e.g. Prop 42 monies might be more), it will augment the amount of monies transferred to the City's Capital Improvement Project Budget for a 2011 Neighborhood Street Project to be performed in the spring of 2012.

After allocation of monies for basic transportation maintenance and operation expenses (e.g. electricity for arterial street lights at \$42,500; traffic signal maintenance performed by the County at \$26,000; City Maintenance personnel compensation of \$40,375 for street maintenance tasks and traffic sign replacements; street lamps at \$24,211), it is proposed this Fund transfer \$250,988 (77%) to the City's Capital Improvement Project Budget for the following street improvements and repairs:

2011 Neighborhood Street Project	\$ 244,988	CIP No. 10410
ADA Sidewalk/Parking Improvements	\$ 6,000	CIP No. 10394A

The Street Project monies will combine with available Measure J funds to create a Neighborhood Street Repaving Project of approximately \$439,000, faintly less than previous years' allocations yet adequate to maintain some local streets. The ADA annual allocation offers an amount available of \$10,190 that staff recommends be used to upgrade the striping, posting and marking of the numerous on-street Handicap Parking stalls throughout the town to conform to revised July 2008 standards.

B. Citywide Landscape Maintenance District – Fund No. 210

In June 2007, Clayton voters approved a replacement real property tax to continue funding the operation and maintenance of their citywide public landscaped areas. This annual tax is restricted to costs associated with: arterial and specified roadway medians and parkways, the trails system, the annual open space noxious weed abatement in Oakhurst hills, the annual open space and trails weed abatement for fire and public safety, landscape and turf irrigation and the monthly maintenance and special occasion operation of the "Clayton Fountain".

Maintenance of City Parks *is not* included as an authorized expense under the District's Act; park maintenance obligations fall to the City's General Fund. *Citywide public landscaping services have always been funded by a special revenue tax levied on private properties throughout the City.* The District is completing its 4th year of a 10-year approved operation (Measure B), and its citizens' oversight committee (Trails and Landscaping Committee, or TLC) meets periodically to ensure the promised maintenance standards and efficiencies are achieved with these special-purpose tax revenues.

Pursuant to the terms of voter-approved Measure B, the special tax rate may be modified annually by the change in the Consumer Price Index (CPI; San Francisco – Bay Area) from April to April. In no event shall the tax rate be increased by more than 3% each year. The CPI change (from April 2010 to April 2011) posted at 2.8%. The District's revenue projection has been increased by that factor accordingly and is set at \$936,054 for FY 2011-12 (add interest earnings of \$5,000 for total revenue budget of \$941,054). Pursuant to its oversight charge, the citizens' TLC considered the CPI change and the District's budget at its meeting on May 23rd and approved a motion to recommend the City Council implement the 2.8% CPI rate adjustment.

The Landscape Maintenance District opens the fiscal year with a projected positive equity of \$491,149, an amount lower than in previous years due to the approved appropriation of \$260,000 from the District's reserve (May 2010) to make certain landscape renovations and improvements in the District. Many of those improvement and landscape restoration projects were completed recently; one is underway, with the balance to be completed next fiscal year:

- a. Oakhurst Drive decorative pavers in narrow medians plus plants (done) \$70,000
- b. Tree replacements on Keller Ridge Drive (partially complete) \$16,600
- c. Deferred Tree Trimming (done) \$20,000
- d. Clayton Fountain renovation and replanting project (almost done) \$70,000
- e. Restore plants: Oakhurst Dr., old Marsh Creek Rd., Clayton Rd. (next) \$45,000
- f. Marsh Creek Circle replanting/headlight glare mitigation (done) \$19,400
- g. Replant Jeffry Ranch Court island (not done yet) \$ 2,500

The installation and commencement of these landscape restoration and District improvement projects represent the success of the District in managing the voter's preference for a "pay-as-you-go" ballot tax measure. The defeated Measure "O" (2005) would have issued a revenue bond in its initial year to attack public improvements sooner but conservative Clayton voters disliked the higher annual assessment and the bonded indebtedness of the District. Entering the District's 5th year of operation has allowed the accumulation of reserves to accomplish many of the same objectives, just slightly later than many might have wished.

Noteworthy expenses of the District include its annual weed abatement Citywide (\$35,000 for the fire season), and the huge expense of \$53,416 to abate noxious and exotic weeds in the Oakhurst Hills (a condition of project approval for the Oakhurst residential development). Metered water service is set at its historical expense of \$180,000 per year by the lifting of the drought restriction last year; this expense can fluctuate wildly depending on seasonal climates and strange weather patterns. Personnel services for this labor-intensive work accounts for 30% of the District's budget this year (\$343,845), down slightly from last year's portion of 33%. A gradual shift in labor deployment for services in the District to temporary/seasonal workers from the City's permanent workforce of five (5) has lessened the expense burden, which allows the availability of more funds to install beautification and improvement projects in the Landscape District.

As approved by Measure "B" voters, the District's budget includes an annual expense of \$20,000 (Account 7316) for the purchase of replacement plants. The District also contributes its annual allocation of \$13,500 to the City's Capital Equipment Replacement Fund (CERF), from which Maintenance vehicles and equipment are purchased for use in maintaining the Landscape District. An expense of \$30,756 (3.3% of annual District revenue) is transferred to the City's General Fund to pay for administration and overhead of the City (e.g. telephones; payroll processing; accounts receivable and payable; District direction) attributable to the District's annual operations.

Consistent with the District's stated mission to maintain and improve the Landscape District, it is recommended we continue our aggressive program to further enhance the appearance and sustainability of the District's plants and landscaping. Therefore, the proposed FY 2011-12 Budget calls for an allocation of \$330,000 from the District's reserves this year to perform the following enhancements:

1. Median and Roadway Re-Landscaping Projects	\$230,000
a. Clayton Road, Oakhurst to old Marsh Creek Road	\$115,000
b. Clayton Road, old Marsh Creek Road to Mitchell Canyon Road	\$115,000
2. Trail Resurfacing (remainder of Bruce Lee Trail)	\$ 50,000
3. Master Remote Computer Controller for all Irrigation Systems	\$ 30,000
4. Trail Crack-Sealing and Minor Repairs	\$ 10,000
5. Tree Replacement and Trimming	<u>\$ 10,000</u>
Total:	<u>\$330,000</u>

Further, it is proposed the District transfer an additional \$50,000 from its reserves to the City's Capital Improvement Project Budget (CIP No. 10421) to design and install the necessary repairs on a portion of the Cardinet Trail that is being eroded by the scouring of Mt. Diablo Creek. This Cardinet Trail Restoration Project will require the involvement and permit approvals issued by the CA Fish and Game Department and other environmental regulators to ensure proper treatment of the sensitive habitat.

With all of these actions, the District's ending fund balance on 30 June 2012 will still be a healthy \$221,480, which equates to a reserve of 24% of the annual revenue. The reserve status is confirmation the City does not siphon "surplus" monies of the District into its General Fund and uses the special tax revenues for the intended purposes.

C. Street Light Fund – No. 214

This is a special assessment fund collected through the property tax bill on residential properties [current assessment ranges from \$8.34 - \$43.54 per residential unit per year]. Since 1996-97, the City has not requested or increased the rate charged to real property owners which have street lights in their neighborhoods. These assessments are restricted for street light operations and maintenance *within residential neighborhoods*. We expect to realize the same \$125,459 in revenues (identical to last year) as this assessment can only be increased by affirmative vote of the assessed property owners (Proposition 218 voter requirements). An 8-year trend analysis of our operational experience with these residential street lights reveals the actual cost of electricity and maintenance expenses fluctuates with a nominal excess or shortfall in revenue, which the Fund's reserve adequately covers in the latter event.

In order to continue providing current services within existing assessment revenue, we expect to slightly draw on existing reserves, this year by approximately **\$2,026**, which amount is 4 times the actual subsidy forecast for FY 10-11 (**\$495**). However, that subsidy is considerably less than the \$10,000 annual deficit initially approved for FY 10-11. Recurring causes for this functioning deficit are electrical rate increases prompted by PG&E's field audit 4 years ago as to correct tariff categories, in-house labor, electrical parts and supplies, and direct charges for preparation of the Engineer's Report (Engineering), copying and mailing of the required legal notices (\$1,000 and \$2,905, respectively; expenses previously absorbed by the City's General Fund).

With a reserve balance of \$131,353 projected for closure on 30 June 2012, there is no justification to approach voters to increase their tax assessment at this time (the action plan initiated by City Council at its May 17, 2011 meeting). Even at this rising reserve use trend, the life of this reserve is 35 years at that annual flat subsidy, or 3.5 years if the subsidy rose dramatically (yet remotely) by 4 times each year. Past history reveals the former trend is the likely occurrence but the status of this Fund requires monitoring each year.

It has been 15 years since neighborhood street light benefit assessment rates were raised, and voter approval is mandatory to do so. Conversely, should the annual assessment be lowered by City Council action (using plentiful reserves as the buffer) the lowered rate is then locked in and cannot return to its previous rate in the next or subsequent years without an affirmative vote of the property owners (per Prop 218).

D. Storm Water Fund – No. 216

This account manages the special parcel tax (labeled "ERUs" for Equivalent Runoff Units) levied locally to assist the City in compliance with unfunded State-mandated regulations through our National Pollution Discharge Elimination System (NPDES) Permit.

By previous Council action long ago, the levy was maximized at its allowable cap yet produces a net of \$92,370 for local use in FY 2011-2012 (plus interest earnings of \$1,000). In reality, the parcel tax generates higher revenues (\$127,034). However, the following purposes snag portions of our levy before ever touching our coffers:

Contra Costa [Cities] Clean Water Program	\$ 28,328
Commercial Building Inspections by Sanitary District	\$ 8,000
Annual State Fee for NPDES Permit	\$ 5,400
County Auditor-Controller administration fee	\$ 3,336
Flood Control District management expense	\$ 3,000

The Contra Costa County Clean Water Coalition (of which the City is a member) wages our collective battle against an ever-aggressive state regulatory board that increasingly imposes its will of local clean water mandates without providing any state funds for implementation. The goal of cleaner storm waters, creeks and bays is universally embraced and of statewide interest, and cities do not oppose that objective. We remain frustrated, however, by such public policy principles that cities should be the sole fiscal agents charged with utopian local and regional clean water burdens, without the corresponding provision of any new source of revenue to pay for the expense!

The City's new 5-year Stormwater Permit has been issued by the San Francisco Regional Water Quality Control Board. Public agencies, including Clayton, are now under requirements to elevate enforcement and monitoring measures each year to ensure cleaner storm waters. Such Permit conditions will necessitate increased expenditures eventually exceeding current levy revenues and initial staff analyses reveal an additional \$225,000 to \$515,000 in annual costs could someday impact the City's fiscal operations. Only a Proposition 218 voter approval process can increase the levied rates. The Clean Water Coalition recently undertook telephone and direct mail surveys of county voters (including Clayton's) regarding the prospect, timing and likely passage of a Proposition 218 countywide ballot measure to fund the increased local services necessary to comply with the NPDES Permit. Without revenue augmentation, cities will be faced with serious and unrelenting service mandates drawing on General Fund monies.

For Clayton, the rate of approximately \$29 per year per single family home has been held at the same rate for over a decade. In the FY 11-12 Budget, the City's stormwater costs under the Permit regulations exceed available revenues by **\$13,282**. Because there is a reserve balance in this restricted-use fund, there are storm water monies available to cover the projected shortfall. The reserve balance has generally eroded over the years as a result of added Permit requirements imposed by the Regional Board in 1996 (referred to as "C-3 amendments") and the new MRP.

Labor expenditures from this Fund (\$43,453) cover Public Works' maintenance of our municipal storm drain system, annual debris clearance of creeks and V-ditches, and proactive measures for the prevention of pollutants into these waters, which ultimately emerge into the San Francisco – Oakland Bay. Educational materials and supplies are also part of this Fund's budget, along with our membership in the Contra Costa County Clean Water Program. Recoverable expenses include that portion of staff time when working on clean water issues, programs, while Regional Water Quality Control Board directives target programs and local enforcement. City Hall staff (Assistant to the City Manager) expends an inordinate portion of time (approximately 1/3rd or more) engaged in the management, administration and implementation of this federal and state mandated program for cleaner runoff waters. Hence, the transfer of \$32,500 to the City's General Fund to partially offset this incurred staff time, an increase of 2.8% (CPI) over prior years' stagnant amount.

The Fund opens the fiscal year with approximately \$140,410 in equity and projects a year-end balance on 30 June 2012 of \$127,129. The monthly street sweeping contract of \$42,000 is paid through this Fund as a program component of cleaner storm waters from street gutters; offsetting revenue is tendered by property owners on their trash bills (\$40,000). The revenue estimate is slightly lower than the annual contract due to the number of vacant and foreclosed homes in Clayton (closed accounts) and various delinquent and non-paying accounts slicing away at the revenue stream. As a reminder: public streets and gutters are swept monthly to mitigate pollutants from entering the storm drain system, not for street aesthetics or as a broom substitute for the abutting property owner's sweeping of leaves and debris.

E. Measure "J" Fund – No. 220

This special fund receives its final revenues from the \$0.05 sales tax levy originally approved by County voters in 1988 (Measure C) to provide regional and local transportation and street improvements, a growth management process, and a regional planning process to address quality of life issues. One of the program components of Measure C is its "Return to Local Source" monies wherein cities fully complying with the Measure C Growth Management Program (GMP) Checklist are eligible to receive an annual allocation of monies for local streets and roads maintenance. Disbursement of these monies hinges on a city earning and maintaining a certified housing element (either by the California Department of Housing and Community Development (HCD) or via self certification), and filing a biennial Compliance Checklist. The Contra Costa Transportation Authority (CCTA), cities and the county of Contra Costa were successful in 2004 in obtaining voter approval of Measure J, which extends the authorization of the current sales tax in the County for an additional 25 years beyond Measure C's expiration on 31 March 2009. Measure J is now in effect.

The City's HCD-certified Housing Element expired in June 2009 and the City submitted its adopted Housing Element to HCD for the 5-year time period covering 2009-2014. On July 15, 2010 the City received written confirmation from HCD that found "... Clayton's adopted element in compliance with State housing element law." With

submittal of the biennial Compliance Checklist to CCTA for approval, the City expects it will be eligible to receive its Measure J "Return to Local Source" funds in FY 2011-12.

During last year's adopted budget process, CCTA estimated our City would receive \$231,366 in Measure J monies based on economic indicators that retail sales businesses and consumerism might perk up last fiscal year. While it did stutter and gurgle more during the ensuing season, the regional economy did not perform to the expectant level. Consequently, the City realized about \$25,000 less than budgeted in Measure J monies (-10.6%) in closing out FY 2010-11. Since the City relied on and expended those anticipated monies on its Neighborhood Street Paving Project last year (CIP No. 10409), next fiscal year's Measure J allocation must cover the small net shortfall of **\$7,424**.

In setting its sales tax revenues for next fiscal year CCTA projects its portion of the sales tax rate will generate \$64 million, an increase of 1.7% over its estimated receipt of \$62.9 million in FY 2010-11. In retrospect, the regional economy experienced slow growth in the first half of last fiscal year (July-Dec. 2010) but there were signs again of some resurgence in the latter part of Jan.-June 2011. Consumers appear to be spending again as evidenced by new auto sales (up 8%), retail and restaurant (up 2% each), and office equipment (up 16%). Service stations are the boon and bane of the economy as its sales are up 14%, although gasoline prices have bumped by over 30% compared to a year ago. Offsetting these gains are lower revenues from construction (-19%) and lumber (-7%) with grocery store sales at zero growth (0%). Higher gasoline prices and lack of consumer confidence in jobs and their future plus existing high consumer debt have prompted citizens to adjust their spending accordingly.

This fiscal year the City is informed by CCTA we can expect to receive \$209,748 sometime after July 2011 from Measure J's "Return to Local Source" account for FY 2011-12. After expenses of \$4,500 for updated traffic speed surveys and \$4,000 to the City's General Fund for administration (2% overhead), it is proposed the balance of \$194,824 in Measure J monies be transferred to the City's Capital Improvement Project (CIP) Budget to assist in underwriting the cost to perform the annual 2011 Neighborhood Street Repaving Project (CIP No. 10410). By this action coupled with available Gas Tax Funds, the CIP Budget will have approximately \$439,000 for a local street repaving and/or slurry seal project. These two revenue sources drive the amount of monies the City has available for street repaving projects.

F. Oakhurst Geologic Hazard Abatement District [GHAD] - Fund No. 212

Formed by the City Council during the construction of the Oakhurst Development Project, this special assessment district encompasses all of the lots and open spaces within the Oakhurst Development. The GHAD has the authority but not the obligation to perform repairs to public, or authorized private, properties caused by certain geologic hazards such as landslides within this area. In order to fund any such operations, the

GHAD Board of Directors (City Council) is required by state law to receive affirmative vote by real property owners within the District for any increased assessment. Insufficient assessment revenues have always existed to perform much of the identified or speculated repairs; property owners within this District have rejected any assessment increase three (3) times in the past. The District Manager (City Engineer) manages the District and provides a separate budget and annual report to the Board of Directors in June of each year (scheduled for introduction and adoption at the June 21st Council meeting this year).

Due to the restricted amount of approved assessments, the GHAD levies an annual assessment that generally produces the same amount of revenue each year for general geologic hazard abatement purposes within the Oakhurst Development. In FY 11-12, assessment revenue is projected again at the same \$33,045 since it is unlikely property owners within the assessment district would approve a significant rate increase sufficient to address hillside movements. Interest earnings are non-existent for this Fund that operates for most of the 12 months in a cash-flow deficit as the Fund's assessment revenues are not received until property owners pay their property tax bills in December and in April.

Nominal management expenses proposed for the District this year include \$5,000 for City Engineering services (District Manager) and \$7,000 allocated for specialized legal services. A continuing expense this year (\$13,032) is the Fund's 50% share of the City's General Liability Insurance premium increase propelled by the Oakhurst hillside movement litigation which served lawsuits against the GHAD as well as the City. An annual \$6,168 transfer of monies to the City's General Fund for general administrative and clerical support services is necessary to sustain the bare existence of the District, and to track, monitor and provide guidance on the host of litigation facing the District (18.7% overhead). County administration fees to levy, collect and disburse the District's property tax bill assessment are set at \$1,000.

As proposed, District revenues marginally exceed its annual planned expenses (\$50). It is therefore unnecessary for the District to draw on its limited reserves this year. However, the District is sadly deficient to offer meaningful mitigation of any hillside movements which expense likely ranges in the hundreds of thousands to millions of dollars. The District opens the fiscal year with a positive reserve balance of \$4,017 and will close with a Fund Balance of \$4,067 on 30 June 2012.

No capital projects are proposed for the coming fiscal year due to lack of further fiscal resources authorized by real property owners' vote. Clearly, no geologic hazards can be abated in exchange for \$33,045 per year. The District maintains its legal life with the foresight that affected property owners might someday wish to proactively exercise the instrument to address hillside movement remediation.

G. Restricted Grants (Fund No. 230)

This account is the repository for State and other subvention grants restricted for the authorized purpose. Given today's nature of state and federal government fiscal health, limited activities and grant monies wind their way to our City.

1. COPS Grant Program

Foremost among the State grants is the Citizen's Option for Public Safety (COPS) program, of which our City receives the minimum amount of \$100,000 per year due to our small population size. After a series of Byzantine moves by the State of California, these COPS grant monies are now funded by a 0.15% increase in the Vehicle License Fee (VLF). Unfortunately, the VLF rate for this purpose sunsets on June 30, 2011 unless further authorized by the State Legislature and the Governor, who at this time are caught in a current Sacramento battle over "no new taxes without a vote of the people". In January 2011, Governor Brown sought the State Legislature's approval to call a special statewide election in June 2011 for the purpose of voters' decisions to extend a variety of expiring special taxes, including this VLF rate for the COPS grant program. Unsuccessful in that effort, plans are presently adrift seeking the State Legislature to authorize extension of the VLF tax from July 2011 through a November 2011 statewide ballot measure for fate of the tax's continuance beyond that legislated expiration. Despite these attempts to keep a beneficial public safety program afloat, it is clear at this writing that our City cannot plan on receipt of COPS grant monies past June 30th. This reality presents a difficult challenge for City public safety operations next year.

Since Program inception in FY 1996-97, our City has allocated COPS grant monies to pay a portion of salaries and benefits for our 11th sworn police officer position and our two (2) civilian police services aides. Without these monies, the City must now consider retaining these key positions by use of General Fund monies or other reserves. The alternatives are to eliminate the 3 positions or eliminate \$100,000 in other expenses of the General Fund in order to absorb these Police Department services positions.

At this critical stage in municipal budget preparations and pending the unknowns of State Budget battles and this particular VLF tax measure, it is recommended the City allocate \$92,395 from general interest earnings in the Trust & Agency Fund reserves to "patch" this service gap for one (1) year (note: the true annual expense is actually \$105,105 for this police officer but the Fund has a residual of \$10,815 available in unused COPS Grant monies to offset the one-time annual expense, plus allocation of \$2,000 in interest earnings). As compensation costs increased over the years (and depending on the individual police officer hired under the COPS grant program, e.g. family health benefits), the \$100,000 COPS grant allocation is insufficient today to support all three (3) previously-assigned positions. Since the police services aide positions (2) are currently vacant and their continuance pushes the operational expense further beyond the City's potential \$100,000 minimum COPS grant allocation, it is regrettable yet recommended these two vacant police civilian positions be eliminated in this budget. Otherwise, the assigned COPS personnel program will exceed the annual grant allocation by \$28,489 that necessitates an on-going allocation of monies from another source (General Fund); such a plan would then establish a structural deficit in this Fund. In prior budgets this

matter was not an issue as the City realized unexpended COPS Grant monies from previous years allocations (due to personnel attrition and vacancies) that were available to patch this gap coupled with annual renewal of the State subvention.

Should the State Legislature ultimately authorize (and the Governor sign) a 4-month VLF tax extension so voters can decide its fate through a November 2011 ballot measure, this Fund would receive 33% of its COPS grant monies that will trigger a corresponding reduction in the amount of Trust & Agency Fund transfer. Should voters then determine in November 2011 to extend the VLF tax rate of 0.15% for continuance of the COPS Grant program, it will not be necessary to rely on any Trust & Agency Fund transfer for this purpose. Should the existence of the COPS Grant program altogether cease by failure of legislative and/or voter support, by this transfer the City has assured its presently-employed police officer that employment will be maintained through June 30, 2012. Prior to that deadline the City must wrestle with a financial and policy decision over a newly-instituted structural deficit, weighing the fact elimination of a sworn police officer funded by a disappearing \$100,000 grant still requires new overtime funds in sworn police officer staffing and shift schedule deployments (for vacations, sick leave, injuries, training, etc.).

2. Other Grant Funds

Augmenting the COPS grant monies, this Fund expects receipt of \$15,000 in annual revenue from our cable communications franchise company (Comcast) for restricted use in Public, Education & Government (PEG) broadcast services and equipment. The City is also approved to receive another \$5,000 grant from the CA Department of Beverage Control (DBC) as a Recycling Grant to promote, capture and reuse the public's recycling of cans and bottles.

One-time expenses incurred last year (\$75,685) from this Fund, of which \$65,116 in unexpended (prior years') COPS Grant monies covered the City's assessment for participation in the East Bay Regional Communication Systems Authority (EBRCSA; interoperability system, \$53,800) with the balance of \$11,316 for police internet, router and communications through the City of Concord police dispatch contract. In addition, \$10,464 was expended on preparations for the City's shared PEG coalition channel using Comcast PEG grant monies.

The Restricted Grants Fund will close the fiscal year with a fairly large positive fund balance of \$204,118, which amount is primarily derived of \$91,572 and \$88,188 from Comcast through its franchise contract renewal for restricted use to create replay of City Council meetings and PEG access, respectively. The remaining portion of \$24,357 is the accumulation of Recycling Beverage grant monies over several years. During the ensuing fiscal year, staff has initiated steps to spend a portion of the Beverage Recycling Grant monies on a recycling container and several recycled material benches for the front portico of the Clayton Community Library

H. Self Insurance Fund – No. 501

This internal-service Fund manages the fiscal obligations of the City's self-insured program for our retention deductible (\$5,000 per claim) on initial claims filed against the City for general liability and workers' compensation. Pursuant to our membership in the municipal self-insured/pooled risk excess coverage joint powers authority (JPA), our City is responsible for payment of the first \$5,000 in expense and/or damage on each filed claim. This Fund also handles other unassigned legal expenses to defend the City's interest in related cases. A traditional expense hitting this Fund is the annual premium (\$1,220) to underwrite our Employee Assistance Program (EAP), a shared public entity consortium for good-health counseling and wellness services benefiting our permanent employee organization.

An unprecedented and continuing expense surfaced in FY 08-09 necessitating Special Legal Services for retention of a law firm to represent the City's interests in ensuring full claims coverage through the Municipal Pooling Authority of Northern California (MPA) on the Oakhurst Hillside litigation cases. Approximately \$47,000 from this Fund was expended in FY 2009-10 and another \$25,000 will have been incurred in the current fiscal year (2-year total of \$72,000). As the litigation has not concluded, a budget of \$20,000 for this ongoing purpose has been set for FY 2011-12. Over the last several fiscal years, the Oakhurst Hillside litigation cases and related defense expenses caused the City's self-insured liability pool premium to escalate far beyond the City's normal minor claims experience. This situation further diminished this Fund's reserve balance for the expense of special legal counsel; much is at stake for the City and our Clayton community in this litigation.

The effect of this recurring expense has tugged on this Fund's reserves and is the reason its fund balance dramatically dropped from \$69,310 on 01 July 2010 to an expectant \$16,396 at the close of 30 June 2012 (76% erosion). As this Fund has no automatic replenishing source of monies, at the Mid-Year Budget Review in February 2012 the City must consider transferring monies from an unrestricted source to maintain its solvency.

I. Capital Equipment Replacement Fund (CERF) – No. 502

This Fund functions as the City's depreciation account to underwrite the replacement purchase of City vehicles, computers and other capital equipment. The CERF opens FY 2011-2012 with a cash reserve balance of \$243,008. In robust fiscal years, the full CERF expense and posted revenue to CERF of \$97,582 would be levied internally to this sinking fund in the form of CERF charges to various General Fund departments (e.g. Police; Public Works; Admin.) via expense Account No. 7486.

Over the last several budgets the General Fund had to suspend its replenishment of this sinking fund due to declining revenues (the economy) and rising fixed costs. The comparatively healthy cash balance of this Fund provided the temporary comfort margin. Those previous actions were initially deemed interim yet must again be employed in FY 11-12 to weather the City's General Fund fiscal situation.

Prior to the enactment of Measure B by the voters in June 2007, the General Fund of the City was the sole contributor to this vehicle and equipment depreciation schedule. As the Landscape Maintenance District (LMD) accounts for 55% of Public Works' personnel time, voter-approved Measure B included a CERF expense in the public measure to proportionately assist in the replacement of capital equipment and trucks used in the District. The FY 11-12 CERF Budget shows incoming revenues from the Landscape Maintenance District of \$13,500 added to the voter-approved \$2,700 CERF charge in the Downtown Park Fund. This provides a total of \$16,200 in CERF contributions (plus \$2,500 interest earnings) for a base revenue stream of \$18,700).

Examination of the City operations for next fiscal year yielded the urgent need for a comprehensive overhaul to the organization's information technology (IT) framework. The City last upgraded its desktop computers 7 years ago (2004) and of course the IT world now moves exponentially swifter. The City Hall computers and police mobile data terminals are aged and very slow, factors which negatively hinder and impact staff productivity, temper, efficiency and effectiveness in today's faster-paced information and communications explosion. The necessary upgrades include hardware, software, server, and internet speed. Related to computer system upgrades is the need to replace the City's telephone system hardware, a relic that is inadequate and incompatible with the switch system provided in partnership with the City of Concord. The totality of these communications upgrades come with a price tag that is beyond the capacity of current CERF monies at approximately \$172,701; to avoid decimating the CERF reserves by this one-time expense, it is recommended a transfer of monies to this Fund come from available interest earnings held in the Trust & Agency Fund.

Consequently, for this fiscal year, five (5) capital replacement items are proposed totaling \$209,701:

1. Replace a 2005 Ford Crown Victoria police vehicle \$ 37,000
The Police Department routinely replaces 1-2 patrol vehicles each year to maintain safe and dependable law enforcement transport. One patrol vehicle was replaced last year. The 6-year old Ford Crown Victoria has 110k miles on it and several reliability issues for emergency response. This "retired" vehicle will replace our one existing decoy car and will remain in service for that purpose (its sale value is likely \$400). The cost includes all after-purchase retrofitting of the vehicle with Clayton mobile equipment, gear and markings.
2. City Hall & Mtn. Computers (17), Police Station Computers (10), \$ 130,214
& Police Mobile Data Terminals (9) System Overhaul
Complete computer system upgrade of antiquated hardware and software.
3. Internet Access Upgrade (T-1/T-2 lines) \$20,000
One-time cost to pull cable and connections to City Hall and Corp. Yard for faster internet speed.

4. City Hall Telephone Hardware System and Switch Replacement \$21,487
Plans for 28 VoIP Telephones.

5. Credit Card Access/Approval System \$ 1,000
Establishes a system for public payment of City fees and expenses by credit
or debit card. Presently, the public can pay only by cash or check.

The net effect of this expenditure plan is the Capital Equipment Replacement Fund (CERF) will maintain a healthy cash balance of \$224,708 on 30 June 2012 while using one-time monies nesting in the City's Trust & Agency interest earnings account. Although a sizeable expense, the City's workforce size cannot be increased in number due to resources and spatial limitations and therefore it is vital existing personnel have access to and use newer information and communications technologies and hardware to perform their ever-evolving tasks and responsibilities.

J. Community Gym (Fund No. 701)

This Fund was established in 2003 after the City executed an agreement with the Mt. Diablo Region YMCA for their development and provision of community recreation and enrichment programs at the Clayton Community Gym. The Gym is a joint construction – joint use public facility sited on the campus of the Diablo View Middle School.

The City has the right but not the obligation to use the Gym for community programs and events from 3:30 p.m. to 11:00 p.m. during school days, and from 8:00 a.m. to 11:00 p.m. during non-school days (including weekends). Use of the Gym during such times incurs School District expenses for custodial labor, custodial supplies and utilities, which expenses must be paid by the City via its Gym operator. In February 2010, the Mt. Diablo Region YMCA abruptly and shockingly terminated its agreement with the City, effective 31 March 2010, due to insolvency, which eventual YMCA bankruptcy left the City with unreimbursed School District expenses now totaling \$100,679. The City filed an unsecured creditor's claim against this YMCA in its bankruptcy proceedings seeking full repayment from liquidated assets. The bankruptcy matter is still pending and awaits liquidation of YMCA assets and holdings to address the various claims.

Responding to community outcry to have continued public access to the Gym for adult and youth recreation programs and sports leagues, in June 2010 the City contracted with All Out Sports League (AOSL) for this non-profit 501 (c) (3) organization to be its new operator and provider of community programs. The agreement specifies AOSL is responsible to reimburse the City its incurred custodial and utility expenses. The City and the School District have not officially resolved our differences in cost or methodologies regarding apportioned custodian labor expenses and gym utility costs; however, progress is flowing such that an outcome will hopefully be less than the final 9-month expense experience with the YMCA producing a trend of \$47,000 per year.

Since this Fund operates on the basis of AOSL paying what the School District ultimately bills (in accord with City agreement), the \$41,000 guesstimate posted for the FY 2011-12 budget is merely a placeholder at this point. By way of letter to the City dated May 24, 2011, AOSL expressed its written desire to continue its contractual relationship with the City in FY 2011-12 for programming and operation of community recreation programs at the Gym.

K. Endeavor Hall (Fund No. 702)

This separate fund was established in the 2002-2003 Budget to track specific revenues and expenses of the million dollar historic Endeavor Hall. Since the Hall's opening in 2001 the rental rates for use of this public facility have not been increased and therefore remain competitive in the rental facility market for smaller gatherings. In fact, the City hosted the Contra Costa County Mayors' Conference monthly meeting last October 2010 in Endeavor Hall and received many fine compliments from area public officials in attendance as to the Hall's wonderful setting and appearance.

Despite the dismal economy, more potential users and actual renters have discovered the advantages of Endeavor Hall for events, meetings, and special occasions. With concerted advertising, marketing efforts and promotional uses, the rental income for the Hall in FY 2010-11 is expected to match its 7-year average annual revenue mark of \$20,000 (\$20,486 projected). After a disappointing year in 2009-10 of \$14,191 in rental revenue, reestablishment of its historical income is very satisfying to staff and holds promise to reach the \$20,500 revenue projection for this year.

Minimal maintenance time (\$14,633) is allocated for the upkeep of the facility, sufficient to keep it prim and proper and planted with annual color plants for suitable use. Naturally, should vandalism occur to the Hall extra expenses are incurred to make the necessary repair.

The Fund is expected to close FY 2010-11 with a net operational shortfall of **\$8,873**. Based upon its rental performance this last year, it is projected the net operating shortfall will be reduced by 41% to **\$5,227** in FY 2011-12. Since the average renter of Endeavor Hall generates \$570 in rental income, all that is necessary for this Fund to break even in operation is nine (9) more rentals next year.

L. The Grove Park – Fund No. 211

The Grove Park officially opened to the community on 12 January 2008 and on 29 May 2008, City Maintenance assumed full responsibility for the care and maintenance of The Grove Park. On Opening Day, the public park immediately became the signature statement of our community, and ever since it has been the popular gathering place for residents and visitors to the Clayton Town Center.

Voters approved a special property tax in November 2006 to maintain the park for 10 years (levy first collected in FY 07-08) so this year embarks the mid-point operation of its special funding existence. The Downtown Park real property assessment will yield \$112,062 in the coming year (with the recommended allowable CPI (April-April) tax rate adjustment of 2.8%). In addition, the restricted fund receives a \$10,000 per year revenue “donation” from the land owners (Endashlian, Inc.) of the development of the CVS/Pharmacy store site (formerly Longs Drugs Store). Bolstered by these revenues and interest earnings, the Downtown Park Fund maintains a positive cash balance expected to be \$179,199 at the close of FY 11-12. Of that amount, \$103,858 sits in the Asset Replacement Reserve approved in the adoption of Measure O, \$52,796 in unreserved Fund Balance, and \$30,000 in unallocated Reserve funds. These reserves will play critical roles in the District’s remaining years as play equipment warranties expire and park features require replacement due to significant public use and misuse.

Last year, maintenance and operation of The Grove incurred \$147,506 in expenses offset by revenues totaling \$123,009. Therefore, this restricted Fund operated in an annual deficit of **\$24,496** yet less than the planned budgetary deficit of **\$30,977**. As the Park matures and its public use increases, more City Maintenance personnel time is deliberately budgeted to keep The Grove in a condition worthy of the City’s signature piece. Recently, the Park has experienced vandalism to its gazebo and play apparatus which misfortunes are expected to continue while the sputtering economy and dwindling household incomes keep youth, families and area visitors around town over this summer. During summer and Concert Series weekends, a part-time Maintenance Worker is assigned to perform routine maintenance and oversight tasks at the Park to ensure this highly-visible asset shines for our community. The nearby municipal well serves the irrigation and non-potable water needs of The Grove Park, which saves taxpayers’ monies over the metered water prices of Contra Costa Water District.

These one-time and increased Maintenance expenses result in a projected operational cost of \$132,517 plan that banks on a small draw on the reserves of **\$7,455**. Stripping away the annual reserve and asset replacement deposits of \$23,000, The Grove Park realistically operates within its annual revenues by approximately \$15,000 (11%). The District’s reserves remain sufficient at 135% of its normal yearly operation.

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FIDUCIARY FUNDS

Tracked by the City and included herein for reference, Fiduciary Funds of the City are not typically considered part of a one's "budget" since the City essentially serves as the fiscal conduit (fiscal agent) to collect the previously-approved assessments and then pay the incurred obligations. No underlying debt obligation of the City is assumed in administering the fiscal transactions of these funds. With secured sources of income, these Funds are not held hostage to the volatility of general governmental purpose revenues or state government shenanigans. Fiduciary Funds often operate with negative cash flow balances and therefore can have interest charges applied for temporary reliance on the use of pooled reserves to underwrite their annual operations.

A. Presley GHAD Settlement (Fund 213)

In 2003 the City and GHAD settled its lawsuit against Presley regarding damages to City infrastructures in the Kelok Way area of the Oakhurst Development. After reimbursement to the City of advanced legal expenses, proceeds from the settlement were retained in a separate fund for use to clean V-ditches in the area, monitor hillside movement and explore mitigation options to protect public infrastructures in the Development. During FY 2010-11, funds were appropriated from this reserve (\$110,000) to perform road resurfacings in the Development in conjunction with the City's annual Neighborhood Street Project (CIP No. 10409). Therefore, the Fund will have an ending balance of \$118,758 on 30 June 2012, which may yet be tapped for further repairs to public infrastructure damages and/or arrest hillside movement in the near future.

B. High Street Bridge (Fund No. 217) and Oak Street Bridge (Fund No. 218)

These assessments are levied against certain private property owners in the Oak – High Streets area to maintain the bridges constructed in these areas in behalf of the owners to serve their private real properties. The High Street Bridge project is repaid over thirty (30) years, with debt finally retired in 2029. The Oak Street Bridge project is repaid over twenty (20) years with its debt ultimately retired in 2020. Each Fund incurs minimal annual expenses for its share of the County's property tax administration fees, and Fund 217 includes property taxes levied on public property contained within that special assessment district. Both Funds carry slowly-declining negative balances of \$14,523 and \$74,389, respectively, until the full levy of real property assessments retire the incurred debt.

C. Lydia Lane Sewer Assessment District (Fund No.222)

Established and funded solely by private property owners along south Lydia Lane, this infrastructure improvement project included a municipal sewer main line, lateral connections to the homes plus an associated street overlay. The project was funded by the private property owners since they "opted out" of inclusion in the original Project Area of the newly-formed Clayton Redevelopment Agency (1987) and therefore became ineligible for Agency funds to cure a public health and safety blight by installation of a municipal sewer line to eliminate their private septic tank systems. The project was completed in 2003 with bonds issued by the City for repayment over a thirty (30) year life. Principal and interest payments total \$16,450 or 84% of the Fund's annual expenses. The Fund manages the retirement of that private debt of the assessed real property owners, which reveals a positive Fund Balance of \$85,518 expected on 30 June 2012.

D. Oak Street Sewer Assessment District (Fund No. 223)

This is the most recent Fiduciary account to appear in the City's Budget when the neighborhood sewer project was completed in 2004. The Redevelopment Agency paid for a portion of this project (50%) with real property owners agreeing to annual assessments for the balance of the expense. Principal and interest payments total \$11,140 or 85% of the Fund's annual expenses. This Fund manages the retirement of that private debt over twenty-five (25) years, paid off in 2029. The Fund carries a temporary negative balance of \$13,744 projected on 30 June 2012.

E. Development Impact Fees (Fund No. 304)

This restricted-use fund holds the impact fees the City presently imposes on and extracts from new developments within our community. Revenues are private development driven and restricted for use on the purpose of the impact fee. Although it is unknown exactly when any proposed development will come "on-line" thereby triggering the payment of these impact fees, staff does not wish to budget for new development to occur and not be realized. A remote possibility exists for the pending mixed-use downtown project, Creekside Terrace, to materialize into construction this fiscal year. The renamed "Diablo Estates at Clayton" residential subdivision (off Regency Drive) is once again resurrected for development with re-grading of the site currently underway. Its construction will trigger impact fee revenues to the relevant impact funds (2 units anticipated in this fiscal year). Therefore, the following balances display actual (2011) and projected (2012), respectively:

<u>DEV. IMPACT FUND</u>	<u>JULY 2011</u>	<u>JULY 2012</u>
Childcare Facility Fees	\$ 35,545	\$ 35,955
Parkland Dedication Fees	\$ 292	\$ 5,430
Offsite Arterial Improvement Fees	\$ 103,682	\$ 106,594
Fire Protection Fees	\$ - 0 -	\$ 600
Community Facility Fees	\$ 5,338	\$ 6,238
Sewer Study Impact Fees (MCR)	\$ (62,194)*	\$ (62,194)*
Police Impact Fees	\$ 25,400	\$ 28,742
Open Space In-Lieu Fees	\$ (1,760)	\$ (1,760)
Interest Earnings	\$ 8,000	\$ 12,000
Totals:	\$ 174,303*	\$ 191,605

* The Sewer Impact Fee Fund "borrowed" \$60,000 from the City's General Fund during 2004-2006 for the purpose of preparing a Sewer Master Plan for the [East] Marsh Creek Road Specific Plan annexation study. This account is ultimately responsible for the repayment of these advanced monies from future development impact fees.

These monies are restricted to capital improvement projects and cannot be used for operations and maintenance, with the exception of the Police Impact Fees. This Fund is expected to have a total of \$191,605 in its ending cash position on 30 June 2012.

Last fiscal year the adopted City Budget allocated \$40,000 in Open Space In-Lieu Fees to add a small tot lot and resilient play surface in Lydia Lane Park, Phase II – CIP No. 10336 (a mitigation measure from approval of the Mitchell Creek Place subdivision on High Street). With change orders of 15% as construction commenced in the field (e.g. addition of a park bench; vandalism deterrent), the park improvement project's final cost was \$45,930. The upcoming fiscal year plans for no new expense of the available development impact fees.

F. Clayton Financing Authority (Fund 405)

On 04 December 1990, the City Council of Clayton, California adopted Resolution No. 120-90, which created the Clayton Financing Authority (CFA) through 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. The 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*].

Arising from matters associated with the Oakhurst Development Project, the Financing Authority held title to a 1-acre parcel located at the southwest corner of the Clayton Road-Oakhurst Drive-Center Street intersection. In October 2006, the Financing Authority sold the real property for \$800,815 to a commercial developer (Endashlian, Inc.), which ultimately led to the construction and opening of the former Longs Drug

Store at this location (now CVS/Pharmacy). A small portion of these monies was used in the 2008 park renovations at Clayton Community Park (tot lot and picnic facility improvements). No allocation is planned for expense of the proceeds in FY 2011-12 and therefore the ending balance on 30 June 2012 will be \$766,939 (with nominal interest earnings of \$5,000).

G. Middle School Community Facilities District (1990-1) – Fund No. 420

As its name implies, this Fund manages the accumulation of annual real property assessments that paid (in part) for the construction of the Diablo View Middle School, a 2007-recognized CA Distinguished School. Professional service expenses are incurred for the fiscal administration of this Fund, which is projected to have an ending Fund Balance of \$4.644 million on 30 June 2012; assessment and interest revenues will exceed Fund obligations by \$150,000 this fiscal year. Principal and interest payments amount to \$506,306 (95% of the planned expenses). In FY 2007-08 the outstanding debt was refunded to obtain a lower interest rate on the remaining principal (see Fund No. 422), a City-initiated transaction which resulted in lower annual payments for the assessed real property owners.

H. Clayton Station Community Facilities District (1990-2) – Fund No. 421

This debt service account pays the obligations of this small special assessment district that assisted in the installation of on-site and offsite capital improvements to facilitate the construction of the private development known as the “Clayton Station” commercial shopping center. The debt is retired solely through the annual assessment levy (\$138,474) against this private real property; a principal and interest payment of \$120,969 is scheduled for this fiscal year. The Fund expects an ending balance of \$163,995 on 30 June 2012.

I. Special Tax Revenue Refunding Bonds (2007) – Fund No. 422

In 1997 the Clayton Financing Authority issued \$7.16 million in Special Tax Bonds to finance in part the construction of the Diablo View Middle School (see Fund No. 420). Approximately \$5.285 million remained outstanding on the debt carrying a final maturity date of 2022. In May 2007 the Board of Directors determined it was fiscally advantageous to Oakhurst Development real property owners for the Authority to refinance the outstanding debt to achieve savings in annual debt payments. Upon its issuance the refunding captured a savings of \$600,000 to the District rate payers with individual property owners saving approximately \$20 - \$51 per year. Bond interest rates fell from the range of 5.25% - 5.90% down to 3.5% - 4.2%.

This year, the principal and interest payment totals \$442,423, drawing on planned reserves by \$444,428 to do so plus fund bond administration fees and costs. The Fund is projected to close the 2011-12 Fiscal Year with a required reserve-for-debt-service amount of \$569,522.

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CAPITAL IMPROVEMENT PROGRAM (CIP)

The City completed three (3) key capital improvement projects last year that enhanced and maintained the public's investment in its infrastructures and overall quality of life:

1. 2010 Neighborhood Street Project (CIP No. 10409) \$ 1,002,000
Combining Gas Tax and Prop 42 funds, GHAD settlement monies and 2-years' worth of CCTA Measure J monies, , this Project represented the City's annual effort to maintain our local streets and roads. Targeted streets last year were 34 neighborhood roads and cul-de-sacs earning the lowest-rated Pavement Condition Index (PCI) ranging from the City's lowest of 23 PCI (Golden Eagle Place; "Very Poor" category) through Raven Way at 48 PCI (top of "Fair" rating category) .
2. Old Marsh Creek Road Overlay Project (CIP No. 10416) \$ 361,000
Working with CCTA to reassign future Measure J monies from the City's pre-authorized east Marsh Creek Road improvement project, the City expects to salvage its engineering design work produced last year for a gutted Phase II in ARRA federal jobs funds by repaving this failing arterial road.
3. Tot Lot Play Apparatus and Resilient Playsurface \$ 45,930
Recreation additions made in Lydia Lane Park to support active community recreation and play features in the City's public park system.

All total, in the midst of a national recession and jammed economy, the City managed to perform community improvement works valued at approximately \$1.4 million.

The following CIP Projects valued at \$ 1.88 million are recommended for completion in the FY 2011-12 Budget (new projects at \$1.03 million):

1. Community Park Parking Lot Expansion (CIP No. 10413) \$850,000
At its public meeting on May 17, 2011, the City Council authorized allocation of its per capita grant monies (\$492,000) from the East Bay Regional Park's successful bond extension (Measure WW) to expand parking availability at Clayton Community Park. The improvement project, expected to add 100 new parking spaces and enhanced off-street circulation benefits to the community, will connect the existing lower field parking lot to the Gym Court Driveway at Diablo View Middle School. An added gain is the elimination of overgrown and barren public landscape areas with re-plantings that will reduce water consumption and enhance public safety view sheds of the Park. The Project is expected to be substantially complete by the end of summer 2011.

2. 2011 Neighborhood Street Rehab Project (CIP No. 10410) \$438,988
Merging annual Gas Tax monies and Measure J monies expected this fiscal year, the City has the opportunity to conduct another Neighborhood Street repaving and/or slurry seal project. Determination of which streets are candidates for improvement is determined by the City Council using the City's Pavement Condition Index rating. The time schedule for performance of this Project is slated for spring 2012

3. El Molino Dr. Sanitary Sewer Improvement Project (CIP No. 10422) \$330,000
The City's Sewer Master Plan for the East Marsh Creek Specific Plan area revealed the existing sewer main line beneath El Molino Drive serving the Regency Woods and Regency Meadows residential subdivisions is periodically surcharged and must be enlarged for capacity to avoid future public health incidents. The affected area is within the approved Project Area of the Clayton Redevelopment Agency (RDA) and the Project is therefore eligible to use redevelopment agency tax increment revenues to cure the blighted and public health standard concern.

It is recommended the approved City Budget re-allocate the necessary monies in the current CIP Budget – Downtown Economic Development Fund (CIP No. 10400) for this purpose. That particular CIP account holds approximately \$1.7 million in transferred RDA revenues.

4. School Bridge Area & Creek Habitat Improvements (CIP No. 10420) \$200,000
On the west side of Oak Street in the Clayton Town Center, to the right of the Oak Street exit south to Center Street, is the entrance/exit point for trail leading to/from the Mt. Diablo Elementary School. This pathway is also used by pedestrians, bicyclists and other alternate modes of people transportation

between the Town Center and the Mitchell Canyon/Pine Hollow Estates residents. Except for a small parcel that contains the creek bridge which is held in title by the Mt. Diablo Unified School District, the City owns the remainder of the area.

Staffs of the City and the School District have reached mutual agreement for the School District to quitclaim this parcel to the City, retaining an easement for public access across the creek and bridge. Upon new title, it is proposed the City design and construct improvements in this area to include roadway and natural landscape, creek habitat restoration, new signage, and other modifications that will keep bicyclists on the path rather than riding over the creek, the dirt bank and further destroying native habitat. The blighted area is within the approved Project Area of the Clayton Redevelopment Agency and therefore it is proposed the City Budget re-allocate the necessary monies from CIP No. 10400 – Downtown Economic Development Fund (RDA monies) to this new Project.

5. Cardinet Trail Restoration Project (CIP No. 10421) \$50,000
As noted in the Landscape Maintenance District narrative, District funds will be used to perform corrective work on a portion of this well-traveled trail to halt the erosion of the creek's bank and elevated pathway.

* * * * *

PUBLIC EMPLOYEES RETIREMENT PENSION SYSTEM

Eleven years after its incorporation as a municipality in 1964, the City of Clayton joined the California Public Employees Retirement System (CalPERS) to establish a pension system for its public employees (June 1975). At that time it contracted for a retirement system plan of 2% at age 55 for its sworn law enforcement officers and 2% at age 60 for its general (miscellaneous) employees. Each enrolled plan was the least "defined benefit" plan offered by CalPERS. For the next 36 years and continuing today, the permanent employees of the City are members of CalPERS for retirement pension purposes. The City does not belong to Social Security.

After researching records of the City, a plan change occurred in 1997 when the City moved its law enforcement employees from the CalPERS 2% at 55 Plan to a 2% at age 50 Plan; miscellaneous employees were kept on the 2% at age 60 Plan. Presumably at that time the City elevated the retirement benefits of its Police Department in order to attract and retain quality sworn personnel in the competitive public sector market.

In recent years, coinciding with the abrupt downturn in the national and local economies and the wave of retiring Baby Boomers (born 1946 -1964), the press and the public have waged a vigorous debate and exposé concerning the amount and scope of

unfunded liabilities of governments [taxpayers] for the CalPERS defined benefit retirement plan. Public policies have been attacked, modified, reformed and threatened over the course of this examination and it continues today in the form of state legislation reform bills, statewide initiatives and castigating editorial opinions.

In the spirit of that discussion and to provide proper transparency of the City's fiscal position, the following chart with notations is offered (using the most current data supplied to the City by CalPERS):

Unfunded CalPERS Liability for Clayton

UNIT	JUNE 2009	JUNE 2004	JUNE 1999	JUNE 1994
Public Safety	\$ 988,219	\$1,158,768	\$ 88,430	\$ 605,835
Misc.	\$ 526,831	\$ 549,429	(\$ 579,148)	(\$ 7,213)
Totals	\$1,515,050	\$1,708,197	(\$ 490,718)	\$ 598,622

* "Unfunded Liability" is the amount the CalPERS actuarial annually determines the City's pension plans are owed in addition to current payment. The liability is being amortized (paid down) through the City's current CalPERS' rates as a portion of the rate goes to retire the unfunded liability.

Notes:

1. The June 2009 data is the latest information released by CalPERS; there is a one year time lag in their generation of this data.
2. The City modified its CalPERS retirement plans in early 2001, moving from 2% at 60 to 2% at 55 for the Miscellaneous Unit, and from 2% at 50 to 3% at 55 for the Public Safety Unit. Neither of the City's current Plans is the premium pension plan offered by CalPERS for each Unit.
3. The "Great Recession" impacted recent investment earnings of CalPERS (as it did to all investors), which in turn influences a public agency's retirement rates paid by the Employer.
4. In January 2011 the City Council approved a contract that new employees of this City be enrolled in the 2% at 60 pension plan for the Miscellaneous Unit, and the 2% at 50 pension plan for the Public Safety Unit, plus pay 100% of the Employee's contribution share.
5. Numbers bracketed in **green** indicate that particular plan had a surplus balance at that time (known as "superfunded").

According to information supplied to its members by CalPERS (ref. PERSpective, Spring 2011), its public pension system is funded by three sources: 1. Investment income; 2. Employee contribution; and 3. Employer contribution. In many cases, as product of the collective bargaining process over time, public employee units negotiated having their employer pay the member's Employee contribution in lieu of salary increase or other negotiable benefit. Over the last 20 years, of every dollar paid in pension benefits by CalPERS the vast majority came from investments:

Investment Earnings	64 cents
Employer Contributions	21 cents
Employee Contributions	<u>15 cents</u>
	\$1.00

Without dispute, the crash of Wall Street gravely impacted in a negative way the unfunded liability positions of governments enrolled in the CalPERS pension plan. As noted above, our City's unfunded liability exposure is \$1.5 million (June 2009) and the City's CalPERS rates for FY 2011-12 contain a monetary component for the retirement of that liability:

Public Safety Unit

Component	FY 11-12	FY 10-11	Δ
Employer Normal Cost	15.725%	13.340%	
Payment on Amortization Bases	4.583%	2.252%	
Unfunded Liability Amortization	15.550%	15.580%	
Employer Total Rate:	35.858%	31.172%	
Employee Portion (pd. by City)	9.000%	9.000%	
TOTAL RATE:	44.858%	40.172%	
1 YR. DIFF.	+4.686%		\$ 36,916*

Miscellaneous Unit

Component	FY 11-12	FY 10-11	Δ
Employer Normal Cost	7.684%	7.740%	
Payment on Amortization Bases	1.855%	0.735%	
Unfunded Liability Amortization	5.344%	5.703%	
Employer Total Rate:	14.883%	14.178%	
Employee Portion (pd. by City)	7.000%	7.000%	
TOTAL RATE:	21.883%	21.178%	
1 YR. DIFF.	+0.705%		\$ 6,659*

In the proposed fiscal plan for 2011-12, these new CalPERS and financial impacts have been folded into the balanced budget. The total amount of monies allocated to pay the CalPERS retirement contributions in FY 2011-12 is \$598,423 across all Funds (\$14 million) as apportioned with labor allocations. Of the annual CalPERS payment by the City, the following table lists the distribution:

Police Department	62%
Admin/Finance Department	19%
Public Works Department	11%
Planning Department	6%
City Council	2%

The purpose of this information is not to diminish or ignore the seriousness of the unfunded liability retirement debate, and certainly the City's current amount of unfunded pension liability of \$1.5 million is not insignificant. Yet our liability is being amortized within the current rate schedule and the 5-year chart above illustrates the exposure is trending downward, not upward. What is critical to incorporate into the discussion is the acknowledgement that not every city or local government is in the same precarious canoe and not every city or local government has the "Cadillac" retirement plan that is offered through CalPERS. Caution is requested so as not to cast all pension plans, pensioners, cities and public employees into the same cauldron to burn while gnawing on this public issue bone.

* * *

COUNCIL BUDGET SUB-COMMITTEE REVIEW

Due to the logistics of available budgetary data and conflicting schedules of family matters and jury duty, the Council ad-hoc Sub-Committee of Council Member Stratford and Council Member Geller was unable to meet with the City Manager and the Finance Manager prior to the necessary release of the Manager's proposed Budget on Friday, June 3, 2011. At this writing individual calendars are being compared to determine a suitable date to meet, either prior to the June 7th introduction of the Budget or at a minimum before the June 21st public hearing. Ultimately, the Council ad-hoc Sub-Committee's critique and recommendation will be submitted prior to any final action on the proposed City Budget for FY 2011-12.

Respectfully submitted,



Gary A. Napper
City Manager

Attachments: Proposed FY 2011-2012 City Budget and 5-Year CIP Budget

FY 2011 – 12

**TOTAL BUDGET
SUMMARY**

CITY OF CLAYTON BUDGETS

Budget	FY 11-12	FY 10-11	FY 09-10	FY 08-09	FY 07-08	FY 06-07
General Fund						
Other Funds	\$ 3,652,726	\$ 3,656,609	\$ 3,637,679	\$ 3,767,800	\$ 3,784,028	\$ 3,719,432
CIP	\$ 3,848,048	\$ 4,054,742	\$ 3,171,957	\$ 2,902,386	\$ 3,032,335	\$ 2,753,427
RDA	\$ 1,524,988	\$ 1,764,300	\$ 2,273,727	\$ 2,644,432	\$ 728,995	\$ 1,100,000
	\$ 5,540,625	\$ 5,110,922	\$ 5,196,353	\$ 5,225,457	\$ 4,395,587	\$ 4,104,862
Total	\$ 14,566,387	\$ 14,586,573	\$ 14,279,716	\$ 14,540,075	\$ 11,940,945	\$ 11,677,721
Other Funds						
Gas Tax	\$ 395,629	\$ 479,590	\$ 374,710	\$ 361,171	\$ 349,038	\$ 377,025
Landscape Mtn	\$ 1,210,723	\$ 1,062,271	\$ 738,065	\$ 874,650	\$ 850,000	\$ 605,127
Street Light	\$ 129,485	\$ 132,830	\$ 141,246	\$ 137,700	\$ 134,700	\$ 131,840
Storm Water	\$ 138,102	\$ 140,200	\$ 168,372	\$ 156,771	\$ 86,386	\$ 94,363
Measure J	\$ 203,324	\$ 529,844	\$ 198,000	\$ 244,205	\$ 595	\$ 3,100
GHAD	\$ 32,995	\$ 32,372	\$ 36,507	\$ 31,290	\$ 44,820	\$ 21,841
Grants	\$ 116,374	\$ 127,246	\$ 140,610	\$ 122,127	\$ 127,037	\$ 135,136
Self Insurance	\$ 26,220	\$ 36,220	\$ 41,220	\$ 6,307	\$ 1,721	\$ 1,500
Capital Equipment (CERF)	\$ 209,701	\$ 87,850	\$ -	\$ 47,936	\$ 38,575	\$ 47,400
Community Gym	\$ 41,000	\$ 47,000	\$ 48,193	\$ 48,193	\$ 40,710	\$ 38,931
Endeavor Hall	\$ 26,502	\$ 26,369	\$ 20,884	\$ 19,117	\$ 20,166	\$ 23,384
Grove Park	\$ 132,517	\$ 152,085	\$ 111,306	\$ 111,314	\$ 94,820	\$ -
Development Impact	\$ -	\$ 40,000	\$ 27,500	\$ 28,000	\$ -	\$ 41,888
Oakhurst AD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 13,000
CFD 1990-1 Middle School	\$ 533,856	\$ 537,690	\$ 537,999	\$ 538,345	\$ 1,068,484	\$ 1,047,285
CFA 2007 Middle School Refunding	\$ 477,428	\$ 446,023	\$ 397,598	\$ -	\$ -	\$ -
CFD 1990-2 Clayton Station	\$ 138,487	\$ 140,641	\$ 133,147	\$ 133,348	\$ 133,180	\$ 133,923
High St Bridge	\$ 2,385	\$ 2,385	\$ 4,110	\$ 4,070	\$ 4,070	\$ 2,385
Oak St Bridge	\$ 657	\$ 656	\$ 18,758	\$ 4,658	\$ 4,390	\$ 994
Lydia Lane Sewer	\$ 19,614	\$ 20,212	\$ 20,217	\$ 20,525	\$ 20,814	\$ 21,115
Oak St Sewer	\$ 13,049	\$ 13,258	\$ 13,515	\$ 12,659	\$ 12,830	\$ 13,190
Total	\$ 3,848,048	\$ 4,054,742	\$ 3,171,957	\$ 2,902,386	\$ 3,032,336	\$ 2,753,427

* Note - RDA & other source of funds are included in the CIP Budget

**BUDGET SUMMARY
AND DETAIL**

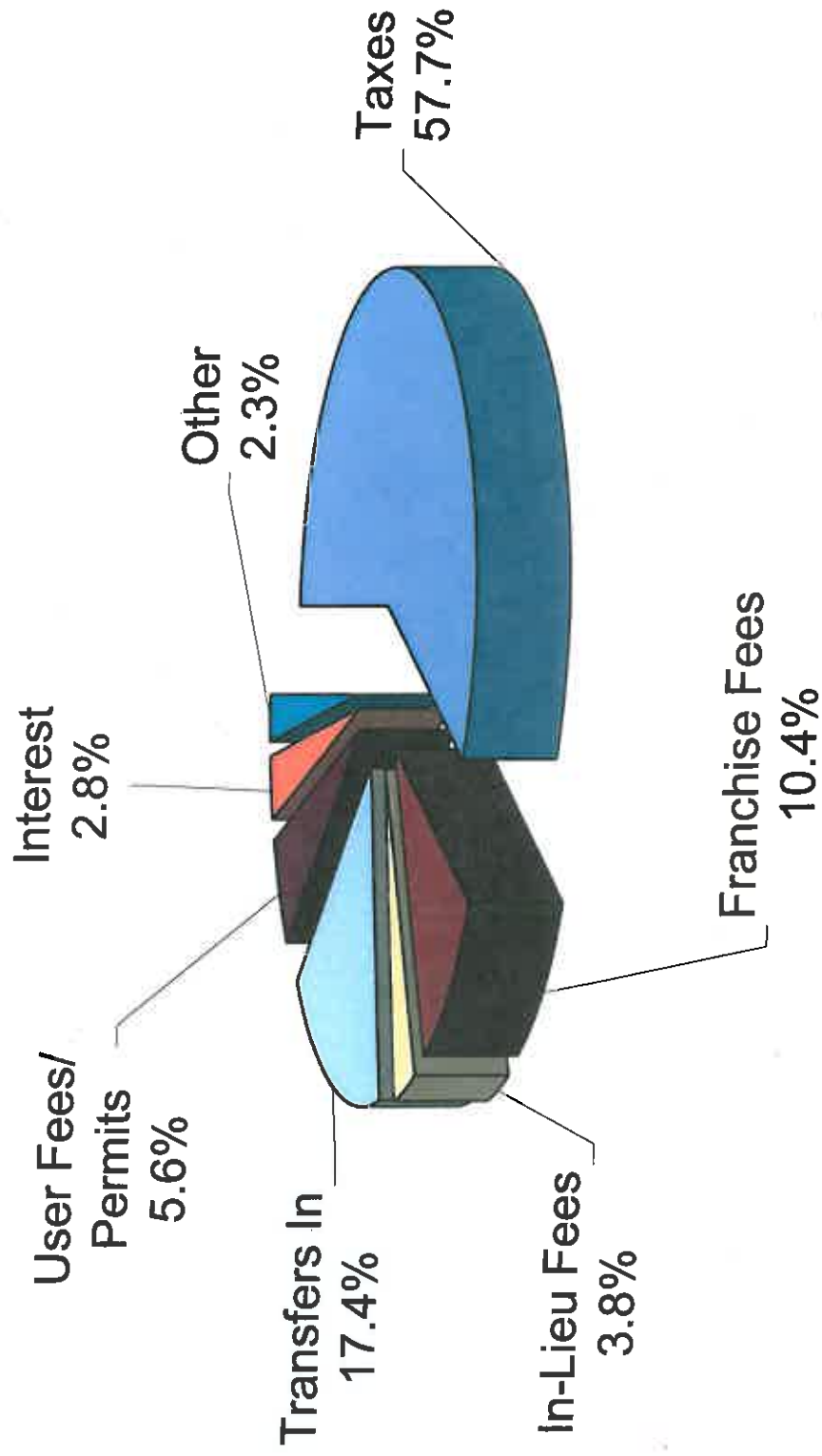
GENERAL FUND

FY 2011 – 12

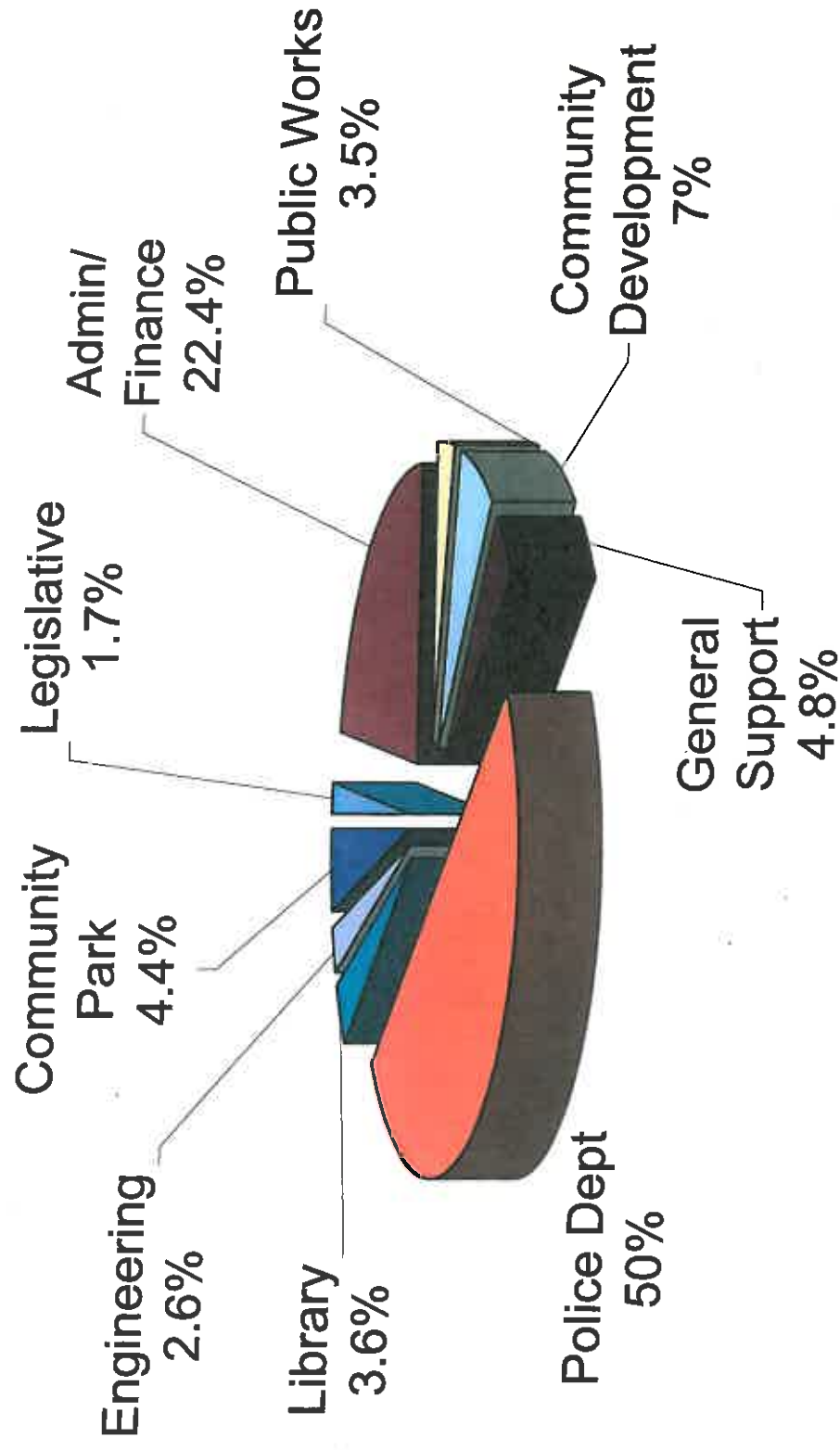
**CITY OF CLAYTON ADOPTED GENERAL FUND REVENUE BUDGET
PROJECTED REVENUE 2010-11 VS ADOPTED BUDGETED REVENUE 2011-12**

DESCRIPTION	Account Number	Actual Revenue 6/30/2010	Budgeted Revenue 2010-11	YTD Revenue 4/30/2011	Projected Revenue 6/30/2011	Projected (Shortage) 2010-11	Proposed Revenue 2011-12	Budgeted Changes 10-11 vs 11-12
Property Tax Secured	4101	752,832	772,881	659,861	752,443	23,840	655,851	4%
VLF Backfill by State		759,668	772,881	376,222	752,443	(20,438)	752,443	-3%
Sales Tax In-Lieu (Triple Flip)		48,513	78,132	43,057	86,114	7,982	86,114	10%
True Up VLF & Sales Tax		(12,096)	-	(11,582)	(11,582)	(11,582)	(11,582)	
Property Tax Secured (net)	4101	1,549,117	1,523,024	1,067,558	1,522,826	(198)	1,522,826	0%
Property Tax Unsecured	4102	42,080	37,000	37,385	37,385	385	37,385	1.0%
Property Tax Unitary Tax	4103	11,933	11,000	11,297	11,882	882	11,882	8%
Property Tax Supplemental	4104	9,132	(2,122)	(1,883)	(1,883)	(1,883)	-	
Property Taxes Other	4106	11,846	5,790	5,834	5,834	44	5,834	1%
Sales and Use Tax	4301	272,702	218,000	170,454	256,454	38,454	256,500	18%
Real Property Transfer Tax	4502	54,812	39,000	41,529	45,700	6,700	45,000	15%
Business License	5101	99,394	96,000	98,087	99,087	4,087	99,000	4%
Building Permit	5103	25,355	22,000	18,105	25,105	3,105	26,000	18%
City Permits	5106	6,518	5,300	6,009	6,500	1,200	6,500	23%
Stormwater Permits	5109	-	-	1,050	1,050	1,050	1,000	100%
Public Safety Tax (Prop 172)	5201	63,538	59,000	47,669	56,889	(2,331)	57,000	-3%
Abandoned Vehicle Abate Fee	5202	6,215	3,400	2,273	2,273	(1,127)	2,273	-33%
Motor Vehicle License Fee	5203	32,234	30,000	24,161	32,361	2,361	32,400	6%
Other In-Lieu (Diamond Terrace)	5205	137,504	140,255	140,255	140,255	-	140,255	0%
POST Reimbursements	5214	2,550	2,891	3,500	3,500	-	3,500	0%
State Mandated Cost Reimbursement	5217	-	62,857	12,914	12,914	(49,943)	-	-100%
Planning Services	5301	5,471	5,000	7,840	8,000	3,000	8,000	60%
Police Services	5302	29,320	26,000	18,449	22,949	(3,051)	23,000	-12%
Planning Project Fees	5304	19,463	14,000	22,019	27,653	13,653	30,000	114%
Wall Water Usage	5306	9,973	10,000	7,295	9,000	(1,000)	10,000	0%
Misc. City Services	5319	2,076	2,000	2,557	2,600	600	2,500	25%
Well Monitoring Service Charge	5321	18,908	18,858	15,465	18,858	-	18,858	0%
City Administrative Fee-CH Rec	5322	38,436	34,541	34,541	34,541	-	34,541	0%
Street Sweeping Fees	5324	(12,342)	-	-	-	-	-	0%
Cable TV Franchise Fees	5401	171,630	166,000	131,770	174,188	8,188	175,000	5%
Solid Waste Franchise Fees	5402	77,957	78,000	56,325	78,603	2,603	78,000	2.6%
Utility Franchise Fees	5403	112,711	115,000	114,976	114,976	(24)	115,000	0%
Gas Line Franchise Fees	5404	11,181	11,153	11,277	11,277	124	11,300	1%
AT&T Mobility Franchise Fees	5405	-	-	83	83	83	83	100%
Fines and Forfeitures	5501	38,544	34,000	26,298	32,883	(1,117)	33,000	-3%
Administrative Citation Fine	5502	100	-	-	-	-	-	0%
Interest Earnings	5501	103,247	85,000	148,519	153,319	68,319	103,764	22%
Park User Fees	5602	76,761	72,500	39,807	66,500	(6,000)	68,500	-6%
Meeting Room Fees	5603	1,432	1,600	2,389	2,500	900	2,000	25%
Unrealized Gain/Loss on Assets	5606	22,443	-	200	200	200	-	0%
Cattle Grazing Lease Rent	5608	8,494	8,679	8,679	8,679	-	8,664	2%
Nextel Lease Rent	5609	28,712	30,550	25,458	30,550	0	30,550	0%
Street Use Fees	5612	100	-	-	-	-	-	0%
Memorial Program Fund	5615	2,000	-	-	-	-	-	0%
Crossing Guard - Reimbursements	5701	10,001	5,014	5,036	5,036	22	5,036	0%
Donations & Contributions	5702	1,000	-	2,000	2,000	2,000	1,000	0%
Other Revenues	5790	3,088	-	1,344	1,344	(6,256)	1,000	0%
Overhead Cost Recovery	5791	27,538	10,000	3,744	3,744	(6,256)	3,500	-65%
Sale of Asset Forfeiture Cnet	5801	7,000	7,000	6,700	6,700	(300)	6,700	-4%
Transfer from Measure C	6002	4,000	4,000	4,000	4,000	-	4,000	0%
Transfer from CIP Fund	6003	863	-	-	-	-	-	0%
Transfer from Streets	6004	6,687	6,687	6,687	6,687	-	6,687	0%
Transfer from St. Lights	6005	10,000	10,000	10,000	10,000	-	10,280	3%
Transfer from GHAD	6006	18,677	18,677	18,677	18,677	-	18,200	3%
Transfer from Landscape	6007	28,970	28,918	28,918	28,918	-	30,756	3%
Transfer from RDA Project Fund	6008	275,000	275,000	275,000	275,000	-	275,000	0%
Transfer from RDA 2% Election	6008	-	100,380	100,380	100,380	-	100,380	100%
Transfer from RDA Housing	6009	125,000	125,000	125,000	125,000	-	125,000	0%
Transfer from RDA 2% Election	6009	-	25,095	25,095	25,095	-	25,095	100%
Transfer from Grove Park Fund	6011	-	23,816	23,816	23,816	-	6,267	3%
Transfer from Stormwater Fund	6016	31,605	31,605	31,605	31,605	-	32,500	3%
Transfer from Trust & Agency	5790	-	18,410	18,410	-	(18,410)	-	-100%
Total Revenues		3,538,117	3,556,609	3,047,686	3,724,282	67,673	3,652,726	-0.1%

General Fund Revenue Budget 2011-12



General Fund Operating Budget 2011-12



Account Number	Account Name	Legislative Dept 01			Administration/Finance Dept 02			Public Works Dept 03					
		2009-10 Actual 6/30/2010	2010-11 Adopted Budget	2010-11 Projected 6/30/2011	2011-12 Proposed Budget	2009-10 Actual 6/30/2010	2010-11 Adopted Budget	2010-11 Projected 6/30/2011	2011-12 Proposed Budget				
7111	Salaries/Regular	-	-	-	-	508,796	498,765	506,928	508,365	14,649	6,349	7,649	8,081
7112	Temporary Help	-	-	-	-	-	-	-	-	1,983	673	4,198	4,198
7113	Overtime	-	-	-	-	-	-	-	-	627	-	34	-
7114	Police Dept Holiday Bonus Pay	-	-	-	-	-	-	-	-	-	-	-	-
7115	Council/Commission Comp	-	-	-	-	-	-	-	-	-	-	-	-
7116	Part-time Salaries	23,400	23,400	23,400	23,400	-	-	-	-	-	-	-	-
7119	Furlough	-	-	-	-	-	-	-	-	-	-	-	-
7218	LTD Insurance	(300)	(328)	(328)	(328)	-	-	-	-	-	-	-	-
7220	PERS Retirement	-	-	-	-	(21,472)	(21,472)	(21,472)	(21,472)	(4,248)	(4,248)	(4,248)	(4,248)
7231	Workers Comp Insurance	4,988	4,988	5,121	5,121	2,843	4,738	3,795	3,242	151	60	83	40
7232	Unemployment Insurance	308	435	435	435	103,183	105,888	107,505	108,145	1,496	1,348	2,802	1,331
7233	FICA and Medicare	-	1,451	1,451	1,451	6,280	9,264	9,264	494	118	288	288	54
7241	Auto Allowance/Mileage	327	338	338	338	7,347	7,503	7,736	2,604	78	89	89	77
7242	Uniform Allowance	-	-	-	-	10,740	10,740	10,740	7,232	294	143	454	409
7246	Benefit Insurance	-	-	-	-	-	-	-	-	-	-	-	-
7246	OPEB Expense	-	-	-	-	68,146	64,079	65,413	66,379	1,477	1,298	2,805	1,216
7311	General Supplies	-	-	-	-	-	-	-	-	4,340	6,500	6,500	6,500
7312	Office supplies	-	-	-	-	-	-	73	-	-	-	-	-
7313	Small Tools & Equipment	-	-	-	-	-	-	-	-	-	-	-	-
7314	Postage	-	-	-	-	-	-	-	-	-	-	-	-
7323	Books/Periodicals	-	-	-	-	-	-	-	-	-	-	-	-
7324	Dues and Subscriptions	-	-	-	-	-	-	-	-	-	-	-	-
7328	Park Services	11,572	11,486	11,828	11,458	1,576	1,587	1,859	1,781	-	-	-	-
7329	Park Supplies	-	-	-	-	-	-	-	-	-	-	-	-
7331	Rentals/Leases	-	-	-	-	-	-	-	-	143	-	-	-
7332	Telecommunications	-	-	-	-	-	-	-	-	315	-	-	-
7335	Gas & Electric Serv.	-	-	-	-	-	-	-	-	-	-	-	-
7338	Water Service	-	-	-	-	-	-	-	-	-	-	-	-
7339	Equipment Lease	-	-	-	-	9,330	9,000	9,880	10,280	385	385	140	140
7341	Buildings & Grounds Mn	-	-	-	-	-	-	-	-	2,669	3,000	3,000	3,000
7342	Machinery Equip Maint	-	-	-	-	-	-	-	-	35,087	34,000	30,000	30,000
7343	Vehicle Maintenance	-	-	-	-	-	-	-	-	12,429	23,000	17,810	18,000
7344	Vehicle Gas, Oil, and Supplies	-	-	-	-	-	-	-	-	6,359	7,863	7,921	7,844
7345	Office Equip Maint & Repairs	-	-	-	-	-	-	-	-	6,197	8,000	8,000	8,000
7346	HVAC Mn & Repairs	-	-	-	-	-	-	-	-	6,742	8,000	7,000	7,000
7347	Deferred Mn Projects	-	-	-	-	-	-	-	-	11,245	14,000	13,717	14,000
7348	Shop Equip. & Supplies	-	-	-	-	-	-	-	-	-	-	-	-
7351	Insurance Premiums	-	-	-	-	-	-	-	-	9,505	8,722	10,685	9,130
7353	Contingency	-	-	-	-	-	-	-	-	36,501	-	35,441	-
7361	Advertising	-	-	-	-	-	-	-	-	-	-	-	-
7362	City Promotional Activity	-	-	-	-	-	-	-	-	-	-	-	-
7363	Business Expense	10,864	11,922	7,577	8,400	-	-	-	-	-	-	-	-
7364	Employee recognition	25	-	694	-	-	-	-	-	-	-	-	-
7365	Volunteer Appreciation	-	-	-	-	8	50	2,000	50	-	-	-	-
7371	Travel	-	-	-	-	1,140	2,000	2,000	2,290	-	-	-	-
7372	Conference	-	-	-	-	-	-	-	-	-	-	-	-
7373	Education and Training	1,085	1,200	2,010	1,584	-	-	(8)	-	-	-	-	-
7374	Recycling Education	-	-	-	-	-	-	7	-	-	-	-	-
7375	Training Reimbursable	-	-	-	-	30	30	90	-	-	-	-	-
7381	Property Tax Admin Cost	-	-	-	-	-	-	-	-	-	-	-	-
7382	Election Services	-	-	-	-	-	-	-	-	-	-	-	-
7384	Legal Notices	-	-	-	-	-	-	-	-	-	-	-	-
7385	Transpac Fees	-	-	-	-	-	-	-	-	-	-	-	-
7411	Prof. Services Retainer	-	-	-	-	-	-	6,330	-	-	-	-	-
7412	Engineering Inspection	-	-	-	-	-	-	-	-	-	-	-	-
7413	Special Legal Services	-	-	-	-	96,000	96,000	96,000	96,000	-	-	-	-

CITY OF CLAYTON GENERAL FUND PROPOSED BUDGET
2011-12

Account Number	Account Name	2009-10 Actual 6/30/2010	Legislative Dept 01 2010-11 Adopted Budget	2010-11 Projected 9/30/2011	2011-12 Proposed Budget	2009-10 Actual 6/30/2010	Administration/Finance Dept 02 2010-11 Adopted Budget	2010-11 Projected 9/30/2011	2011-12 Proposed Budget	2009-10 Actual 6/30/2010	Public Works Dept 03 2010-11 Adopted Budget	2010-11 Projected 9/30/2011	2011-12 Proposed Budget
7414	Auditing Services	-	-	-	-	-	-	-	-	-	-	-	-
7415	Computer Services	-	-	-	-	-	-	-	-	-	-	-	-
7417	Janitorial Services	-	-	-	-	-	-	-	-	-	-	-	-
7419	Other Prof. Services	7,395	8,000	7,393	8,000	-	-	-	-	6,833	6,900	6,900	6,900
7423	Business Audit / Library Aide	-	-	-	-	12,498	9,109	9,186	15,638	1,013	-	273	-
7424	Dispatch Services	-	-	-	-	-	-	-	-	-	-	-	-
7425	Lab Fees	-	-	-	-	-	-	-	-	-	-	-	-
7426	Jail Booking Fees	-	-	-	-	-	-	-	-	-	-	-	-
7427	Call ID Services	-	-	-	-	-	-	-	-	-	-	-	-
7428	C.N.E.T. Services	-	-	-	-	-	-	-	-	-	-	-	-
7429	Animal Control Services	-	-	-	-	-	-	-	-	-	-	-	-
7430	Well Monitoring Contract	-	-	-	-	-	-	-	-	-	-	-	-
7431	Recycling Contract	-	-	-	-	-	-	-	-	-	-	-	-
7432	Emergency Services	-	-	-	-	-	100	-	-	525	525	525	525
7433	Integrated Justice System Sunday Operating Hours	-	-	-	-	-	-	-	-	-	-	-	-
	Total Incl Encumbrances	59,642	62,885	68,419	59,448	821,658	817,793	841,822	833,745	157,593	127,565	161,623	120,897
	Revenues												
	Balance (Shortfall)												
	Amendment to budget												
	Ending Fund Balance												

CITY OF CLAYTON GENERAL FUND ADOPTED BUDGET
2011-12

Account Number	Account Name	Community Development Dept 04			General Services Dept 05			Police Services Dept 06		
		2009-10 Actual 6/30/2010	2010-11 Adopted Budget	2010-11 Projected 6/30/2011	2009-10 Actual 6/30/2010	2010-11 Adopted Budget	2010-11 Projected 6/30/2011	2009-10 Actual 6/30/2010	2010-11 Adopted Budget	2010-11 Projected 6/30/2011
7111	Salaries/Regular	165,127	164,855	165,029	-	-	-	834,147	837,393	838,629
7112	Salaries/Regular	-	-	-	-	-	-	-	-	-
7113	Temporary Help	-	-	-	-	-	-	-	-	-
7114	Police Dept Holiday Bonus Pay	-	-	-	-	-	-	-	-	-
7115	Council/Commission Comp	-	-	-	-	-	-	-	-	-
7116	Part-time Salaries	7,200	7,200	7,200	-	-	-	59,479	90,000	85,609
7119	Furlough	-	-	-	-	-	-	-	-	-
7218	LTD Insurance	(6,141)	(6,141)	(6,141)	-	-	-	3,519	4,348	3,967
7220	PERS Retirement	1,400	1,566	1,155	-	-	-	(7,852)	(8,548)	(8,548)
7231	Workers Comp Insurance	30,667	34,989	32,559	-	-	-	7,286	7,955	6,192
7232	Unemployment Insurance	2,067	3,062	3,062	-	-	-	327,703	336,003	336,003
7233	FICA and Medicare	-	868	868	-	-	-	10,361	15,834	15,834
7241	Auto Allowance/Mileage	1,971	2,390	2,111	-	-	-	-	5,508	5,508
7242	Uniform Allowance	4,140	4,140	4,140	-	-	-	14,614	13,760	12,900
7246	Benefit Insurance	-	-	-	-	-	-	4,440	4,440	4,440
7246	OPED Expense	21,469	21,451	21,436	-	-	-	9,000	9,000	9,000
7311	General Supplies	-	-	-	3,856	4,042	-	152,333	152,993	144,676
7312	Office supplies	-	-	-	23,438	-	-	-	-	-
7313	Small Tools & Equipment	-	-	-	5,031	7,000	-	5,641	5,500	6,478
7314	Postage	-	-	-	-	-	-	3,186	4,000	3,000
7323	Books/Periodicals	-	-	-	3,473	6,641	-	-	-	-
7324	Dues and Subscriptions	89	100	89	-	-	-	1,268	1,200	774
7328	Park Services	500	550	705	-	-	-	-	-	-
7329	Park Supplies	-	-	-	-	-	-	-	-	-
7331	Rentals/Leases	-	-	-	-	-	-	-	-	-
7332	Telecommunications	-	-	-	13,995	-	-	5,698	3,698	5,740
7335	Gas & Electric Serv.	631	700	630	-	-	-	-	-	-
7338	Water Service	-	-	-	-	-	-	-	-	-
7339	Equipment Lease	-	-	-	-	-	-	-	-	-
7341	Buildings & Grounds Mn	-	-	-	-	-	-	-	-	-
7342	Machinery/ Equip Maint.	-	-	-	-	-	-	-	-	-
7343	Vehicle Maintenance	-	-	-	-	-	-	-	-	-
7344	Vehicle Gas, Oil, and Supplies	-	-	-	-	-	-	-	-	-
7345	Office Equip. Maint. & Repairs	-	-	-	-	-	-	4,420	2,124	1,059
7346	HVAC Mn & Repairs	-	-	-	-	-	-	19,589	17,000	17,361
7347	Deferred Mn Projects	-	-	-	-	-	-	31,297	28,500	34,859
7348	Shop Equip. & Supplies	-	-	-	-	-	-	371	1,500	771
7351	Insurance Premiums	-	-	-	-	-	-	-	-	-
7353	Contingency	-	-	-	-	-	-	-	-	-
7361	Advertising	-	-	-	101,644	102,587	-	-	-	-
7362	City Promotional Activity	-	-	-	-	-	-	-	-	-
7363	Business Expense	-	-	-	-	-	-	-	-	-
7364	Employee recognition	-	-	-	-	-	-	-	-	-
7365	Volunteer Appreciation	-	-	-	-	-	-	-	-	-
7371	Travel	162	100	100	-	-	-	56	100	103
7372	Conference	-	-	-	-	-	-	125	550	319
7373	Education and Training	-	-	-	-	-	-	-	-	-
7374	Recycling Education	-	-	339	-	-	-	-	-	-
7375	Training Reimbursable	-	-	-	-	-	-	-	-	-
7381	Property Tax Admin Cost	-	-	-	-	-	-	-	-	-
7382	Election Services	-	-	-	-	-	-	-	-	-
7384	Legal Notices	924	1,100	1,600	17,002	17,300	-	229	7,000	7,000
7385	Transpac Fees	20,083	20,600	20,343	150	15,000	-	7,705	-	-
7411	Prof. Services Retainer	-	-	-	-	-	-	-	-	-

CITY OF CLAYTON GENERAL FUND ADOPTED BUDGET
2011-12

Account Number	Account Name	Community Development Dept 04			General Services Dept 05			Police Services Dept 06			2011-12 Adopted Budget
		2009-10 Actual 6/30/2010	2010-11 Adopted Budget	2010-11 Projected 6/30/2011	2009-10 Actual 6/30/2010	2010-11 Adopted Budget	2010-11 Projected 6/30/2011	2009-10 Actual 6/30/2010	2010-11 Adopted Budget	2010-11 Projected 6/30/2011	
7412	Engineering Inspection	-	-	-	-	-	-	-	-	-	-
7413	Special Legal Services	-	-	-	-	-	-	-	-	-	-
7414	Auditing Services	-	-	-	-	-	-	-	-	-	-
7415	Computer Services	-	-	-	-	-	-	-	-	-	-
7417	Janitorial Services	-	-	-	-	-	-	-	-	-	-
7419	Other Prof. Services	-	-	-	-	-	-	-	-	-	-
7423	Business Audit / Library Aide	-	25	6,845	-	-	-	-	-	-	850
7424	Dispatch Services	-	-	-	-	-	-	-	-	-	2,700
7425	Lab Fees	-	-	-	-	-	-	-	-	-	20,000
7426	Jail Booking Fees	-	-	-	-	-	-	-	-	-	-
7427	Cal ID Services	-	-	-	-	-	-	-	-	-	-
7428	C.N.E.T. Services	-	-	-	-	-	-	-	-	-	-
7429	Animal Control Services	-	-	-	-	-	-	-	-	-	-
7430	Well Monitoring Contract	-	-	-	-	-	-	-	-	-	-
7431	Recycling Contract	-	-	-	-	-	-	-	-	-	-
7432	Emergency Services	-	-	-	-	-	-	-	-	-	-
7433	Integrated Justice System	-	-	-	-	-	-	-	-	-	-
	Sunday Operating Hours	-	-	-	-	-	-	-	-	-	-
	Total Ind Encumbrances	250,289	257,565	262,071	188,329	177,105	135,432	3,340	4,000	4,000	-
	Revenues										-
	Balance (Shortfall)			257,023				1,809,299	1,827,233	1,815,283	1,834,622
	Amendment to budget										
	Ending Fund Balance										

CITY OF CLAYTON GENERAL FUND PROPOSED BUDGET
2011-12

Account Number	Account Name	Library Dept 07			Engineering Dept 08			Community Park Dept 09			2011-12 Proposed Budget
		2009-10 Actual 6/30/2010	2010-11 Adopted Budget 6/30/2011	2011-12 Proposed Budget	2009-10 Actual 6/30/2010	2010-11 Adopted Budget 6/30/2011	2011-12 Proposed Budget	2009-10 Actual 6/30/2010	2010-11 Adopted Budget 6/30/2011	2011-12 Proposed Budget	
7111	Salaries/Regular	11,855	9,240	9,240	-	-	-	28,237	31,835	36,835	-
7112	Temporary Help	276	904	904	-	-	-	8,083	8,070	14,416	-
7113	Overtime	-	-	-	-	-	-	-	2,000	2,000	-
7114	Police Dept Holiday Bonus Pay	-	-	-	-	-	-	-	-	-	-
7115	Council/Commission Comp	-	-	-	-	-	-	-	-	-	-
7116	Part-time Salaries	-	-	-	-	-	-	-	-	-	-
7118	Furlough	-	-	-	-	-	-	-	-	-	-
7218	LTD Insurance	(2,124)	(2,124)	(2,124)	-	-	-	(6,122)	(6,122)	(6,122)	-
7220	PERS Retirement	101	82	55	-	-	-	284	303	239	-
7231	Workers Comp Insurance	2,348	1,881	2,101	-	-	-	5,769	6,759	8,059	-
7232	Unemployment Insurance	175	391	382	-	-	-	1,232	1,535	1,535	-
7233	FICA and Medicare	104	82	82	-	-	-	326	734	43	-
7241	Auto Allowance/Mileage	497	392	392	-	-	-	1,315	1,108	317	-
7242	Uniform Allowance	-	-	-	-	-	-	-	-	1,837	-
7246	Benefit Insurance	-	-	-	-	-	-	-	-	-	-
7248	OPEB Expense	2,380	1,878	1,877	-	-	-	5,951	6,507	6,089	-
7311	General Supplies	-	-	-	-	-	-	-	-	-	-
7312	Office Supplies	-	-	-	-	-	-	-	-	-	-
7313	Small Tools & Equipment	3,952	-	-	-	-	-	-	-	-	-
7314	Postage	-	-	-	-	-	-	-	-	-	-
7323	Books/Periodicals	-	-	-	-	-	-	-	-	-	-
7324	Dues and Subscriptions	-	-	-	-	-	-	-	-	-	-
7328	Park Services	-	-	-	-	-	-	-	-	-	-
7329	Park Supplies	-	-	-	-	-	-	-	-	-	-
7331	Rentals/Leases	-	-	-	-	-	-	-	-	-	-
7332	Telecommunications	-	-	-	-	-	-	-	-	-	-
7335	Gas & Electric Serv.	1,876	1,900	1,900	-	-	-	5,036	10,000	10,000	-
7336	Water Service	48,944	51,000	48,000	-	-	-	20	405	405	-
7339	Equipment Lease	1,517	1,800	1,800	-	-	-	2,141	2,800	2,800	-
7341	Buildings & Grounds Mtn	8,848	6,937	6,149	-	-	-	52,801	78,000	83,000	-
7342	Machinery/Equip Maint.	-	-	-	-	-	-	-	-	-	-
7343	Vehicle Maintenance	-	-	-	-	-	-	-	-	-	-
7344	Vehicle Gas, Oil, and Supplies	-	-	-	-	-	-	-	-	-	-
7345	Office Equip. Maint. & Repairs	-	-	-	-	-	-	-	-	-	-
7346	HVAC Mtn & Repairs	-	-	-	-	-	-	-	-	-	-
7347	Deferred Mtn Projects	6,978	10,412	11,000	-	-	-	-	-	-	-
7348	Shop Equip. & Supplies	-	-	-	-	-	-	-	-	-	-
7351	Insurance Premiums	-	-	-	-	-	-	-	-	-	-
7353	Contingency	-	-	-	-	-	-	-	-	-	-
7361	Advertising	-	-	-	-	-	-	-	-	-	-
7382	City Promotional Activity	-	-	-	-	-	-	-	-	-	-
7383	Business Expense	-	-	-	-	-	-	-	-	-	-
7364	Employee recognition	-	-	-	-	-	-	-	-	-	-
7365	Volunteer Appreciation	-	-	-	-	-	-	-	-	-	-
7371	Travel	-	-	-	-	-	-	-	-	-	-
7372	Conference	-	-	-	-	-	-	-	-	-	-
7373	Education and Training	-	-	-	-	-	-	-	-	-	-
7374	Recycling Education	-	-	-	-	-	-	-	-	-	-
7375	Training Reimbursable	-	-	-	-	-	-	-	-	-	-
7381	Property Tax Admin Cost	-	-	-	-	-	-	-	-	-	-
7382	Election Services	-	-	-	-	-	-	-	-	-	-
7384	Legal Notices	-	-	-	-	-	-	-	-	-	-
7385	Transpac Fees	-	-	-	-	-	-	-	-	-	-
7411	Prof. Services Retainer	-	-	-	-	-	-	-	-	-	-
7412	Engineering Inspection	-	-	-	-	-	-	-	-	-	-
7413	Special Legal Services	-	-	-	-	-	-	-	-	-	-

CITY OF CLAYTON GENERAL FUND PROPOSED BUDGET
2011-12

Account Number	Account Name	Library Dept 07			Engineering Dept 08			Community Park Dept 09			2011-12 Proposed Budget
		2009-10 Actual 6/30/2010	2010-11 Adopted Budget	2010-11 Projected 6/30/2011	2010-11 Adopted Budget	2010-11 Projected 6/30/2011	2010-11 Projected 6/30/2011	2010-11 Adopted Budget	2010-11 Projected 6/30/2011	2010-11 Projected 6/30/2011	
7414	Auditing Services	-	-	-	-	-	-	-	-	-	-
7415	Computer Services	-	-	-	-	-	-	-	-	-	-
7417	Janitorial Services	30,731	30,600	30,600	-	-	-	12,700	12,700	12,700	12,700
7419	Other Prof. Services	-	-	-	-	-	-	1,336	1,336	2,146	2,146
7423	Business Audit / Library Aide	4,113	17,000	18,222	-	-	-	-	-	-	-
7424	Dispatch Services	-	-	-	-	-	-	-	-	-	-
7425	Lab Fees	-	-	-	-	-	-	-	-	-	-
7426	Jail Booking Fees	-	-	-	-	-	-	-	-	-	-
7427	Call ID Services	-	-	-	-	-	-	-	-	-	-
7428	C.N.E.T. Services	-	-	-	-	-	-	-	-	-	-
7429	Animal Control Services	-	-	-	-	-	-	-	-	-	-
7430	Well Monitoring Contract	-	-	-	-	-	-	-	-	-	-
7431	Recycling Contract	-	-	-	-	-	-	-	-	-	-
7432	Emergency Services	-	-	-	-	-	-	1,784	2,000	2,000	2,000
7433	Integrated Justice System	-	-	-	-	-	-	-	-	-	-
	Sunday Operating Hours	-	-	-	-	-	-	-	-	-	-
	Total Incl Encumbrances	122,571	131,050	134,985	101,973	96,261	96,408	121,731	188,413	176,575	176,575
	Revenues	-	-	-	-	-	-	-	-	-	-
	Balance (Shortfall)	-	-	-	-	-	-	-	-	-	-
	Amendment to budget	-	-	-	-	-	-	-	-	-	-
	Ending Fund Balance	-	-	-	-	-	-	-	-	-	-

CITY OF CLAYTON GENERAL FUND ADOPTED BUDGET
2011-12

Account Number	Account Name	General Fund Total				2011-12 Adopted Budget
		2009-10 Actual 6/30/2010	2010-11 Adopted Budget	2010-11 Projected 6/30/2011	2011-12 Adopted Budget	
7111	Salaries/Regular	1,563,811	1,548,057	1,564,310	1,563,853	
7112	Temporary Help	10,352	9,012	18,172	19,518	
7113	Overtime	60,106	92,000	87,143	88,000	
7114	Police Dept Holiday Bonus Pay	-	-	-	-	
7115	Council/Commission Comp	-	-	-	-	
7116	Part-time Salaries	30,600	30,600	30,600	30,600	
7119	Furlough	3,519	4,348	3,967	4,348	
7218	LTD Insurance	(48,259)	(48,982)	(48,983)	(48,983)	
7220	PERS Retirement	12,025	14,704	11,502	10,091	
7231	Workers Comp Insurance	476,114	492,747	492,090	518,792	
7232	Unemployment Insurance	22,311	30,608	25,114	2,003	
7233	FICA and Medicare	9,756	11,468	11,468	10,908	
7241	Auto Allowance/Mileage	26,565	25,412	25,485	26,123	
7242	Uniform Allowance	19,320	19,320	19,320	19,320	
7246	Benefit Insurance	9,000	9,000	9,000	9,000	
7246	OPEB Expense	251,756	251,795	241,878	248,067	
7311	General Supplies	23,438	-	-	-	
7312	Office supplies	10,161	12,000	13,051	12,500	
7313	Small Tools & Equipment	12,169	11,000	10,000	10,000	
7314	Postage	-	-	774	-	
7323	Books/Periodicals	4,741	7,841	7,463	7,541	
7324	Dues and Subscriptions	89	100	89	100	
7328	Park Services	20,375	18,543	21,192	20,744	
7329	Park Supplies	143	150	-	-	
7331	Rentals/Leases	5,351	10,000	10,000	10,000	
7332	Telecommunications	14,400	14,701	12,787	11,403	
7335	Gas & Electric Serv.	27,298	26,320	27,048	34,798	
7338	Water Service	86,172	87,800	80,327	80,800	
7339	Equipment Lease	66,747	102,800	97,568	102,800	
7341	Buildings & Grounds Mn	-	-	-	-	
7342	Machinery/ Equip Maint.	15,207	14,800	14,070	13,993	
7343	Vehicle Maintenance	10,817	10,124	7,895	9,124	
7344	Vehicle Gas, Oil, and Supplies	26,331	25,000	24,361	25,000	
7345	Office Equip. Maint. & Repairs	42,542	42,500	48,576	49,000	
7346	HVAC Mn & Repairs	371	1,500	3,174	1,200	
7347	Deferred Mn Projects	16,483	19,134	26,579	20,130	
7348	Shop Equip. & Supplies	36,501	-	35,441	-	
7351	Insurance Premiums	-	-	-	-	
7353	Contingency	101,644	102,597	80,516	60,117	
7361	Advertising	-	-	-	-	
7362	City Promotional Activity	-	-	-	-	
7363	Business Expense	10,864	11,922	7,577	8,400	
7364	Employee recognition	89	150	797	150	
7365	Volunteer Appreciation	1,140	2,550	2,319	2,840	
7371	Travel	125	125	(8)	125	
7372	Conference	162	100	107	100	
7373	Education and Training	1,314	1,200	2,100	1,584	
7374	Recycling Education	8,375	7,730	8,040	7,701	
7375	Training Reimbursable	-	-	-	-	
7381	Property Tax Admin Cost	17,002	17,300	16,899	17,000	
7382	Election Services	150	15,000	7,470	-	
7384	Legal Notices	924	1,300	1,600	1,600	
7385	Transpac Fees	20,093	20,600	20,343	21,790	
7411	Prof. Services Retainer	172,688	171,000	171,000	171,000	

CITY OF CLAYTON GENERAL FUND ADOPTED BUDGET
2011-12

Account Number	Account Name	General Fund Total			
		2009-10 Actual 6/30/2010	2010-11 Adopted Budget	2010-11 Projected 6/30/2011	2011-12 Adopted Budget
7412	Engineering Inspection	-	83	498	500
7413	Special Legal Services	-	-	8,500	-
7414	Auditing Services	12,620	12,476	14,876	14,876
7415	Computer Services	2,845	5,400	9,527	5,850
7417	Jenitorial Services	52,872	52,900	52,900	52,900
7419	Other Prof. Services	64,026	49,470	57,786	83,531
7423	Business Audit / Library Aide	4,113	17,000	18,222	18,222
7424	Dispatch Services	171,323	158,076	158,076	158,076
7425	Lab Fees	23,122	15,000	12,934	13,000
7426	Jail Booking Fees	420	1,000	1,135	1,200
7427	Cal ID Services	9,644	9,644	10,117	10,621
7428	C.N.E.T. Services	6,820	8,820	6,473	6,500
7429	Animal Control Services	59,017	59,213	60,213	60,733
7430	Weil Monitoring Contract	22,421	18,948	18,948	18,948
7431	Recycling Contract	-	100	-	100
7432	Emergency Services	-	500	-	500
7433	Integrated Justice System Sunday Operating Hours	3,340	4,000	4,000	4,000
	Total Ind Encumbrances	-	-	-	-
	Revenues	3,633,064	3,656,609	3,684,456	3,652,726
	Balance (Shortfall)	3,635,417	3,656,609	3,724,282	3,652,726
	Amendment to budget	2,333	(0)	39,826	(0)
	Ending Fund Balance		15,320	15,320	

FY 2011 – 12

SPECIAL FUNDS

**BUDGET SUMMARY
AND DETAIL**

CITY OF CLAYTON
SPECIAL REVENUE ADOPTED BUDGET

Account Number	Account Name	Gas Tax 201		Landscape Maintenance Fund 210		Street Light Fund 214		2011-12 Proposed
		2010-11 Actual	2010-11 Adopted	2010-11 Actual	2010-11 Adopted	2010-11 Actual	2010-11 Adopted	
7111	Beginning Fund Balance							
7112	Salaries/Regular	27,006	27,275	159,665	152,632	130,426	133,379	
7113	Overtime	5,044	5,918	73,187	84,150	-	-	
7218	LTD Insurance	-	-	-	-	-	-	
7220	PERS Retirement	222	231	1,456	1,945	11,317	11,625	
7231	Workers Comp Insurance	4,163	5,154	36,397	37,673	-	-	10,500
7232	Unemployment Insurance	465	614	5,441	5,627	-	-	-
7233	FICA and Medicare	259	1,772	5,708	5,938	-	-	-
7242	Uniform Allowance	1,223	805	7,288	9,861	-	-	-
7246	Benefit Insurance	-	-	-	-	-	-	-
7310	Supplies & Equipment	4,563	4,961	34,635	32,709	-	-	-
7311	Street Maint. Supplies	1,857	3,000	32,768	38,718	-	-	-
7314	Postage	-	-	-	-	1,981	8,700	4,000
7316	Materials	-	-	-	-	-	-	-
7317	Landscape Replacement / Traffic Safety	-	-	-	-	-	-	-
7327	Arterial Street Light Supplies	-	1,000	-	-	-	-	-
7328	Park Services	20,620	24,211	200	20,000	-	-	-
7329	Park Supplies	-	-	-	-	-	-	-
7331	Rentals/Leases	-	-	-	-	-	-	-
7332	Telecommunications	-	-	-	-	-	-	-
7335	Gas & Electric Serv.	-	-	-	-	-	-	-
7338	Water Service	40,190	44,663	27,467	28,840	97,809	99,000	97,000
7339	Equipment Lease	-	-	71,895	145,000	-	-	-
7341	Buildings & Grounds Mnt	-	-	-	-	-	-	-
7342	Machinery Equip Maint.	-	-	-	-	-	-	-
7343	Vehicle Maintenance	-	-	10,003	8,758	-	-	-
7344	Vehicle Gas, Oil, and Supplies	-	-	7,685	8,334	-	-	-
7345	Traffic Signal Maintenance	-	-	8,525	9,000	-	-	-
7346	HVAC Mnt & Repairs	-	-	-	-	-	-	-
7347	Depreciation / Deferred Mnt Projects	23,892	26,000	-	-	-	-	-
7351	Insurance Premiums	-	-	-	-	-	-	-
7352	Insurance Claim Expense	-	-	-	-	-	-	-
7373	Education and Training	-	-	-	-	-	-	-
7381	Property Tax Admin Cost	-	-	-	-	-	-	-
7384	Legal Notices	302	310	3,368	3,400	-	-	-
7385	Transport Fees	-	-	-	-	-	-	-
7389	Misc. Expenses	-	-	-	-	3,382	4,300	3,800
7409	Street Sweeping Services	-	-	-	-	1,884	2,905	2,905
7412	Engineering Inspection	-	-	704	-	-	-	-
7413	Special Legal Services	13,760	18,400	-	-	-	-	-
7414	Auditing Services	-	-	-	-	-	-	-
7417	Janitorial Services	-	-	-	-	183	1,000	1,000
7419	Other Prof. Services	-	-	-	-	-	-	-
7420	Other Outside Services	2,712	-	-	-	-	-	-
7422	Technology/IT Grant Channel Share	-	-	157,801	133,355	-	-	-
7423	Business Audit / Library AlderConcert Mgmt	-	-	-	-	-	-	-
7489	Loss on Sale of Asset	-	1,400	-	-	-	-	-
7481	Permit Fees	-	-	-	-	-	-	-
7485	Capital Equipment	-	-	-	-	-	-	-
7486	CEPF Charges/Depreciation	-	-	-	-	-	-	-
7520	Project/Program/Other costs	45,334	-	12,936	12,936	-	-	-
7615	Property Taxes	-	-	260,000	260,000	-	-	-
7999	State Take Aways	-	-	2,392	2,392	-	-	-
8101	Transfer to General Fund	6,887	6,887	26,970	29,918	-	-	-
8104	Transfer to Measure C	-	-	-	-	-	-	-
8111	Transfer to CIP Fund	-	-	-	-	-	-	-
-	Asset Replacement	7,500	324,500	-	-	10,000	10,000	10,260
-	Reserve Fund	-	-	-	-	-	-	-
-	Total Expenses	209,626	497,102	685,451	1,056,635	126,556	137,530	129,946
-	Revenues	312,189	318,105	918,995	915,434	130,003	127,459	127,459
-	Annual Balance (Shortfall)	102,573	(178,997)	233,435	(166,839)	3,448	(10,071)	(2,026)
-	Ending Fund Balance	217,049	38,052	617,164	450,325	133,874	123,803	131,353

CITY OF CLAYTON
SPECIAL REVENUE ADOPTED BUDGET

Account Number	Account Name	2009-10 Actual	Stormwater Fund 216 2010-11 Adopted	2010-11 Projected	2011-12 Proposed	2009-10 Actual	Measure J Fund 220 2010-11 Adopted	2010-11 Projected	2011-12 Proposed	2009-10 Actual	Oakhurst GHAD Fund 212 2010-11 Adopted	2010-11 Projected	2011-12 Proposed
7111	Salaries/Router	15,708	23,625	11,224	23,625	140,411	-	-	-	7,955	-	-	4,017
7112	Temporary Help	11,309	8,339	8,588	8,339	-	-	-	-	-	-	-	-
7113	Overtime	-	-	-	-	-	-	-	-	-	-	-	-
7218	LTD Insurance	131	224	59	154	-	-	-	-	-	-	-	-
7220	PERS Retirement	3,337	5,016	1,628	5,169	-	-	-	-	-	-	-	-
7231	Workers Comp Insurance	648	869	869	109	-	-	-	-	-	-	-	-
7232	Unemployment Insurance	518	550	550	550	-	-	-	-	-	-	-	-
7233	FICA and Medicare	775	881	371	981	-	-	-	-	-	-	-	-
7242	Uniform Allowance	-	-	-	-	-	-	-	-	-	-	-	-
7246	Benefit Insurance	3,399	4,829	1,601	4,829	-	-	-	-	-	-	-	-
7310	Supplies & Equipment	-	-	-	-	-	-	-	-	-	-	-	-
7311	Street Maint. Supplies	-	-	-	-	-	-	-	-	-	-	-	-
7314	Postage	-	-	-	-	-	-	-	-	-	-	-	-
7315	Materials	-	-	-	-	-	-	-	-	-	-	-	-
7316	Landscape Replacement / Traffic Safety	-	-	-	-	-	-	-	-	-	-	-	-
7327	Arterial Street Light Supplies	-	-	-	-	-	-	-	-	-	-	-	-
7328	Park Services	-	-	-	-	-	-	-	-	-	-	-	-
7329	Park Supplies	-	-	-	-	-	-	-	-	-	-	-	-
7331	Rentals/Leases	-	-	-	-	-	-	-	-	-	-	-	-
7332	Telecommunications	-	-	-	-	-	-	-	-	-	-	-	-
7335	Gas & Electric Serv.	-	-	-	-	-	-	-	-	-	-	-	-
7338	Water Service	-	-	-	-	-	-	-	-	-	-	-	-
7339	Equipment Lease	-	-	-	-	-	-	-	-	-	-	-	-
7341	Buildings & Grounds Mnt	-	-	-	-	-	-	-	-	-	-	-	-
7342	Machinery/Equip Maint	-	-	-	-	-	-	-	-	-	-	-	-
7343	Vehicle Maintenance	-	-	-	-	-	-	-	-	-	-	-	-
7344	Vehicle Gas, Oil, and Supplies	-	-	-	-	-	-	-	-	-	-	-	-
7345	Traffic Signal Maintenance	-	-	-	-	-	-	-	-	-	-	-	-
7346	HVAC Mnt & Repairs	-	-	-	-	-	-	-	-	-	-	-	-
7347	Deere/John Deere Min Projects	-	-	-	-	-	-	-	-	-	-	-	-
7351	Insurance Premiums	-	-	-	-	-	-	-	-	-	-	-	-
7352	Insurance Claim Expense	-	-	-	-	-	-	-	-	-	-	-	-
7373	Education and Training	-	-	-	-	-	-	-	-	-	-	-	-
7381	Property Tax Admin Cost	176	200	200	200	-	-	-	-	-	-	-	-
7384	Legal Notices	-	-	-	-	-	-	-	-	-	-	-	-
7385	Transpac Fees	-	-	-	-	-	-	-	-	-	-	-	-
7389	Misc. Expenses	-	-	-	-	-	-	-	-	-	-	-	-
7409	Street Sweeping Services	45,500	42,000	295	42,000	-	-	-	-	-	-	-	-
7412	Engineering Inspection	5,167	7,047	7,047	7,000	-	-	-	-	-	-	-	-
7413	Special Legal Services	-	-	-	-	-	-	-	-	-	-	-	-
7414	Auditing Services	-	-	-	-	-	-	-	-	-	-	-	-
7417	Janitorial Services	-	-	-	-	-	-	-	-	-	-	-	-
7419	Other Prof. Services	2,247	6,162	1,222	4,649	-	-	-	-	-	-	-	-
7420	Other Outside Services	-	-	-	-	-	-	-	-	-	-	-	-
7422	Technology/Prog Grant Channel Share	-	-	-	-	-	-	-	-	-	-	-	-
7423	Business Audit / Library Aide/Concert Mgmt	-	-	-	-	-	-	-	-	-	-	-	-
7489	Loss on Sale of Asset	-	-	-	-	-	-	-	-	-	-	-	-
7481	Permit Fees	5,400	6,000	5,400	5,400	-	-	-	-	-	-	-	-
7485	Capital Equipment	-	-	-	-	-	-	-	-	-	-	-	-
7486	CERF Charges/Depreciation	-	-	-	-	-	-	-	-	-	-	-	-
7520	Project/Program/Other costs	-	-	-	-	-	-	-	-	-	-	-	-
7615	Property Taxes	12,378	3,000	428	3,000	-	-	-	-	-	-	-	-
7669	State Take Aways	-	-	-	-	-	-	-	-	-	-	-	-
8101	Transfer to General Fund	31,906	31,605	31,605	32,500	-	-	-	-	-	-	-	-
8104	Transfer to General Fund	-	-	-	-	-	-	-	-	-	-	-	-
8104	Transfer to Measure C	-	-	-	-	-	-	-	-	-	-	-	-
8111	Transfer to CIP Fund	-	-	-	-	-	-	-	-	-	-	-	-
8111	Asset Replacement	-	-	-	-	-	-	-	-	-	-	-	-
8111	Asset Replacement	-	-	-	-	-	-	-	-	-	-	-	-
8111	Reserve Fund	-	-	-	-	-	-	-	-	-	-	-	-
8111	Total Expenses	138,297	140,200	112,686	138,102	-	-	-	-	-	-	-	-
8111	Revenues	142,646	113,022	128,464	124,821	-	-	-	-	-	-	-	-
8111	Annual Balance (Shortfall)	4,349	(27,178)	13,578	(13,282)	-	-	-	-	-	-	-	-
8111	Ending Fund Balance	128,933	99,655	140,411	127,129	-	-	-	-	-	-	-	-

CITY OF CLAYTON

6/3/2011 5:11 PM

CITY OF CLAYTON
SPECIAL REVENUE ADOPTED BUDGET

Account Number	Account Name	Community Gym Fund 701			Endeavor Hall 702			Grove Park 211			2011-12 Proposed
		2009-10 Actual (38,588)	2010-11 Adopted	2010-11 Projected	2009-10 Actual	2010-11 Adopted	2010-11 Projected	2009-10 Actual	2010-11 Adopted	2010-11 Projected	
7111	Beginning Fund Balance	-	-	-	-	-	-	-	-	-	-
7112	Salaries/Regular	-	-	-	9,457	8,584	8,384	158,288	28,177	28,414	183,158
7113	Overtime	50	-	-	352	269	2,269	13,362	16,600	16,725	29,177
7218	LTD Insurance	-	-	-	-	-	-	67	-	-	67
7220	PEERS Retirement	-	-	-	81	81	62	284	277	214	190
7231	Workers Comp Insurance	-	-	-	1,723	1,818	1,835	5,403	6,194	5,471	6,384
7232	Unemployment Insurance	-	-	-	71	201	203	420	1,007	1,007	202
7233	FICA and Medicare	-	-	-	62	181	222	338	986	1,569	974
7242	Uniform Allowance	-	-	-	355	288	342	1,138	1,709	1,722	1,709
7246	Benefit Insurance	-	-	-	-	-	-	-	-	-	-
7310	Supplies & Equipment	-	-	-	1,724	1,750	1,625	5,685	5,953	2,785	5,590
7311	Street Maint. Supplies	3,946	2,724	2,000	-	-	-	13,518	4,900	4,900	4,900
7314	Postage	-	-	-	915	400	903	-	-	-	-
7315	Materials	-	-	-	-	-	-	-	-	-	-
7316	Landscape Replacement / Traffic Safety	-	-	-	-	-	-	-	-	-	-
7327	Aerial Street Light Supplies	-	-	-	-	-	-	-	-	-	-
7328	Park Services	-	-	-	-	-	-	-	-	-	-
7329	Park Supplies	-	-	-	-	-	-	-	-	-	-
7331	Rentals/Lessee	-	-	-	-	-	-	-	-	-	-
7332	Telecommunications	-	-	-	-	-	-	-	-	-	-
7335	Gas & Electric Serv.	-	-	-	707	700	702	-	500	500	500
7338	Water Service	28,362	18,908	17,000	2,442	2,500	2,254	989	-	-	-
7339	Equipment Lease	-	-	-	1,047	2,500	1,031	2,866	1,200	1,200	1,200
7341	Buildings & Grounds Mn	-	-	-	-	-	-	-	6,000	2,900	4,000
7342	Machinery Equip Maint.	-	-	-	-	-	-	-	-	-	-
7343	Vehicle Maintenance	-	-	-	4,269	4,306	6,801	-	-	-	-
7344	Vehicle Gas, Oil, and Supplies	-	-	-	-	-	-	450	250	2,000	500
7345	Traffic Signal Maintenance	-	-	-	-	-	-	-	1,000	1,000	1,000
7346	HVAC Mn & Repairs	-	-	-	-	-	-	-	1,500	1,500	1,500
7347	Depreciation / Deferred Mn Projects	-	-	-	1,160	1,600	2,136	-	-	-	-
7351	Insurance Premiums	-	-	-	-	-	-	-	-	-	-
7352	Insurance Claim Expense	-	-	-	-	-	-	-	-	-	-
7373	Education and Training	-	-	-	-	-	-	-	-	-	-
7381	Property Tax Admin Cost	-	-	-	-	-	-	-	-	-	-
7384	Legal Notices	-	-	-	-	-	-	-	-	-	-
7385	Transpoc Fees	-	-	-	-	-	-	3,370	3,400	3,759	3,900
7388	Misc. Expenses	-	-	-	-	-	-	-	-	-	-
7408	Street Sweeping Services	-	-	-	-	-	-	-	-	-	-
7412	Engineering Inspection	-	-	-	-	-	-	-	-	-	-
7413	Special Legal Services	-	-	-	-	-	-	-	-	-	-
7414	Auditing Services	-	-	-	-	-	-	-	-	-	-
7417	Janitorial Services	-	-	-	-	-	-	-	-	-	-
7419	Other Prof. Services	19,028	25,368	22,000	-	-	-	-	-	-	-
7420	Other Outside Services	-	-	-	1,230	1,200	1,200	-	-	-	-
7422	Technology/Prog Grant Channel Share	-	186	-	-	-	-	12,249	12,800	12,848	12,800
7423	Business Audit / Library Aides/Conquest Mgmt	-	-	-	-	-	-	2,269	4,897	4,897	4,897
7489	Loss on Sale of Asset	-	-	-	-	-	-	2,976	3,800	3,800	3,800
7481	Permit Fees	-	-	-	-	-	-	-	-	-	-
7485	Capital Equipment	-	-	-	-	-	-	-	-	-	-
7486	CERF Changes/Depreciation	-	-	-	-	-	-	-	-	-	-
7520	Project/Program/Other costs	-	-	-	-	-	-	-	-	-	-
7615	Property Taxes	-	-	-	-	-	-	2,700	2,700	2,700	2,700
7999	State Take Aways	-	-	-	-	-	-	408	408	415	415
8101	Transfer to General Fund	-	-	-	-	-	-	-	-	-	-
8104	Transfer to Measure C	-	-	-	-	-	-	-	-	-	-
8111	Transfer to CIP Fund	-	-	-	-	-	-	-	-	-	-
-	Asset Replacement	-	-	-	-	-	-	-	6,086	6,086	6,267
-	Reserve Fund	-	-	-	-	-	-	17,720	17,720	17,720	-
-	Total Expenses	51,384	47,000	41,198	25,366	26,366	30,134	-	18,000	-	18,000
-	Revenues	85,796	47,000	41,000	14,968	13,680	21,261	95,504	5,000	-	5,000
-	Annual Balance (Shortfall)	34,412	(0)	(186)	(10,418)	(12,686)	(8,873)	123,869	121,107	124,506	132,617
-	Ending Fund Balance	(5,176)	(5,176)	(5,374)	(10,418)	(12,686)	(8,873)	28,368	(30,977)	(4,760)	(7,455)
-		-	-	-	-	-	-	186,654	155,677	162,158	177,703

CITY OF CLAYTON
SPECIAL REVENUE ADOPTED BUDGET

Account Number	Account Name	Special Revenue Fund Recap			2011-12 Proposed
		2009-10 Actual	Adopted	2010-11 Projected	
7111	Beginning Fund Balance	284,802	308,836	308,038	304,447
7112	Salaries/Regular	171,869	146,276	127,470	127,855
7113	Temporary Help	18,628	11,626	19,535	10,500
7218	LTD Insurance	2,683	2,905	2,159	1,970
7220	PERS Retirement	74,210	77,428	77,397	79,631
7231	Workers Comp Insurance	8,060	9,573	9,881	3,141
7232	Unemployment Insurance	7,850	10,738	11,353	9,694
7233	FICA and Medicare	12,351	15,770	15,404	14,160
7242	Uniform Allowance	900	900	900	900
7246	Benefit Insurance	67,911	68,178	61,288	66,951
7310	Supplies & Equipment	17,464	7,624	6,900	6,900
7311	Street Maint. Supplies	37,429	50,818	46,819	47,268
7314	Postage	635	700	700	700
7315	Materials	-	-	-	-
7316	Landscape Replacement / Traffic Safety	200	21,000	21,000	20,800
7327	Aerial Street Light Supplies	20,620	24,211	24,211	24,211
7328	Park Services	-	-	-	-
7329	Park Supplies	-	-	-	-
7331	Rentals/Leases	-	-	-	-
7332	Telecommunications	707	500	500	500
7335	Gas & Electric Serv.	197,089	195,311	187,094	188,950
7338	Water Service	75,911	188,500	148,931	185,100
7339	Equipment Lease	-	-	-	-
7341	Buildings & Grounds Mtn	4,269	4,306	6,901	4,117
7342	Machinery/ Equip Maint.	10,453	8,008	12,665	9,500
7343	Vehicle Maintenance	7,665	9,334	9,334	9,394
7344	Vehicle Gas, Oil, and Supplies	8,525	9,994	10,500	10,500
7345	Traffic Signal Maintenance	23,862	26,000	26,280	26,000
7346	HVAC Mtn & Repairs	1,160	1,600	2,136	1,600
7347	Depreciation / Deferred Mtn Projects	47,166	-	-	-
7351	Insurance Premiums	34,164	1,220	1,220	1,220
7352	Insurance Claim Expense	2,300	5,000	2,500	5,000
7373	Education and Training	176	200	200	200
7381	Property Tax Admin Cost	11,295	12,310	12,467	12,737
7384	Legal Notices	2,075	3,105	3,105	3,105
7385	Transpact Fees	-	-	-	-
7389	Misc. Expenses	704	96	-	-
7408	Street Sweeping Services	45,500	42,000	42,000	42,000
7412	Engineering Inspection	25,342	28,400	8,087	13,000
7413	Special Legal Services	60,025	35,000	28,525	27,000
7414	Auditing Services	-	7,000	-	-
7417	Janitorial Services	32,505	39,188	36,047	36,100
7419	Other Prof. Services	165,533	145,258	138,137	155,127
7420	Other Outside Services	2,976	3,800	3,900	3,900
7422	Technology/Fuel Grant Channel Share	-	-	10,464	11,164
7423	Business Audit / Library Audit/Congest Mgmt	-	-	1,400	1,400
7486	Loss on Sale of Asset	(42,904)	1,400	-	-
7481	Permit Fees	5,400	6,000	5,400	5,400
7485	Capital Equipment	64,588	87,890	155,349	209,701
7486	CERF Charges/Depreciation	15,636	15,636	15,636	16,200
7520	Project/Program/Other costs	67,648	263,000	260,426	333,000
7615	Property Taxes	2,701	2,708	2,747	2,785
7699	State Take Aways	18,677	-	18,677	19,200
8101	Transfer to General Fund	70,262	100,887	82,210	84,223
8104	Transfer to Measure C	-	6,066	6,096	6,267
8111	Transfer to CIP Fund	-	17,720	17,720	-
	Asset Replacement	7,500	849,500	849,500	411,824
	Reserve Fund	-	18,000	18,000	18,000
	Total Expenses	1,653,296	2,898,089	2,840,846	2,578,585
	Revenues	2,049,246	2,062,633	2,049,947	2,213,659
	Annual Balance (Shortfall)	395,951	(833,454)	(790,899)	(364,926)
	Ending Fund Balance	-	-	-	-

FY 2011 – 12

FIDUCIARY FUNDS

BUDGET SUMMARY AND DETAIL

CITY OF CLAYTON FIDUCIARY AGENCY FUND ADOPTED
BUDGET

Account Number	Account Name	High Street Bridge 217			Oak Street Bridge Fund 218			Lydia Lane Sewer Fund 222		
		2009-10 Actual	2010-11 Projected	2011-12 Proposed	2009-10 Actual	2010-11 Projected	2011-12 Proposed	2009-10 Actual	2010-11 Projected	2011-12 Proposed
7381	Beginning Fund Balance							83,730		85,432
7419	Property Tax Admin Cost	254	254	254	257	258	258	262	264	264
7420	Other Prof. Services	-	-	-	-	-	-	-	-	-
7611	Principal	-	-	-	399	399	399	2,400	2,400	2,400
7612	Interest Payment	-	-	-	-	-	-	5,000	5,000	5,000
7613	Paying Agent Fees	-	-	-	-	-	-	12,050	11,750	11,450
7615	Property Taxes	-	-	-	-	-	-	500	500	500
8115	Transfer to CFD 1980-1	2,131	2,131	2,131	-	-	-	-	-	-
	Total Expenses	2,385	2,385	2,385	656	657	657	20,212	19,914	19,614
	Revenues	4,216	4,370	4,370	3,752	4,390	4,390	21,528	20,300	19,700
	Annual Balance (Shortfall)	1,831	1,985	1,985	3,098	3,733	3,733	1,317	386	86
	Beg Reserved Fund Balance	(20,325)	(18,493)	(16,508)	(84,952)	(81,855)	(78,122)	83,730	85,046	85,432
	Ending Reserved Fund Balance	(18,493)	(16,508)	(14,523)	(81,855)	(78,122)	(74,389)	85,046	85,432	85,518

CITY OF CLAYTON FIDUCIARY AGENCY FUND ADOPTED
BUDGET

Account Number	Account Name	Oak Street Sewer 223			Middle School CFD 1990-1 Fund 420			Clayton Station CFD 1990-2 Fund 421		
		2009-10 Actual	2010-11 Projected	2011-12 Proposed	2009-10 Actual	2010-11 Projected	2011-12 Proposed	2009-10 Actual	2010-11 Projected	2011-12 Proposed
7381	Beginning Fund Balance	(24,384)		(13,485)						
7419	Property Tax Admin Cost	258	259	259	1,282	1,404	1,404	149,733	253	253
7420	Other Prof. Services	-	-	-	11,979	8,163	8,513	4,381	3,949	3,962
7611	Principal	1,650	1,650	1,650	15,822	16,452	16,452	12,674	13,303	13,303
7612	Interest Payment	-	7,000	7,000	479,000	230,000	241,000	81,000	89,000	92,000
7613	Paying Agent Fees	-	4,350	4,140	473,730	282,620	265,306	39,324	34,309	28,989
7615	Property Taxes	-	-	-	2,778	578	578	-	-	-
8115	Transfer to CFD 1990-1	-	-	-	603	603	603	-	-	-
	Total Expenses	1,908	13,259	13,049	985,193	539,820	533,856	137,632	140,814	136,487
	Revenues	13,066	13,000	12,790	(352,125)	699,603	983,856	147,980	143,730	139,474
	Annual Balance (Shortfall)	11,158	(259)	(259)	(1,337,319)	159,783	150,000	10,358	2,916	987
	Beg Reserved Fund Balance	(24,384)	(13,226)	(13,485)	5,671,541	4,334,222	4,494,005	149,733	160,091	163,008
	Ending Reserved Fund Balance	(13,226)	(13,485)	(13,744)	4,334,222	4,494,005	4,644,005	160,091	163,008	163,995

CITY OF CLAYTON FIDUCIARY AGENCY FUND ADOPTED
BUDGET

Account Number	Account Name	CFA 2007 Middle School Refunding 422			Fiduciary Funds Recap		
		2009-10 Actual	2010-11 Projected	2011-12 Proposed	2009-10 Actual	2010-11 Projected	2011-12 Proposed
7381	Beginning Fund Balance	1,880,267	-	1,013,949	-	-	-
7419	Property Tax Admin Cost	-	-	-	2,566	2,692	2,692
7420	Other Prof. Services	1,580	2,805	2,805	17,940	14,917	15,280
7611	Principal	-	-	-	32,945	34,204	34,204
7612	Interest Payment	265,000	275,000	285,000	830,000	606,000	630,000
7613	Paying Agent Fees	176,673	167,223	157,423	701,776	500,252	467,267
7615	Property Taxes	2,200	2,200	2,200	5,478	3,278	3,278
8115	Transfer to CFD 1980-1	-	-	-	2,734	2,734	2,734
	Total Expenses	445,452	447,228	447,428	1,593,438	1,164,077	1,155,475
	Revenues	14,195	212,168	3,000	(147,376)	1,097,561	867,580
	Annual Balance (Shortfall)	(431,257)	(235,060)	(444,428)	(1,740,816)	(66,516)	(287,895)
	Beg Reserved Fund Balance	1,660,267	1,249,009	1,013,949	-	-	-
	Ending Reserved Fund Balance	1,249,008	1,013,949	569,522	-	-	-

CITY OF CLAYTON

2011/12 – 2015/16

Capital Improvement Program

Adopted by the City Council on

Clayton, CA

June XX, 2011

Resolution No. XX-2011

City Council

David R. Shuey, Mayor
Howard Geller, Vice Mayor
Joseph Medrano
Julie K. Pierce
Mark Stratford

Staff

Gary Napper
Rick Angrisani
David Woltering
Laci Jackson
Merry Pelletier

City Manager
City Engineer
Community Development Director
City Clerk
Finance Manager

CITY OF CLAYTON
2011/12 – 2015/16 CAPITAL IMPROVEMENT PROGRAM

TABLE OF CONTENTS

SUMMARIES

Completed and Active Projects – FY 98/99 to FY 10/11.....	1
Summary of Project Costs by Fiscal Year.....	3

PROPOSED FUNDING SOURCES & EXPENDITURES BY YEAR

2010/2011.....	5
2011/2012.....	6
2012/2013.....	7
2013/2014.....	8
2014/2015.....	9

SCHEDULED PROJECTS

Master Project Index – Numerical.....	10
Master Project Index – by Type	11
Individual Project Sheets	12 to 38

CITY OF CLAYTON
CAPITAL IMPROVEMENT PROGRAM FY 2011/12 to 2015/16

Completed and Active Projects - FY 98/99 thru 10/11

Project Number	Project Category	Project	Comp. Sched.	Comp. Actual	Original Budget	Actual Cost
10330	Streets	Overlays	99/00	99/00	\$ 570,000.00	\$ 514,000.00
10331	Streets	Slurry Seals	na	na	\$ -	included in 10330
10332	Streets	High Street Bridge	98/99	98/99	\$ 65,000.00	\$ 65,000.00
10333	Streets	Marsh Creek Road - TEA-21	99/00	02/03	\$ 1,300,000.00	\$ 1,300,000.00
10334	Parks	Community Dog Park	99/00	00/01	\$ 27,500.00	\$ 27,500.00
10335	Parks	El Molino Park	98/99	98/99	\$ 76,000.00	\$ 30,000.00
10336	Parks	Lydia Lane Park Ph. II	10/11	10/11	\$ 40,000.00	\$ 48,814.00
10337	Facilities	Keller House Preservation	05/06	05/06	\$ 219,523.00	\$ 219,523.00
10337A	Facilities	Keller House Rehabilitation	future		\$ 1,780,477.00	
10338	Facilities	Endeavor Hall	00/01	00/01	\$ 1,500,000.00	\$ 1,450,000.00
10339	Facilities	Youth Center/Gym	01/02	02/03	\$ 4,900,000.00	\$ 4,900,000.00
10340	Landscape	Marsh Creek Road Landscape	98/99	98/99	\$ 630,000.00	\$ 400,000.00
10341	Streets	Center Street Crossing	99/00	00/01	\$ 172,000.00	\$ 172,000.00
10342	GHAD	Windmill Debris Basin	98/99	98/99	\$ 75,000.00	\$ 75,000.00
10343	GHAD	Crow Debris Basin	future		\$ 100,000.00	
10344	GHAD	Obsidian Landslide	02/03	04/05	\$ -	included in 10347
10345	GHAD	Clayton Rd. Landslides	99/00	00/01	\$ 1,315,000.00	\$ 1,240,000.00
10346	GHAD	Black Diamond Landslide**	na	na	\$ -	\$ -
10347	GHAD	V-ditch Repairs	02/03	04/05	\$ 150,000.00	\$ 144,063.00
10347A	GHAD	Eagle Peak Slope Repair	future		\$ 1,125,000.00	
10348	GHAD	Keller Ridge Drive Area Slope Repair	future		\$ 50,000.00	
10349	GHAD	Community Park Slide Repair	future		\$ 100,000.00	
10350	Facilities	Downtown Elec. Conn.	99/00	99/00	\$ 25,000.00	\$ 40,000.00
10351	Facilities	Fire Station	00/01	00/01	\$ 1,680,000.00	\$ 1,610,000.00
10352	Landscape	Library Landscaping	00/01	02/03	\$ 157,000.00	\$ 194,000.00
10353	Streets	Downtown Revitalization	00/01	01/02	\$ 2,000,000.00	\$ 3,003,500.00
10354	Streets	Four Oaks Area	01/02	01/02	\$ 175,000.00	\$ 237,700.00
10355	Streets	Oak Street Bridge	00/01	00/01	\$ 60,000.00	\$ 62,000.00
10356	Landscape	Westwood Open Space	01/02	01/02	\$ 205,000.00	\$ 166,000.00
10357	Facilities	Old City Hall Renovation	98/99	98/99	\$ 80,000.00	\$ 72,000.00
10358	Facilities	Grove Property Acquisition	99/00	99/00	\$ 500,000.00	\$ 500,000.00
10359	Facilities	Endeavor Hall Parking I	00/01	01/02	\$ 107,000.00	\$ 108,000.00
10360	Facilities	Endeavor Hall Parking II	07/08	07/08	\$ 150,000.00	\$ 165,500.76
10361	Facilities	Stanley Property Acquisition	future		\$ 325,000.00	
10362	Facilities	Stanley Property Parking**	future		\$ -	\$ -
10363	Facilities	Corp. Yard Expansion	99/00	03/04	\$ 483,000.00	\$ 589,720.00
10364	Streets	Downtown Signage**	na	na	\$ -	\$ -
10365	Facilities	Library Parking Expansion	00/01	01/02	\$ -	included in 10352
10366	Facilities	Police Parking Expansion	01/02	03/04	\$ -	included in 10363
10367	Parks	Downtown Park	07/08	07/08	\$ 1,387,018.00	\$ 2,100,000.00
10368	Parks	City Hall Park**	na	na	\$ -	\$ -
10369	Streets	Marsh Creek Road Narrowing**	na	na	\$ -	\$ -
10370	Creeks	Creek Revitalization	future		\$ 3,000,000.00	
10371	Streets	Survey Monuments	02/03	04/05	\$ 30,000.00	\$ 30,000.00
10372	Streets	Traffic Signal Modifications	99/00	00/01	\$ 10,000.00	\$ 9,900.00
10373	Streets	Peacock Creek Dr. Signal	01/02	02/03	\$ 175,000.00	\$ 155,000.00
10374	Parks	North Valley Park	99/00	00/01	\$ 50,000.00	\$ 45,000.00
10375	Parks	Samuel Ct. Park	future		\$ 75,000.00	
10376	Facilities	Equestrian Staging Area	99/00	01/02	\$ 140,000.00	\$ 140,000.00
10377	Streets	DVMS - Right Turn Lane	01/02	01/02	\$ 42,000.00	\$ 51,100.00
10378	Streets	Keller Ridge Drive Planters	99/00	00/01	\$ 100,000.00	\$ 100,000.00
10379	Streets	Pine Hollow Road - Upgrade	future		\$ 300,000.00	
10380	Parks	Community Park - Rt. Turn Lane**	na	na	\$ -	\$ -

Completed and Active Projects - FY 98/99 thru 10/11

Project Number	Project Category	Project	Comp. Sched.	Comp. Actual	Original Budget	Actual Cost
10381	Parks	Bocce Ball Courts	05/06		\$ 100,000.00	\$ 43,431.00
10382	GHAD	Inclinometers	00/01	00/01	\$ 60,000.00	\$ 50,000.00
10383	GHAD	Keller Drive Subdrain	99/00	99/00	\$ 5,000.00	\$ 5,000.00
10384	Streets	Mitchell Canyon Rd. Overlay	00/01	04/05	\$ 145,000.00	\$ 125,000.00
10385	Parks	Community Park Tot Lot Upgrade	02/03	04/05	\$ 75,000.00	\$ 112,496.00
10386	GHAD	Wells (cancelled)	na	na	\$ -	\$ -
10387	Streets	Pavement Rehab 2002/03	02/03	02/03	\$ 1,000,000.00	\$ 994,000.00
10388	Streets	Pavement Rehab 2003/04**	na	na	\$ -	\$ -
10389	Streets	Pavement Rehab 2004	04/05	04/05	\$ 525,000.00	\$ 557,650.00
10390	Streets	Pavement Rehab 2005**	na	na	\$ 28,000.00	\$ -
10391	Streets	Pavement Rehab 2006	06/07		\$ 1,188,000.00	\$ 1,119,052.00
10392	Sewers	Oak - High Street	02/03	03/04	\$ 320,000.00	\$ 384,718.00
10393	Parks	Skateboard Park	future		\$ 300,000.00	\$ -
10394	Streets	Handicap Ramps - RDA Area	05/06	05/06	\$ 65,000.00	\$ 60,132.00
10394A	Streets	ADA Compliance Program	future		\$ 135,000.00	\$ -
10395	Streets	Catch Basin Modifications	future		\$ 75,000.00	\$ -
10396	Streets	East Marsh Creek Road Signal	future		\$ 230,000.00	\$ -
10397	Streets	Utility Undergrounding	future		\$ 3,000,000.00	\$ -
10398	Streets	Clayton Rd. MCR Slurry Seal	05/06	05/06	\$ 321,000.00	\$ 235,456.00
10399	Sewers	Pine Hollow Area	future	05/06	\$ 40,000.00	\$ 141,596.00
10400	Other	Downtown Economic Development	future		\$ 1,166,581.00	\$ -
10401	Streets	Pedestrian Xing Signals**	05/06	na	\$ 200,000.00	\$ -
10402	Streets	Clayton Road Trail Connection	07/08	09/10	\$ 100,000.00	\$ 264,879.00
10403	Streets	Downtown Entry Signs (in 10402)	07/08	09/10	\$ 50,000.00	\$ -
10404	Streets	Marsh Creek Rd. Retaining Wall	07/08	08/09	\$ 320,000.00	\$ 319,950.17
10405	Streets	2007 Pavement Patching Project	07/08	07/08	\$ 91,327.00	\$ 128,684.22
10406	Streets	2008 Pavement Rehab Project	08/09	08/09	\$ 864,090.00	\$ 1,060,427.68
10407	Parks	Community Park Upgrades	07/08	07/08	\$ 420,000.00	\$ 465,000.00
10408	Streets	2009 Pavement Rehab Project**	09/10	09/10	\$ 402,000.00	\$ -
10409	Streets	2010 Pavement Rehab Project	10/11	10/11	\$ 342,000.00	\$ -
10410	Streets	2011 Neighborhood Street Project	11/12		\$ 488,988.00	\$ -
10411	Streets	2012 Neighborhood Street Project	12/13		\$ 600,438.00	\$ -
10412	Streets	2009 Arterial Overlay Project	09/10		\$ 575,000.00	\$ 513,460.00
10413	Parks	Community Park Parking Lot Expansion	10/11		\$ 850,000.00	\$ -
10414	Streets	Marsh Creek Rd. Upgrade	12/13		\$ 1,081,000.00	\$ -
10415	Parks	Well Renovation	09/10	09/10	\$ 25,000.00	\$ 23,895.00
10416	Streets	Marsh Creek Rd. (old) Overlay	10/11	10/11	\$ 430,300.00	\$ -
10417	Streets	2013 Neighborhood Street Project	13/14		\$ 315,000.00	\$ -
10418	Streets	2014 Neighborhood Street Project	14/15		\$ 315,000.00	\$ -
10419	Parks	Community Park Lighting, etc.	future		\$ 4,084,000.00	\$ -
10420	Parks	School Bridge Area Improvements	11/12		\$ 200,000.00	\$ -
10421	Creeks	Cardinet Trail Restoration	11/12		\$ 50,000.00	\$ -
10422	Sewers	El Molino Drive Sanitary Sewer Impr.	11/12		\$ 330,000.00	\$ -
10423	Facilities	Library Upgrades	future		\$ 1,000,000.00	\$ -
10424	Streets	2015 Neighborhood Street Project	15/16		\$ 315,000.00	\$ -
Total Project Costs (budget) (actual)					\$ 48,239,242.00	\$ 26,570,177.83

Red denotes completed projects

Green denotes FY 11-12 active projects

**Deleted by City Council

CITY OF CLAYTON
CAPITAL IMPROVEMENT PROGRAM FY 2011/12 to 2015/16

Summary of Project Costs by Fiscal Year

****Deleted by City Council**

Project Number	Project Category	Project Description	Prior Year Funding	FY 2011/12	FY 2012/13	FY 2013/14	FY 2014/15	FY 2015/16	Future Costs	Total Budget
10330	Streets	Overlays	\$ 514,000.00	\$	\$	\$	\$	\$	\$	\$ 514,000.00
10331	Streets	Slurry Seals	\$	\$	\$	\$	\$	\$	\$	\$
10332	Streets	High Street Bridge	\$ 65,000.00	\$	\$	\$	\$	\$	\$	\$ 65,000.00
10333	Streets	Marsh Creek Road - TEA-21	\$ 1,300,000.00	\$	\$	\$	\$	\$	\$	\$ 1,300,000.00
10334	Parks	Community Dog Park	\$ 27,500.00	\$	\$	\$	\$	\$	\$	\$ 27,500.00
10335	Parks	El Molino Park	\$ 30,000.00	\$	\$	\$	\$	\$	\$	\$ 30,000.00
10336	Parks	Lydia Lane Park Ph. II	\$ 48,814.00	\$	\$	\$	\$	\$	\$	\$ 48,814.00
10337	Facilities	Keller House Preservation	\$ 219,523.00	\$	\$	\$	\$	\$	\$	\$ 219,523.00
10337A	Facilities	Keller House Rehabilitation	\$	\$	\$	\$	\$	\$	\$ 1,780,477.00	\$ 1,780,477.00
10338	Facilities	Endeavor Hall	\$ 1,450,000.00	\$	\$	\$	\$	\$	\$	\$ 1,450,000.00
10339	Facilities	Youth Center/Gym	\$ 4,900,000.00	\$	\$	\$	\$	\$	\$	\$ 4,900,000.00
10340	Landscape	Marsh Creek Road Landscape	\$ 400,000.00	\$	\$	\$	\$	\$	\$	\$ 400,000.00
10341	Streets	Center Street Crossing	\$ 172,000.00	\$	\$	\$	\$	\$	\$	\$ 172,000.00
10342	GHAD	Windmill Debris Basin	\$ 75,000.00	\$	\$	\$	\$	\$	\$	\$ 75,000.00
10343	GHAD	Crow Debris Basin	\$	\$	\$	\$	\$	\$	\$	\$
10344	GHAD	Obsidian Landslide (in 10347)	\$	\$	\$	\$	\$	\$	\$	\$
10345	GHAD	Clayton Rd. Landslides	\$ 1,240,000.00	\$	\$	\$	\$	\$	\$ 100,000.00	\$ 100,000.00
10346	GHAD	Black Diamond Landslide**	\$	\$	\$	\$	\$	\$	\$	\$
10347	GHAD	V-ditch Repairs	\$ 144,063.00	\$	\$	\$	\$	\$	\$	\$ 144,063.00
10347A	GHAD	Eagle Peak Slope Repair	\$	\$	\$	\$	\$	\$	\$	\$
10348	GHAD	Keller Ridge Drive Area Slope Repair	\$	\$	\$	\$	\$	\$	\$ 1,125,000.00	\$ 1,125,000.00
10349	GHAD	Community Park Slide Repair	\$	\$	\$	\$	\$	\$	\$ 50,000.00	\$ 50,000.00
10350	Facilities	Downtown Elec. Conn.	\$ 40,000.00	\$	\$	\$	\$	\$	\$ 100,000.00	\$ 100,000.00
10351	Facilities	Fire Station	\$ 1,610,000.00	\$	\$	\$	\$	\$	\$	\$ 1,610,000.00
10352	Landscape	Library Landscaping	\$ 194,000.00	\$	\$	\$	\$	\$	\$	\$ 194,000.00
10353	Streets	Downtown Revitalization	\$ 3,003,500.00	\$	\$	\$	\$	\$	\$	\$ 3,003,500.00
10354	Streets	Four Oaks Area	\$ 237,700.00	\$	\$	\$	\$	\$	\$	\$ 237,700.00
10355	Streets	Oak Street Bridge	\$ 62,000.00	\$	\$	\$	\$	\$	\$	\$ 62,000.00
10356	Landscape	Westwood Open Space	\$ 166,000.00	\$	\$	\$	\$	\$	\$	\$ 166,000.00
10357	Facilities	Old City Hall Renovation	\$ 72,000.00	\$	\$	\$	\$	\$	\$	\$ 72,000.00
10358	Facilities	Grove Property Acquisition	\$ 500,000.00	\$	\$	\$	\$	\$	\$	\$ 500,000.00
10359	Facilities	Endeavor Hall Parking I	\$ 105,000.00	\$	\$	\$	\$	\$	\$	\$ 105,000.00
10360	Facilities	Endeavor Hall Parking II	\$ 165,500.76	\$	\$	\$	\$	\$	\$	\$ 165,500.76
10361	Facilities	Stanley Property	\$	\$	\$	\$	\$	\$	\$ 325,000.00	\$ 325,000.00
10362	Facilities	Stanley Property Parking**	\$	\$	\$	\$	\$	\$	\$	\$
10363	Facilities	Corp. Yard Expansion	\$ 598,720.00	\$	\$	\$	\$	\$	\$	\$ 598,720.00
10364	Streets	Downtown Signage**	\$	\$	\$	\$	\$	\$	\$	\$
10365	Facilities	Library Parking Expansion	\$	\$	\$	\$	\$	\$	\$	\$
10366	Facilities	Police Parking Expansion	\$	\$	\$	\$	\$	\$	\$	\$
10367	Parks	Downtown Park	\$ 2,009,700.00	\$	\$	\$	\$	\$	\$	\$ 2,009,700.00
10368	Parks	City Hall Park**	\$	\$	\$	\$	\$	\$	\$	\$
10369	Streets	Marsh Creek Road Narrowing**	\$	\$	\$	\$	\$	\$	\$	\$
10370	Creeks	Creek Revitalization	\$	\$	\$	\$	\$	\$	\$ 3,000,000.00	\$ 3,000,000.00
10371	Streets	Survey Monuments	\$ 30,000.00	\$	\$	\$	\$	\$	\$	\$ 30,000.00
10372	Streets	Traffic Signal Modifications	\$ 9,900.00	\$	\$	\$	\$	\$	\$	\$ 9,900.00
10373	Streets	Pewcock Creek Dr. Signal	\$ 155,000.00	\$	\$	\$	\$	\$	\$	\$ 155,000.00
10374	Parks	North Valley Park	\$ 45,000.00	\$	\$	\$	\$	\$	\$	\$ 45,000.00
10375	Parks	Samuel Ct. Park	\$	\$	\$	\$	\$	\$	\$ 75,000.00	\$ 75,000.00
10376	Facilities	Equestrian Staging Area	\$ 140,000.00	\$	\$	\$	\$	\$	\$	\$ 140,000.00
10377	Streets	DVMS - Right Turn Lane	\$ 51,100.00	\$	\$	\$	\$	\$	\$	\$ 51,100.00
10378	Streets	Keller Ridge Drive Planters	\$ 109,000.00	\$	\$	\$	\$	\$	\$	\$ 109,000.00

Summary of Project Costs by Fiscal Year

**Deleted by City Council

Project Number	Project Category	Project Description	Prior Year Funding	FY 2011/12	FY 2012/13	FY 2013/14	FY 2014/15	FY 2015/16	Future Costs	Total Budget
10379	Streets	Pine Hollow Road - Upgrade	\$	\$	\$	\$	\$	\$	\$	\$
10380	Parks	Community Park - Rt. Turn Lane**	\$	\$	\$	\$	\$	\$	\$	\$
10381	Parks	Bocce Ball Courts	\$	\$	\$	\$	\$	\$	\$	\$
10382	GHAD	Inclinometers	\$	\$	\$	\$	\$	\$	\$	\$
10383	GHAD	Keller Ridge Drive Subdrain	\$	\$	\$	\$	\$	\$	\$	\$
10384	Streets	Mitchell Canyon Rd. Overlay	\$	\$	\$	\$	\$	\$	\$	\$
10385	Parks	Community Park Tot Lot Upgrade	\$	\$	\$	\$	\$	\$	\$	\$
10386	GHAD	Wells**	\$	\$	\$	\$	\$	\$	\$	\$
10387	Streets	Pavement Rehab 2002/03	\$	\$	\$	\$	\$	\$	\$	\$
10388	Streets	Pavement Rehab 2003/04	\$	\$	\$	\$	\$	\$	\$	\$
10389	Streets	Pavement Rehab 2004	\$	\$	\$	\$	\$	\$	\$	\$
10390	Streets	Pavement Rehab 2005**	\$	\$	\$	\$	\$	\$	\$	\$
10391	Streets	Pavement Rehab 2006	\$	\$	\$	\$	\$	\$	\$	\$
10392	Sewers	Oak - High Street	\$	\$	\$	\$	\$	\$	\$	\$
10393	Parks	Skateboard Park	\$	\$	\$	\$	\$	\$	\$	\$
10394	Streets	Handicap Ramps - RDA Area	\$	\$	\$	\$	\$	\$	\$	\$
10394A	Streets	ADA Compliance Program	\$	\$	\$	\$	\$	\$	\$	\$
10395	Streets	Catch Basin Modifications	\$	\$	\$	\$	\$	\$	\$	\$
10396	Streets	East Marsh Creek Road Signal	\$	\$	\$	\$	\$	\$	\$	\$
10397	Streets	Utility Undergrounding	\$	\$	\$	\$	\$	\$	\$	\$
10398	Streets	Clayton Rd. MCR Slurry Seal	\$	\$	\$	\$	\$	\$	\$	\$
10399	Sewers	Pine Hollow Area	\$	\$	\$	\$	\$	\$	\$	\$
10400	Other	Downtown Economic Development	\$	\$	\$	\$	\$	\$	\$	\$
10401	Streets	Pedestrian Xing Signals**	\$	\$	\$	\$	\$	\$	\$	\$
10402	Streets	Clayton Road Trail Connection	\$	\$	\$	\$	\$	\$	\$	\$
10403	Streets	Downtown Entry Signage (in 10402)	\$	\$	\$	\$	\$	\$	\$	\$
10404	Streets	Marsh Creek Rd. Retaining Wall	\$	\$	\$	\$	\$	\$	\$	\$
10405	Streets	2007 Pavement Patching Project	\$	\$	\$	\$	\$	\$	\$	\$
10406	Streets	2008 Pavement Rehab Project	\$	\$	\$	\$	\$	\$	\$	\$
10407	Streets	Clayton Road Trail Connection	\$	\$	\$	\$	\$	\$	\$	\$
10408	Streets	2009 Pavement Rehab Project**	\$	\$	\$	\$	\$	\$	\$	\$
10409	Streets	2010 Pavement Rehab Project	\$	\$	\$	\$	\$	\$	\$	\$
10410	Streets	2011 Neighborhood Street Project	\$	\$	\$	\$	\$	\$	\$	\$
10411	Streets	2012 Neighborhood Street Project	\$	\$	\$	\$	\$	\$	\$	\$
10412	Streets	2009 Arterial Overlay Project	\$	\$	\$	\$	\$	\$	\$	\$
10413	Parks	Community Park Pedestrian Lst Exp	\$	\$	\$	\$	\$	\$	\$	\$
10414	Streets	Marsh Creek Rd. Overlay	\$	\$	\$	\$	\$	\$	\$	\$
10415	Parks	Well Renovation	\$	\$	\$	\$	\$	\$	\$	\$
10416	Streets	Marsh Creek Rd. (old) Overlay	\$	\$	\$	\$	\$	\$	\$	\$
10417	Streets	2013 Neighborhood Street Project	\$	\$	\$	\$	\$	\$	\$	\$
10418	Streets	2014 Neighborhood Street Project	\$	\$	\$	\$	\$	\$	\$	\$
10419	Parks	Community Park Lighting, etc.	\$	\$	\$	\$	\$	\$	\$	\$
10420	Parks	School Bridge Area Improvements	\$	\$	\$	\$	\$	\$	\$	\$
10421	Creeks	Cardinet Trail Restoration	\$	\$	\$	\$	\$	\$	\$	\$
10422	Sewers	El Molino Drive Sanitary Sewer Impr.	\$	\$	\$	\$	\$	\$	\$	\$
10423	Facilities	Library Upgrades	\$	\$	\$	\$	\$	\$	\$	\$
10424	Streets	2015 Neighborhood Street Project	\$	\$	\$	\$	\$	\$	\$	\$
Cost Totals			\$ 38,520,520.77	\$ 1,166,988.00	\$ 1,617,438.00	\$ 351,000.00	\$ 351,000.00	\$ 351,000.00	\$ 15,580,965.00	\$ 57,938,911.77

Red denotes completed projects

Green denotes active projects funded in FY 11/12

Blue denotes active projects funded prior to FY 11/12

** Deleted by City Council

CITY OF CLAYTON
CAPITAL IMPROVEMENT PROGRAM FY 2011/12 to 2015/16

Budget Cost by Funding Source - FY 2011/12

Fund Name		Carry Forward	RDA	Gas Tax	LMD or Interest Earn.	Measure J	Community Fee	Offsite Arterial Fee	EBRPD	PG&E Rule 20A	Parkland Dedication	11/12 Project Totals
Fund Balance as of 6/30/11												
Estimated Revenue thru FY 11/12												
Estimated non-CIP Expenses in FY 11/12												
Funds Available for CIP in FY 11/12												
#	Category	Project										
10336	Parks	Lydia Lane Park Ph. II										
10337A	Facilities	Keller House Rehabilitation										
10343	GHAD	Crow Debris Basin										
10347A	GHAD	Eagle Peak Slope Repairs										
10348	GHAD	Keller Ridge Drive Area Slope Repair										
10349	GHAD	Community Park Slide Repair										
10361	Facilities	Stanley Property										
10370	Creeks	Creek Revitalization										
10375	Parks	Samuel Ct. Park										
10379	Streets	Pine Hollow Road - Upgrade										
10393	Parks	Skateboard Park										
10394A	Streets	ADA Compliance Program	4,190									
10395	Streets	Catch Basin Modifications										
10396	Streets	East Marsh Creek Road Signal										
10397	Streets	Utility Undergrounding										
10400	Other	Downtown Economic Development										
10409	Streets	2010 Pavement Rehab Project	279,322									
10410	Streets	2011 Neighborhood Street Project	1,696,581									
10411	Streets	2012 Neighborhood Street Project										
10412	Parks	Community Park Parking Lot Exp.										
10413	Streets	Marsh Creek Rd. Upgrade										
10416	Streets	Marsh Creek Rd. (old) Overlay										
10417	Streets	2013 Neighborhood Street Project										
10418	Streets	2014 Neighborhood Street Project										
10419	Parks	Community Park Lighting, etc.										
10420	Parks	School Bridge Area Improvements										
10421	Creeks	Cardinal Trail Restoration										
10422	Sewers	El Molino Drive Sanitary Sewer Impr.										
10423	Facilities	Library Upgrades										
10424	Streets	2015 Neighborhood Street Project										
Total CIP Expenditures in FY 11/12												
Fund Balance as of June 30, 2012												

Red denotes: projects completed in FY 10/11
Green denotes: active projects funded in FY 11/12
Blue denotes active projects funded prior to FY 11/12

CITY OF CLAYTON
CAPITAL IMPROVEMENT PROGRAM FY 2011/12 to 2015/16

Budget Cost by Funding Source - FY 2012/13

Fund Name	Carry Forward	RDA	Gas Tax	Fed. Funds	Measure J	Community Pac. Fee	Offsite Arterial Fee	PG&E Rule 20A	Parkland Dedication	12/13 Project Totals
Fund Balance as of 6/30/12										
Estimated Revenue thru FY 12/13	\$	\$	\$	\$	\$	\$	\$	\$	\$	
Estimated non-CIP Expenses in FY 12/13	\$	\$	\$	\$	\$	\$	\$	\$	\$	
Funds Available for CIP in FY 12/13	\$	\$	\$	\$	\$	\$	\$	\$	\$	
Category	Project									
10337A Facilities	Keller House Rehabilitation	\$	\$	\$	\$	\$	\$	\$	\$	\$
10343 GHAD	Crow Dobris Basin	\$	\$	\$	\$	\$	\$	\$	\$	\$
10347A GHAD	Eagle Peak Slope Repairs	\$	\$	\$	\$	\$	\$	\$	\$	\$
10348 GHAD	Keller Ridge Drive Area Slope Repair	\$	\$	\$	\$	\$	\$	\$	\$	\$
10349 GHAD	Community Park Slide Repair	\$	\$	\$	\$	\$	\$	\$	\$	\$
10361 Facilities	Stanley Property	\$	\$	\$	\$	\$	\$	\$	\$	\$
10370 Creeks	Creek Revitalization	\$	\$	\$	\$	\$	\$	\$	\$	\$
10375 Parks	Samuel Ct. Park	\$	\$	\$	\$	\$	\$	\$	\$	\$
10379 Streets	Pine Hollow Road - Upgrade	\$	\$	\$	\$	\$	\$	\$	\$	\$
10391 Parks	Skateboard Park	\$	\$	\$	\$	\$	\$	\$	\$	\$
10394A Streets	ADA Compliance Program	\$	\$	\$	\$	\$	\$	\$	\$	\$
10395 Streets	Catch Basin Modifications	\$	\$	\$	\$	\$	\$	\$	\$	\$
10396 Streets	East Marsh Creek Road Signal	\$	\$	\$	\$	\$	\$	\$	\$	\$
10397 Streets	Utility Undergrounding	\$	\$	\$	\$	\$	\$	\$	\$	\$
10400 Other	Downtown Economic Development	\$	\$	\$	\$	\$	\$	\$	\$	\$
10410 Streets	2011 Neighborhood Street Project	\$	\$	\$	\$	\$	\$	\$	\$	\$
10411 Streets	2012 Neighborhood Street Project	\$	\$	\$	\$	\$	\$	\$	\$	\$
10413 Parks	Community Park Parking Lot Exp.	\$	\$	\$	\$	\$	\$	\$	\$	\$
10414 Streets	Marsh Creek Rd Upgrade	\$	\$	\$	\$	\$	\$	\$	\$	\$
10417 Streets	2013 Neighborhood Street Project	\$	\$	\$	\$	\$	\$	\$	\$	\$
10418 Streets	2014 Neighborhood Street Project	\$	\$	\$	\$	\$	\$	\$	\$	\$
10419 Parks	Community Park Lighting, etc.	\$	\$	\$	\$	\$	\$	\$	\$	\$
10420 Parks	School Bridge Area Improvements	\$	\$	\$	\$	\$	\$	\$	\$	\$
10421 Creeks	Cardinet Trail Restoration	\$	\$	\$	\$	\$	\$	\$	\$	\$
10422 Sewers	El Molino Drive Sanitary Sewer Impr.	\$	\$	\$	\$	\$	\$	\$	\$	\$
10423 Facilities	Library Upgrades	\$	\$	\$	\$	\$	\$	\$	\$	\$
10424 Streets	2015 Neighborhood Street Project	\$	\$	\$	\$	\$	\$	\$	\$	\$
Total CIP Expenditures in FY 12/13										
		\$	\$	\$	\$	\$	\$	\$	\$	\$
Fund Balance as of June 30, 2013										
		\$	\$	\$	\$	\$	\$	\$	\$	\$

Rtd denotes projects completed in FY 11/12
 Green denotes active projects funded in FY 12/13
 Blue denotes active projects funded prior to FY 12/13

CITY OF CLAYTON
CAPITAL IMPROVEMENT PROGRAM FY 2011/12 to 2015/16
Budget Cost by Funding Source - FY 2013/14

Fund Name		Carry Forward	RDA	Gas Tax	Fed. Funds	Measure J	Community Fac. Fee	Offsite Arterial Fee	PG&E Rule 20A	Portland Dedication	12/13 Project Totals
Fund Balance as of 6/30/13											
Estimated Revenues thru FY 13/14											
Estimated non-CIP Expenses in FY 13/14											
Funds Available for CIP in FY 13/14											
#	Category	Project									
10337A	Facilities	Keller House Rehabilitation	\$	\$	\$	\$	\$	\$	\$	\$	\$
10343	GHAD	Crow Davis Basin	\$	\$	\$	\$	\$	\$	\$	\$	\$
10347A	GHAD	Eagle Peak Slope Repairs	\$	\$	\$	\$	\$	\$	\$	\$	\$
10348	GHAD	Keller Ridge Drive Area Slope Repair	\$	\$	\$	\$	\$	\$	\$	\$	\$
10349	GHAD	Community Park Slide Repair	\$	\$	\$	\$	\$	\$	\$	\$	\$
10361	Facilities	Stanley Property	\$	\$	\$	\$	\$	\$	\$	\$	\$
10370	Creeks	Creek Revitalization	\$	\$	\$	\$	\$	\$	\$	\$	\$
10375	Parks	Samuel C. Park	\$	\$	\$	\$	\$	\$	\$	\$	\$
10379	Streets	Pine Hollow Road - Upgrade	\$	\$	\$	\$	\$	\$	\$	\$	\$
10393	Parks	Skateboard Park	\$	\$	\$	\$	\$	\$	\$	\$	\$
10394A	Streets	ADA Compliance Program	\$	\$	\$	\$	\$	\$	\$	\$	\$
10395	Streets	Catch Basin Modifications	\$	\$	\$	\$	\$	\$	\$	\$	\$
10396	Streets	East Marsh Creek Road Signal	\$	\$	\$	\$	\$	\$	\$	\$	\$
10397	Streets	Utility Underpinning	\$	\$	\$	\$	\$	\$	\$	\$	\$
10400	Other	Downtown Economic Development	\$	\$	\$	\$	\$	\$	\$	\$	\$
10411	Streets	2012 Neighborhood Street Project	\$	\$	\$	\$	\$	\$	\$	\$	\$
10414	Streets	Marsh Creek Rd. Upgrade	\$	\$	\$	\$	\$	\$	\$	\$	\$
10417	Streets	2013 Neighborhood Street Project	\$	\$	\$	\$	\$	\$	\$	\$	\$
10418	Streets	2014 Neighborhood Street Project	\$	\$	\$	\$	\$	\$	\$	\$	\$
10419	Parks	Community Park Lighting, etc.	\$	\$	\$	\$	\$	\$	\$	\$	\$
10423	Facilities	Library Upgrades	\$	\$	\$	\$	\$	\$	\$	\$	\$
10424	Streets	2015 Neighborhood Street Project	\$	\$	\$	\$	\$	\$	\$	\$	\$
Total CIP Expenditure in FY 13/14			\$	\$	\$	\$	\$	\$	\$	\$	\$
Fund Balance as of June 30, 2014			\$	\$	\$	\$	\$	\$	\$	\$	\$

Red denotes projects completed in FY 13/14
 Green denotes active projects funded in FY 13/14
 Blue denotes active projects funded prior to FY 13/14

CITY OF CLAYTON
CAPITAL IMPROVEMENT PROGRAM FY 2011/12 to 2015/16

Budget Cost by Funding Source - FY 2014/15

Fund Name		Carry Forward	RDA	Gas Tax	Fed. Funds ARRA	Measure J	Community Fee	Office Aerial Fee	PG&E Rule 20A	Parkland Dedication	14/15 Project Totals
Fund Balance as of 6/30/14											
Estimated Revenue thru FY 14/15											
Estimated non-CIP Expenses in FY 14/15											
Funds Available for CIP in FY 14/15											
#	Category	Project									
10337A	Facilities	Keller House Rehabilitation									
10343	GHAD	Crow Debris Basin									
10347A	GHAD	Eagle Peak Slope Repairs									
10348	GHAD	Keller Ridge Drive Area Slope Repair									
10349	GHAD	Community Park Slide Repair									
10361	Facilities	Stanley Property									
10370	Creeks	Creek Revitalization									
10375	Parks	Samuel Ct. Park									
10379	Streets	Pine Hollow Road - Upgrade									
10393	Parks	Skateboard Park									
10394A	Streets	ADA Compliance Program									
10395	Streets	Catch Basin Modifications									
10396	Streets	East Marsh Creek Road Signal									
10397	Streets	Utility Undergrounding									
10400	Other	Downtown Economic Development									
10417	Streets	2013 Neighborhood Street Project									
10418	Streets	2014 Neighborhood Street Project									
10419	Parks	Community Park Lighting, etc.									
10423	Facilities	Library Upgrades									
10424	Streets	2015 Neighborhood Street Project									
Total CIP Expenditures in FY 14/15											
Fund Balance as of June 30, 2015											

Red denotes projects completed in FY 13/14
Green denotes active projects funded in FY 14/15
Blue denotes active projects funded prior to FY 14/15

CITY OF CLAYTON
CAPITAL IMPROVEMENT PROGRAM FY 2011/12 to 2015/16

Budget Cost by Funding Source - FY 2015/16

Fund Name		Carry Forward	RDA	Gas Tax	Fed. Funds ARRA	Measure J	Community Fac. Fee	Offsite Arterial Fee	PG&E Rule 20A	Parkland Dedication	15/16 Project Totals
Fund Balance as of 6/30/15											
Estimated Revenue thru FY 15/16											
Estimated non-CIP Expenses in FY 15/16											
Funds Available for CIP in FY 15/16											
#	Category	Project									
10337A	Facilities	Keller House Rehabilitation									
10343	GHAD	Crow Debris Basin									
10347A	GHAD	Eagle Peak Slope Repairs									
10348	GHAD	Keller Ridge Drive Area Slope Repair									
10349	GHAD	Community Park Slide Repair									
10361	Facilities	Stanley Property									
10370	Creeks	Creek Revitalization									
10375	Parks	Samuel Ct. Park									
10379	Streets	Pine Hollow Road - Upgrade									
10393	Parks	Skateboard Park									
10394A	Streets	ADA Compliance Program	28,190								
10395	Streets	Catch Basin Modifications									
10396	Streets	East Marsh Creek Road Signal									
10397	Streets	Utility Undergrounding									
10400	Other	Downtown Economic Development	399,322								
10418	Streets	2014 Neighborhood Street Project	1,166,581								
10419	Parks	Community Park Lighting, etc.									
10423	Facilities	Library Upgrades									
10424	Streets	2015 Neighborhood Street Project									
Total CIP Expenditures in FY 15/16											
Fund Balance as of June 30, 2016											

Red denotes projects completed in FY 14/15

Green denotes active projects funded in FY 15/16

Blue denotes active projects funded prior to FY 15/16

CITY OF CLAYTON

CAPITAL IMPROVEMENT PROGRAM FY 2011/12 to 2015/16

* Completed - no project sheet included

**Deleted by City Council

Master Index of Projects by Number

Project Number	Project Category	Project	Project Number	Project Category	Project
10330	Streets	Overlays*	10377	Streets	DVMS - Right Turn Lane*
10331	Streets	Slurry Seals (deleted)*	10378	Streets	Keller Ridge Drive Planters*
10332	Streets	High Street Bridge*	10379	Streets	Pine Hollow Road - Upgrade
10333	Streets	Marsh Creek Road - TEA-21*	10380	Parks	Community Park - Rt. Turn Lane**
10334	Parks	Community Dog Park*	10381	Parks	Bocce Ball Courts**
10335	Parks	El Molino Park*	10382	GHAD	Inclinometers*
10336	Parks	Lydia Lane Park Ph. II*	10383	GHAD	Keller Ridge Drive Subdrain*
10337	Facilities	Keller House Preservation*	10384	Streets	Mitchell Canyon Rd. Overlay*
10337A	Facilities	Keller House Rehabilitation	10385	Parks	Community Park Tot Lot*
10338	Facilities	Endeavor Hall*	10386	GHAD	Wells (cancelled)*
10339	Facilities	Youth Center/Gym*	10387	Streets	Pavement Rehab 2002/03*
10340	Landscape	Marsh Creek Road LS*	10388	Streets	Pavement Rehab 2003/04*
10341	Streets	Center Street Crossing*	10389	Streets	Pavement Rehab 2004*
10342	GHAD	Windmill Debris Basin*	10390	Streets	Pavement Rehab 2005**
10343	GHAD	Crow Debris Basin	10391	Streets	Pavement Rehab 2006*
10344	GHAD	Obsidian Landslide*	10392	Sewers	Oak - High Street*
10345	GHAD	Clayton Rd. Landslides*	10393	Parks	Skateboard Park
10346	GHAD	Black Diamond Landslide**	10394	Streets	Handicap Ramps - RDA Area*
10347	GHAD	V-ditch Repairs*	10394A	Streets	ADA Compliance Program
10347A	GHAD	Eagle Peak Slope Repair	10395	Streets	Catch Basin Modifications
10348	GHAD	Keller Ridge Slope Repair	10396	Streets	East Marsh Creek Road Signal
10349	GHAD	Community Park Slide Repair	10397	Streets	Utility Undergrounding
10350	Facilities	Downtown Elec. Conn.*	10398	Streets	Clayton Rd. MCR Slurry Seal*
10351	Facilities	Fire Station*	10399	Sewers	Pine Hollow Area*
10352	Landscape	Library Landscaping*	10400	Other	Downtown Economic Development
10353	Streets	Downtown Revitalization*	10401	Streets	Pedestrian Xing Signals**
10354	Streets	Four Oaks Area*	10402	Streets	Clayton Road Trail Connection*
10355	Streets	Oak Street Bridge*	10403	Streets	Downtown Entry Signs*
10356	Landscape	Westwood Open Space*	10404	Streets	Marsh Creek Rd. Retaining Wall*
10357	Facilities	Old City Hall Renovation*	10405	Streets	2007 Pavement Patching Project*
10358	Facilities	Grove Property Acquisition*	10406	Streets	2008 Pavement Rehab Project*
10359	Facilities	Endeavor Hall Parking I*	10407	Parks	Community Park Upgrades*
10360	Facilities	Endeavor Hall Parking II*	10408	Streets	2009 Pavement Rehab Project**
10361	Facilities	Stanley Property	10409	Streets	2010 Pavement Rehab Project*
10362	Facilities	Stanley Property Parking**	10410	Streets	2011 Neighborhood Street Project
10363	Facilities	Corp. Yard Expansion*	10411	Streets	2012 Neighborhood Street Project
10364	Streets	Downtown Signage**	10412	Streets	2009 Arterial Overlay Project*
10365	Facilities	Library Parking Expansion*	10413	Parks	Community Park Parking Lot Expan.
10366	Facilities	Police Parking Expansion*	10414	Streets	Marsh Creek Rd. Upgrade
10367	Parks	Downtown Park*	10415	Parks	Well Renovation*
10368	Parks	City Hall Park**	10416	Streets	Marsh Creek Rd. (old) Overlay*
10369	Streets	Marsh Creek Road Narrowing**	10417	Streets	2013 Neighborhood Street Project
10370	Creeks	Creek Revitalization	10418	Streets	2014 Neighborhood Street Project
10371	Streets	Survey Monuments*	10419	Parks	Community Park Lighting, etc.
10372	Streets	Traffic Signal Modifications*	10420	Parks	School Bridge Area Improvements
10373	Streets	Peacock Creek Dr. Signal*	10421	Creeks	Cardinet Trail Restoration
10374	Parks	North Valley Park*	10422	Sewers	El Molino Drive Sanitary Sewer Impr.
10375	Parks	Samuel Ct. Park	10423	Facilities	Library Upgrades
10376	Facilities	Equestrian Staging Area*	10424	Streets	2015 Neighborhood Street Project

CITY OF CLAYTON
CAPITAL IMPROVEMENT PROGRAM FY 2011/12 to 2015/16

Master Index of Projects by Type

*Completed - no project sheet included

**Deleted by City Council

Project Number	Project Category	Project	Project Number	Project Category	Project
<u>CREEKS</u>			<u>PARKS (cont'd.)</u>		
10370	Creeks	Creek Revitalization	10374	Parks	North Valley Park*
10421	Creeks	Cardinet Trail Restoration	10375	Parks	Samuel Ct. Park
<u>FACILITIES</u>			10380	Parks	Community Park - Rt. Turn Lane**
10337	Facilities	Keller House Preservation*	10381	Parks	Bocce Ball Courts**
10337A	Facilities	Keller House Rehabilitation	10385	Parks	Community Park Tot Lot*
10338	Facilities	Endeavor Hall*	10393	Parks	Skateboard Park
10339	Facilities	Youth Center/Gym*	10407	Parks	Community Park Upgrades*
10350	Facilities	Downtown Elec. Conn.*	10413	Parks	Community Park Parking Lot Exp.
10351	Facilities	Fire Station*	10415	Parks	Well Renovation*
10357	Facilities	Old City Hall Renovation*	10419	Parks	Community Park Lighting, etc.
10358	Facilities	Grove Property Acquisition*	10420	Parks	School Bridge Area Improvements
10359	Facilities	Endeavor Hall Parking I*	<u>STREETS</u>		
10360	Facilities	Endeavor Hall Parking II*	10330	Streets	Overlays*
10361	Facilities	Stanley Property	10331	Streets	Shurry Seals (deleted)*
10362	Facilities	Stanley Property Parking**	10332	Streets	High Street Bridge*
10363	Facilities	Corp. Yard Expansion*	10333	Streets	Marsh Creek Road - TEA-21*
10365	Facilities	Library Parking Expansion*	10341	Streets	Center Street Crossing*
10366	Facilities	Police Parking Expansion*	10353	Streets	Downtown Revitalization*
10376	Facilities	Equestrian Staging Area*	10354	Streets	Four Oaks Area*
10423	Facilities	Library Upgrades	10355	Streets	Oak Street Bridge*
<u>GHAD</u>			10364	Streets	Downtown Signage**
10342	GHAD	Windmill Debris Basin*	10369	Streets	Marsh Creek Road Narrowing**
10343	GHAD	Crow Debris Basin	10371	Streets	Survey Monuments*
10344	GHAD	Obsidian Landslide*	10372	Streets	Traffic Signal Modifications*
10345	GHAD	Clayton Rd. Landslides*	10373	Streets	Peacock Creek Dr. Signal*
10346	GHAD	Black Diamond Landslide**	10377	Streets	DVMS - Right Turn Lane*
10347	GHAD	V-ditch Repairs*	10378	Streets	Keller Ridge Drive Planters*
10347A	GHAD	Eagle Peak Slope Repair	10379	Streets	Pine Hollow Road - Upgrade
10348	GHAD	Keller Ridge Slope Repair	10384	Streets	Mitchell Canyon Rd. Overlay*
10349	GHAD	Community Park Slide Repair	10387	Streets	Pavement Rehab 2002/03*
10382	GHAD	Inclinometers*	10388	Streets	Pavement Rehab 2003/04*
10383	GHAD	Keller Ridge Drive Subdrain*	10389	Streets	Pavement Rehab 2004*
10386	GHAD	Wells (cancelled)*	10390	Streets	Pavement Rehab 2005**
<u>LANDSCAPE</u>			10391	Streets	Pavement Rehab 2006*
10340	Landscape	Marsh Creek Road LS*	10394	Streets	Handicap Ramps - RDA Area*
10352	Landscape	Library Landscaping*	10394A	Streets	ADA Compliance Program
10356	Landscape	Westwood Open Space*	10395	Streets	Catch Basin Modification
<u>OTHER</u>			10396	Streets	East Marsh Creek Road Signal
10392	Sewers	Oak - High Street*	10397	Streets	Utility Undergrounding
10399	Sewers	Pine Hollow Area*	10398	Streets	Clayton Rd. MCR Shurry Seal*
10401	Other	Downtown Economic Development	10401	Streets	Pedestrian Xing Signals**
10422	Sewers	El Molino Drive Sanitary Sewer Imp.	10402	Streets	Clayton Road Trail Connection*
<u>PARKS</u>			10403	Streets	Downtown Entry Signs*
10334	Parks	Community Dog Park*	10404	Streets	Marsh Creek Rd. Retaining Wall*
10335	Parks	El Molino Park*	10405	Streets	2007 Pavement Patching Project*
10336	Parks	Lydia Lane Park Ph. II*	10406	Streets	2008 Pavement Rehab Project*
10367	Parks	Downtown Park*	10408	Streets	2009 Pavement Rehab Project**
10368	Parks	City Hall Park	10409	Streets	2010 Pavement Rehab Project*
			10410	Streets	2011 Neighborhood Street Project
			10411	Streets	2012 Neighborhood Street Project
			10412	Streets	2009 Arterial Overlay Project*
			10414	Streets	Marsh Creek Rd. Upgrade
			10416	Streets	Marsh Creek Rd. (old) Overlay*
			10417	Streets	2013 Neighborhood Street Project
			10418	Streets	2014 Neighborhood Street Project
			10424	Streets	2015 Neighborhood Street Project

2011/12-2015/16 Capital Improvement Program

Category	Project Number	Project
Facilities	10337A	Keller House Rehabilitation

DESCRIPTION - LOCATION

Rehabilitation of historical ranch home and grounds located across Mt. Diablo Creek from the library.



COMMENTS

Estimated Cost	Prior Yrs.	2011-12	2012-13	2013-14	2014-15	2015-16	Future	TOTAL
Preliminary Design								
Final Design								
Construction							\$1,780,477	\$1,780,477
CM/Inspection								
ROW Acquisition								
Other								
TOTAL							\$1,780,477	\$1,780,477

Funding (Sources)	Prior Yrs.	2011-12	2012-13	2013-14	2014-15	2015-16	Future	TOTAL
Unfunded							\$1,780,477	\$1,780,477
Total							\$1,780,477	\$1,780,477

City of Clayton

2011/12-2015/16 Capital Improvement Program

Category	Project Number	Project
GHAD	10343	Crow Place – Debris Basin

DESCRIPTION - LOCATION

Clean out debris basin located in GHAD easement behind golf course and single family lots.



COMMENTS

Subject to approval of increased assessments.

Estimated Cost	Prior Yrs.	2011-12	2012-13	2013-14	2014-15	2015-16	Future	TOTAL
Preliminary Design								
Final Design							\$10,000	\$10,000
Construction							\$85,000	\$85,000
CM/Inspection							\$5,000	\$5,000
ROW Acquisition								
Other								
TOTAL							\$100,000	\$100,000

Funding (Sources)	Prior Yrs.	2011-12	2012-13	2013-14	2014-15	2015-16	Future	TOTAL
Unfunded							\$100,000	\$100,000
Total							\$100,000	\$100,000

City of Clayton

2011/12-2015/16 Capital Improvement Program

Category	Project Number	Project
GHAD	10347A	Eagle Peak Slope Repair

DESCRIPTION - LOCATION

Stabilize and/or repair large slope moving adjacent to single family houses and streets in Eagle Peak Subdivision.

COMMENTS

Cost estimate per Soils Engineer. Dependent on GHAD assessment increase.



Estimated Cost	Prior Yrs.	2011-12	2012-13	2013-14	2014-15	2015-16	Future	TOTAL
Preliminary Design							\$70,000	\$70,000
Final Design							\$1,015,000	\$1,015,000
Construction							\$40,000	\$40,000
CM/Inspection								
ROW Acquisition								
Other								
TOTAL							\$1,125,000	\$1,125,000

Funding (Sources)	Prior Yrs.	2011-12	2012-13	2013-14	2014-15	2015-16	Future	TOTAL
Unfunded							\$1,125,000	\$1,125,000
Total							\$1,125,000	\$1,125,000

City of Clayton

2011/12-2015/16 Capital Improvement Program

Category	Project Number	Project
GHAD	10348	Keller Ridge Drive Area - Slope Repair

DESCRIPTION - LOCATION

Stabilize and/or repair small slope pop-out adjacent to single family homes.

COMMENTS

Subject to approval of increased assessments.



Estimated Cost	Prior Yrs.	2011-12	2012-13	2013-14	2014-15	2015-16	Future	TOTAL
Preliminary Design							\$5,000	\$5,000
Final Design							\$40,000	\$40,000
Construction							\$5,000	\$5,000
CM/Inspection								
ROW Acquisition								
Other								
TOTAL							\$50,000	\$50,000

Funding (Sources)	Prior Yrs.	2011-12	2012-13	2013-14	2014-15	2015-16	Future	TOTAL
Unfunded							\$50,000	\$50,000
Total							\$50,000	\$50,000

City of Clayton

2011/12-2015/16 Capital Improvement Program

Category	Project Number	Project
GHAD	10349	Community Park - Landslide

DESCRIPTION - LOCATION

Repair landslides that occurred above Field #3 (uppermost field).

COMMENTS

Subject to approval of increased assessments.



Estimated Cost	Prior Yrs.	2011-12	2012-13	2013-14	2014-15	2015-16	Future	TOTAL
Preliminary Design								
Final Design							\$7,000	\$7,000
Construction							\$85,000	\$85,000
CM/Inspection							\$8,000	\$8,000
ROW Acquisition								
Other								
TOTAL							\$100,000	\$100,000

Funding (Sources)	Prior Yrs.	2011-12	2012-13	2013-14	2014-15	2015-16	Future	TOTAL
Unfunded							\$100,000	\$100,000
Total							\$100,000	\$100,000

City of Clayton

2011/12-2015/16 Capital Improvement Program

Category	Project Number	Project
Facilities	10361	Stanley Property

DESCRIPTION - LOCATION

Assist in the development and construction of affordable housing.

COMMENTS



Estimated Cost	Prior Yrs.	2011-12	2012-13	2013-14	2014-15	2015-16	Future	TOTAL
Preliminary Design								
Final Design								
Construction								
CM/Inspection								
Acquisition								
Other							\$325,000	\$325,000
TOTAL							\$325,000	\$325,000

Funding (Sources)	Prior Yrs.	2011-12	2012-13	2013-14	2014-15	2015-16	Future	TOTAL
RDA							\$325,000	\$325,000
Total							\$325,000	\$325,000

City of Clayton

2011/12-2015/16 Capital Improvement Program

Category	Project Number	Project
Creeks	10370	Creek Revitalization

DESCRIPTION - LOCATION

Clean out creeks, improve access to creek banks, reinforce creek banks and repair adjacent trails where needed, replace riparian vegetation.

City-Wide

COMMENTS

Catch-all project for when City hits the lottery.

Estimated Cost	Prior Yrs.	2011-12	2012-13	2013-14	2014-15	2015-16	Future	TOTAL
Preliminary Design								
Final Design								
Construction							\$3,000,000	\$3,000,000
CM/Inspection								
ROW Acquisition								
Other								
TOTAL							\$3,000,000	\$3,000,000

Funding (Sources)	Prior Yrs.	2011-12	2012-13	2013-14	2014-15	2015-16	Future	TOTAL
Unfunded							\$3,000,000	\$3,000,000
Total							\$3,000,000	\$3,000,000

City of Clayton

2011/12-2015/16 Capital Improvement Program

Category	Project Number	Project
Streets	10375	Samuel Ct. Park

DESCRIPTION - LOCATION

Install landscaping and irrigation improvements.

COMMENTS



Estimated Cost	Prior Yrs.	2011-12	2012-13	2013-14	2014-15	2015-16	Future	TOTAL
Preliminary Design								
Final Design							\$5,000	\$5,000
Construction							\$65,000	\$65,000
CM/Inspection							\$5,000	\$5,000
ROW Acquisition								
Other								
TOTAL							\$75,000	\$75,000

Funding (Sources)	Prior Yrs.	2011-12	2012-13	2013-14	2014-15	2015-16	Future	TOTAL
Unfunded							\$75,000	\$75,000
Total							\$75,000	\$75,000

City of Clayton

2011/12-2015/16 Capital Improvement Program

Category	Project Number	Project
Streets	10379	Pine Hollow Rd. - Upgrade

DESCRIPTION - LOCATION

Improve City entry on Pine Hollow Road with new painting, monument sign, etc.



COMMENTS

Revised 3/08/10. Widen north side of Pine Hollow Road with new curb, gutter, and sidewalk between Pine Hollow Estates and westerly City Limit.

Work will require acquisition of right of way for new improvements. Conform paving will cross City Limit line into Concord. Install previously purchased entry sign on south side of roadway within existing pavement/ROW area.

Originally scheduled for funding from Measure J. This funding has been transferred for the overlay of Marsh Creek Road (old), CIP Project No. 10416.

Estimated Cost	Prior Yrs.	2011-12	2012-13	2013-14	2014-15	2015-16	Future	TOTAL
Preliminary Design								
Final Design								\$25,000
Construction								\$202,000
CM/Inspection								\$15,000
ROW Acquisition								\$50,000
Other								
TOTAL								\$292,000

Funding (Sources)	Prior Yrs.	2011-12	2012-13	2013-14	2014-15	2015-16	Future	TOTAL
Unfunded								\$292,000
Total								\$292,000

City of Clayton

2011/12-2015/16 Capital Improvement Program

Category	Project Number	Project
Parks	10393	Skateboard Park

DESCRIPTION - LOCATION

Construct skateboard park at an undetermined location.

COMMENTS

Undetermined

Estimated Cost	Prior Yrs.	2011-12	2012-13	2013-14	2014-15	2015-16	Future	TOTAL
Preliminary Design								
Final Design							\$25,000	\$25,000
Construction							\$240,000	\$240,000
CM/Inspection							\$35,000	\$35,000
ROW Acquisition								
Other								
TOTAL							\$300,000	\$300,000

Funding (Sources)	Prior Yrs.	2011-12	2012-13	2013-14	2014-15	2015-16	Future	TOTAL
Unfunded							\$300,000	\$300,000
Total							\$300,000	\$300,000

City of Clayton

2011/12-2015/16 Capital Improvement Program

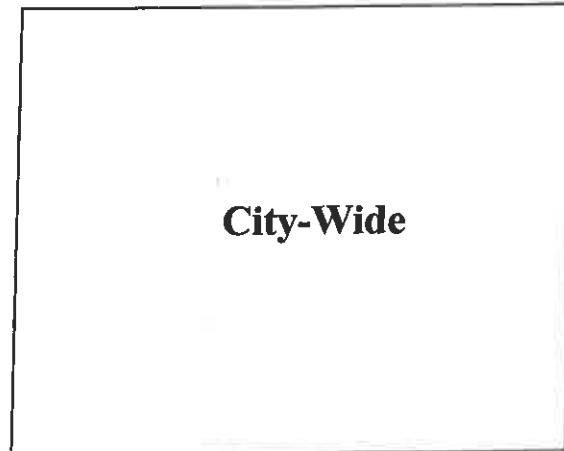
Category	Project Number	Project
Streets	10394A	ADA Compliance Program

DESCRIPTION - LOCATION

Construction of various improvements.

COMMENTS

As needed to comply with ADA standards as determined by City's transition plan



Estimated Cost	Prior Yrs.	2011-12	2012-13	2013-14	2014-15	2015-16	Future	TOTAL
Preliminary Design								
Final Design								
Construction							\$500,000	\$500,000
CM/Inspection								
ROW Acquisition								
Other								
TOTAL							\$500,000	\$500,000

Funding (Sources)	Prior Yrs.	2011-12	2012-13	2013-14	2014-15	2015-16	Future	TOTAL
Gas Tax	\$4,190	\$6,000	\$6,000	\$6,000	\$6,000	\$6,000	\$465,810	\$500,000
Total	\$4,190	\$6,000	\$6,000	\$6,000	\$6,000	\$6,000	\$465,810	\$500,000

City of Clayton

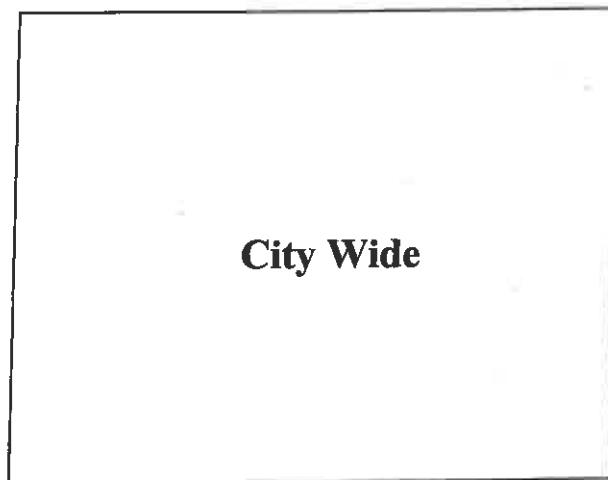
2011/12-2015/16 Capital Improvement Program

Category	Project Number	Project
Streets	10395	Catch Basin Modifications

DESCRIPTION - LOCATION

Add bar across openings.

COMMENTS



Estimated Cost	Prior Yrs.	2011-12	2012-13	2013-14	2014-15	2015-16	Future	TOTAL
Preliminary Design								
Final Design								
Construction							\$75,000	\$75,000
CM/Inspection								
ROW Acquisition								
Other								
TOTAL							\$75,000	\$75,000

Funding (Sources)	Prior Yrs.	2011-12	2012-13	2013-14	2014-15	2015-16	Future	TOTAL
Unfunded							\$75,000	\$75,000
Total							\$75,000	\$75,000

City of Clayton

2011/12-2015/16 Capital Improvement Program

Category	Project Number	Project
Streets	10396	East Marsh Creek Road Traffic Signal

DESCRIPTION - LOCATION

Install traffic signal on Marsh Creek Road
somewhere east of Diablo Parkway.

COMMENTS

City Council postponed project.



Estimated Cost	Prior Yrs.	2011-12	2012-13	2013-14	2014-15	2015-16	Future	TOTAL
Preliminary Design							\$15,000	\$15,000
Final Design							\$150,000	\$150,000
Construction							\$15,000	\$15,000
CM/Inspection								
ROW Acquisition								
PG&E Poles							\$50,000	\$50,000
TOTAL							\$230,000	\$230,000

Funding (Sources)	Prior Yrs.	2011-12	2012-13	2013-14	2014-15	2015-16	Future	TOTAL
Unfunded							\$230,000	\$230,000
Total							\$230,000	\$230,000

City of Clayton

2011/12-2015/16 Capital Improvement Program

Category	Project Number	Project
Streets	10397	Utility Undergrounding

DESCRIPTION - LOCATION

Underground overhead utility lines at undetermined locations.

COMMENTS

City Wide

Estimated Cost	Prior Yrs.	2011-12	2012-13	2013-14	2014-15	2015-16	Future	TOTAL
Preliminary Design								
Final Design								
Construction							\$3,000,000	\$3,000,000
CM/Inspection								
ROW Acquisition								
Other								
TOTAL							\$3,000,000	\$3,000,000

Funding (Sources)	Prior Yrs.	2011-12	2012-13	2013-14	2014-15	2015-16	Future	TOTAL
Unfunded							\$2,570,678	\$2,570,678
RDA	\$105,930							\$105,930
PG&E Rule 20A	\$173,392	\$30,000	\$30,000	\$30,000	\$30,000	\$30,000		\$323,392
Total	\$279,322	\$30,000	\$30,000	\$30,000	\$30,000	\$30,000	\$2,570,678	\$3,000,000

City of Clayton

2011/12-2015/16 Capital Improvement Program

Category	Project Number	Project
Other	10400	Downtown Economic Development

DESCRIPTION - LOCATION

Provide funding for improving the economic viability of the downtown area.



COMMENTS

Estimated Cost	Prior Yrs.	2011-12	2012-13	2013-14	2014-15	2015-16	Future	TOTAL
Preliminary Design								
Final Design								
Construction								
CM/Inspection								
ROW Acquisition								
Other							\$1,166,581	\$1,166,581
TOTAL							\$1,166,581	\$1,166,581

Funding (Sources)	Prior Yrs.	2011-12	2012-13	2013-14	2014-15	2015-16	Future	TOTAL
RDA	\$1,696,581	(\$530,000)*						\$1,166,581
Total	\$1,696,581	(\$530,000)*						\$1,166,581

*\$200,000 to 10420 & \$330,000 to 10422

City of Clayton

2011/12-2015/16 Capital Improvement Program

Category	Project Number	Project
Streets	10410	2011 Neighborhood Street Project

DESCRIPTION - LOCATION

Pavement resurfacing and treatment on various streets throughout City.

COMMENTS

Various Locations

Estimated Cost	Prior Yrs.	2011-12	2012-13	2013-14	2014-15	2015-16	Future	TOTAL
Preliminary Design								
Final Design		\$10,000						\$10,000
Construction		\$463,988						\$463,988
CM/Inspection		\$15,000						\$15,000
ROW Acquisition								
Other								
TOTAL		\$488,988						\$488,988

Funding (Sources)	Prior Yrs.	2011-12	2012-13	2013-14	2014-15	2015-16	Future	TOTAL
Gas Tax/HUTA		\$294,988						\$294,988
Measure J		\$194,000						\$194,000
Total		\$488,988						\$488,988

City of Clayton

2011/12-2015/16 Capital Improvement Program

Category	Project Number	Project
Streets	10411	2012 Neighborhood Street Project

DESCRIPTION - LOCATION

Pavement resurfacing and treatment on various streets throughout City.

Various Locations

COMMENTS

Funding includes one time federal grant for the Local Street and Road Shortfall Program which may be used for maintenance on federal-aid streets (which include our major collectors, such as, Regency Drive, Keller Ridge Drive, etc.).

Estimated Cost	Prior Yrs.	2011-12	2012-13	2013-14	2014-15	2015-16	Future	TOTAL
Preliminary Design								
Final Design			\$10,000					\$10,000
Construction			\$565,438					\$565,438
CM/Inspection			\$25,000					\$25,000
ROW Acquisition								
Other								
TOTAL			\$600,438					\$600,438

Funding (Sources)	Prior Yrs.	2011-12	2012-13	2013-14	2014-15	2015-16	Future	TOTAL
Gas Tax			\$110,000					\$110,000
Measure J			\$205,000					\$205,000
LS&RS			\$285,438					\$285,438
Total			\$600,438					\$600,438

City of Clayton

2011/12-2015/16 Capital Improvement Program

Category	Project Number	Project
Parks	10413	Community Park – Parking Lot Expansion

DESCRIPTION - LOCATION

Construct 100 additional parking spaces in lower parking lot. Add infiltration planters, lighting and monument sign.

COMMENTS

Project scope revised by City Council to include only the expansion of parking along lower field from existing lot to Gym driveway.

Project was submitted to EBRPD in March, 2011 for approval and funding. Project bid and construction contract awarded to Ghilotti Bros in May, 2011.



Estimated Cost	Prior Yrs.	2011-12	2012-13	2013-14	2014-15	2015-16	Future	TOTAL
Preliminary Design								
Final Design	\$99,000							\$99,000
Construction		\$691,000						\$691,000
CM/Inspection		\$60,000						\$60,000
ROW Acquisition								
Other								
TOTAL	\$99,000	\$751,000						\$850,000

Funding (Sources)	Prior Yrs.	2011-12	2012-13	2013-14	2014-15	2015-16	Future	TOTAL
Measure WW		\$493,000						\$493,000
Interest Earnings		\$357,000						\$357,000
Total		\$850,000						\$850,000

City of Clayton

2011/12-2015/16 Capital Improvement Program

Category	Project Number	Project
Streets	10414	Marsh Creek Road Upgrade Regency Drive to Pine Lane

DESCRIPTION - LOCATION

Widen existing roadway to provide two full-width travel lanes, bike lanes, shoulders and pedestrian paths.

COMMENTS

Due to possible land movement areas and steep grades along the roadway, there may be the need for additional right of way in order to complete the proposed work. The stormwater requirements coming into effect will necessitate some type of water treatment.

Original budget was \$1,200,000; \$119,000 transferred to Marsh Creek Road (old) Overlay project , CIP Project No. 10416



Estimated Cost	Prior Yrs.	2011-12	2012-13	2013-14	2014-15	2015-16	Future	TOTAL
Preliminary Design		\$30,000						\$30,000
Final Design		\$40,000						\$40,000
Construction			\$921,000					\$921,000
CM/Inspection			\$60,000					\$60,000
ROW Acquisition		\$30,000						\$30,000
Other								
TOTAL		\$100,000	\$981,000					\$1,081,000

Funding (Sources)	Prior Yrs.	2011-12	2012-13	2013-14	2014-15	2015-16	Future	TOTAL
Measure J		\$100,000	\$981,000					\$1,081,000
Total		\$100,000	\$981,000					\$1,081,000

City of Clayton

2011/12-2015/16 Capital Improvement Program

Category	Project Number	Project
Streets	10417	2013 Neighborhood Street Project

DESCRIPTION - LOCATION

Pavement resurfacing and treatment on various streets throughout City.

COMMENTS

Various Locations

Estimated Cost	Prior Yrs.	2011-12	2012-13	2013-14	2014-15	2015-16	Future	TOTAL
Preliminary Design								
Final Design				\$10,000				\$10,000
Construction				\$290,000				\$290,000
CM/Inspection				\$15,000				\$15,000
ROW Acquisition								
Other								
TOTAL				\$315,000				\$315,000

Funding (Sources)	Prior Yrs.	2011-12	2012-13	2013-14	2014-15	2015-16	Future	TOTAL
Gas Tax				\$110,000				\$110,000
Measure J				\$205,000				\$205,000
Total:				\$315,000				\$315,000

City of Clayton

2011/12-2015/16 Capital Improvement Program

Category	Project Number	Project
Streets	10418	2014 Neighborhood Street Project

DESCRIPTION - LOCATION

Pavement resurfacing and treatment on various streets throughout City.

Various Locations

COMMENTS

Estimated Cost	Prior Yrs.	2011-12	2012-13	2013-14	2014-15	2015-16	Future	TOTAL
Preliminary Design					\$10,000			\$10,000
Final Design					\$200,000			\$200,000
Construction					\$15,000			\$15,000
CM/Inspection								
ROW Acquisition								
Other								
TOTAL					\$315,000			\$315,000

Funding (Sources)	Prior Yrs.	2011-12	2012-13	2013-14	2014-15	2015-16	Future	TOTAL
Gas Tax					\$110,000			\$110,000
Measure J					\$205,000			\$205,000
Total					\$315,000			\$315,000

City of Clayton

2011/12-2015/16 Capital Improvement Program

Category	Project Number	Project
Parks	10419	Community Park Lighting, & Resurfacing

DESCRIPTION - LOCATION

Install sports field lighting, remove and replace turf with synthetic surfacing at Clayton Community Park

COMMENTS

Cost estimates per Cost-Benefit Analysis prepared by PMC and dated August 31, 2009



Estimated Cost	Prior Yrs.	2011-12	2012-13	2013-14	2014-15	2015-16	Future	TOTAL
Preliminary Design								
Final Design								
Construction							\$4,084,000	\$4,084,000
CM/Inspection								
ROW Acquisition								
Other								
TOTAL							\$4,084,000	\$4,084,000

Funding (Sources)	Prior Yrs.	2011-12	2012-13	2013-14	2014-15	2015-16	Future	TOTAL
Unfunded							\$4,084,000	\$4,084,000
Total							\$4,084,000	\$4,084,000

City of Clayton

2011/12-2015/16 Capital Improvement Program

Category	Project Number	Project
Streets	10420	School Bridge Area Improvements

DESCRIPTION - LOCATION

Improve area at Mt. Diablo Elementary School Bridge and Mitchell Creek to enhance Town Center area.



COMMENTS

Includes decorative wall, landscaping and riparian vegetation restoration; funding transferred from CIP No. 10400, Downtown Economic Development

Estimated Cost	Prior Yrs.	2011-12	2012-13	2013-14	2014-15	2015-16	Future	TOTAL
Preliminary Design								
Final Design		\$20,000						\$20,000
Construction		\$160,000						\$160,000
CM/Inspection		\$20,000						\$20,000
ROW Acquisition								
Other								
TOTAL		\$200,000						\$200,000

Funding (Sources)	Prior Yrs.	2011-12	2012-13	2013-14	2014-15	2015-16	Future	TOTAL
RDA		\$200,000*						\$200,000*
Total		\$200,000*						\$200,000*

*transfer from CIP 10400

City of Clayton

2011/12-2015/16 Capital Improvement Program

Category	Project Number	Project
Streets	10421	Cardinet Trail Restoration

DESCRIPTION - LOCATION

Construct creek bank reinforcement and perform trail restoration work along Cardinet Trail locations to repair damage caused by creek erosion.

Various Locations

COMMENTS

Funding from Citywide Landscape Maintenance District; significant permitting requirements

Estimated Cost	Prior Yrs.	2011-12	2012-13	2013-14	2014-15	2015-16	Future	TOTAL
Preliminary Design								
Final Design		\$15,000						\$15,000
Construction		\$50,000						\$50,000
CM/Inspection		\$10,000						\$10,000
ROW Acquisition								
Other								
TOTAL		\$75,000						\$75,000

Funding (Sources)	Prior Yrs.	2011-12	2012-13	2013-14	2014-15	2015-16	Future	TOTAL
LMD		\$75,000						\$75,000
Total		\$75,000						\$75,000

City of Clayton

2011/12-2015/16 Capital Improvement Program

Category	Project Number	Project
Streets	10422	El Molino Drive Sanitary Sewer Improvements

DESCRIPTION - LOCATION

Construct modifications to existing sanitary sewer mains to prevent potential sewer overflows in areas adjacent to Mt. Diablo Creek .



COMMENTS

Includes pipe enlargement and construction of a bypass line in El Molino Drive; funding from CIP 10400, Downtown Economic Development

Estimated Cost	Prior Yrs.	2011-12	2012-13	2013-14	2014-15	2015-16	Future	TOTAL
Preliminary Design								
Final Design		\$40,000						\$40,000
Construction		\$270,000						\$270,000
CM/Inspection		\$20,000						\$20,000
ROW Acquisition								
Other								
TOTAL		\$330,000						\$330,000

Funding (Sources)	Prior Yrs.	2011-12	2012-13	2013-14	2014-15	2015-16	Future	TOTAL
RDA		\$330,000*						\$330,000*
Total		\$330,000*						\$330,000*

*transfer from CIP 10400

City of Clayton

2011/12-2015/16 Capital Improvement Program

Category	Project Number	Project
Streets	10423	Library Upgrades

DESCRIPTION - LOCATION

Construct improvements to update Library including automatic checkout facilities, coffee/snack bar, etc.



COMMENTS

Includes 3,500 sf building addition plus new equipment and furniture

Estimated Cost	Prior Yrs.	2011-12	2012-13	2013-14	2014-15	2015-16	Future	TOTAL
Preliminary Design								
Final Design								
Construction							\$850,000	\$850,000
CM/Inspection								
ROW Acquisition								
Other							\$150,000	\$150,000
TOTAL							\$1,000,000	\$1,000,000

Funding (Sources)	Prior Yrs.	2011-12	2012-13	2013-14	2014-15	2015-16	Future	TOTAL
Unfunded							\$1,000,000	\$1,000,000
Total								

City of Clayton

2011/12-2015/16 Capital Improvement Program

Category	Project Number	Project
Streets	10424	2015 Neighborhood Street Project

DESCRIPTION - LOCATION

Pavement resurfacing and treatment on various streets throughout City.

COMMENTS

Various Locations

Estimated Cost	Prior Yrs.	2011-12	2012-13	2013-14	2014-15	2015-16	Future	TOTAL
Preliminary Design								
Final Design						\$10,000		\$10,000
Construction						\$290,000		\$290,000
CM/Inspection						\$15,000		\$15,000
ROW Acquisition								
Other								
TOTAL						\$315,000		\$315,000

Funding (Sources)	Prior Yrs.	2011-12	2012-13	2013-14	2014-15	2015-16	Future	TOTAL
Gas Tax						\$110,000		\$110,000
Measure J						\$205,000		\$205,000
Total						\$315,000		\$315,000

City of Clayton



Agenda Date: 6-21-11

Agenda Item: 10a

Approved:

Gary A. Napper
City Manager/Executive Director

STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: RICK ANGRISANI, CITY ENGINEER

DATE: JUNE 21, 2011

SUBJECT: STREET LIGHTING ASSESSMENT DISTRICT – PUBLIC MEETING

RECOMMENDATION

Receive public testimony and close public meeting. City Council action is not requested or required on this matter until after the Public Hearing is held on July 19, 2011.

BACKGROUND

Since 1979 the City has funded the cost (electricity, maintenance, etc.) of street lighting in residential neighborhoods through annual assessments on the private properties within those subdivisions. The assessments have remained unchanged since 1996-97.

The Engineer's Report approved at the May 17th City Council meeting recommended leaving the proposed street light assessment amounts unchanged from last year's levels. Consequently, there is no increase proposed for this street light assessment in FY 2011-2012.

The purpose of tonight's meeting is to receive public testimony regarding the annual levy of the proposed street light assessments in residential areas. There is no action required by the City Council until closing of the public hearing scheduled for July 19th. This process is in accord with state law governing street lighting assessment districts. At the writing of this Staff Report, no written objections/protests to this assessment had been received.

FISCAL IMPACT

None.

Attachments: Engineer's Report

ENGINEER'S REPORT

DATE: MAY 17, 2011
TO: CITY COUNCIL
FROM: CITY ENGINEER
RE: STREET LIGHT ASSESSMENT DISTRICT - FISCAL YEAR 2011-12

This report has been prepared in accordance with the requirements of the Street Lighting Act of 1919 (Section 18091 of the Street and Highways Code).

HISTORICAL REVIEW

Prior to 1979, the year the City formed the Street Light Assessment District, all subdivisions were annexed to the City's Lighting District #1. This district became a Special District, which made it eligible for a small portion of the property tax as well as Special Augmentation Funds for special districts.

When the Assessment District was formed, primarily to pay for street lighting in residential areas with street lights, the City ceased annexing new subdivisions to Lighting District #1. While the City continues to receive moneys on Lighting District #1 as Special Augmentation Funds, the amounts are expected to decrease. The expected income for FY 2011-12 is approximately \$26,894.

All of the residential subdivisions with street lighting have now been annexed to the district and are being assessed annually.

When the Street Light Assessment District was formed, it was the City Council's policy that the residential street lighting be paid by the Assessment District and arterial street lighting by Lighting District #1.

PROPOSITION 218

In 2001, significant increases in electric charges from PG&E were anticipated and a large increase was proposed in the annual assessments. It was finally determined that any increases over the amounts being assessed when Proposition 218 was approved, were subject to the terms of Proposition 218. A ballot election was held and the proposed increases were rejected by almost 60% of the votes cast. Based upon that result, a public meeting and public hearing was held on the pre-218 assessments based upon the old majority protest procedures. Since there was not a majority protest, the pre-218 assessments were levied.

Due to the current fiscal climate, I again do not recommend that the City attempt another 218 election in order to increase the assessments.

DETERMINATION OF SPECIAL BENEFIT

For this district, being limited to street lighting, the finding of a special benefit is relatively simple. Those properties, occupied and located on a lighted public street, receive a special benefit relative to those properties located on unlit streets. This benefit may be described as additional protection for residents from criminal activity and, to a lesser extent, vehicular traffic. It should be noted that I am saying that the lights protect the pedestrians from vehicular traffic by increasing the pedestrians' ability to see and not the other way around.

There may be some who would argue that since pedestrians benefit from the additional protection and that some of the pedestrians may be other than the actual residents, a general benefit exists. However, I believe that the number of trips by non-residents would be minuscule compared to the residents' trips and impossible to reasonably quantify.

There are some publicly owned parcels (open space areas) that do have some frontage along lighted public streets. However, since these properties are not occupied, no benefit, either special or general, is received.

Therefore, I can only find that no "general" benefit exists.

DISTRICT IMPROVEMENTS

The district improvements consist of streetlights located on residential streets. The streetlights may be mounted on PG&E poles or on their own poles (either wood, metal or concrete).

ESTIMATED COSTS

Actual PG&E costs for FY 2010-11 will be approximately \$96,500. Based upon expenditures to date, the City's labor, materials and overhead costs should be approximately \$32,284.

We are projecting a modest increase in electrical costs over the current year's actual costs to \$97,000 for the almost 800 streetlights covered by the assessment district. In addition, we are proposing that the maintenance and administrative budgets be set at \$33,330.

METHOD OF ASSESSMENT

In detached, single family subdivisions with public streets, the special benefit received from street lights is equal to all the lots, regardless of size, and the assessment should, therefore, be equal for every lot and will be assigned an assessment unit of one.

In those subdivisions with private streets, but served or traversed by public, lit streets, the property owners already pay for a share of their private street lighting and the ratio of lots to the number of public lights is higher than those in subdivisions with all public streets. Therefore, in order to provide an equitable assessment, I have

assigned assessment units of one-half to single family and duet subdivisions (Oak Hollow and Black Diamond) and one-quarter to multifamily subdivisions (Diablo Ridge, Chaparral Springs, Marsh Creek Villas).

See the chart on pages 4 and 5 for a complete breakdown on the assessment units.

UNEXPENDED FUNDS

The fund balance at the beginning of FY 2010/11 was approximately \$133,874.

We estimate that the final costs for FY 2010/11 should be approximately \$128,784 and the final income amount should be \$128,201, resulting in a shortfall of \$583. This shortfall will decrease the fund balance to \$133,291 for the beginning of FY 2011/12.

This fund balance will cover the costs of the District until receipt of the first tax payment in December.

PER UNIT ALLOCATION

If we were able to spread the costs strictly by the number of assessment units in the District, we would have the following cost per assessment unit:

Estimated PG&E cost	\$97,000.00
City Maintenance Costs	16,625.00
City Administrative Costs	10,000.00
Legal (ads, notice, etc.)	2,905.00
County Collection of Levy Fee	<u>3,800.00</u>
Total Budget	\$130,330.00
Less Interest Income	<u>(2,000.00)</u>
Net Assessment Required	\$128,330.00
Total Assessment Units	2896.5
Total Assessment Per Unit	<u>\$44.31</u>

However, since we are unable to increase assessments beyond their current level without a ballot election, we recommend that the current assessments remain the same for FY 2011-12 (see table on pages 4 and 5). Based upon the current assessment levels, the District will receive approximately \$125,458.76. Therefore, we must project a shortfall of approximately \$2,871 in FY 2011-12 which will decrease the existing fund balance at the end of FY 2011-12 to \$130,420.

ASSESSMENT HISTORY

Proposed FY 11-12	between \$0 and \$43.54
FY 10-11	between \$0 and \$43.54
FY 09-10	between \$0 and \$43.54
FY 08-09	between \$0 and \$43.54
FY 07-08	between \$0 and \$43.54
FY 06-07	between \$0 and \$43.54
FY 05-06	between \$0 and \$43.54
FY 04-05	between \$0 and \$43.54
FY 03-04	between \$0 and \$43.54
FY 02-03	between \$0 and \$43.54
FY 01-02	between \$0 and \$43.54
FY 00-01	\$34.34
FY 99-00	\$33.38
FY 98-99	\$33.38
FY 97-98	\$33.38
FY 96-97	\$43.54

CITY OF CLAYTON								
STREETLIGHT ASSESSMENT DISTRICT								
FY 2011-12								
PROPOSED ASSESSMENTS								
Subd. Name	Subd. No.	No. of Lots	Type	Public Streets	A.U. per lot	Total A.U.	Assessment Per Lot	Total \$
Cardinet Glen I	2556	22	SF	Y	1.00	22.00	\$43.54	\$957.88
Cardinet Glen II	2572	30	SF	Y	1.00	30.00	\$43.54	\$1,306.20
Glen Almond	3434	23	SF	Y	1.00	23.00	\$43.54	\$1,001.42
Dana Hills I	3576	29	SF	Y	1.00	29.00	\$43.54	\$1,262.66
Mission Manor	3659	25	SF	Y	1.00	25.00	\$43.54	\$1,088.50
Dana Hills II	4011	55	SF	Y	1.00	55.00	\$43.54	\$2,394.70
Dana Hills III	4012	50	SF	Y	1.00	50.00	\$43.54	\$2,177.00
Dana Hills IV	4013	93	SF	Y	1.00	93.00	\$43.54	\$4,049.22
Dana Hills V	4014	50	SF	Y	1.00	50.00	\$43.54	\$2,177.00
Dana Hills VI	4015	30	SF	Y	1.00	30.00	\$43.54	\$1,306.20
Dana Hills VII	4016	65	SF	Y	1.00	65.00	\$43.54	\$2,830.10
Dana Hills VIII	4017	46	SF	Y	1.00	46.00	\$43.54	\$2,002.84
Dana Hills IX	4018	32	SF	Y	1.00	32.00	\$43.54	\$1,393.28
Dana Hills X	4019	52	SF	Y	1.00	52.00	\$43.54	\$2,264.08
Marsh Creek	4240	109	MF	N	0.25	27.25	\$15.64	\$1,704.76
Regency Woods I	4343	77	SF	Y	1.00	77.00	\$43.54	\$3,352.58
St. James Place	4403	16	SF	Y	1.00	16.00	\$43.54	\$696.64
Casey Glen	4449	24	SF	Y	1.00	24.00	\$43.54	\$1,044.96
Briarwood I	4451	19	SF	Y	1.00	19.00	\$43.54	\$827.26
Jeffry Ranch	4499	68	SF	Y	1.00	68.00	\$43.54	\$2,960.72
Dana Ridge	4504	86	MF	N	0.25	21.50	\$15.64	\$1,345.04
Clayton Greens	4515	78	SF	Y	1.00	78.00	\$43.54	\$3,396.12
Regency Woods II	4543	71	SF	Y	1.00	71.00	\$43.54	\$3,091.34
Regency Woods III	4643	37	SF	Y	1.00	37.00	\$43.54	\$1,610.98
Briarwood II	4654	40	SF	Y	1.00	40.00	\$43.54	\$1,741.60
Regency Woods IV	4798	145	SF	Y	1.00	145.00	\$43.54	\$6,313.30
Easley Estates I	4805	48	SF	Y	1.00	48.00	\$43.54	\$2,089.92
Silver Creek I	4827	26	SF	Y	1.00	26.00	\$43.54	\$1,132.04
Silver Creek II	4956	94	SF	Y	1.00	94.00	\$43.54	\$4,092.76
Easley Estates II	5048	51	SF	Y	1.00	51.00	\$43.54	\$2,220.54
Easley Estates III	5049	40	SF	Y	1.00	40.00	\$43.54	\$1,741.60
Easley Estates IV	5050	55	SF	Y	1.00	55.00	\$43.54	\$2,394.70
Douglas Court	5267	9	SF	Y	1.00	9.00	\$43.54	\$391.86

Regency Meadows	5722	96	SF	Y	1.00	96.00	\$43.54	\$4,179.84
Westwood	6001	65	SF	Y	1.00	65.00	\$43.54	\$2,830.10
Westwood	6001	4	MF	Y	0.50	2.00	\$15.64	\$62.56
Windmill Canyon I	6990	92	SF	Y	1.00	92.00	\$43.54	\$4,005.68
Black Diamond I	7065	108	Duet	N	0.50	54.00	\$31.28	\$3,378.24
Chaparral Springs I	7066	117	MF	N	0.25	29.25	\$8.34	\$975.78
Peacock Creek I	7249	69	SF	Y	1.00	69.00	\$33.38	\$2,303.22
Peacock Creek II	7255	72	SF	Y	1.00	72.00	\$33.38	\$2,403.36
Eagle Peak I	7256	70	SF	Y	1.00	70.00	\$43.54	\$3,047.80
Eagle Peak II	7257	60	SF	Y	1.00	60.00	\$43.54	\$2,612.40
Falcon Ridge I	7260	75	SF	Y	1.00	75.00	\$33.38	\$2,503.50
Falcon Ridge II	7261	70	SF	Y	1.00	70.00	\$43.54	\$3,047.80
Windmill Canyon II	7262	99	SF	Y	1.00	99.00	\$43.54	\$4,310.46
Windmill Canyon III	7263	101	SF	Y	1.00	101.00	\$43.54	\$4,397.54
Windmill Canyon IV	7264	102	SF	Y	1.00	102.00	\$33.38	\$3,404.76
Chaparral Springs II	7303	52	MF	N	0.25	13.00	\$8.34	\$433.68
Black Diamond II	7311	118	Duet	N	0.50	59.00	\$31.28	\$3,691.04
Diablo Ridge I	7766	60	MF	N	0.25	15.00	\$8.34	\$500.40
Oak Hollow	7766	35	SF	N	0.50	17.50	\$16.68	\$583.80
Diablo Ridge II	7767	76	MF	N	0.25	19.00	\$8.34	\$633.84
Oak Hollow IIA	7768	55	SF	N	0.50	27.50	\$31.28	\$1,720.40
Oak Hollow IIB	7769	53	SF	N	0.50	26.50	\$31.28	\$1,657.84
Stranahan	7887	54	SF	Y	1.00	54.00	\$33.38	\$1,802.52
Diablo Village	8215	33	SF	Y	1.00	33.00	\$43.54	\$1,436.82
Rachel Ranch	8355	8	SF	Y	1.00	8.00	\$43.54	\$348.32
Bridlewood	8358	19	SF	Y	1.00	19.00	\$43.54	\$827.26
TOTALS		3458				2896.5		\$125,458.76



Agenda Date: 6-21-11

Agenda Item: 10b

Approved:

Gary A. Napper
City Manager/Executive Director

AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: CITY MANAGER

DATE: 21 JUNE 2011

**SUBJECT: CONSIDER CITY ENDORSEMENT OF CHARTER SCHOOL PETITION
CLAYTON VALLEY CHARTER HIGH SCHOOL**

RECOMMENDATION

Following City Council discussion and public comments, it is recommended the City Council adopt a motion endorsing the Charter School Petition recently submitted to the Board of Education of Mount Diablo Unified School District (MDUSD) for the conversion of Clayton Valley High School to a charter high school.

BACKGROUND

At its regular public meeting held on 03 May 2011, the City Council considered the community's effort to seek the conversion of Clayton Valley High School to a charter high school, effective for the fall of 2012. After due consideration, the City Council approved a motion (5-0 vote) to support and embrace the charter school conversion "in concept" and authorized its Mayor to so inform the community campaign and the School Board of Education accordingly.

Caution was expressed during those initial discussions that the actual charter school application and petition were still in the formative stage and unavailable for public review and critique, particularly any precise details regarding the financial feasibility of the conversion.

ACTION REQUESTED OF CITY COUNCIL

Mayor Shuey requested this matter be placed on this City Council agenda such that the Council may now consider the actual Petition and Charter Application for a Clayton Valley Charter High School that was recently filed with the MDUSD Board of Education on 08 June 2011. Since further charter school details are available, it is staff's understanding that Mayor Shuey seeks City Council action (by motion) to fully endorse/support the charter school petition, application and conversion without any qualifier as to "in concept".

Attachments: 1. CVCHS Petition [127 pp.]

CLAYTON VALLEY CHARTER HIGH SCHOOL

A Public Conversion Charter School

Respectfully Submitted to:

**Mt. Diablo Unified School District
1936 Carlotta Drive
Concord, CA 94519
(925) 682-8000**

Submitted by:

**Lead Petitioners: Neil McChesney
Pat Middendorf**

Expected Opening: August 2012

Date Submitted: June 8, 2011

TABLE OF CONTENTS

INTRODUCTION	1
AFFIRMATIONS/ASSURANCES	2
Element 1: THE EDUCATIONAL PROGRAM	6
Description of the Educational Program	6
Mission	6
Shared Vision for Clayton Valley Charter High School	7
Current Data and Demographics	9
Current Challenges and Opportunities	15
Whom The School Shall Educate	15
Accreditation and Transferability of Courses	16
What it Means to be a Successful CVCHS Student – What Does it Mean to be an Educated Person in the 21 st Century	16
How a CVCHS Student Will Learn – How Does Learning Best Occur?	17
Core Academic Program	19
Resources	24
Leadership	25
Environment	25
Bell Schedules	26
Calendar	27
Summer School	27
Winter Session	28
Graduation Requirements and Course Sequences	28
Parent and Community Involvement	29
English Learners	31
Students Achieving Above Grade Level	33
Students Achieving Below Grade Level	33
Special Education Students	36
Implementation	48
Element 2: MEASURABLE STUDENT OUTCOMES	49
Students	49
ELEMENT 3: METHODS OF ASSESSING PUPIL PROGRESS TOWARD MEETING OUTCOMES	60
Our Underlying Beliefs Regarding Student Assessment	60
Use of Data to Inform Educational Program	62
ELEMENT 4: GOVERNANCE STRUCTURE OF THE CHARTER SCHOOL	65
Clayton Valley Charter High School Governing Board	65
Governance Structure	68
Standing Committees	69
The Executive Director	71
Fiscal Management	72
Amending the Governance Structure	73
Parental Involvement	73
ELEMENT 5: EMPLOYEE QUALIFICATIONS	74
Beliefs	74
Code of Professionalism	74

	Qualifications, Selections, Duties, and Evaluation of Staff	74
Element 6:	HEALTH AND SAFETY	83
	Fingerprinting and Background Check.....	83
	Drug Free/Alcohol Free/Smoke Free Environment	83
	Immunizations	84
	TB Testing	84
	Administration of medication.....	84
	Hearing, Vision, and Scoliosis Screening.....	84
	Blood Borne Pathogens	84
	School Safety	84
	Emergency Preparedness	85
	Facility Safety.....	85
	Asbestos Management	85
	Child Abuse Reporting	85
	Comprehensive Harassment Policies and Procedures.....	86
Element 7:	RACIAL AND ETHNIC BALANCE	87
	Federal Compliance	88
Element 8:	ADMISSION REQUIREMENTS	89
	Admission Information	89
	Lottery Procedures	90
ELEMENT 9:	FINANCIAL OPERATIONS, INDEPENDENT FINANCIAL AUDIT, AND PROGRAMMATIC AUDIT.....	92
	Fiscal Autonomy	92
	Budget Development.....	92
	Fiscal Audit.....	93
	Timeline for Financial Reporting Requirements	93
	Revenue Flow/Depository/Accounting.....	94
	Attendance Accounting Procedures	95
ELEMENT 10:	SUSPENSION AND EXPULSION	96
	CVCHS Suspension and Expulsion Procedures.....	96
Element 11:	RETIREMENT SYSTEM	114
	Mandatory Benefits for all Full-Time Staff Members	114
	Illness/Vacation/Holidays/Personal Necessity	115
	Willie Brown	115
	Seniority.....	115
	Leaves	115
Element 12:	ATTENDANCE ALTERNATIVES.....	116
Element 13:	EMPLOYEE RIGHTS TO RETURN	117
Element 14:	DISPUTE RESOLUTION PROCESS	118
	Procedures for Resolving Internal Complaints/Grievances	119
	Uniform Complaint Procedures	119
Element 15:	LABOR RELATIONS/ EMPLOYER STATUS AND COLLECTIVE BARGAINING.....	120

Element 16:	CHARTER SCHOOL CLOSURE PROCEDURES	121
	Closure Procedures	121
DISTRICT IMPACT STATEMENT/ PROPOSED OPERATION AND POTENTIAL EFFECTS OF THE SCHOOL.....		124
Facilities to be Used by the School		124
Administrative Services of the School		124
MDUSD Services		124
Transportation		125
Food Services.....		125
Maintenance.....		125
Potential Civil Liability Effects Upon the School and District		126
CONCLUSION		127

Appendices¹

Appendix A:	Founders Biographies
Appendix B:	Draft 504 Policies and Procedures
Appendix C:	Notes From The First Strategic Planning Meeting
Appendix D:	Club 800 Information
Appendix E:	Draft Articles of Incorporation, Draft bylaws, and Draft Conflict of Interest Policy
Appendix F:	3 year budget including startup costs and 3 years of cash flow
Appendix G:	Petition Signatures
Appendix H:	Support

¹ The petitioners have included the enclosed appendices for the authorizer's information and ease of reference. With the exception of the Petition signatures (Appendix G) and the budget and cash flow documents (Appendix F), the following appendices are not required by law to be included in a charter petition and are not intended to be incorporated as part of the charter.

INTRODUCTION

As an independent charter school, Clayton Valley High School will have the ability to unite the school community and all of its stakeholders in a common goal to raise the bar of expectations for every student on our campus: students of every race, sex, creed, economic status, or academic level. We want to stop the downward trend of poor student behavior, low academic focus, lack of accountability, and complacent mediocrity that has infiltrated almost every corner of our school. We want to bring "*Eagle Pride*" back to our school, and back to our hearts.

We began this charter journey as a small band of committed yet frustrated teachers. Though we appreciate the efforts Mt. Diablo Unified School District makes on behalf of its 56 schools, we feel our site input is seldom solicited and that, when it is, it gets lost in the resolve of the District to make decisions they feel are appropriate for the whole rather than the individual sites. We feel as a charter school, we can more effectively address our concerns regarding incoming freshmen transition, school culture, fiscal management, and assessment and intervention. CVCHS wants our school community's students and staff to reach their highest potential and that our best venue for this achievement is through converting to a charter school.

Along the way, these teachers found other like-minded teachers, staff, students, parents, and community members who shared this common feeling of despair about our once beloved school, Clayton Valley High. These teachers have now signed the petition of agreement to convert CVHS to a public conversion charter high school. Our supporting staff, students, parents, and other stakeholders have also signed this petition of support. To halt this downward slide, we seek the autonomy and flexibility to develop and sustain innovative programs and practices that will promote student success and well-being, improve the working conditions of all employees, and develop partnerships with our communities, businesses, and universities.

Attached as Appendix A, please find a list of the individuals, along with biographical information, who have collaborated to develop this charter on behalf of the CVCHS community.

AFFIRMATIONS/ASSURANCES

As the authorized lead petitioners, we, Neil McChesney and Pat Middendorf, hereby certify that the information submitted in this petition for the conversion of Clayton Valley High School to a California public conversion charter school to be named Clayton Valley Charter High School ("CVCHS" or "Charter School") and to be located at 1101 Alberta Way, Concord, CA 94521 within the borders of Mount Diablo Unified School District ("MDUSD" or the "District") is true to the best of our knowledge and belief. We understand that if awarded a charter, the Charter School:

- Shall meet all statewide standards and conduct the student assessments required pursuant to education Code Sections 60605 and 60851, and any other statewide standards authorized in statute, or student assessments applicable to students in non-charter public schools. [Ref. Education Code Section 47605(c)(1)]. CVCHS shall certify that its students have participated in the state testing programs specified in Education Code Sections 60600-60652 in the same manner as other students attending public schools [Ref. Education Code Section 47605, 47612.5]
- Shall be deemed the exclusive public school employer of the employees of CVCHS for purposes of the Educational Employment Relations Act. [Ref. Education Code 47605(5)(0)]
- Shall be non-sectarian in its programs, admission policies, employment practices and all other operations [Ref. Education Code Section 47605(d)(1)]
- Shall address all California State Content Standards for all core content areas in grade levels 9 – 12
- Shall not charge tuition [Ref. Education Code Section 47605(d)(1)]
- Shall admit all students who wish to attend the Charter School, and who submit a timely application; unless the Charter School receives a greater number of applications than there are spaces for students, in which case each application will be given equal chance of admission through a public random drawing process. Admission preference shall be given to students who reside within the former attendance area of Clayton Valley High School.
- Except as required by Education Code Section 47605(d)(2), admission to the charter school shall not be determined according to the place of residence of the student or his or her parents within the state. In the event of a drawing, the charter authority shall make reasonable efforts to accommodate the growth of the charter in accordance with Education Code Section 47605(d)(2)(C) [Ref. Education Code Section 47605(d)(2)(A)-(B)]

- Shall not discriminate against any student on the basis of the characteristics listed in Section 220(actual or perceived disability (physical or mental), gender, nationality, race, or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics, or color, medical condition, or sexual condition.)(Ref. Education Code Section 47605(d)(1))
- Shall adhere to all provisions of federal law related to students with disabilities including, but not limited to, Section 504 of the rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, and the Individuals with Disabilities in Education Improvement Act of 2004.
- Students with disabilities shall be served by CVCHS in the same manner as such students are served in other public schools [Ref. Education Code Section 56145]
- Shall be subject to state law prohibitions regarding the employment of any person, in either a certificated or classified position, who has been convicted of a violent or serious felony [Ref. Education Code Section 44830.1, 45122.1]
- Shall meet all requirements for employment set forth in applicable provisions of law, including, but not limited to credentials, as necessary. [Ref. Title 5 California Code of Regulations Section 11967.5.1(f)(5)(C)]
- Shall ensure that teachers at CVCHS hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools are required to hold. These documents shall be maintained on file at CVCHS and shall be subject to periodic inspection by MDUSD. As allowed by statute, flexibility will be given to noncore, noncollege preparatory teachers. [Ref. California Education Code Section 47605(l)]
- Shall at all times maintain all necessary and appropriate insurance coverage.
- Shall, for each fiscal year, offer at a minimum, the number of minutes of instruction per grade level as required by Education Code Section 47612.5(a)(1)(A)-(D).
- If a student is expelled or leaves CVCHS without graduating or completing the school year for any reason, CVCHS shall notify the superintendent of the school district of the student's last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the student, including a transcript of grades or report card and health information. [Ref. California Education Code Section 47605(d)(3)]

- Shall maintain accurate and contemporaneous written records that document all student attendance and make these records available for audit and inspection. [Ref. California Education Code Section 47612.5(a)]
- Shall, on a regular basis, consult with its parents and teachers regarding the Charter School's education programs. [Ref. California Education Code Section 47605(c)]
- Shall comply with any jurisdictional limitations to locations of its facilities. [Ref. California Education Code Section 47605-47605.1]
- Shall promptly respond to all reasonable inquiries from MDUSD or the Superintendent of Public Instruction, including, but not limited to, inquiries regarding CVCHS financial records [Ref. California Education Code Section 47604.3]
- Shall comply with all laws establishing the minimum and maximum age for public school enrollment. [Ref. California Education Code Section 47612(b), 47610]
- Shall comply with all applicable portions of the No Child Left Behind Act.
- Shall comply with the Public Records Act.
- Shall comply with the Family Educational Rights and Privacy Act.
- Shall comply with the Ralph M. Brown Act.
- Shall meet or exceed the legally required minimum of school days.[Ref. Title 5 California Code of Regulations Section 11960]
- Shall not require any child to attend CVCHS nor any employee to work at CVCHS
- Shall comply with Education Code Section 41365 (Revolving Loan Fund) and all provisions of Education Code Section 47611 (State Teachers Retirement System and Public Employees Retirement System)

Neil McChesney, Co-Lead Petitioner

Date

Pat Middendorf, Co-Lead Petitioner

Date

ELEMENT 1

The Educational Program

A description of the educational program of the school, among other things, to identify those whom the school is attempting to educate, what it means to be an "educated person" in the 21st century, and how learning best occurs. The goals identified in the program shall include the objective of enabling students to become self-motivated, competent, and lifelong learners.

If the proposed school will serve high school students, a description of the manner in which the charter high school will inform parents about the transferability of courses to other public schools and the eligibility of courses to meet college entrance requirements. Courses offered by the charter school that are accredited by the Western Association of Schools and Colleges may be considered transferable and courses approved by the University of California or the California State University as creditable under the a to g admissions criteria may be considered to meet college entrance requirements.

California Education Code Section 47605 (b)(5)(A)(i-ii)

Description of the Educational Program

The address of the Clayton Valley Charter High School is 1101 Alberta Way Concord, CA 94521.

The contact people are Conversion Co-Facilitators, Neil McChesney and Pat Middendorf.

The number of rooms is 85.

The grade configuration is 9-12.

The approximate number of students is 1,860.

The opening date will be August 2012

Mission

The mission of Clayton Valley Charter High School (CVCHS) is to unite our stakeholders, including students, teachers and staff, parents, and community members, in a common goal to diligently prepare all students for success in the 21st Century. We believe in instilling timeless principles and fostering a culture of excellence with **RIGOR, RELEVANCE & RELATIONSHIPS.**

Shared Vision for Clayton Valley Charter High School

The goal of the students, teachers, staff, parents, and community members of Clayton Valley Charter High School is to have the flexibility to develop and sustain traditional and innovative programs and practices that will promote student acceleration in all academic, social, and civic areas to prepare them for entrance into the global community as skilled participants ready to achieve their post-secondary goals.

CVCHS will improve student achievement by the following:

- GOAL 1: Establish a positive, professional, productive, and innovative culture
- GOAL 2: Ensure that all students receive a challenging curriculum that will prepare them for post-secondary education, career training, and the workplace of the 21st Century
- GOAL 3: Increase student responsibility and respect for others and the learning process
- GOAL 4: Establish, implement, evaluate, and revise (as needed) grade level/subject content and performance standards
- GOAL 5: Be committed to constant improvement by taking advantage of professional development opportunities and implementing best practices
- GOAL 6: Maintain and improve school safety and campus security

Clayton Valley Charter High School has a unique community and staff made up of alumni and involved stakeholders who are committed to offering the highest academic standards, while sustaining a nurturing and safe school environment. This vision embodies the continuing principles of the CV “Do the Right Thing Program” of Respect, Responsibility, Kindness, Self-Discipline, Integrity, and Courage. We believe that as an independent charter school, we will be able to make the changes needed to meet all of our students’ needs to enable pupils to become self-motivated, competent, lifelong learners.

As an independent charter we wish to further strengthen the academic standards and opportunities on campus, to operate economically and efficiently, to be responsive to the needs of our student body and parents, to reward excellence in instruction, to make timely and continuous advances in technology, and to promote character and personal development in our students. We wish to respond to all of our students’ needs, including our special needs population, and to emphasize service and leadership among our students, staff, and parents.

This charter petition will be effective as of the date of approval and will petition for a period of five (5) fiscal years. All fiscal arrangements outlined in this proposal are to be open to review and improvements in conjunction with school needs and, when appropriate, collective bargaining units.

While CVCHS wishes to become a directly funded charter school, it does not wish to completely separate itself from MDUSD, but would rather maintain a common goal of community partnership and goodwill. Shared best practices and new ideas for the success of all students in MDUSD is a CVCHS priority.

CVCHS will serve all students within attendance area (up to capacity of the school) and would like to become the school of choice for all the students in our community.

CVCHS would like to raise the bar of expectation for every student on campus. Our goal is to succeed at higher and higher levels of rigor and performance. We believe the charter will give us greater flexibility and control of our educational program and environment. We believe it will allow us to make important modifications in the next five years.

It is our intent to develop a curriculum and schedule that support academic success for all students. Our educational program will test and evaluate each student while tutoring, reviewing, remediating, and making every effort to have “no child left behind.”

It is also our intent to create a transition program for all incoming students. This program could be required as entrance to the charter or as a freshman pathway with specified curriculum. We want to foster a high school environment with elevated standards of behavior, dress, and mutual respect for one another as well as respect for authority.

We will develop a plan for professional development for our teachers and staff that promotes clear standards of instruction and provides adequate support to become a faculty of proficient and committed teachers and staff.

We will examine our facilities on a regularly scheduled basis to ensure a safe campus that promotes a clean, healthy, and nurturing environment. We will review all guidelines on an ongoing basis to make sure our campus is not overcrowded or under-supervised.

We will set spending priorities that reflect the particular needs of our community. We will be committed to budget management and will put fiscal responsibility as one of our highest priorities.

By implementing this charter, we are affirming our commitment to a rigorous, relevant high school experience for all of our students. We are committed to establishing a united relationship with all of the stakeholders of our community - its students, teachers and staff, parents, and community members.

Current Data And Demographics

Student Enrollment by Grade Level (School Year 2009–10)

Grade Level	Number of Students
Grade 9	565
Grade 10	489
Grade 11	404
Grade 12	410
Total Enrollment	1,868

Student Enrollment by Group (School Year 2009–10)

Group	Percent of Total Enrollment	Group	Percent of Total Enrollment
Black or African American	3.5%	White	65.0%
American Indian or Alaska Native	0.9%	Two or More Races	0.2%
Asian	7.2%	Socioeconomically Disadvantaged	14.5%
Filipino	4.2%	English Learners	4.4%
Hispanic or Latino	18.4%	Students with Disabilities	7.8%
Native Hawaiian/Pacific Islander	0.5%		

Average Class Size and Class Size Distribution

This table displays, by subject area, the average class size and the number of classrooms that fall into each size category (a range of total students per classroom).

Subject	2007–08				2008–09				2009–10			
	Avg. Class Size	Number of Classrooms			Avg. Class Size	Number of Classrooms			Avg. Class Size	Number of Classrooms		
		1-22	23-32	33+		1-22	23-32	33+		1-22	23-32	33+
English	24.3	35	31	10	23.7	41	25	17				
Mathematics	24.8	35	20	12	22.5	43	5	22				
Science	28.3	3	40	2	21.5	21	40	1				
Social Science	33.0	2	16	31	28.5	9	24	28				

Suspensions and Expulsions

This table displays the rate of suspensions and expulsions (the total number of incidents divided by the total enrollment) at the school and district levels for the most recent three-year period.

Rate	School			District		
	2007-08	2008-09	2009-10	2007-08	2008-09	2009-10
Suspensions	7.4	6.4	13.3	14.5	15.4	14.6
Expulsions	0.1	0.0	0.2	0.2	0.2	0.2

Expenditures per Pupil (Fiscal Year 2008-09)

This table displays a comparison of the school's per pupil expenditures from unrestricted (basic) sources with other schools in the district and throughout the state.

Level	Total Expenditures Per Pupil	Expenditures Per Pupil (Supplemental / Restricted)	Expenditures Per Pupil (Basic / Unrestricted)
School Site	\$7,849.12	\$2,912.06	\$4,937.05
District	N/A	N/A	\$4,835.41
Percent Difference – School Site and District	N/A	N/A	2.10%
State	N/A	N/A	\$5,681
Percent Difference – School Site and State	N/A	N/A	-13.10%

Student Performance

Standardized Testing and Reporting Results for All Students – Three-Year Comparison

This table displays the percent of students achieving at the Proficient or Advanced level (meeting or exceeding the state standards).

Subject	School			District			State		
	2007-08	2008-09	2009-10	2007-08	2008-09	2009-10	2007-08	2008-09	2009-10
English-Language Arts	55	62	62	51	55	56	46	50	52

Mathematics	25	30	28	45	47	49	43	46	48
Science	48	58	59	51	54	57	46	50	54
History-Social Science	44	56	53	40	46	48	36	41	44

Standardized Testing and Reporting Results by Student Group – Most Recent Year

This table displays the percent of students, by group, achieving at the Proficient or Advanced level (meeting or exceeding the state standards) for the most recent testing period.

Group	Percent of Students Scoring at Proficient or Advanced			
	English-Language Arts	Mathematics	Science	History-Social Science
All Students in the LEA	56	49	57	48
All Students at the School	62	28	59	53
Male	57	29	61	59
Female	68	26	56	46
Black or African American	50	8	*	35
American Indian or Alaska Native	*	*	*	*
Asian	71	40	81	63
Filipino	57	29	60	59
Hispanic or Latino	47	16	36	41
Native Hawaiian or Pacific Islander	*	*	*	*
White	67	30	65	55
Two or More Races				
Socioeconomically Disadvantaged	41	15	24	35
English Learners	3	11	7	7
Students with Disabilities	22	13	7	27
Students Receiving Migrant Education Services				

California High School Exit Examination Results for All Grade Ten Students –
Three-Year Comparison

This table displays the percent of students achieving at the Proficient or Advanced level in ELA and mathematics.

Subject	School			District			State		
	2007–08	2008–09	2009–10	2007–08	2008–09	2009–10	2007–08	2008–09	2009–10
English-Language Arts	64.9	71.2	72	60.5	63.1	61.5	52.9	52.0	54.0
Mathematics	62.0	73.0	63.6	58.0	61.7	56.7	51.3	53.3	53.4

California High School Exit Examination Grade Ten Results by Student Group –
Most Recent Year

This table displays the percent of students, by group, achieving at each performance level in ELA and mathematics for the most recent testing period.

Group	English-Language Arts			Mathematics		
	Not Proficient	Proficient	Advanced	Not Proficient	Proficient	Advanced
All Students in the LEA	39	26	34	44	36	20
All Students at the School	28.3	31.0	40.7	36.9	39.3	23.8
Male	31.0	30.6	38.4	30.5	41.1	28.4
Female	25.4	31.5	43.2	43.8	37.3	18.9
Black or African American	*	*	*	63.6	36.4	0.0
American Indian or Alaska Native	*	*	*	*	*	*
Asian	10.3	34.5	55.2	10.3	34.5	55.2
Filipino	42.9	23.8	33.3	28.6	38.1	33.3
Hispanic or Latino	37.0	41.3	21.7	50.5	37.6	11.8
Native Hawaiian/Pacific Islander	*	*	*	*	*	*
White	25.5	28.0	46.5	33.9	40.8	25.3
Two or More Races						

Socioeconomically Disadvantaged	42.9	41.3	15.9	67.2	28.1	4.7
English Learners	80.0	17.1	2.9	80.0	17.1	2.9
Students with Disabilities	83.9	16.1	0.0	90.6	6.2	3.1
Students Receiving Migrant Education Services						

Accountability

Academic Performance Index Ranks – Three-Year Comparison

API Rank	2007	2008	2009
Statewide	7	7	7
Similar Schools	1	1	1

Academic Performance Index Growth by Student Group – Three-Year Comparison

Group	Actual API Change		
	2007–08	2008–09	2009–10
All Students at the School	11	26	5
Black or African American			
American Indian or Alaska Native			
Asian			
Filipino			
Hispanic or Latino	52	16	20
Native Hawaiian/Pacific Islander			
White	1	30	2
Two or More Races	N/A	N/A	
Socioeconomically Disadvantaged	42	39	-12
English Learners			
Students with Disabilities	35	43	-19

Academic Performance Index Growth by Student Group – 2010 Growth API Comparison

This table displays, by student group, the 2010 Growth API at the school, LEA, and state level.

Group	2010 Growth API		
	School	LEA	State
All Students at the School	776	784	767
Black or African American		694	686
American Indian or Alaska Native		799	728
Asian	822	876	890
Filipino		843	851
Hispanic or Latino	703	692	715
Native Hawaiian/Pacific Islander		718	753
White	787	840	838
Two or More Races		754	808
Socioeconomically Disadvantaged	687	684	712
English Learners		662	692
Students with Disabilities	597	617	580

Adequate Yearly Progress Overall and by Criteria (School Year 2009–10)

This table displays an indication of whether the school and the district made AYP overall and whether the school and the district met each of the six AYP criteria described above.

AYP Criteria	School	District
Overall	No	No
Participation Rate - English-Language Arts	Yes	Yes
Participation Rate - Mathematics	Yes	Yes
Percent Proficient - English-Language Arts	Yes	No
Percent Proficient - Mathematics	No	No
API	Yes	Yes
Graduation Rate	Yes	Yes

Dropout Rate and Graduation Rate

This table displays the school's one-year dropout rates and graduation rates for the most recent three-year period for which data are available. For comparison purposes, data are also provided at the district and state levels.

Indicator	School			District			State		
	2006–07	2007–08	2008–09	2006–07	2007–08	2008–09	2006–07	2007–08	2008–09
Dropout Rate (1-year)	3.0	3.1	1.4	6.0	6.1	6.0	4.4	3.9	4.5

Graduation Rate	92.0	85.2		85.9	76.7		80.6	80.2	
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Current Challenges and Opportunities

CVCHS inherits a number of obstacles embedded both in its culture and its student outcomes.

Standardized testing and reporting results by student group and CVHS, as reflected in the chart above, indicate a particular challenge in the area of math. In addition, students with special needs are particularly challenged by the current programs at CVHS in the area of math and English. These challenges currently exist due to a lack of consistent programs for intervention. CVCHS will develop an innovative standards-based education system for all students that stresses individualized instruction and accountability with interventions calibrated at grade levels in order to improve academic as well as CST and CAHSEE scores.

We believe that there is at present a sense of low morale and disenfranchisement, and that this climate is having a significant negative impact on student achievement. Teachers report frustration with communication, use of staff time, accountability, lack of meaningful professional development, and more. Mandated tasks are overshadowing tasks that site staff perceives as more relevant. The current structure does not allow focused attention. So many issues are being examined concurrently that stakeholders feel none are being addressed effectively. Collaboration regarding essential concerns lags as efforts are spread thin.

Charter school status will allow us to address the negative trends in test scores as well as graduation and drop-out rates. The autonomy in fiscal management, scheduling, and curricular and instructional opportunities will empower CVCHS to better meet student needs through focused collaboration. CVCHS will empower staff to identify skills and strategies necessary for their professional advancement and pursue opportunities to provide appropriate instruction.

Whom the School Shall Educate

The target student population for CVCHS includes the students currently attending Clayton Valley High School ("CVHS") in grades 9-12 (described above), their siblings, and those students in our attendance area, as well as all others, who wish to attend the school, subject only to capacity. CVHS is becoming more and more diverse, and it is our intention that CVCHS will maintain and increase the diverse ethnic make-up of our student body. Enrollment typically comes from the traditional attendance area neighborhoods and feeder middle schools (Pine Hollow Middle School and Diablo View Middle School). To the extent there are more applicants than capacity, attendance, except for existing students of the school, shall be determined by public random drawing. CVCHS will give preference for the former attendance area in the public

random drawing, but will make every effort to continue to recruit a student body reflective of District demographics. Education will be accessible to all students, including mid-range students, students achieving at a level significantly below their peers, gifted and talented students, students receiving special education or related services, limited English proficient students, and students who are members of ethnic groups under-represented in colleges and universities. We also intend to recruit those high school students living in the CVHS attendance area who attend other area high schools. Many local families elect alternative educational options such as private schools and home schooling. We seek to attract the families within the school's surrounding neighborhoods who have elected to go elsewhere for high school instruction.

Accreditation and Transferability of Courses

When it opens, CVCHS will operate under the accreditation already granted to CVHS through the Western Association of Schools and Colleges (WASC). CVCHS will continue to be accredited through WASC. This accreditation ensures that the academic program is acceptable and transferable to other high schools and universities. CVCHS plans to collaborate with the University of California (UC) and the California State University (CSU) representatives to establish an articulation agreement that will ensure CVCHS offers approved classes that meet the entrance requirements of both university systems. CVCHS will have an administrator and a college specialist who will communicate with colleges, universities, and other schools regarding acceptable courses. All courses are designed to meet State standards and will be designed to meet National (Common Core State) Standards upon their adoption, and therefore be transferable to public high schools in accordance with local policies. CVCHS shall inform parents of the transferability of courses to other public high schools and to meet college entrance requirements at least once annually during the mandatory parent registration.

What It Means To Be a Successful CVCHS Student – What does it mean to be an educated person in the 21st Century?

We believe that educated persons in the 21st Century can critically assess various situations; apply synthesized information in real-world context; use problem-solving skills; and access, organize, and evaluate knowledge and information. They are civic-minded, responsible, technologically competent, proficient in the California State Content Standards, and capable of communicating effectively in a swiftly advancing and skilled local and global society.

Upon graduation, our students will demonstrate:

- Knowledge and skill in both core and non-core disciplines as defined by California State Content Standards and frameworks and by CVCHS
- Cognitive and learning skills that will enable them to succeed in college and other post-secondary settings

- Values that will enable them to be productive and responsible citizens, personally invested in their roles as members of local and global communities
- Talents and abilities acquired through a variety of learning opportunities that prepare them to reach their educational, career, personal, and social goals
- A sound basis of knowledge and vocabulary in disciplines critical to the survival of U.S. culture, society, and democracy
- Mastery of Standard American English
- Proficiency in a variety of written, spoken, and technological formats
- The ability to recall, comprehend, apply, analyze, synthesize, and critically evaluate a wide variety of information
- Application of numeracy skills and mathematics to various disciplines
- Appropriate use of the scientific method and methods of historical inquiry
- Appreciation of the visual and performing arts as an expression of culture and society
- Awareness of strategies to ensure their own physical, emotional, and social health and well-being
- The capacity to reflect critically and make ethical choices for their own and society's benefit

Educated people must become self-directed learners who recognize that learning is a lifelong process not restricted to the classroom. The staff at CVCHS will model what it means to be an educated person in the 21st century through its commitment to the pursuit of lifelong learning.

How a CVCHS Student Will Learn – How does learning best occur?

CVCHS believes in an innovative, standards-based education system for all that stresses individualized instruction and accountability. The educational system we envision for CVCHS develops reasoning ability, provides maximum time in meaningful learning activities that students can apply to a variety of learning and performance contexts, develops reading and writing for content area literacy, ensures acquisition of math skills, and integrates technology for learning so that students are prepared to compete in a technologically advancing society. Our goal is to improve achievement and engagement for students at all ability levels through a standards-based education that responds to the needs of students using differentiated and data-proven instructional methods. We are committed to ensuring that ALL students, regardless of ability and achievement levels or racial, cultural, socio-economic and linguistic backgrounds, are provided with a meaningful, content rich, thinking-centered, standards-based educational experience that will provide them with appropriate skills for post-secondary education and careers.

CVCHS embraces innovative teaching methodologies, proven best practices, ongoing professional development, reflection and discussion of student achievement data and corresponding adjustments to teaching practice, flexibility and transparency in an educational organization to ensure student growth and high levels of academic

achievement. In addition to our belief that all students can learn and perform at high levels, we also embrace student learners of all ability levels and types. We will provide opportunities for students of all ability levels to demonstrate growth and mastery of a variety of skills and trades to prepare them for success in post-secondary life.

CVCHS believes that learning occurs best in an environment in which these four questions are the core of decision-making:

- What do we want our students to learn?
- How will we determine if students have learned?
- What will we do if students have not learned?
- What will we do for students who exceed the standards?

CVCHS will address these questions by:

- Expecting all students to master the same rigorous, relevant, standards-based curricula
- Ensuring all students have access to the core curricula and to qualified certificated personnel
- Using course-specific common assessments to determine if students are learning specific standards and to facilitate the sharing of best practices among faculty
- Using multiple, authentic, and valid forms of assessment within each course to meet individual needs, including formative as well as summative assessments
- Developing school wide systems for timely identification of students who are not achieving
- Developing and implementing systemic and directive responses for intervention that is targeted and standards-aligned
- Placing students in intervention programs based on specific, recent data about student progress that will be frequently assessed with clear exit criteria set and applied
- Providing more flexible periods of instruction
- Emphasizing student learning and achievement in staff development
- Ensuring faculty collaboration in teams dedicated to improving student achievement and providing time within the school day for these efforts
- Maintaining an adaptive, flexible, democratic, and transparent governance and organizational structure that ensures shared decision-making and input from all stakeholders on educational issues and promotes student achievement
- Creating and maintaining strong partnerships with middle schools, colleges, and community

In addition, CVCHS will ensure that:

- Instructional resources support state content standards and are culturally, linguistically, and developmentally appropriate for every student.
- Teachers maintain high expectations for the learning of rigorous content, differentiate instruction for varied learning styles and varied ability levels, and provide students multiple opportunities to learn and demonstrate their learning.
- Students have opportunities to select and be placed into academically appropriate courses reflective of their abilities and needs.
- Current learning academies at CVHS, including the Clayton Arts Academy, the Public Service Academy, and the Engineering Academy, are maintained.
- Students are encouraged to challenge themselves with a variety of learning experiences and within a variety of learning contexts.
- Educators understand and apply strategies for closing the achievement gap.
- All students have access to learning paths that support college and career goals.

Core Academic Program

A guiding principle of CVCHS will be that all of its students can learn, a premise recognized in the federal *No Child Left Behind* (NCLB) legislation. The goal of CVCHS is to transform its educational programs to provide enhanced prospects for different kinds of learners – to give learners access to a rich and challenging curricula and opportunities to understand concepts, demonstrate proficiency, and build a solid foundation for future success. We believe we can achieve this goal more effectively as an independent charter school than as a branch of an educational system that is constrained by the need to maintain instructional and financial customs and practices that limit the resources available to achieve optimal student achievement.

Although CVCHS will continue to offer the full catalogue of courses necessary for a college preparatory high school, we will implement practices that increase access for all students to curriculum. Those practices will include innovative teaching methodologies, proven best practices, and review of course offerings to reflect a changing world.

CVCHS will take advantage of the flexibility afforded charter schools to expand opportunities for learning. For example, CVCHS would have the option to modify traditional time structures to aid student success by considering flexible calendars, schedules, and programs such as enrichment and intervention extended day classes; intersession's; on-line tutorials; high school preparation camps; advisory classes; block scheduling; trimester system; freshman parent and student orientation; and strongly encouraged parental participation through donation of time, expertise, supplies, or other involvement opportunities. By year two of operation, the school will implement a summer program for incoming students.

CVCHS will provide a rigorous, traditional program of instruction while also allowing the school the freedom to innovate and evolve as determined by student needs with modifications as indicated by analysis of pertinent data. Emphasis will be placed on

ensuring powerful learning as informed by instructional methodologies; selection of curricula, materials, and activities; equal access to curricula and instruction; focused preparation for freshmen; assessment; intervention; and professional development. These educational components are delineated below.

Instructional Methodologies

Within the Core Academic Program, CVCHS plans to use research-based instructional methodologies including, but not limited to:

- The use of technology in the classroom for information delivery and to facilitate and demonstrate student mastery of skills and knowledge through Power Point, Smartboard, and relevant video presentations
- Career-technical education hands-on experiential learning
- Project-based instruction and strategies for assessing through multiple modalities
- Interdisciplinary projects
- Integrated instruction between classroom teaching and experiential learning such as field trips and assemblies
- Independent research projects/independent study units and extension activities
- Team teaching across grade levels and subject areas with common pacing and assessments
- The enhancement of existing courses to address prerequisite standards (vertical alignment) – do you develop existing courses
- Analysis of student achievement data with students and discussion of implications for student learning and goals
- Community building by using class debates, simulations, and role playing
- Common grade level assignments and rubrics
- Common grade level quarterly and semester assignments and assessments
- Aligned grading scales within departments Intervention techniques for low-achieving students to include pairs learning, cooperative learning, peer tutoring, and best practice support for underperforming students
- Differentiated instruction and scaffolding for gifted, EL, and special populations
- Establishing reading groups and literature circles and/or sustained silent reading or self-selected reading
- Accessing writing process components by using journaling, graphic organizers, and Cornell notetaking
- Socratic seminars

Selection of Curricula, Materials, and Instructional Activities

Curricula, materials, and instructional activities will be selected by individual departments and CVCHS curricular teams in accordance with State and National standards. Department chairs facilitate the selection of instructional materials, with input from their respective departments. Each department develops its curricula to comply with State and National standards and the University of California (UC) and California State University (CSU) a-g requirements.

Algebra 1

Currently, a large number of our students taking Algebra 1 fail the entire course. Since math is a discipline in which skills build upon other skills, students failing to master initial steps fall behind and spend the remainder of the course attempting to relearn concepts that later units require for mastery. Our math teachers have been exploring ways to help these students. One strategy has been to have students who fail the first semester repeat that course during the second semester, but we feel we can and must do more. Another strategy we will try, perhaps of highest priority, is flexible scheduling. The math teachers believe students will be more successful with a 60 minute class meeting daily, rather than a 120 minute class that meets every other day or three times per week. It is critical to have daily contact with math students who are at risk to fail.

The flexibility possible in being a charter school enables us to explore alternative strategies proven successful in other settings. For instance, as our math teachers consider effective programs, they may consider offering a two-year Algebra class that covers all 25 Algebra 1 standards for students who need a slower pace and more scaffolding. Our math teachers may also consider a program that requires students in the year-long Algebra 1 course to take department-created benchmark assessments four times a year. These benchmark assessments will be used to identify students for placement in an intervention program. Successful completion of the program may lead to a grade increase for the student.

Additionally, a charter school offers the flexibility of using a variety of instructional materials for meeting the needs of struggling Algebra 1 students. These materials include, but are not limited to, Kuta Software, Algebra with Pizzazz, and online resources.

Lastly, as the charter continues and as resources allow, we will explore the possibility of reducing class size in Algebra 1.

Ensuring Equal Access to Curricula and Instruction

Research indicates that minority and economically disadvantaged students have been underserved in tracking systems, formal and informal, in which expectations for their academic success are low. A diverse environment, comprised of a spectrum of students from the lower-performing to the high-achieving, has been shown to enhance learning

for all students when a challenging and enriched curriculum is presented. All students will have the opportunity to move into honors or Advanced Placement classes. While not every student in heterogeneous classes will perform at the honors level, all students will benefit from exposure to a rigorous curriculum.

Ensuring Optimal Preparation for Entry into a Rigorous Learning Environment

CVCHS plans to develop a program for incoming freshmen in order to prepare them for success. A summer transition program will be developed that may be between one and four weeks that will remediate and provide enrichment to appropriate students. Ninth grade pathways will also be considered to prepare students for the rigors and requirements of higher level learning.

Professional Development

Professional development helps staff as well as students to attain high levels of achievement. CVCHS believes that professional development is an integral part of the school and takes place in many forms and settings. We also believe that staff input regarding professional development needs and structure is essential. In-service meetings, off-site professional conferences, workshops, hands-on technology demonstrations, and guest speakers in all disciplines will be used to educate, stimulate, and inspire personnel. Collaboration among faculty will facilitate effective standards-based instructional practices, effective classroom management strategies, and acquisition of best practices. Professional collaboration time will be built into the professional development schedule to allow brainstorming of new ideas and programs. There will be a systematic analysis of student achievement data in order to drive programs and practices. A combination of these elements within CVCHS professional development and staff collaboration will help ensure success for all stakeholders and will improve student achievement. CVCHS envisions a professional development system that addresses the specific needs of faculty and students working toward mastery of State standards and high academic and personal achievement. All professional development supports an instructional program that is standards-based, academically rigorous, founded upon research, and uniformly available to all students.

Professional Development will be created based on the following principles:

- Professional development arises out of student, faculty, and community needs and focuses on data-proven effective instructional practices.
- Curriculum and instruction arising out of professional development are appropriate and relevant to the school community.
- Professional development focuses on building instructional practices that will reduce the drop-out rate, engage learners at all levels, and empower teachers to develop a variety of diverse instructional methods.

- While professional development related to state-adopted materials is important for staff, professional learning also focuses on materials and strategies designed to close the teaching-learning gaps.
- Instructional improvement occurs in an environment of collegiality, caring, and respect for all students and the adults working to meet their needs.

We also believe that instructional change is a long, multi-stage process; shared expertise can drive instructional change; the focus is on system-wide improvement; good ideas come from talented people working together; and clear expectations and responsibility for achieving them are shared by all.

Individuals and teams of teachers from every department will regularly attend conferences, workshops, and demonstration sites to participate in gathering information on innovative strategies for improving student mastery of the skills and content required for promotion. These teachers will share their findings during professional development days with their departments and/or interdisciplinary groups. Additionally, CVCHS staff will develop a mechanism to disseminate best practices of educators from other schools. Faculty will meet regularly in department, course-alike, or interdisciplinary committees to examine student work, analyze and assess the effectiveness of curricula and instruction, and redesign accordingly.

Recognizing that the school community benefits from all participants being educated in best practices, including mastery of up-to-date technology. Classified personnel will also have access to professional development that best meets their needs.

Faculty professional development topics could include:

- Best practices
- Creating common assignments and rubrics
- Creating common quarterly and semester assignments
- Aligning grading scales
- Intervention techniques for low-achieving students
- Differentiating instruction for gifted learners
- Differentiating instruction for EL learners
- Using technology in the classroom
- Creating interdisciplinary projects
- Course-alike teams creating pacing plans
- Vertical teams creating curricular steps and unit plans
- Innovation in the classroom
- Teaching strategies for multiple modalities
- Analysis of student achievement data
- Analysis of implications of achievement data for instructional methods
- Providing latest information available in special education topics, emphasizing best practices and strategies for teaching students with disabilities

- Creating mentoring programs for at-risk students
- Community-building
- Sharing opportunities for growth within disciplines: upcoming conferences, research, lecture/seminar series, etc.
- Developing a structure for peer observation and feedback
- Field-trip how-to's
- Developing assemblies and performances for students
- Accreditation
- Improving the instructional program
- Parent involvement
- School community communication among and between all stakeholder groups

Resources

CVCHS believes that resources should be allocated to enhance student achievement.

CVCHS will ensure that:

- All teachers are highly qualified and effective in developing and delivering curriculum and instruction in ways that encourage each student to meet and/or exceed proficiency in state standards.
- All administrators are highly qualified and effective, as defined by the standards in the California Professional Standards for Educational Leaders.
- Curricular materials are available, adequate, aligned to State and National standards, and culturally, linguistically, and developmentally appropriate.
- A variety of interventions are available to meet students' learning and achievement needs and to help students reach and/or exceed proficiency in State and National standards.
- Technology is adequate, available, and supportive of the learning process.
- All students have access to safe and up-to-date classrooms and learning labs.
- All students have equal access to resources.
- Facilities and grounds are safe, clean, and well maintained to ensure access to school resources.
- Materials and other resources are monitored to ensure they are allocated to students for whom they were intended.
- Accurate records are maintained to ensure an accountable and transparent system of resource allocation.
- Stakeholders annually review and reflect upon resources allocated and make adjustments according to student and community needs.

Leadership

CVCHS realizes the need for strong leadership to address the individual learning needs of all students. Improved student achievement requires shared leadership, both formal and informal, and shared accountability from staff, parents, students, and community.

CVCHS will ensure that:

- Educators are invested in a shared vision to develop policies, programs, and practices that ensure the achievement of under-performing students.
- Educators are encouraged to collaborate, research, test, and evaluate data-proven instructional methods to ensure high levels of student achievement.
- School leaders facilitate the reaching of decisions through a participatory process that encourages input, includes and respects all parties, and generates as much agreement as possible.
- Educators attain a higher level of cultural sensitivity by school leaders providing information and resources leading to educational equity and high achievement for all students and closing the gaps that currently exist among identified student groups.
- School leaders engage community partners to provide resources to meet the educational needs of student groups and provide opportunities for students to learn and demonstrate skills within a real-world context.
- We engage community members as resources for implementing policies and practices to assist all students to meet or exceed State and National standards.
- Our leadership is guided by our vision that all students can achieve high standards, personal accountability, and academic excellence.
- We embrace changing demographics as opportunities to assess and adapt to the evolving needs of our students.

Environment

CVCHS will provide an environment conducive to high student achievement and a customized and accountable learning program. It is safe, orderly, and supportive. CVCHS provides a variety of extra-curricular activities, clubs, and athletics to serve the social, emotional, and physical needs of students. School wide standards for student behavior are perceived by students and staff members to be fair and equitably enforced. Instances of vandalism and violence on campus are dealt with in a timely manner. Student absenteeism and dropout rates are systematically addressed through appropriate personnel and interventions. All adults and students demonstrate collaboration and mutual respect.

Bell Schedules

CVCHS may decide to modify the regular day bell schedule from the current CVHS bell schedule to meet needs of students to access necessary or supplemental instruction and the needs of staff to collaborate. A modified schedule will also offer flexibility for working students, students concurrently enrolled in college courses or technical training programs outside CVCHS, students pursuing school-approved extracurricular studies or activities, and students engaged in activities available through CVCHS's university and community partnerships.

As a charter school, we have the opportunity to offer flexibility in scheduling so that our students can engage in a variety of activities to support their individualized instructional programs. We may also consider establishing college course options on our campus. In this way, students' school days are varied, individualized, relevant, and tailored to their academic needs and post-secondary goals. They can earn university credits, take more advanced and career-oriented courses, and accelerate their learning to reach high school graduation. By addressing their individualized needs, we will be striving to stem the drop-out rate to prevent the loss of students whose needs go unmet in traditional educational spheres.

Students taking intercession courses at universities would be considered for specialized schedules in the spring semester at CVCHS in order to accommodate their enrichment studies. We could also investigate the creation of flexible schedules to enable students to graduate from high school with an AA degree, if desired.

CVCHS' goal is to prepare our students for post-secondary education and careers. Our ROP and Internship programs can be expanded in order to provide the Capstone level education required by California's Technical Education standards and requirements.

While we believe that altering the time structure at CVCHS in and of itself will not improve classroom practices and student learning, we believe that alternative models of time should be examined and may be more conducive to the diverse academic needs of our student body. We do not believe "one size fits all" works for all students and we will investigate alternative schedules to stem the drop-out rate and provide opportunities for success for all students.

We also believe that in order for educators to learn from one another, time must be set aside during the school day for certificated personnel to meet and reflect both in smaller learning communities for interdisciplinary study and collaboration as well as within departments for vertical teaming, curriculum discussion, and professional development.

A bell schedule will be developed by staff and adopted by the Governing Board no later than January 13, 2012.

Calendar

While we are committed to ensuring that the legally required minimum number of instructional minutes and school days are offered per Education Code Section 47612.5 and Title 5 California Code of Regulations Section 11960, we may choose to alter our calendar to better meet the academic needs of our students. Many in our community - certificated personnel, parents, and students - believe that the weeks following winter break leading up to final exams are difficult at best, and that much of the momentum from the fall semester is lost. We would also consider setting a constant date frame for the spring break to establish year-to-year consistency as well as to ensure offering a break for staff and students based on weeks of instruction rather than the changing date of Easter.

At present, our school year begins in late August and ends in early June. The CVCHS school community will investigate setting the school calendar closer to university calendars in order to allow for the first semester to conclude prior to winter break. Part of winter break would be used for intervention and enrichment, with the spring semester possibly beginning in mid-January.

A school calendar will be adopted by the Governing Board no later than January 13, 2012.

Summer School

CVCHS may operate its own summer school in a format that runs between four to six weeks as determined by our Governing Board. Students would be able to earn up to 10 credits during summer school. We will continue to explore alternative summer school schedules in order to create a summer session in which the instructional time more closely resembles that of the traditional yearlong course (minimum of 180 hours).

In this possible CVCHS summer session, we will strive to offer courses reflective of core curriculum graduation requirements including math, English, science, social science, fine and technical arts as well as additional enrichment and intervention courses designed to accomplish the following:

- Provide all students, but particularly low-performing students, specially designed preparation programs that build their interest in and access to advanced courses
- Provide traditional and expanded intervention and enrichment courses

Intervention courses would include core classes required for graduation. Enrichment courses would be added as the budget will permit.

Winter Session

CVCHS will investigate the creation of a winter session intensive study program to help students complete needed courses and receive intervention through acceleration and preparatory curriculum. We strongly believe that students placed in courses without the requisite skills are destined to fail. To encourage all students to achieve and progress at their ability level, we are committed to providing diverse and flexible learning opportunities for all students, particularly those from underrepresented backgrounds and those with a history of low performance. Programs will be instituted where funding is available.

Graduation Requirements and Course Sequences

All students will be required to accumulate a minimum of 200 credits the first year of the charter (as is required currently by MDUSD) and our goal will be to increase to 230 credits in grades nine through twelve, pass the CAHSEE, and meet proficiency standards as determined by the State of California to graduate with a diploma by the fourth year in operation. As a school community, CVCHS will decide the required coursework for graduation but are considering the following required coursework by the fourth year in operation:

English:	40 credits
College Preparatory Math:	20 credits
Laboratory Science:	20 credits
Life Science:	10 credits
Physical Science:	10 credits
Social Science:	30 credits
World History:	10 credits
US History:	10 credits
Economics/Government:	10 credits
Visual and Performing Arts:	10 credits
Foreign Language:	20 credits
Technical Arts:	10 credits
Health:	5 credits
Life Skills or Other Option:	5 credits
Physical Education:	20 credits
<u>Electives:</u>	<u>50 credits</u>
TOTAL:	230 credits

Credit may be earned only in classes not previously passed. Repeat classes do not replace previously earned grades; therefore, all grades are averaged for determination of GPA. Students taking honors and Advanced Placement courses will earn extra grade points as determined by the CVCHS Governing Board.

Graduation requirements may change as determined by the Governing Board.

Parent and Community Involvement

CVCHS recognizes the fundamental role that parents and family play in student achievement, and believes that parent expectations represent a key ingredient that drives student success. We believe that education is successful when there is an ongoing partnership between the school and home. Research shows that the number one indicator of student success is not primary language, race, gender, or economic class, but the extent to which parents are involved in their student's education. When parents are actively involved in their children's schooling:

- Students show higher test scores
- Attendance rates improve
- Fewer placements in special education occur
- Attitudes towards school and behavior improve
- Graduation rates increase
- Teacher morale improves
- The school enjoys a better reputation in the community and receives more support from families
- Student achievement improves

CVCHS communicates classroom curriculum and school expectations to parents in the form of a Course Catalog Handbook and Parent and Student Handbook, both of which are sent home to each parent or guardian every summer. The CVCHS Course Catalog and Parent and Student Handbook will be updated by staff annually. Teachers also distribute course syllabi to every student with teacher expectations, grading scales, homework policies, and teacher contact information each fall. Students are required to procure parent signatures verifying that they have read and understand the class expectations.

In addition to communicating course and school expectations, CVCHS will continue to improve both the frequency and quality of parent contact. We are considering the following tools:

- Teleparent – a phone communication system that, through Situational Student Messages, provides unique, customized messages delivered in the home language of participating students. The messages include behavior, achievement, and performance information specific to each student and are selected by certificated personnel and other authorized staff. Community Outreach Messages are made each weekend and for special events. When a student is to receive a situational message and a community message, the message is combined. Emergency Calls can be made to over 1000 telephone numbers each minute during an emergency.

- Smart Attendance Calling Services – an automated system that seamlessly integrates the school’s data system to send messages to parents informing them of student absences and tardies.
- The CVCHS Web Page and CVCHS On-Line Community Forum – electronic access for parents and community members to have the opportunity to remain abreast of current school information and events.

CVCHS will develop with parents a written Parental Involvement Policy that will be updated annually. It will be distributed to all parents and available to all stakeholders – staff, parents, students, and community. We will also provide a Home-School Contract to be signed by staff, students, and parents. The contract outlines the responsibilities of the stakeholders.

Family surveys will be conducted to determine areas of greatest need for these students and their families. By partnering with local agencies and community resources, adult schools, occupational centers and community colleges, we will offer channels for students, their parents and family members to gain access to community resources that can assist with their areas of greatest need, including food and shelter, higher education, technical and job skills training, parenting classes, counseling and family support services.

CVCHS will:

- Publicize available channels of communication, including the CVCHS website, faculty email and voicemail; increasing the number of “open house” opportunities each year
- Develop a grade reporting system that provides more detailed information
- Implement a parent hotline for urgent and immediate communication and problem-solving
- Explore and use multiple methods of parental involvement, including student-teacher-parent contracts, outreach to parents of under-represented student groups, career exploration events, and mentoring programs
- Greatly expand parent education and informational programs to include contemporary adolescent issues, providing parent-access in person, by video, and by technology-driven formats
- Encourage parent volunteerism by strategically planning activities and school projects that serve to engender a sense of ownership and pride by parents and their students
- Communicate classroom curriculum to parents in the form of course descriptions, teacher expectations, grading scales, contact with teachers using conventional and technological means

English Learners

Overview of Strategies for Our English Learner Program

We believe that, with the responsibility for overseeing over 50 schools and programs, MDUSD is unable to give our English learners optimal education and support. Site-specific needs for English learners cannot be met when the District has to manage programs and services for so many schools with such varied needs, despite the extensive efforts on the part of the District's Administrator for the English Learners Program.

CVCHS will meet all applicable legal requirements for English Learners ("EL") as they pertain to annual notification to parents, student identification, placement, program options, EL and core content instruction, teacher qualifications and training, re-classification to fluent English proficient status, monitoring and evaluating program effectiveness, and standardized testing requirements. CVCHS will implement policies to assure proper placement, evaluation, and communication regarding ELs and the rights of students and parents. As a school within MDUSD, CVHS meets legal requirements; however, as a Charter School, CVCHS can significantly improve our English Learner Program.

With the autonomy possible through charter school status, CVCHS can provide daily and systemic instruction and support for our English learners, not only through our ELD program, but in all areas. CVCHS would establish the position of an English Learner Specialist to monitor and improve all aspects of our English Learner Program. The English Learner Specialist will provide training to ELD teachers on materials (currently EDGE), instruction, and standards. CVCHS will ensure time for that specialist to support all teachers with appropriate professional development; develop and implement effective parent outreach, including the creation of an English Learner Advisory Committee (ELAC) responsive to the needs of our school community; and monitor Annual Measurable Achievement Objectives (AMAO) data and help staff understand and advance based on this information.

As a charter school, CVCHS can ensure more focused and sustained professional development, especially in Specially Designed Academic Instruction in English (SDAIE) and other instructional strategies, cultural proficiency, provision of primary language support and instruction, better identification strategies for English learners who need 504 or special education services, and more. We can administer the California English Language Development Test (CELDT) and other assessments and disaggregate the resulting data in a more timely and effective manner. We can better differentiate between consistent ELD instruction and content support and make sure opportunities for both are in place. We can focus as a school community on increasing representation of English learners in programs and classes for students achieving at higher levels. The autonomy possible in scheduling, spending, and hiring would allow us the opportunity to create site expertise in successful English learner instruction and support.

Home Language Survey

The Charter School will administer the home language survey upon a student's initial enrollment into the Charter School (on enrollment forms).

CELDT Testing

All students who indicate that their home language is other than English will be CELDT tested within thirty days of initial enrollment² and at least annually thereafter between July 1 and October 31st until re-designated as fluent English proficient.

The Charter School will notify all parents of its responsibility for CELDT testing and of CELDT results within thirty days of receiving results from the publisher. The CELDT shall be used to fulfill the requirements under the No Child Left Behind Act for annual English proficiency testing.

Certification

CVCHS will hire faculty who have received CLAD (Cross-Cultural Language and Academic Development), BCLAD, CTEL (California Teachers of English Learners), or any California Commission on Teacher Credentialing recognized equivalent.

Reclassification

- In accordance with state mandates, CVCHS will use multiple criteria in determining whether an ELL student is ready for reclassification. Criteria include, but are not limited to, the following: Assessment of language proficiency using an objective assessment instrument including, but not limited to, the CELDT
- Score of proficient or higher in the ELA component of STAR
- Score of proficient or higher in the CAHSEE
- Evaluation of curriculum mastery by the student's classroom teachers and any other certificated staff with direct responsibility for teaching or placement decisions
- Parental opinion and consultation, achieved through notice to parents or guardians that includes a description of the language reclassification and placement process and their opportunity to participate
- Comparison of the student's performance in basic skills against an empirically established range of performance and basic skills as measured against English proficient students of the same age to demonstrate to others that the student is

² The thirty-day requirement applies to students who are entering a California public school for the first time or for students who have not yet been CELDT tested. All other students who have indicated a home language other than English will continue with annual CELDT testing based upon the date last tested at the prior school of enrollment.

- sufficiently proficient in English to participate effectively in a curriculum designed for students of the same age whose native language is English
- A rubric to be used by teachers to measure progress regarding comprehension, fluency, vocabulary, pronunciation, and grammar usage

All parents and guardians of students classified as English Learners will receive notification in writing. The school will translate materials as needed to ensure the parents/guardians of EL students understand all communications and are involved in all processes related to the English language development as well as the academic progress of their student.

Students Achieving Above Grade Level

CVCHS believes that all students are entitled to receive a content rich, academically rigorous educational experience that prepares them for a multitude of post-secondary opportunities. We are as committed to meeting the special needs of students achieving above grade level as we are to other special needs groups. We hope to offer to all students college visitations, field trips, Model UN, debate teams, Odyssey of the Mind, and other enrichment opportunities. Students will be clustered in heterogeneous classes and enjoy the benefits of attending a comprehensive high school with its accompaniment of extra-curricular activities. Honors and Advanced Placement classes will be made available and accessible to all students. All teachers of honors and Advanced Placement courses are required to complete ongoing training in the subject area and differentiated instruction. CVCHS will vigorously pursue a partnership with members of the university community, especially local campuses (Diablo Valley College, Los Medanos College, California State University East Bay), in order to maximize educational opportunities for our students. For example, we would like to offer college-level courses on site.

As a charter school, CVCHS can offer flexible scheduling to allow students to engage in a variety of opportunities to support individualized instructional programs. With the enrichment of college course options, dynamic and rigorous curricula can be offered to all students on CVCHS to meet their individual and academic needs.

Students Achieving Below Grade Level

CVCHS has developed a framework for students achieving below grade level expectations to facilitate student achievement and pre-empt failure. CVCHS will offer intervention to address each student's specific learning need. Cumulative records will be reviewed for incoming freshmen and students will take diagnostic tests in math and reading. This will aid in the correct placement for students who demonstrate a lower aptitude in some areas and will enable them to achieve at a level appropriate and consistent with their skills and ability levels. Parents will be notified of diagnostic results. Students who continue to demonstrate a consistent pattern of low achievement will be

reviewed by a student study team (SST) comprised of parent(s), administrator, and teachers, and referred for intervention or assessment as appropriate.

In order to facilitate student achievement, CVCHS will implement summer and after school interventions to address each student's specific learning needs so he or she can attack the curriculum once the school year begins.

CVCHS will implement a summer transition program for incoming ninth graders. As part of this program, during the summer before ninth grade, every incoming, admitted CVCHS student will have the opportunity to participate in a one to four week transition program. Students will be assessed for their high school readiness, math, reading and writing abilities. For students in the category of well below grade level expectations, emphasis will be placed on developing and strengthening math and reading skills in addition to instruction in successful student practices and study skills such as time management and organization. Diploma requirements will also be previewed so that students understand the credit-building goal to graduation. Once ninth grade begins, these students will continue to receive proactive intervention through additional learning supports including before- and after-school and Saturday tutoring and classes.

Additional instructional strategies will be employed in order to maintain a high level of support for low-achieving students. Students lacking necessary skills to succeed in their courses will be enrolled in an intervention program best fitting their individual needs as determined by an assessment conducted by qualified personnel. They will be enrolled in classes better aligned to their ability levels, in mandatory intervention or acceleration programs simultaneously with their ongoing course schedule, or in intervention/acceleration skills courses during winter or summer session breaks. They will meet with a mentor or student or adult tutor at regular intervals to assess and monitor their time management and organizational and study skills.

As a charter school, CVCHS can expand and enhance the many intervention opportunities possible for students. We will continue to offer optional CAHSEE workshops for students who have not passed one or both sections of the exam. Those students in Grade 12 who have not yet passed both sections of the exam could be required to take a one-week CAHSEE "Boot Camp" in addition to CAHSEE Intensive Instruction Intervention in English and Math. These classes would take place after school and on Saturdays.

English Learners may take more intensive English classes geared to passing the CAHSEE exam. Evening informational meetings will be offered to provide parents with the resources to help students pass the CAHSEE.

Closing the Achievement Gap – Goals for Providing and Ensuring Equal Access to Academically Low-Achieving Students

Over the course of the last two decades, data on the achievement of racial minority students, in particular African American and Hispanic students, indicate that many have performed below the achievement levels of other students nationwide. At CVCHS, we are committed to decreasing these disparities. We strongly believe that we can meet our goals for providing and ensuring equal access to academically low-achieving students and those who are members of ethnic groups underrepresented in colleges and universities.

Our goal will be to:

- Enroll all students in rigorous academic programs that prepare them for success in higher education, career and adult life without the need for remediation
- Lower class sizes in order to increase student to teacher contact and increase student access to instructional material and teacher guidance
- Strongly encourage parent/guardian participation in intervention for students who drop below a C average
- Provide for flexible scheduling
- Allocate resources to provide the necessary support for low-achieving students
- Support existing programs while developing additional programs to meet currently identified and future student needs
- Maintain high expectations that all students can and will learn to read, think critically, and synthesize material from a variety of sources to make informed decisions
- Target instructional resources to raise achievement among historically underrepresented students to achieve proficient or higher in mathematics, to successfully complete upper level mathematics courses, and to pass the California High School Exit Exam
- Provide ongoing professional development and coaching to help certificated personnel understand and use specific instructional strategies to meet the needs of diverse learners, and support certificated personnel as they become reflective practitioners
- Monitor progress through CST, Grades, CAHSEE, and other valid assessment programs

Special Education Students

Overview

The Charter School shall comply with all applicable state and federal laws in serving students with disabilities, including, but not limited to, Section 504 of the Rehabilitation Act ("Section 504"), the Americans with Disabilities Act ("ADA") and the Individuals with Disabilities in Education Improvement Act ("IDEIA").

The Charter School shall be categorized as a public school of the District in accordance with Education Code Section 47641(b). The language that follows describes the special education program at CVCHS both as an LEA and as a public school of the District.

The Charter School hereby makes written affirmation of its intention to become a local educational agency ("LEA") and join a Special Education Local Plan Area ("SELPA") in accordance with Education Code Section 47641(a). Until such time as the Charter School obtains SELPA membership, it shall continue to comply with all state and federal laws related to the provision of special education instruction and related services and all SELPA policies and procedures; and shall utilize appropriate SELPA forms.

The Charter School shall be solely responsible for its compliance with Section 504 and the ADA. The facilities to be utilized by the Charter School shall be accessible for all students with disabilities.

Services for Students Under the "IDEIA" as a Public School of the District Pursuant to Education Code Section 47641(b)

The following description regarding how special education and related services will be provided and funded if the Charter School remains a public school of the District pursuant to Education Code Section 47641(b) while it awaits SELPA approval, is being proposed by the Charter School for the sole purpose of providing a reasonably comprehensive description of the special education program in the Charter Petition, and is not binding on the District. The specific manner in which special education and related services will be provided and funded if the Charter School remains a public school of the District, shall be set forth in a Memorandum of Understanding ("MOU"), delineating the respective responsibilities of the Charter School and the District, which MOU shall be executed at least six (6) months prior to the commencement of operation, or as otherwise agreed upon by the parties. The following provisions are meant to summarize the Charter School Petitioner's understanding of the manner in which special education instruction and related services shall be provided by the Charter School and the District. Petitioners will meet with the District Special Education Director and/or SELPA Director and will discuss the special education responsibilities of the Charter School and the application of Special Education Local Plan Area ("SELPA") policies. Petitioners will acquire a copy of the SELPA policy on Charter Schools. The following language mirrors the typical "industry standard" arrangement between a school district and a charter school and aligns with State and Federal law that requires that students in charter schools receive special education and related services in the same manner as any other student in the District. The language that follows is not meant to unilaterally bind the District, or to preclude alternative arrangements between the District and the Charter School as agreed upon in a MOU:

The Charter School intends to provide special education instruction and related services in accordance with the IDEIA, Education Code requirements, and applicable policies and practices of the SELPA. The Charter School shall remain, by default, a public school of the District for purposes of special education purposes pursuant to Education Code Section 47641(b) until such time as the Charter School is approved by a SELPA for membership as an LEA.

As a public school of the District, solely for purposes of providing special education and related services under the IDEIA pursuant to Education Code Section 47641(b), in accordance with Education Code Section 47646 and 20 U.S.C. 1413, the Charter School seeks services from the District for special education students enrolled in the Charter School in the same manner as is provided to students in other District schools. The Charter School will follow the District and SELPA policies and procedures, and shall utilize SELPA forms in seeking out and identifying and serving students who may qualify for special education programs and services and for responding to record requests and parent complaints, and maintaining the confidentiality of student records. The Charter School will comply with District protocol as to the delineation of duties between the District central office and the local school site in providing special education instruction and related services to identified students including but not limited to referral, identification, assessment, case management, Individualized Education Plan ("IEP") development, modification and implementation. The Charter School acknowledges the importance of cooperating with the District so that the District can provide special education services to Charter School students. The Charter School agrees to promptly respond to all District inquiries, to comply with reasonable District directives, and to allow the District access to Charter School students, staff, facilities, equipment and records as required to fulfill all District obligations imposed by law. An annual meeting between the Charter School and the District to review special education policies, procedures, protocols, and forms of the District and the SELPA and District protocol, will ensure that the Charter School and the District have an ongoing mutual understanding of District protocol and will facilitate ongoing compliance.

As long as the Charter School functions as a public school of the District solely for purposes of providing special education and related services under the IDEIA pursuant to Education Code Section 47641(b), then we would anticipate that an MOU would be developed between the District and the Charter School which spells out in detail the responsibilities for provision of special education services and the manner in which special education funding will flow to the students of the School.

Staffing

All special education services at the Charter School will be delivered by individuals or agencies qualified to provide special education services as required by California's Education Code and the IDEIA. Charter School staff shall participate in all mandatory District in-service training relating to special education.

It is the Charter School's understanding that the District will be responsible for the hiring, training, and employment of site staff necessary to provide special education services to its students, including, without limitation, special education teachers, paraprofessionals, and resource specialists unless the District directs the Charter School that current District practice is for the individual school sites to hire site special education staff or the District and the Charter School agree that the Charter School must hire on-site special education staff. In that instance, the Charter School shall ensure that all special education staff hired by the Charter School is qualified pursuant to District and SELPA policies, as well as meet all legal requirements. The District may review the qualifications of all special education staff hired by the Charter School (with the agreement of the District) and may require pre-approval by the District of all hires to ensure consistency with District and SELPA policies. The District shall be responsible for the hiring, training, and employment of itinerant staff necessary to provide special education services to Charter School students, including, without limitation, speech therapists, occupational therapists, behavioral therapists, and psychologists.

Notification and Coordination

The Charter School shall follow District policies as they apply to all District schools for responding to implementation of special education services. The Charter School will adopt and implement District policies relating to notification of the District for all special education issues and referrals.

The Charter School shall follow District policies as they apply to all District schools for notifying District personnel regarding the discipline of special education students to ensure District pre-approval prior to imposing a suspension or expulsion. The Charter School shall assist in the coordination of any communications and immediately act according to District administrative policies relating to disciplining special education students.

Identification and Referral

The Charter School shall have the responsibility to identify, refer, and work cooperatively in locating Charter School students who have or may have exceptional needs that qualify them to receive special education services. The Charter School will implement District and SELPA policies and procedures to ensure timely identification and referral of students who have, or may have, such exceptional needs. A student shall be referred for special education only after the resources of the regular education program have been considered, and where appropriate, utilized.

It is the Charter School's understanding that the District shall provide the Charter School with any assistance that it generally provides its schools in the identification and referral processes, and will ensure that the Charter School is provided with notification and

relevant files of all students who have an existing IEP and who are transferring to the Charter School from a District school. The District shall have unfettered access to all Charter School student records and information in order to serve all of Charter School's students' special needs.

The Charter School will follow District child-find procedures to identify all students who may require assessment to consider special education eligibility and special education and related services in the case that general education interventions do not provide a free appropriate public education to the student in question.

Assessments

The term "assessments" shall have the same meaning as the term "evaluation" in the IDEA, as provided in Section 1414, Title 20 of the United States Code. The District will determine what assessments, if any, are necessary and arrange for such assessments for referred or eligible students in accordance with the District's general practice and procedure and applicable law. The Charter School shall work in collaboration with the District to obtain parent/guardian consent to assess Charter School students. The Charter School shall not conduct special education assessments unless directed by the District.

IEP Meetings

It is the Charter School's understanding that the District shall arrange and notice the necessary IEP meetings. IEP team membership shall be in compliance with state and federal law. The Charter School shall be responsible for cooperating with the District to ensure the attendance of IEP team members employed by the Charter School.

IEP Development

The Charter School understands that the decisions regarding eligibility, goals/objectives, program, services, placement, and exit from special education shall be the decision of the IEP team, pursuant to the District's IEP process. Programs, services and placements shall be provided to all eligible Charter School students in accordance with the policies, procedures and requirements of the District and of the SELPA and State and Federal law.

The Charter School shall promptly notify the District of all requests it receives for assessment, services, IEP meetings, reimbursement, compensatory education, mediation, and/or due process whether these requests are verbal or in writing.

IEP Implementation

Pursuant to District policy and how the District operates special education at all other public schools in the District; the District shall be responsible for all school site

implementation of the IEP. The Charter School shall assist the District in implementing IEPs, pursuant to District and SELPA policies in the same manner as any other school of the District. The District and Charter School will need to be jointly involved in all aspects of the special education program, with the District holding ultimate authority over implementation and supervision of services. As part of this responsibility, the Charter School shall provide the District and the parents with timely reports on the student's progress as provided in the student's IEP, and at least quarterly or as frequently as progress reports are provided for the Charter School's non-special education students, whichever is more. The Charter School shall also provide all home-school coordination and information exchange unless directed otherwise by the District. The Charter School shall also be responsible for providing all curriculum, classroom materials, classroom modifications, and assistive technology unless directed otherwise by the District. The Charter School shall comply with any directive of the District as relates to the coordination of the Charter School and District for IEP implementation including but not limited to adequate notification of student progress and immediate notification of any considered discipline of special education students in such matters, the petitioners would notify the District of relevant circumstances and communications immediately and act according to District administrative authority.

Interim and Initial Placements of New Charter School Students

For students who enroll in the Charter School from another school district outside of the SELPA with a current IEP, the District and the Charter School shall conduct an IEP meeting within thirty days. Prior to such meeting and pending agreement on a new IEP, the District and the Charter School shall implement the existing IEP at the Charter School, to the extent practicable or as otherwise agreed between the District and parent/guardian.

Non-Public Placements/Non-Public Agencies

The District shall be solely responsible for selecting, contracting with, and overseeing all non-public schools and non-public agencies used to serve special education students. The Charter School shall not hire, request services from, or pay any non-public school or agency to provide education or services to special education students without the prior written approval of the District. The Charter School shall immediately notify the District of all parental requests for services from non-public schools or agencies, unilateral placements, and/or requests for reimbursement.

Non-discrimination

It is understood and agreed that all children will have access to the Charter School and no student shall be denied admission nor counseled out of the Charter School due to the nature, extent, or severity of his/her disability or due to the student's request for, or actual need for, special education services.

Parent/Guardian Concerns and Complaints

The Charter School shall follow District policies as they apply to all District schools for responding to parental concerns or complaints related to special education services. The Charter School shall instruct parents/guardians to raise concerns regarding special education services, related services and rights to the District unless otherwise directed by the District. The Charter School shall immediately notify the District of any concerns raised by parents. In addition, the Charter School and the District shall immediately bring to the other's attention any concern or complaint by a parent/guardian that is in writing and/or which involves a potential violation of state or federal law.

The District's designated representative, in consultation with the Charter School's designated representative, shall investigate as necessary, respond to, and address the parent/guardian concern or complaint. The Charter School shall allow the District access to all facilities, equipment, students, personnel, and records to conduct such an investigation.

The Charter School and the District shall timely notify the other of any meetings scheduled with parents/guardians or their representatives to address the parent/guardian concerns or complaints so that a representative of each entity may attend. The District, as the LEA, shall be ultimately responsible for determining how to respond to parent concerns or complaints, and the Charter School shall comply with the District's decision.

The Charter School and the District shall cooperate in responding to any complaint to or investigation by the California Department of Education, the United States Department of Education, or any other agency, and shall provide timely notice to the other upon receipt of such a complaint or request for investigation.

Due Process Hearings

The District may initiate a due process hearing or request for mediation with respect to a student enrolled in Charter School if the District determines such action is legally necessary or advisable. The Charter School agrees to cooperate fully with the District in such a proceeding. In the event that the parents/guardians file for a due process hearing, or request mediation, the District and the Charter School shall work together to defend the case. In the event that the District determines that legal representation is needed, the Charter School agrees that it shall be jointly represented by legal counsel of the District's choosing.

The Charter School understands that the District shall have sole discretion to settle any matter in mediation or due process. The District shall also have sole discretion to file an

appeal from a due process hearing or take other legal action involving any Charter School student necessary to protect its rights.

SELPA Representation

It is the Charter School's understanding that the District shall represent the Charter School at all SELPA meetings and report to the Charter School of SELPA activities in the same manner as is reported to all schools within the District.

Funding

The Charter School understands that it will enter into a MOU with the District regarding Special Education funding, and cannot at this time unilaterally dictate the funding relationship between the District and the Charter School. The Charter School anticipates, based upon State and Federal law that the fiscal relationship could be summarized as follows

Retention of Special Education Funds by the District

The District shall retain all state and federal special education funding allocated for Charter School students through the SELPA Annual Budget Plan, and shall be entitled to count Charter School students as its own for all such purposes.

Retention of ADA Funds by the District for Non-Public Placements

The Parties acknowledge that the District may be required to pay for or provide Charter School students with placements at locations other than at the Charter School's school site in order to provide them with a free appropriate public education. Such placements could include, without limitation, programs or services in other District schools, in other public school districts within the SELPA, in a County Office of Education program, in a non-public school, at home, at a hospital, or in a residential program. When such programs or services are provided at District expense, the District shall be entitled to receive from the Charter School the pro rata share of all funding received for such student, including, without limitation, all ADA funds, based on the number of instructional days or minutes per day that the student is not at the Charter School site.

Contribution to Encroachment

The Charter School shall contribute its fair share to offset special education's encroachment upon the District's general fund. Accordingly, the Charter School shall pay to the District a pro-rata share of the District's unfunded special education costs

("Encroachment"). At the end of each fiscal year, the District shall invoice the Charter School for the Charter School's pro-rata share of the District-wide Encroachment for that year as calculated by the total unfunded special education costs of the District (including those costs attributable to Charter School) divided by the total number of District ADA (including Charter School students), and multiplied by the total number of Charter School ADA. The Charter School ADA shall include all Charter School students, regardless of home district.

Services for Students Under the IDEIA as an LEA pursuant to Education Code Section 47641a)

Upon obtaining LEA membership in a SELPA in accordance with Education Code Section 47641(a), CVCHS shall be solely responsible for the identification, assessment, development of IEPs, and IEP implementation, of special education students enrolled in CVCHS in accordance with State and Federal law and the applicable SELPA plan, policies and procedures.

Staffing

All special education services at CVCHS will be delivered by individuals or agencies qualified to provide special education services as required by California's Education Code and the IDEIA. Charter School staff shall participate in in-service training relating to special education by the Charter School and/or the SELPA.

CVCHS will be responsible for the hiring, training, and employment of site staff necessary to provide special education services to its students, including, without limitation, special education teachers, paraprofessionals, and resource specialists. The Charter School shall ensure that all special education staff hired by the Charter School is qualified pursuant to SELPA policies, as well as meet all legal requirements. Documentation of qualifications shall be maintained on site for inspection.

Response to Requests

CVCHS shall promptly address all requests it receives for assessment, services, complaints, IEP meetings, reimbursement, compensatory education, mediation, and/or due process, whether these requests are verbal or in writing.

Identification and Referral

CVCHS shall have the responsibility to identify, refer, and work cooperatively in locating Charter School students who have or may have exceptional needs that qualify them to receive special education services. The Charter School will adopt and implement policies

and procedures to align with SELPA policies and procedures to ensure timely identification and referral of students who have, or may have, such exceptional needs. A pupil shall be referred by the Charter School for special education only after the resources of the regular education program have been considered, and where appropriate, utilized.

CVCHS will follow child-find procedures to identify all students who may require assessment to consider special education eligibility and special education and related services in the case that general education interventions do not provide a free appropriate public education to the student in question.

Assessments

The Charter School will determine what assessments, if any, are necessary and arrange for such assessments for referred or eligible students in accordance with applicable law. CVCHS shall work to obtain parent/guardian consent to assess Charter School students when it suspects the student may have a qualifying disability under the IDEIA.

IEP Meetings

CVCHS shall arrange and notice the necessary IEP meetings. IEP team membership shall be in compliance with state and federal law. The Charter School shall be responsible for having the following individuals in attendance at the IEP meetings: the Executive Director and/or the Charter School designated representative with appropriate administrative authority as required by the IDEIA; the student's special education teacher; the student's general education teacher if the student is or may be in a regular education classroom; the student, if appropriate; and other Charter School representatives who are knowledgeable about the regular education program at the Charter School and/or about the student. The Charter School shall also arrange for the attendance or participation of all other necessary staff that may include, but are not limited to, an appropriate administrator to comply with the requirements of the IDEIA, a speech therapist, psychologist, resource specialist, and behavior specialist; and shall document the IEP meeting and provide the notice of parental rights.

IEP Development

CVCHS understands that the decisions regarding eligibility, goals/objectives, program, services, placement, and exit from special education shall be the IEP Team's exclusively. Programs, services and placements shall be provided to all eligible Charter School students in accordance with the policies, procedures and requirements of the SELPA and State and Federal law.

IEP Implementation

CVCHS shall be responsible for implementation of IEPs and supervision of services. The Charter School shall provide the parents with timely reports on the student's progress as provided in the student's IEP, and at least quarterly or as frequently as progress reports are provided for the Charter School's non-special education students, whichever is more. The Charter School shall also provide all home-school coordination and information. The Charter School shall also be responsible for providing all curriculum, classroom materials, and modifications and accommodations.

Interim and Initial Placements of New Charter School Students

For students who enroll during the school year in the Charter School from another school district outside of the SELPA with a current IEP, the Charter School shall conduct an IEP meeting within thirty days. Prior to such meeting and pending agreement on a new IEP, the Charter School shall implement the existing IEP at the Charter School, to the extent practicable or as otherwise agreed between the Charter School and parent/guardian.

Non-Public Placements/Non-Public Agencies

CVCHS shall be solely responsible for selecting, contracting with, and overseeing all non-public schools and non-public agencies used to serve special education students. The Charter School shall immediately address all parental requests for services from non-public schools or agencies, unilateral placements, and/or requests for reimbursement.

Non-discrimination

It is understood and agreed that all children will have access to CVCHS and no student shall be denied admission nor counseled out of the Charter School due to the nature, extent, or severity of his/her disability or due to the student's request for, or actual need for, special education services.

Parent/Guardian Concerns and Complaints

CVCHS shall adopt policies and procedures in alignment with SELPA policies as they apply to responding to parental concerns or complaints related to special education services.

CVCHS's designated representative shall investigate as necessary, respond to, and address the parent/guardian concern or complaint.

CVCHS shall timely schedule meetings with parents/guardians or their representatives to address the parent/guardian concerns or complaints so that a representative of each entity may attend. CVCHS, as the LEA, shall be ultimately responsible for determining how to respond to parent concerns or complaints. The Charter School shall respond to any complaint to or investigation by the California Department of Education, the United States Department of Education, Office of Civil Rights or any other agency.

Due Process Hearings

CVCHS may initiate a due process hearing or request for mediation with respect to a student enrolled in Charter School if it determines such action is legally necessary or advisable. In the event that the parents/guardians file for a due process hearing, or request mediation, the Charter School shall defend the case. In the event that the Charter School determines that legal representation is needed, it shall select appropriate legal counsel.

SELPA Representation

CVCHS shall represent itself at all SELPA meetings.

Section 504 of the Rehabilitation Act

The Charter School recognizes its legal responsibility to ensure that no qualified person with a disability shall, on the basis of disability, be excluded from participation, be denied the benefits of, or otherwise be subjected to discrimination under any program of the Charter School. Any student, who has an objectively identified disability which substantially limits a major life activity including but not limited to learning, is eligible for accommodation by the Charter School.

A 504 team will be assembled by the Executive Director and shall include the parent/guardian, the student (where appropriate) and other qualified persons knowledgeable about the student, the meaning of the evaluation data, placement options, and accommodations. The 504 team will review the student's existing records; including academic, social and behavioral records, and is responsible for making a determination as to whether an evaluation for 504 services is appropriate. If the student has already been evaluated under the IDEIA but found ineligible for special education instruction or related services under the IDEIA, those evaluations may be used to help determine eligibility under Section 504. The student evaluation shall be carried out by the 504 team, which will evaluate the nature of the student's disability and the impact upon the student's education. This evaluation will include consideration of any behaviors that interfere with regular participation in the educational program and/or activities. The 504 team may also consider the following information in its evaluation:

- Tests and other evaluation materials that have been validated for the specific purpose for which they are used and are administered by trained personnel.
- Tests and other evaluation materials including those tailored to assess specific areas of educational need, and not merely those which are designed to provide a single general intelligence quotient.
- Tests are selected and administered to ensure that when a test is administered to a student with impaired sensory, manual or speaking skills, the test results accurately reflect the student's aptitude or achievement level, or whatever factor the test purports to measure, rather than reflecting the student's impaired sensory, manual or speaking skills.

The final determination of whether the student will or will not be identified as a person with a disability is made by the 504 team in writing and notice is given in writing to the parent or guardian of the student in their primary language along with the procedural safeguards available to them. If during the evaluation, the 504 team obtains information indicating possible eligibility of the student for special education per the IDEIA, a referral for assessment under the IDEIA will be made by the 504 team.

If the student is found by the 504 team to have a disability under Section 504, the 504 team shall be responsible for determining what, if any, accommodations or services are needed to ensure that the student receives a free and appropriate public education ("FAPE"). In developing the 504 Plan, the 504 team shall consider all relevant information utilized during the evaluation of the student, drawing upon a variety of sources, including, but not limited to, assessments conducted by the School's professional staff.

The 504 Plan shall describe the Section 504 disability and any program accommodations, modifications or services that may be necessary.

All 504 team participants, parents, guardians, teachers and any other participants in the student's education, including substitutes and tutors, must have a copy of each student's 504 Plan. The site administrator will ensure that teachers include 504 Plans with lesson plans for short-term substitutes and that he/she review the 504 Plan with a long-term substitute. A copy of the 504 Plan shall be maintained in the student's file. Each student's 504 Plan will be reviewed at least once per year to determine the appropriateness of the Plan, needed modifications to the plan, and continued eligibility.

Attached as Appendix B, please find a draft 504 Policy and Procedure.

Implementation

This charter proposal has been developed by certificated staff with the combined understanding and intent that the 2011-2012 school year will be utilized for further planning for the fall implementation of the charter in 2012-2013. In addition to ensuring the completion of all job duties as District employees, the Petitioners shall pledge their off-duty time in the planning process including but not limited to the following:

- 1) Review of existing curriculum and consideration of enhancement to the same;
- 2) Creation of a bell schedule;
- 3) Creation of a school calendar;
- 4) Selection of instructional materials;
- 5) Review of assessment and data collection system and consideration of enhancements to same;
- 6) Review of intervention system and consideration of enhancement to same;
- 7) Review and update to the course catalog; and
- 8) Review and update to the parent handbook.

Notes from the first strategic planning meeting regarding the charter have been attached as Appendix C.

ELEMENT 2

Measurable Student Outcomes

The measurable pupil outcomes identifies for use by the charter school. "Pupil outcomes," for purposes of this part, means the extent to which all pupils of the school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school's educational program.

California Education Code Section 47605(b)(5)(B)

As our overall outcome objective, Clayton Valley Charter High School intends for its students to meet or exceed achievement levels of similar populations of students. In accordance with the ESLRs, every student who graduates from CVCHS will succeed in education, their personal lives, and in the world.

As a public charter school, we recognize and accept a heightened accountability for reaching ambitious standards for student achievement.

Students

CVCHS shall meet all statewide standards and conduct student assessments required pursuant to Section 60605 of the California Education Code and any other statewide standards authorized in statute or student assessments applicable to students in non-charter schools. CVCHS shall strive to meet its API growth targets and AYP under the No Child Left Behind Act (NCLB). Courses will continue to meet a-g requirements of the University of California and California State University systems and meet accreditation standards as established by the Governing Board of the Western Association of Schools and Colleges (WASC).

CVCHS has established the following additional goals and measures of student achievement.

Performance goals will be updated over time as deemed appropriate by the CVCHS Governing Board to keep up with pupil and school progress toward stated outcomes.

The pupil outcomes described in Goals 1-4 define measurable student outcomes based on California content and performance standards in core academic subjects and include annual and longitudinal school wide metrics. Each of the academic outcomes aligns with our overall outcome objective, our curricular frameworks, and our formative and summative assessments. In addition, teachers will identify benchmark skills and

classroom level skills to measure and track progress toward student performance outcomes. Attainment of these goals will prepare all students to earn admission into competitive college and career programs.

CVCHS shall pursue the following pupil outcomes as grouped by goal area:

Goal	Outcome	Method of Measurement	Frequency
1. Students will be proficient readers, writers, and speakers of the English Language	The English Language Arts CST scores will increase 5% annually until an average of 75% of all students who have been enrolled at CVCHS for at least two full academic years score at the proficient or advanced level.	CST	Annually

	The average percentage of students who have been enrolled at CVCHS for at least two full academic years scoring at proficient or advanced will exceed the average percentage of students in MDUSD scoring proficient or advanced in the English Language Arts CST.	CST	Annually
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	The average percentage of students who have been enrolled at CVCHS for at least two full academic years scoring at proficient or advanced will exceed the average percentage of students attending Similar Schools ³ in MDUSD scoring proficient or advanced in the English Language Arts CST by 10% after the first three years.	CST	Annually
	Each subgroup of CVCHS students will improve their scores by 5% annually until they have reached proficient.	CST	Annually

³ The criteria for selecting Similar Schools are:

- 1) The total student population is within 10% of the charter school enrollment.
- 2) Students eligible for free/reduced lunch are within 10% of the charter school enrollment.
- 3) The English Language Learner population is within 10% of the charter school enrollment.
- 4) The student ethnic populations are within 10% of the charter school enrollment.

2. Students will be proficient in mathematical skills and content.	The Math CST scores will increase 5% annually until an average of 75% of all students who have been enrolled at CVCHS for at least two full academic years score at the proficient or advanced level.	CST	Annually
	The average percentage of students who have been enrolled at CVCHS for at least two full academic years scoring at proficient or advanced will exceed the average percentage of students in MDUSD scoring proficient or advanced in the Math CST.	CST	Annually

	The average percentage of students who have been enrolled at CVCHS for at least two full academic years scoring at proficient or advanced will exceed the average percentage of students attending Similar Schools* in MDUSD scoring proficient or advanced in the Math CST by 10% after the first three years.	CST	Annually
	Each subgroup of CVCHS students will improve their scores by 5% annually until they have reached proficient.	CST	Annually

3. Students will be proficient in science and social science content.	The Science CST scores will increase 5% annually until an average of 75% of all students who have been enrolled at CVCHS for at least two full academic years score at the proficient or advanced level.	CST	Annually
	The Social Science CST scores will increase 5% annually until an average of 75% of all students who have been enrolled at CVCHS for at least two full academic years score at the proficient or advanced level.	CST	Annually
4. English Learners and Special Education students will progress academically at the same average rate as all other students	English Language Learners and Special Education students will demonstrate the same average rate of improvement in proficiency on the annual CSTs as the rest of the CVCHS student population.	CST	Annually

5. Students will embrace and demonstrate the school's character and leadership values	Staff will expand the Club 800 program to encompass a school wide behavior assessment system to promote a positive school culture. (See Appendix D)	School Behavior Assessment	wide Ongoing
6. CVCHS will increase the CAHSEE passage rate	The CAHSEE passage rate will increase each year by 2% until an average of 95% of all students who have been at CVCHS for at least 2 full academic years have passed.	CAHSEE scores	Annually

SCHOOL WIDE GOALS			
In addition to student-oriented goals, CVCHS shall pursue the following clear and measurable school wide outcomes			
Goal	Outcome	Method of Measurement	Frequency
1. CVCHS will meet or exceed state Academic Performance Index Targets	The CVCHS API score will meet or exceed 800 by the end of the third year of operation.	API score	Annually

	CVCHS will meet or exceed its overall growth target each year and within reportable subgroups	API score	Annually
2. CVCHS will meet AYP	CVCHS will meet AYP	AYP report	Annually
3. CVCHS will demonstrate strong attendance, enrollment, and graduation rates	The average daily attendance rate will increase each year by 3% until we meet or exceed 95%.	Attendance Data	Annually (at P2)
	CVCHS will maintain capacity enrollment (as deemed by the CVCHS Governing Board) each year.		

	The CVCHS graduation rate will increase by 3% each year until we meet or exceed 95%. Conversely, the CVCHS dropout rate will decrease by 3% each year until it is less than 5%.		
4. CVCHS will demonstrate fiduciary responsibility in managing public and private resources.	The school will use generally accepted accounting practices independently verified through an annual external audit.	Audit	Annually

	The school will produce financial reports and submit an annual balanced budget demonstrating fiscal transparency, sound financial standing, and prudent resource allocation in alignment with the school's mission.	Annually Required Financial Reports	Annually (as required by Education Code Section 47604.33)
5. CVCHS community stakeholders (especially including parents and guardians) will express satisfaction with the academic program.	At least 80% of CVCHS parents and guardians will report satisfaction with the school's academic program on an anonymous survey. On a scale of 1 to 5, "satisfied" will be determined as an average of 4 or higher.	Parent/Guardian Satisfaction Survey	Annually

	At least 80% of CVCHS parents and guardians will agree that the school provides effective communication regarding student achievement. On a scale of 1 to 5, "effective" will be determined as an average of 4 or higher.	Parent/Guardian Satisfaction Survey	Annually
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These outcomes will be further broken down into measurable benchmark assessments to ensure that teachers have relevant up to date data on student progress toward the above stated outcomes.

ELEMENT 3

Methods of Assessing Pupil Progress Toward Meeting Outcomes

The method by which pupil progress in meeting those pupil outcomes is to be measured.

California Education Code Section 47605(b)(5)(C)

Our Underlying Beliefs Regarding Student Assessment

We believe assessment of student progress is a necessary tool for teacher growth and school wide improvement. Student needs have outgrown the traditional models of student assessment: multiple choice tests, end-of-year assessments, publisher produced unit tests, etc. At CVCHS, multiple forms of assessment will be used to measure student achievement and progress. We believe that students value assessment tasks they perceive to be real: assessment tasks that present challenges to be taken seriously, not only for the grades at stake, but also for the nature of the knowledge and skills they are expected to demonstrate. Assessment tasks that students perceive to be trivial, superficial, or arbitrary are less likely to evoke a strong commitment to study.

We believe our students should be able to demonstrate their knowledge in a variety of ways in formative as well as summative assessments. It is therefore necessary we assess student progress over a period of time to create a valid profile of student performance.

Assessment

CVCHS believes that student progress in meeting standards should be determined through multiple measures that are valid, reliable, and fair. Regular and accurate assessment of student progress in mastering grade-level standards is essential to the success of the instructional program and ensures quality education for all students. Classroom and school assessments will be based on academic content that every student has had the opportunity to learn and master. Administrators and faculty are aware of and apply appropriate, legal accommodations and modifications for testing students with special needs, including English language learners. Decisions about instruction will be driven by assessment data. In order to allow faculty the ability to make effective instructional decisions, qualitative and quantitative data will be current, easily retrieved, analyzed, and understood. The data will be used to improve instruction and not to punish students or staff.

Intervention

Students have access to targeted intervention programs that are standards-aligned. Student placement in such programs is based on specific, recent data about student progress. Student progress is frequently assessed, and clear exit criteria are set and applied.

Forms of Assessment

Assessment methods for measuring the outcomes described in Element 2 are described in the charts contained in Element 2. In order to support our instructional program and meet our identified student outcomes, assessment measures will take various forms:

Statewide Testing

As one method of measuring student progress, assessments will be conducted pursuant to Education Code Section 47605(c)(1). CVCHS will provide tests applicable in non-charter schools (e.g., STAR, CELDT, CAHSEE, PE testing).

California High School Exit Exam (CAHSEE)

Passing scores on the CAHSEE are a state graduation requirement. CAHSEE results will be used to determine whether students are progressing in their programs of instruction and to identify students needing intervention.

Performance Assignments

Performance assignments are projects, papers, or tasks that require students to produce or create a product. We believe students study more effectively when they know what they are working toward. Students value, and will come to expect, transparency in the way their knowledge will be assessed; they wish to see a clear relationship between classroom tasks and their assessments. They wish to know how grades are determined and expect timely feedback that (a) explains the grade they have received, (b) rewards their achievement as appropriate, and (c) offers suggestions for improvement.

Collaborative Scoring

At CVCHS, teachers are problem solvers and collaborators, just as students are. Throughout the year, teachers will meet to score and calibrate results of student work. We aim to develop a school culture that focuses on powerful teaching and learning. Collaborative assessments are tools for teachers to discuss best practices and improve their teaching.

To ensure that all statewide performance standards are met and to ensure continual evidence of student learning, CVCHS shall conduct testing pursuant to Education Code Section 47605 (c) as well as its own evaluation processes. Grading will be by criteria already in place. Students will be assessed in each of the core academic skill areas by a combination of assessment tools that may include, but are not limited to, the following:

1. Standards-Based Skills (California State Content Standards)
 - a. Assessments:
 - i. California High School Exit Exam (CAHSEE)
 - ii. California Standards Test
 - iii. Teacher evaluation and assessment
 - iv. Senior Project
 - v. School wide/department/teacher standards-based assessments developed collaboratively within the school itself
 - vi. Student self-assessments
2. Completion of University of California (UC) and California State University (CSU) a-g requirements
3. Adequate Yearly Progress (AYP): The statewide accountability system mandated by the No Child Left Behind Act of 2001, used by the state and federal government to determine CVCHS annual progress
4. Academic Performance Index (API): Used to compare the position of CVCHS with that of other schools in the state and to track the growth of CVCHS overall and its reportable subgroups
5. College Board Advanced Placement (A.P.) Exams

Use of Data to Inform Educational Program

CVCHS shall adopt a data management system (i.e. Edusoft, DataDirector). Assessment data shall be managed through the data management system. Teachers will be trained to create benchmark assessments and produce reports on assessment results which will ultimately be used by individual teachers to form instruction in the classroom. Data reports will also be shared amongst departments and school wide to improve instruction school wide to one or more targeted students in need.

School Accountability Report Card ("SARC")

Additionally, the school will publish student results annually through the School Accountability Report Card ("SARC"), in compliance with the California Constitution, California Education Code, and NCLB criteria. The report includes pertinent facts and data about CVCHS and will be made available to the public as required by law.

Annual Parent Survey

CVCHS will compile survey results gathered at the end of each school year where parents evaluate their child's educational experiences. The survey will ask parents to measure satisfaction in categories such as overall student growth (academic and social), satisfaction with program offerings, how well CVCHS fulfilled its mission and vision, and overall parent satisfaction. Results will be reported to the charter authorizer and published in the SARC. Results will also be used to support school policy, matters of curriculum, and help identify future goals.

Annual Performance Report

In addition to the SARC, CVCHS will provide to the District a yearly performance report. This report will include the following information:

- Summary data showing student progress toward the goals and outcomes listed above. This data will be displayed on both a charter school wide basis and disaggregated by reportable subgroups to the extent feasible without compromising student confidentiality.
- A summary of major decisions and policies set forth by the CVCHS Board of Directors during the year.
- Data on the parent involvement in the Charter School's governance (and other facets of the Charter School) and summary data from a yearly parent satisfaction survey.
- Data regarding the number of staff working at the Charter School and their qualifications, including copies of credentialing, proof of fingerprinting and background checks, and TB testing.
- A copy of the Charter School's health and safety policies and any major changes to those policies during the year.
- Data showing whether CVCHS implemented the means listed in the charter to strive to achieve racially and ethnically balanced student population.
- A comprehensive view of the Charter School's admissions practices during the year. This will include information regarding the numbers of students enrolled, children on waiting lists and the students expelled and/or suspended.
- Analyses of the effectiveness of the Charter School's internal dispute

mechanisms and information regarding the number and resolutions of disputes and complaints.

- Any other information regarding the educational program, the administrative, legal and governance operations of the Charter School relative to compliance with the terms of the charter generally.

CVCHS shall comply with District Board requests regarding the content, evaluation criteria, timelines and process for the annual performance report. The Charter School will use the data in the performance report to assess and improve upon its educational programming as deemed necessary.

District Visitation/Inspection

CVCHS will comply with a District requested visitation process to enable the District to gather information needed to validate the school's performance and compliance with the terms of this charter. However, the Charter School agrees to and submits to the right of the District to make random visits and inspections or observations in order to carry out its statutorily required oversight in accordance with Education Code Section 47607.

Response to Inquiries

Pursuant to Education Code Section 47604.3 the School shall promptly respond to all reasonable inquiries including, but not limited to inquiries regarding its financial records from the District, the County Office of Education, County Board of Education, and the State Superintendent of Public Instruction.

ELEMENT 4

Governance Structure

The governance structure of the school, including, but not limited to, the process to be followed by the school to ensure parental involvement.

California Education Code Section 47605(b)(5)(D)

Clayton Valley Charter High School shall be a directly funded independent charter school and will be operated as a California non-profit public benefit corporation pursuant to California law.

Clayton Valley Charter High School shall operate autonomously from the District, with the exception of the supervisory oversight as required by statute.

Pursuant to California Education Code Section 47604(c), the District shall not be liable for the debts and obligations of the Charter School, operated by a California non-profit benefit corporation or for claims arising from the performance of acts, errors, or omissions by the Charter School as long as the District has complied with all oversight responsibilities required by law.

Attached for reference only are the draft CVCHS Articles of Incorporation (Appendix E), Corporate Bylaws (Appendix E), and Conflict of Interest Policy (Appendix E)⁴.

The CVCHS Governing Board, and all applicable committees, shall conduct its meetings in accordance with the Brown Act.

Clayton Valley Charter High School Governing Board

The Charter School will be governed by a corporate Board of Directors ("Governing Board" or "Board") in accordance with its adopted corporate bylaws, which shall be maintained to remain consistent with the terms of this charter.

The mandate of the CVCHS Governing Board is to promote and maintain the guiding mission of CVCHS as articulated in this Charter. The governing structure is designed to foster participation by all stakeholders and assure the effectiveness of local school

⁴ Upon approval of the charter the initial Board will be set. The Articles of incorporation have been filed with the Secretary of State and are awaiting certification. The initial Board shall formally adopt the draft bylaws and conflict of interest Policy.

control and accountability. As part of the CVCHS mission, it is vital that students witness and participate in the CVCHS's collaborative process of policy development and decision making. The Governing Board is fully responsible for the operation and fiscal affairs of the CVCHS, including, but not limited to, the following:

- Strategic planning;
- Annual budget development and approval;
- Fiscal oversight;
- Hiring, supervision, evaluation, discipline, and dismissal of the Executive Director and hiring, discipline and dismissal of all other employees upon the recommendation of the Executive Director;
- Adoption of the School calendar;
- Oversight of curricular and extra-curricular programs;
- Approval of community service programs;
- Approval of graduation requirements;
- Oversight and adoption of policies regarding School facilities and safety;
- Oversight and adoption of policies regarding student behavior and performance including but not limited to academic achievement and mitigation, attendance, dress and decorum, maintenance of a clean campus, open campus and other privileges, participation in extracurricular activities, and discipline proceedings;
- Maintenance of strong School-community relations;
- Establishment of ad hoc hiring committees composed of a variety of stakeholder representatives, depending on the position;
- Regular measurement of progress toward pupil outcomes;
- Approval of all contractual agreements; and
- Approval and monitoring of the implementation of general policies of the Charter School.

The Governing Board may execute any powers delegated by law to it and shall discharge any duty imposed by law upon it and may delegate to an employee of the School any of those duties with the exception of budget approval or revision, approval of the fiscal audit and performance report, hiring and evaluation of the Executive Director, termination of employees, and the adoption of Governing Board policies. These delegated duties will focus on implementation rather than policy setting as this is the responsibility of the Board. The Board, however, retains ultimate responsibility over the performance of those powers or duties so delegated. Such delegation will:

- Be in writing
- Specify the entity designated
- Describe in specific terms the authority of the Governing Board being delegated, any conditions on the delegated authority or its exercise and the beginning and ending dates of the delegation
- Require an affirmative vote of a majority of Governing Board members

Composition of the CVCHS Governing Board

The Governing Board shall consist of the following stakeholder members⁵:

- Two (2) teachers
- One (1) classified staff member
- Two (2) parents
- Two (2) members at large
- One (1) retired teacher
- One (1) administrator (other than the executive director)

As limited by the Corporations Code, no more than 49% of the CVCHS Governing Board can be held by “interested” parties. Pursuant to Education Code Section 47604(b), the District may appoint a representative to the Charter School Governing Board.

CVCHS shall abide by an adopted conflicts code which complies with the Political Reform Act, Corporations Code anti-self-dealing rules, and which shall be updated with any applicable conflicts of interest laws or regulations applicable in the future. As noted above, the Conflicts Code is attached within Appendix E. As required, the Conflicts Code will be submitted to the County Board of Supervisors for approval.

Qualifications

- The following outlines the basic qualifications for the categories of Board members unless changed by an amendment to the bylaws: Teacher elected Reps: Must be currently employed by CVCHS and, if applicable, a member of the respective bargaining unit at CVCHS
- Classified Rep: Must be currently employed at CVCHS
- Administrative Rep: Must be currently employed at CVCHS
- Parent Reps: Must be parent of a currently enrolled CVCHS student
- At Large Reps and retired teacher: Must be non-interested (as further defined in the bylaws [i.e., not an employee of CVCHS -- nor receiving compensation in the prior 12 months]), committed to the mission and vision of the school, and meet one of the following criteria:
 - Community member with direct familiarity with CVCHS history and goals
 - Former educator with direct familiarity with CVCHS history and goals
 - Experience in education, strategic planning, staff development, board relations, financial management, and organizational leadership

Board members do not have to live within attendance boundary.

⁵ Should legislation, or regulatory action or court decision impact the legality of the Board’s composition, CVCHS shall amend its composition to align with applicable law.

Board Member Terms and Provisions for Staggered Terms

The terms of board member seats (which shall be staggered) shall be outlined in the bylaws.

Chairperson of the Governing Board

Each year, the Board will elect a Chairperson by a vote of the Board Members. Any voting member of the Board may be eligible for this position, regardless of which stakeholder group he/she represents.

The Chairperson may choose to resign his/her position with a letter of resignation, in which case the Governing Board will elect a new Chairperson for the remainder of that term.

Governing Board Meetings

The Governing Board shall meet monthly or more often as needed. Decisions of the Board will be determined by vote, with the will of the majority prevailing as further defined in the bylaws.

Members of the community may attend board meetings consistent with open meeting requirements. All input from the school and outside community will be welcomed by the Governing Board.

All Governing Board meetings will be held in accordance with the Brown Act. Meeting agendas will be posted at least 72 hours prior to regular meetings in various locations on campus, including the main office, student leadership class, library, and/or parent center. Meeting minutes and Board actions will be posted in the main office following the meeting. Other notifications will include media outlets as required by law, CVCHS website, and upon request mailers to local community agencies and feeder schools when appropriate. Parents who make their e-mail addresses available to the school will receive meeting notices, Board actions, and minutes following the meetings. CVCHS will maintain in effect general liability and board errors and omissions insurance policies.

The Governing Board shall receive regular training in the Brown Act, conflicts laws, and effective governance.

Governance Structure

CVCHS believes that we best serve our students with a distributive leadership structure. We envision faculty, staff, parents, students, and administrators bringing their concerns and ideas to one or more standing committees through attending and participating in

open committee meetings and submitting written proposals to the committees. The standing committees will work to create policies and programs that are in the areas of their purview and that do not conflict with provisions of collective bargaining agreements based on the input they receive from stakeholders.

In addition to the Governing Board meeting on a regular basis, each standing committee may be required to meet a minimum of once per month, or more often if necessary. In addition, a Cabinet shall be formed including the chairs of each standing committee, the Executive Director, and the Chief Business Officer. Cabinet members may meet once a month, or more often as necessary, and will be expected to attend Governing Board meetings, Cabinet meetings, and their own standing committee meetings to ensure school wide communication in decision making.

Standing Committees

The Governing Board shall propose standing and temporary (ad hoc) committees to focus on specific tasks and/or policies such as those listed in the initial description of the Governing Board's purview stated previously.

CVCHS plans to establish standing committees, including, but not limited to, the following:

- Curriculum and Instruction: Curriculum, instructional delivery, professional development, graduation, and technology. All academic department chairs or their designees are required to serve on this committee.
- Student Services: School safety, security, attendance, and student needs
- Human Resources: Employee salary, benefits, incentives, and work related issues
- Operations: Facility related matters such as new construction, policy on facilities rental, other plant improvements and policies, and scheduling matters such as calendar and bell schedules

Changes to standing committees (e.g., composition, purview, etc.) may be made at any time by the CVCHS Governing Board and shall not be considered a material revision to the charter.

Any committee (standing, ad hoc, or otherwise) that has the decision-making authority of the Governing Board can only be made up of Board members and shall not include non-members. Only advisory bodies to the Board may include non-board members.

Each committee shall have its own bylaws approved by the Governing Board.

The Governing Board shall clearly define the purpose of each standing committee. Consistent with legal requirements, standing committees will make it a practice to seek

input of the stakeholders by publishing their meeting times and agendas and by communicating with the school community on a regular basis. Meetings of the standing committees will be held in accordance with the Brown Act.

In fulfilling its defined purpose, each standing committee will seek input from affected stakeholders at CVCHS. All advice and recommendations of the standing committee will be consistent with the authority granted by the Governing Board and the standing committee's defined purpose. A standing committee shall have no authority to act in contravention with the Charter School's charter or current bargaining agreements and shall not supersede or relieve any obligation by CVCHS to collectively bargain when legally required.

The Governing Board may establish Board policy on its own, or through recommendations by standing committees or Board-established ad hoc committees that will draft policy recommendations to submit to the Governing Board for approval. Policy recommendations may include the following: graduation requirements, curriculum, professional development, new construction, and use of facilities, budgetary policy, requirements for audits, dress code, attendance policy, special student programs, and student discipline. In non-policy decisions, whenever possible, and appropriate, the Governing Board will seek input from standing or Board-established ad hoc committees.

Special time will be set aside during regular staff meetings for CVCHS governance updates. At this time, Cabinet members and other standing committee members will be expected to report to the faculty and staff the activities of their groups, seek faculty and staff input, and promote school wide discussion of issues. This time will also provide any faculty or staff member the opportunity to update the entire group on developing events around the campus.

Standing Committee Composition

Each standing committee may be comprised of certificated, classified, and administrative staff members; parents; students; and other stakeholder members.

All members of each standing committee are voting members. A quorum is required to make a recommendation on any issue to the Board as outlined in the committee's bylaws. If standing committee members must be absent from a meeting, they may send a designee from their constituency group to vote in their absence as long as the standing committee chair is notified in advance of the identity of the designee.

The Executive Director

The Executive Director will be the leader of the school. The Executive Director will, among other things, ensure that the curriculum is implemented in order to maximize student-learning experiences. The Executive Director must report directly to the Governing Board, and s/he is responsible for the orderly operation of the School and the supervision of all employees in the School.

The Executive Director is assigned to perform assigned tasks directed from the Charter School Board of Directors and is required to undertake some or all of the tasks detailed below. These tasks may include, but are not limited to, the following:

- Ensure the Charter School enacts its mission and complies with its charter;
- Supervise and evaluate teachers and staff;
- Communicate and report to the Charter School Board of Directors;
- Oversee school finances to ensure financial stability;
- Participate in and develop professional development workshops as needed;
- Serve or appoint a designee to serve on any committees of the School;
- Interview and recommend employee hiring, promotion, discipline, and/or dismissal;
- Ensure compliance with all applicable state and federal laws and help secure local grants;
- Communicate with parents, recruit new families and students, and assure families of academic growth;
- Take responsible steps to secure full and regular attendance at school of the students enrolled in accordance with policies established by the Board of Directors;
- Complete and submit required documents as requested or required by the charter and/or Charter School Board of Directors and/or the District;
- Identify the staffing needs of the school and offer staff development as needed
- Maintain up-to-date financial records;
- Ensure that appropriate evaluation techniques are used for both students and staff;
- Establish and maintain a system to handle organizational tasks such as student records, teacher records, teacher credentialing information, contemporaneous attendance logs, purchasing, budgets, and timetables;
- Hire qualified substitute teachers as needed;
- Ensure the security of the school building;
- Promote and publish the Charter Program in the community and promote positive public relations and interact effectively with media;
- Encourage and support teacher professional development ;
- Attend District Administrative meetings as requested by the District and stay in direct contact with the District regarding changes, progress, etc.;

- Attend meetings with the Chief Financial Officer of the District on fiscal oversight issues as requested by the District;
- Provide all necessary financial reports as required for proper attendance reporting;
- Develop the School annual performance report and the SARC;
- Present independent fiscal audit to the Charter School Board of Directors and after review by the Board of Directors present audit to the District Board of Education and the County Superintendent of Schools, the State Controller and the California Department of Education;
- Manage student discipline, as necessary participate in the suspension and expulsion process;
- Participate in IEP meetings as necessary.

The above duties, with the exception of personnel matters, may be delegated or contracted as approved by the Governing Board to a business administrator of the School or other appropriate employee or third party provider.

Fiscal Management

A campus financial office will be established and staffed by the Chief Business Officer (CBO) or by a back office company hired by the Governing Board. Budget allocations and expenditures would be made public through this office. The financial office may work closely with an outside CPA for the audit of the school's end of year financial statements and for appropriate review of procedures and internal control. Each standing committee may be authorized to manage the portion of the school's budget under its previously stated purview. The Governing Board may seek the input from a standing committee regarding financial decisions regarding portions of the school's budget. For example, the Curriculum and Instruction committee may recommend the appropriation of surplus funds by awarding mini-grants to teachers who submit proposals.

The CBO or back office staff will identify all expenditures necessary by law and budget them from the general fund. These would be items such as payroll, benefits, utilities, and district encroachments. The department chairs will propose their needs to the CBO from a "zero-based budgeting" approach, which means that all expenditures will be justified and not necessarily solely based on past practices. Past budgets may serve as a guide. The CBO, Executive Director, administrative staff, and department chairs will review various school proposals as they prepare the budget. The resulting budget will be sent to the Governing Board for approval. A simple majority is needed to pass the budget. In the event that a simple majority cannot be reached in a timely manner, the CBO has the authority to pay for essential ongoing costs such as utilities, salaries, health benefits, and other daily operational expenses.

Once each standing committee receives its allocation from the overall budget, that committee will determine through a process established in its by-laws how to spend

those funds. Standing committees will monitor block grants to ensure that resources are allocated to students for whom they were intended. The CVCHS Cabinet, comprised of the chairs of each standing committee, before recommendation to the Governing Board, must review changes to the current overall budget.

Amending the Governing Structure

The governing structure of CVCHS may be revised. Amendments to this charter may be proposed in writing and submitted to the Governing Board by any stakeholder. Pursuant to Education Code Section 47607, material revisions of the charter shall be made in accordance with the standards and criteria of Education Code Section 47605 and must be approved by the Governing Board of the Charter School and the Board of the District. All Governing Board activities will be conducted in accordance with its bylaws, which may subsequently be amended pursuant to the amendment process specified in the bylaws, and with relevant state and federal codes governing public agencies and nonprofit public benefit corporations.

Parental Involvement

In addition to the parent positions on the Governing Board, parents will be encouraged to participate on one or more standing committees. Additionally, parents will be strongly encouraged to be involved in and contribute to CVCHS. The Executive Director and/or his or her designee shall maintain a comprehensive list of volunteer opportunities including but not limited to the following: volunteering in the classroom/school (including at-home assistance); tutoring, attending parent-teacher conferences; attendance at Governing Board meetings; participation in the planning of, or attendance at, fundraising or Academic/Arts Events; or, other activities. No child will be excluded from CVCHS or school activities due to the failure of his or her parent or legal guardian to participate, but we will encourage parents to be involved in the educational program of their children and to participate in governance through membership on one or more committee and or the Governing Board.

ELEMENT 5

Employee Qualifications

The qualifications to be met by individuals to be employed by the school.

California Education Code Section 47605(b)(5)(E)

Beliefs

CVCHS is driven by its Mission Statement:

The mission of Clayton Valley Charter High School (CVCHS) is to unite our stakeholders, including students, staff, parents, and community members, in a common goal to diligently prepare all students for success in the 21st Century. We believe in instilling timeless principles as well as searching out innovations and best practices in education in order to foster a culture of excellence with ***RIGOR, RELEVANCE & RELATIONSHIPS.***

Code of Professionalism

All members recognize the magnitude of the responsibility being accepted in the field of education. In order to ensure the effectiveness of our programs and the success of students in meeting learning outcomes, all staff members must be committed to our collective mission and vision. Every stakeholder is accountable for the academic and social growth of our students.

Qualifications, Selections, Duties, And Evaluation Of Staff

CVCHS does not discriminate against qualified applicants or employees on the basis of race, color, religion, sex, gender identity, sexual orientation, pregnancy, national origin, ancestry, citizenship, age, marital status, physical disability, mental disability, medical condition, or any other characteristic protected by California or federal law.

Prior to beginning employment, all employees must be fingerprinted and receive background clearance in accordance with Education Code Section 44237 and shall provide proof of tuberculosis clearance in accordance with Education Code Section 49406.

Qualifications

Administrative Team

Administrators at CVCHS should possess:

- An educational vision that is consistent with the school's mission and educational program,
- A global frame of reference
- Leadership abilities such as public speaking, motivational skills, relationship building, skills in hiring, mentoring, and coaching to maximize their full potential
- Technological and data experience
- Business and legal experience

The most important criteria for administrative candidates include the following:

- M.A. degree or equivalent
- Teaching credential
- Minimum of five years teaching experience
- Administrative Services Credential (or Student Services credential with the Administrative Services Credential earned within two years for the Director of Counseling)
- Positive references from most recent employment, college, or grad school
- Evidence of educational experience after college

Teachers

CVCHS will hire the most highly qualified teachers available. CVCHS will adhere to the provision enumerated in Ed Code Section 47605 (l): Teachers in charter schools shall hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools would be required to hold. These documents shall be maintained on file at the charter school and are subject to periodic inspection by the chartering authority. It is the intent of the Legislature that charter schools be given flexibility with regard to non-core, non-college preparatory courses. CVCHS teachers and paraprofessionals shall meet all applicable 'highly qualified' requirements under the No Child Left Behind Act.

The most important characteristics of teachers are:

- Professionalism
- Effective classroom management skills
- Commitment to lifelong-learning and professional development
- Ability to work cooperatively and collaboratively with the school community
- Expertise in at least one subject

- Critical constructive thinking
- Demonstrable effectiveness in teaching
- Productive use of technology
- A willingness to take responsibility and exercise leadership for the school as a whole

Although we expect our teachers to have additional qualifications, the minimum criteria for consideration include the following:

- B.A. or B.S. degree
- Subject matter competence (as evidenced by degree, subject waiver/course work, CSET, or work experience)
- Passing of CBEST and possession of credential
- Completion of a teacher-training program at an accredited university
- Evidence of educational experience after college, if applicable (i.e. fellowships, graduate work, etc.)
- Evidence of successful classroom teaching experience, if applicable

Exceptions to the above qualifications may be made by the Executive Director for hiring staff in special areas as long as Education Code Section 47605(l) is followed.

Credentials will be maintained on site and monitored on an ongoing basis by the Executive Director. The Human Resources Manager will maintain a database. Monthly reports will be generated to check for credential expiration status. Reminder notifications will be sent to individuals three months prior to credential expiration date. The Human Resource Manager will print hard copies of credentials from the California Commission on Teacher Credentialing Website and keep the file on site.

Counselors, Coordinators, Deans, and Other Non-Teaching Certificated Staff

- Non-teaching personnel such as school counselors, coordinators, deans, school psychologists, speech pathologists, and school social workers will possess appropriate credentials for the specific positions, such as Student Personnel Services credential for Counselors, a Professional Clear credential for Deans and coordinators, a Health Services credential for school nurses, or an appropriate California state license for a school psychologist or school social worker.
- Candidates for these positions will have evidence of adequate professional training and/or experience. A bachelor's degree is required for all positions. Desirable qualifications would include a Masters (required for school psychologist and school social worker) or higher degree with full clear credentials/licenses for the appropriate field.

In special circumstances, exceptions to the above qualifications may be made by the Executive Director for hiring non-teaching certificated staff such as counselors from another state with adequate professional training who are qualified to receive a California credential within a reasonable amount of time after being employed.

Non-Teaching Employees

Non-teaching employees, including office staff, maintenance staff, custodial staff, grounds-keeping staff, food service staff, aides, and paraprofessionals, serve in support roles to keep the school operating efficiently. If we receive Title 1 funding, we will ensure paraprofessionals are highly qualified. The following will be required for all classified position candidates:

- High school diploma or equivalent
- Background/fingerprint/TB clearance

In addition, the following qualifications are required per position:

Clerical/Office Staff

- Knowledge of English composition, basic arithmetic, office practices and procedures, operation of various office machines, Microsoft Office, web-browsing techniques
- Ability to understand, interpret, and apply pertinent laws, rules, regulations, and procedures
- Ability to organize files, keep accurate records, and work effectively with employees, students, and the public
- Ability to work efficiently and cohesively

Buildings and Grounds Workers

- Ability to read and interpret documents such as safety rules, operating and maintenance instructions, and procedure manuals
- Ability to write routing reports and correspondence
- Ability to add, subtract, multiply, and divide in all units of measure
- Ability to lift and move up to 50 pounds on a regular basis
- Ability to work efficiently and cohesively

Cafeteria Workers

- Knowledge of methods of preparing, producing, heating, cooking, and serving food
- Knowledge of food storage methods and basic arithmetic
- Ability to prepare, produce, heat, cook, and serve a variety of nutritious foods
- Ability to work rapidly, efficiently, and cohesively

- Knowledge of food safety

Special Education Assistants

- Possession of an AA Degree or minimum 60 units Post-Secondary Education
- Knowledge of general nature and causes of physical, mental, and emotional disabilities
- Ability to communicate and relate effectively with students
- Ability to speak English
- Time management skills
- Other certifications as called for within an individual student's IEP.

Staff Member Selection

CVCHS shall select its own staff. As stated above, CVCHS does not discriminate against qualified applicants or employees on the basis of race, color, religion, sex, gender identity, sexual orientation, pregnancy, national origin, ancestry, citizenship, age, marital status, physical disability, mental disability medical condition, or any other characteristic protected by California or federal law.

Selection Procedures

When teacher, administrator, or classified vacancies occur, CVCHS staff will receive preference on open positions. The CVCHS Governing Board will establish an ad hoc Hiring Committee that shall:

- Announce openings
- Recruit applicants (when possible and necessary, by attending job fairs, advertising in local and national journals, and engaging search firm services)
- Request resumes and verify references
- Interview and make recommendations to the Executive Director

The ad hoc Hiring Committee shall consist of stakeholder representatives including the Department Chair or designee.

Process

Candidates should submit the following for consideration by the ad hoc Hiring Committee:

- Resume detailing educational experience, membership in professional organizations, and other relevant information

- Letter(s) of recommendation from previous Principals, Department Chairs, immediate supervisors, and/or colleges attended (for newly certificated teachers) or other documentation relevant to assessing professional ability/aptitude

The ad hoc Hiring Committee will make its recommendation(s) for hire to the Executive Director who, in turn, may offer employment on behalf of the CVCHS Governing Board.

All staff applicants will be required to:

- Provide medical clearance (including TB test results within the most recent 90 days)
- Submit fingerprints for a background investigation (DOJ, FBI)
- Furnish a criminal record summary as required in E.C. 44237
- Provide proof of legal status
- Sign child abuse reporting requirement
- Sign drug-free environment requirement

Day-to Day Substitutes

CVCHS will use qualified substitutes from our own sub-pool or the services of an outside provider. CVCHS will ensure that substitutes from its sub-pool and from outside agency providers clear the appropriate criminal background check. Qualifications include, but are not limited to, the following:

- B.A. or B.S. degree
- Passing of CBEST or possession of credential
- Positive references

Work Basis and Duties

All employees will adhere to contracts created by the CVCHS Governing Board and, when applicable, subject to collective bargaining agreement (CBA). CVCHS has the right to set work schedules with comparable compensation based on student needs, staffing patterns, and fiscal capabilities subject to a CBA when applicable.

Duties of the Executive Director

- Ensure the Charter School enacts its mission and complies with its charter;
- Supervise and evaluate teachers and staff;
- Communicate and report to the Charter School Board of Directors;
- Oversee school finances to ensure financial stability;

- Participate in and develop professional development workshops as needed;
- Serve or appoint a designee to serve on any committees of the School;
- Interview and recommend employee hiring, promotion, discipline, and/or dismissal;
- Ensure compliance with all applicable state and federal laws and help secure local grants;
- Communicate with parents, recruit new families and students, and assure families of academic growth;
- Take responsible steps to secure full and regular attendance at school of the students enrolled in accordance with policies established by the Board of Directors;
- Complete and submit required documents as requested or required by the charter and/or Charter School Board of Directors and/or the District;
- Identify the staffing needs of the school and offer staff development as needed
- Maintain up-to-date financial records;
- Ensure that appropriate evaluation techniques are used for both students and staff;
- Establish and maintain a system to handle organizational tasks such as student records, teacher records, teacher credentialing information, contemporaneous attendance logs, purchasing, budgets, and timetables;
- Hire qualified substitute teachers as needed;
- Ensure the security of the school building;
- Promote and publish the Charter Program in the community and promote positive public relations and interact effectively with media;
- Encourage and support teacher professional development ;
- Attend District Administrative meetings as requested by the District and stay in direct contact with the District regarding changes, progress, etc.;
- Attend meetings with the Chief Financial Officer of the District on fiscal oversight issues as requested by the District;
- Provide all necessary financial reports as required for proper attendance reporting;
- Develop the School annual performance report and the SARC;
- Present independent fiscal audit to the Charter School Board of Directors and after review by the Board of Directors present audit to the District Board of Education and the County Superintendent of Schools, the State Controller and the California Department of Education;
- Manage student discipline, as necessary participate in the suspension and expulsion process;
- Participate in IEP meetings as necessary.

Duties of the Administrative Team

- Supervise day-to-day operation of the school
- Implement the policies determined by the Governing Board
- Oversee the instructional program
- Evaluate staff effectiveness
- Oversee the business practices of the school
- Provide effective communication with community/families
- Assist with scheduling
- Support students and staff in accordance with CVCHS Mission Statement, Vision, and established goals
- Support discipline of students
- Attend meetings of the Governing Board and standing committees
- Report to Cabinet regarding all of the above

Duties of Teachers

- Provide a quality, enriching curriculum
- Provide continual assessment of student progress and maintain records
- Continually evaluate classroom environment to reflect and facilitate the academic program
- Continue to work on professional growth
- Provide for open and professional communication with all members of the school community
- Adhere to all Charter School policies as established by the Governing Board
- Support student discipline policies
- Support a safe environment through effective classroom management

Duties for Out of Classroom Support Personnel

- Provide a quality, enriching support program for students
- Provide continual assessment of student progress and maintain records
- Adhere to all Charter School policies as established by the Governing Board

Duties for Classified and Other Personnel

- Office personnel will perform daily school business
- Other personnel will perform daily duties as described by individual job descriptions
- Continue to work on professional growth

Compensation

Salary Schedule

In order to attract and retain the most highly qualified teachers, CVCHS desires to provide a competitive salary schedule. It is our intent to offer a salary and benefits package that is at least equivalent in value to MDUSD, if not more. One of the ways we believe we can accomplish this goal, based on a preliminary budget, is through the elimination of furlough days. We will review and revise the compensation schedules as needed and where applicable, subject to collective bargaining agreement.

Differentials

Leadership, activity, and athletic differentials will be paid for assignments based on eligibility criteria and amounts.

Examples of Differentials:

- National Board Certified Teacher
- Degree differential (certificated and classified)
- Department chairs and instructional advisors
- Other instructional leadership positions
- BTSA and Induction program members
- Years of experience
- Post-Bachelor Degree Coursework

Additional categories may be developed. The number, type, and amount of differentials may be altered in the future by the Governing Board and where applicable, subject to a collective bargaining agreement.

ELEMENT 6

Health and Safety

The procedures that the school will follow in order to ensure the health and safety of students and staff.

These procedures shall include the requirement that each employee of the school furnish the school with a criminal record summary as described in Section 44237.

California Education Code Section 47605(b)(5)(F)

In order to provide safety for all students and staff, CVCHS will adopt and implement full health and safety procedures and risk management policies at its school site in consultation with its insurance carriers and risk management experts. The following is a summary of the health and safety policies and facilities management and risk management policies of CVCHS. These policies will be incorporated as appropriate into the School's staff development efforts and Governing Board policies. A complete set of health and safety policies shall be in place three months prior to operation. Employees shall be trained as needed and as legally required on the policies.

Fingerprinting and Background Check

No employee shall be permitted to commence work at CVCHS until clearance has been obtained with the Department of Justice. Employees and contractors of CVCHS will be required to submit a criminal background check and furnish a criminal record summary as required by Education Code Section 44237 and 45125.1 prior to commencing employment or the contracted position. New employees not possessing a valid California Teaching Credential must submit two sets of fingerprints to the California Department of Justice for the purpose of obtaining a criminal record summary.

The Executive Director of CVCHS shall monitor compliance with this policy and report to the CVCHS Governing Board on a semiannual basis. A Board designee shall monitor the fingerprinting and background clearance of the Executive Director. Volunteers not under the direct supervision of a credentialed employee shall be fingerprinted and receive background checks through local law enforcement prior to volunteering without direct supervision of a credential employee.

Drug Free/Alcohol Free/Smoke Free Environment

CVCHS shall function as a drug, alcohol, and tobacco free workplace.

Immunizations

All students and staff will be required to provide records documenting immunizations to the same extent as is required at public schools pursuant to Health and Safety Code Sections 120325-120375, and Title 17, California Code of Regulations Sections 6000-6075.

TB Testing

Faculty and staff will be tested for tuberculosis prior to commencing employment and working with students and as additionally required by Education Code Section 49406.

Administration of Medication

In the presence or absence of trained nursing personnel, all medicines will be administered to students pursuant to California Education Code 49423 and Title 5 of the California Code of Regulations, Division 1, Chapter 2, Subchapter 3, Article 4.1.

Hearing, Vision, and Scoliosis Screening

Students will be screened for vision, hearing, and scoliosis. CVCHS will adhere to Education Code Section 49450, *et seq.*, as applicable to the grade levels served by the School.

Blood Borne Pathogens

CVCHS shall meet state and federal standards for dealing with blood borne pathogens and other potentially infectious materials in the work place. The Governing Board shall establish a written infectious control plan designed to protect employees and students from possible infections due to contact with blood borne viruses, including human immunodeficiency virus ("HIV") and hepatitis B virus. Whenever exposed to blood or other bodily fluid through injury or accident, staff and students shall follow the latest medical protocol for disinfecting procedures.

School Safety

CVCHS will continue to maintain a Safe School Plan. The School will enhance school safety through use of campus security supervisors and collaboration with the Concord Police Department and their School Safety Officers and other First Responders. CVCHS will continue to upgrade our campus surveillance camera system. In addition, CVCHS will continue to conduct required as well as other emergency drills, such as lockdown and intruder on campus, to simulate emergency scenarios.

Emergency Preparedness

CVCHS will maintain an emergency preparedness plan. This plan will cover school procedures in the advent of natural disasters including but not limited to earthquakes, fires, and terrorist threats. To ensure that these procedures are carried out efficiently, staff will be trained on emergency procedures, first aid, and CPR. Emergency Preparedness exercises will be carried out at least once each school year. The school will ensure the storage of water, food, and first aid supplies in each wing to last for a minimum of three days.

Facility Safety

CVCHS shall comply with Education Code Section 47610 and/or Education Code Section 47610.5 by using facilities that are compliant with all laws and ordinances, rules and regulations applying to a public school facility such as but not limited to testing fire extinguishers and fire alarms annually at its facilities to ensure that they are maintained in an operable condition at all times. CVCHS shall conduct fire drills as required under Education Code Section 32001.

The school's facilities will comply with state building codes and/or the Field Act in accordance with Education Code Section 47610.5, federal Americans with Disabilities Act (ADA) access requirements, and other applicable fire, health, and structural safety requirements and will maintain on file readily accessible records documenting such compliance.

Asbestos Management

CVCHS will occupy facilities that comply with the Asbestos requirement as cited in the Asbestos Hazard Emergency Response Act (AHERA), 40CFR part 73. AHERA requires any building leased or acquired to be used as a school or administrative building shall maintain an asbestos management plan.

Child Abuse Reporting

CVCHS staff are mandated child abuse reporters under state and federal law. It is the CVCHS policy that all employees shall comply with California state law reporting procedures. Reports of suspected child abuse are to be made to an official child protective agency and local law enforcement agency. These policies will be incorporated as appropriate into the school's student and staff handbooks and will be reviewed on an ongoing basis in the school's staff development efforts and Governing Board policies.

Comprehensive Harassment Policies and Procedures

CVCHS is committed to providing a school that is free from sexual harassment as well as any harassment based upon such factors as race, religion, creed, color, national origin, ancestry, age, medical condition, marital status, sexual orientation, disability, or proficiency in English.

Harassment can consist of, but is not limited to, jokes, name-calling, gestures, the display of pictures or symbols, written notes, emails, innuendoes, comments or other behavior that offends or shows disrespect to a student or staff member on the basis of race, religion, national origin, gender, sexual orientation, disability, age, or proficiency in English. Sexual harassment can consist of, but is not limited to, sexual advances, requests for sexual favors, and/or other verbal or physical conduct of a sexual nature.

CVCHS will develop a comprehensive policy to prevent and immediately remediate any concerns about sexual discrimination or harassment at the school, including employee to employee, employee to student, and student to employee misconduct.

E L E M E N T 7

Racial and Ethnic Balance

The means by which the school will achieve racial and ethnic balance among its students that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted.

California Education Code Section 47605(b)(5)(G)

Clayton Valley Charter High School's is a diverse mix of nationalities and languages. CVCHS attempts to achieve a stable student population that represents the racial and ethnic diversity of the territorial jurisdiction. Students can achieve the goal of becoming productive and well-rounded citizens in a multi-national world if they are educated in a multi-national environment.

Present student demographics show a wide range of socio-economic, educational, and cultural backgrounds. The 2009-2010 student population consists of 3.5 percent Black or African American, 0.9 percent American Indian or Alaska Native, 7.2 percent Asian, 4.2 percent Filipino, 18.4 percent Hispanic or Latino, 0.5 percent Native Hawaiian or Pacific Islander, 65 percent White, and 0.2 percent Mixed Race. The 2009-2010 student population also consists of 14.5 percent Socio-economically Disadvantaged, 4.4 percent English Learners, and 7.8 percent Students with Disabilities. The most significant change in student ethnic and socioeconomic groups since the 2007-2008 school year was a 2.6 percent increase in the Hispanic or Latino population and a 4.19 percent drop in the white student demographic, and an increase in the number of Asian, American Indian/Alaskan Native, Pacific Islander, and Filipino Students. There was also a significant increase in the number of Socio-economically Disadvantaged Students since 2007-2008, rising from 10 percent to 14.5 percent.

During the last three years, CVHS has seen an increase in cultural and educational diversity. The English Language Learner student population increased by 1.4 percent since 2007, and we expect this trend to continue. We have a 4.4 percent student population of English Language Learners being taught in English Language Development (ELD) classes and mainstreamed into English core curriculum classes. These classes are taught by CLAD/BCLAD credentialed or SB1969 certified teachers. Our ELL students speak many different languages.

To the extent that the population of the Charter School can be controlled under the constraints of current state law, which requires admission by public random drawing, and preference in the case of a public random drawing for students residing in the

former attendance area of the Charter School, the Charter School seeks to mirror as closely as possible the diversity of the District, including with regard to socio-economic status.

Outreach shall include but is not limited to the following:

- Recruitment events in various geographical regions of the District; recruitment events will include presentations, recruitment tables, and pamphlet distribution.
- Documents disseminated at parent/school meetings, press releases, website announcements, orientations, tours of CVCHS; all written communications shall be offered in Spanish and English and all verbal communication shall be offered with the availability of a translator;
- Written communications with respected community organizations; and
- Articulation meetings with feeder middle schools and parents of matriculating students.

Federal Compliance

To the extent that CVCHS will be a recipient of federal funds, including federal Title I, Part A funds, CVCHS agrees to meet all of the programmatic, fiscal, and other regulatory requirements of the No Child Left Behind Act and other applicable federal grant programs. CVCHS agrees that it will keep and make available to the District any documentation necessary to demonstrate compliance with the requirements of the No Child Left behind Act and other applicable federal programs, including, but not limited to, documentation related to required parental notifications, appropriate credentialing of teaching and paraprofessional staff, the implementation of Public School Choice and Supplemental Educational Services, where applicable, or any other mandated federal program requirement. The mandated requirements of NCLB include, but are not limited to, the following:

- Notify parents at the beginning of each school year of their “right to know” the professional qualifications of their child’s classroom teacher including a timely notice to each individual parent that the parent’s child has been assigned, or taught for four or more consecutive weeks by, a teacher who is not highly qualified
- Develop jointly with, and distribute to, parents of participating children, a school-parent compact
- Hold an annual Title I meeting for parents of participating Title I students
- Develop jointly with, agree on with, and distribute to, parents of participating children a written parent involvement policy

CVCHS also understands that as part of its oversight of the school, the Charter School Office may conduct program review of federal and State compliance issues.

ELEMENT 8

Admission Requirements

Admission requirements, if applicable.

California Education Code Section 47605(b)(5)(H)

Clayton Valley Charter High School will admit all students residing in California who wish to attend on a space available basis as outlined in Education Code Section 47605(d)(2). With the exception of existing students, a public random drawing shall be used when admission requests exceed the available spaces. Preference will be given to existing students and to the students residing within the former CVHS attendance area. Former attendance area of the school is defined as both the local neighborhood and those geographic neighborhoods that are now sending and have traditionally sent students to CVHS.

CVCHS will not charge tuition and will not discriminate against any student on the basis of race, color, national origin, creed, sex, ethnicity, sexual orientation, mental or physical disability, age, ancestry, or athletic performance or any other characteristic described in Education Code Section 220. CVCHS will not enroll students over 19 years of age unless continuously enrolled in public school and making satisfactory progress toward high school diploma requirements and are not more than 22 years of age. CVCHS will not require any student to attend the charter school. CVCHS will be nonsectarian in its programs, admission policies, employment practices, and all other operations.

Admission Information

Enrollment in CVCHS should be an informed, carefully considered decision. As part of the enrollment process, students and parents or guardians are required to attend an information session and orientation to learn more about the educational program at CVCHS⁶. At these sessions, parents and guardians will learn about the school mission and teaching philosophy as well as how they can contribute to the school. In these meetings and workshops, our staff will explain the expectations for the parents and guardians to enable their students to comply with the school schedule and homework requirements, as well as how parents will participate in the activities of standing committees that help operate the school.

⁶ These sessions will be offered at multiple times to allow for flexibility to accommodate the schedules of parents/guardians. Translation will be available as needed to accommodate non-English speaking parents and reasonable accommodation will be offered for parents/guardians with disabilities.

Parents and students are required to sign an agreement that they will abide by the school's policies on academics, attendance, dress code (possibly school uniforms), behavior codes, including suspension and expulsion provisions, and care of school property.

Parents and students are required to complete an Intake Packet. The content of materials in the Intake Packet is not used as a factor of admission, but the requirement helps assure that students are seriously interested in attending CVCHS and provides CVCHS staff with information crucial to serving students. Families choosing to attend CVCHS will complete an Intake Packet that may include:

- Clayton Valley Charter High School enrollment form
- Parent Survey
- Student and Parent Contracts

Lottery Procedures

If the number of students who wish to attend CVCHS exceeds the school's capacity in any grade level, admission, except for existing students of the Charter School, shall be determined by a public random drawing. During any period of funding under the Public Charter Schools Grant Program, this public random drawing will be held as one single weighted lottery in accordance with the terms of the State Board of Education-approved Request for Applications ("RFA"). In the case of a public random drawing, the following will be given preference for admission to the school:

1. Existing students enrolled in the School;
2. Students who reside within the former attendance area of Clayton Valley High School (CVHS);⁷
3. Siblings of existing students enrolled in the School;⁸ and
4. Students who reside in the District.

Once the school capacity is filled by the public random drawing, the remaining students will be placed on a waiting list in the random order in which they were drawn. CVCHS will maintain auditable records of the public random drawing. CVCHS will invite MDUSD representatives and respected members of the community as official observers of the lottery to verify lottery procedures are fairly executed.

⁷ "Former attendance area" is defined as both the local neighborhood and those geographic neighborhoods that are now sending and have traditionally sent students to CVHS. The weighting factor for #2 and #4 during any period of Public Charter School's Grant Program funding is 2 to 1 unless otherwise agreed upon by the District and Charter School.

⁸ During any period of Public Charter Schools Grant Program funding, this preference will be considered an "exemption" to the public random drawing in accordance with the terms of the State Board of Education approved Request for Applications ("RFA")

E L E M E N T 9

Financial Operations, Independent Financial Audit, and Programmatic Audit

The manner in which an annual, independent, financial audit shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the satisfaction of the chartering authority.

California Education Code Section 47605(b)(5)(I)

Fiscal Autonomy

Clayton Valley Charter High School's community and partners will maintain the highest level of integrity in fiscal management while seeking all available resources and using them effectively to support the instructional program.

The business philosophy of CVCHS is entrepreneurial and community-based. Every effort will be made to maximize revenue from all sources while maximizing the effectiveness of all expenditures through the utilization of a "better, faster, cheaper" and "in the best interest of the students" test. We plan to investigate alternative funding sources such as grants specific to charter schools offered through the State and Federal government.

We will follow financial best practices in establishing investment strategies for cash balances and deposit procedures for all school funds.

Budget Development

Budget development will begin each year immediately following the January announcement of the governor's K-12 State Budget Proposals and be continually refined through the May Revise to the Final State Budget Act. Budgeted resources will always be consistent with CVCHS's goals as identified by the Governing Board. Attached as Appendix F, please find the following financial projections:

- 1) A 3 year budget including startup costs; and
- 2) Three years of cash flow.

Fiscal Audit

An annual independent financial audit of the books and records of CVCHS will be conducted as required by Education Code Sections 47605(b)(5)(l) and 47605(m). The books and records of CVCHS will be kept in accordance with generally accepted accounting principles, and as required by applicable law and the audit will employ generally accepted accounting procedures. The audit shall be conducted in accordance with applicable provisions within the California Code of Regulations governing audits of charter schools as published in the State Controller's K-12 Audit Guide.

An audit committee will select an independent auditor through a request for proposal format. The auditor will have, at a minimum, a CPA and educational institution audit experience and approved by the State Controller on its published list as an educational audit provider. To the extent required under applicable federal law, the audit scope will be expanded to include items and processes specified in applicable Office of Management and Budget Circulars.

The annual audit will be completed and forwarded to MDUSD, the County Superintendent of Schools, the State Controller, and to the CDE by the 15th of December of each year. The Executive Director, along with the audit committee, will review any audit exceptions or deficiencies and report to the CVCHS Governing Board with recommendations on how to resolve them. The Board will submit a report to MDUSD describing how the exceptions and deficiencies have been or will be resolved to the satisfaction of MDUSD along with an anticipated timeline for the same. Audit appeals or requests for summary review shall be submitted to the Education Audit Appeals Panel ("EAAP") in accordance with applicable law.

The independent financial audit of CVCHS is public record to be provided to the public upon request.

Timeline For Financial Reporting Requirements

CVCHS shall provide reports to MDUSD as follows and shall provide additional fiscal reports as requested by the MDUSD or County Superintendent of Schools:

1. By July 1, a preliminary budget for the current fiscal year. For a charter school in its first year of operation, financial statements submitted with the charter petition pursuant to Education Code 47605(g) will satisfy this requirement.
2. By September 15, a final non-audited report from the full prior year. The report submitted to MDUSD shall include an annual statement of all CVCHS receipts and expenditures for the preceding fiscal year.

3. By October 31, report CA Basic Educational Data System (CBEDS) to CDE (Oct. 23 to MDUSD)
4. By December 15, an interim financial report for the current fiscal year reflecting changes through October 31. Additionally, on December 15, a copy of CVCHS's annual, independent financial audit report for the preceding fiscal year shall be delivered to MDUSD, State Controller, State Department of Education and County Superintendent of Schools (Dec. 7 to MDUSD).
5. By March 1, a second interim financial report for the current fiscal year reflecting changes through January 31.
6. By May 31, charter school info sheet and funding survey to CDE (May 10 to MDUSD).

The Charter School shall also provide the above-mentioned reports to the County Superintendent of Schools in accordance with the deadlines established by Education Code Section 47604.33.

CVCHS will be responsible for its own financial services (accounting, budgeting, and payroll) and personnel services.

CVCHS shall conduct all of its financial operations in a timely manner and for all programs (regular, categorical, and special education) through procedures established by the State of California and the Federal Government, as appropriate. For Federal programs, including Title I, the criteria for eligibility and fiscal guidelines will be as established by the Federal Government. In receiving this funding directly, CVCHS is responsible for meeting eligibility and fiscal requirements established by the Federal Government and for completing the Consolidated Application. CVCHS shall provide MDUSD with all financial and related reports, including enrollment attendance, to enable MDUSD to meet its requirements by law. Notwithstanding CVCHS's expectation to receive Title I funding under Federal guidelines, said funding may not be forthcoming until CVCHS meets established criteria for a determined school year.

Revenue Flow/Depository/Accounting

As a directly funded charter school, most of the school's state and federal revenue flows directly from the state to the school's account in the County Treasury, which is administered through CCBOE.

Funds flowing through MDUSD will be transferred via cash journal in the most expeditious manner possible.

All such revenue deposits will be recorded in the financial system at CCBOE. All

expenditures, including payroll, will be drawn on the County Treasury, which enables the CCBOE financial system to account for all revenue and expenditures. If CVCHS decides to replace the CCBOE financial system with a comparable financial system, which meets CDE reporting guidelines for charter schools, funds will be transferred from CCBOE, and all revenues and expenditures will be recorded in the new system. Revolving accounts with a local financial institution may be established for day-to-day expenditures from the General Fund, Food Services, and other miscellaneous accounts. All expenditures over \$500.00 from local accounts will continue to require two signatures. Fiscal control procedures will be adopted and maintained by CVCHS.

Attendance Accounting Procedures

Existing attendance accounting procedures that provide excellent checks and balances will continue to be used unless a more efficient system can be devised that will satisfy state requirements.

E L E M E N T 1 0

Suspension and Expulsion

The procedures by which pupils can be suspended or expelled.

California Education Code Section 47605(b)(5)(J)

CVCHS Suspension and Expulsion Procedures

This Student Suspension and Expulsion Policy has been established in order to promote learning and protect the safety and well-being of all students, staff, parents/guardians, and visitors to the Charter School. In creating this policy, the Charter School has reviewed Education Code Section 48900 *et seq.* which describes the noncharter schools' list of offenses and procedures to establish its list of offenses and procedures for suspensions and expulsions. The language that follows closely mirrors the language of Education Code Section 48900 *et seq.* The Charter School is committed to annual review of policies and procedures surrounding suspensions and expulsions.

When the Policy is violated, it may be necessary to suspend or expel a student from regular classroom instruction. This policy shall serve as the Charter School's policy and procedures for student suspension and expulsion and it may be amended from time to time without the need to amend the charter so long as the amendments comport with legal requirements. Charter School staff shall enforce disciplinary rules and procedures fairly and consistently among all students. This Policy and its Procedures will be printed and distributed as part of the Student Handbook and will clearly describe discipline expectations. Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of or willfully causing the infliction of physical pain on a student. For purposes of the Policy, corporal punishment does not include an employee's use of force that is reasonable and necessary to protect the employee, students, staff or other persons or to prevent damage to school property.

The Charter School administration shall ensure that students and their parents/guardians are notified in writing upon enrollment of all discipline policies and procedures. The notice shall state that this Policy and Procedures are available on request at the Executive Director's office.

Suspended or expelled students shall be excluded from all school and school-related activities unless otherwise agreed during the period of suspension or expulsion.

A student identified as an individual with disabilities or for whom the Charter School has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Education Improvement Act of 2004 ("IDEIA") or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 ("Section 504") is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to general education students except when federal and state law mandates additional or different procedures. The Charter School will follow all applicable federal and state laws including but not limited to the California Education Code, when imposing any form of discipline on a student identified as an individual with disabilities or for whom the Charter School has a basis of knowledge of a suspected disability or who is otherwise qualified for such services or protections in according due process to such students.

A. Grounds for Suspension and Expulsion of Students

A student may be suspended or expelled for prohibited misconduct if the act is related to school activity or school attendance occurring at any time including but not limited to: a) while on school grounds; b) while going to or coming from school; c) during the lunch period, whether on or off the school campus; d) during, going to, or coming from a school-sponsored activity.

B. Enumerated Offenses

1. Discretionary Suspension Offenses. Students may be suspended for any of the following acts when it is determined the student:

- a) Caused, attempted to cause, or threatened to cause physical injury to another person.
- b) Willfully used force of violence upon the person of another, except self-defense.
- c) Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind.
- d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.

- e) Committed or attempted to commit robbery or extortion.
- f) Caused or attempted to cause damage to school property or private property.
- g) Stole or attempted to steal school property or private property.
- h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. This section does not prohibit the use of his or her own prescription products by a student.
- i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
- k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties.
- l) Knowingly received stolen school property or private property.
- m) Possessed an imitation firearm, i.e., a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- n) Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code Section 243.4.
- o) Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
- p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- q) Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, "hazing" means a method of initiation or preinitiation into a student organization or body, whether or not the organization or body is

officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective student. For purposes of this section, "hazing" does not include athletic events or school-sanctioned events.

- r) Made terrorist threats against school officials and/or school property. For purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school property, or the personal property of the person threatened or his or her immediate family.
- s) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to students in any of grades 4 to 12, inclusive.
- t) Caused, attempted to cause, threaten to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to students in any of grades 4 to 12, inclusive.
- u) Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading student rights by creating an intimidating or hostile educational environment. This section shall apply to students in any of grades 4 to 12, inclusive.
- v) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act, as defined in subdivisions (f)

and (g) of Section 32261 of the Education Code, directed specifically toward a student or school personnel.

- w) A student who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a student who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1).
- x) Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee's concurrence.
- y) Violation of the Student Contract.

2. Non- Discretionary Suspension Offenses: Students must be suspended and recommended for expulsion for any of the following acts when it is determined the student:

- a) Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the students had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee's concurrence.

3. Discretionary Expellable Offenses: Students may be expelled for any of the following acts when it is determined the student:

- a) Caused, attempted to cause, or threatened to cause physical injury to another person.
- b) Willfully used force of violence upon the person of another, except self-defense.
- c) Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.
- d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058,

alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.

- e) Committed or attempted to commit robbery or extortion.
- f) Caused or attempted to cause damage to school property or private property.
- g) Stole or attempted to steal school property or private property.
- h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a student.
- i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
- k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties.
- l) Knowingly received stolen school property or private property.
- m) Possessed an imitation firearm, i.e., a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- n) Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code Section 243.4.
- o) Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.

- p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- q) Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, "hazing" means a method of initiation or preinitiation into a student organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective student. For purposes of this section, "hazing" does not include athletic events or school-sanctioned events.
- r) Made terrorist threats against school officials and/or school property. For purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school property, or the personal property of the person threatened or his or her immediate family.
- s) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to students in any of grades 4 to 12, inclusive.
- t) Caused, attempted to cause, threaten to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to students in any of grades 4 to 12, inclusive.
- u) Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading student rights by creating an intimidating or hostile

educational environment. This section shall apply to students in any of grades 4 to 12, inclusive.

- v) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act, as defined in subdivisions (f) and (g) of Section 32261 of the Education Code, directed specifically toward a student or school personnel.
- w) A student who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a student who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1).
- x) Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee's concurrence.
- y) Violation of the Student Contract.

4. Non -Discretionary Expellable Offenses: Students must be expelled for any of the following acts when it is determined pursuant to the procedures below that the student:

- a) Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the students had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee's concurrence.

If it is determined by the Board of Directors that a student has brought a fire arm or destructive device, as defined in Section 921 of Title 18 of the United States Code, on to campus or to have possessed a firearm or dangerous device on campus, the student shall be expelled for one year, pursuant to the Federal Gun Free Schools Act of 1994.

The term "firearm" means (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or

firearm silencer; or (D) any destructive device. Such term does not include an antique firearm.

The term “destructive device” means (A) any explosive, incendiary, or poison gas, including but not limited to: (i) bomb, (ii) grenade, (iii) rocket having a propellant charge of more than four ounces, (iv) missile having an explosive or incendiary charge of more than one-quarter ounce, (v) mine, or (vi) device similar to any of the devices described in the preceding clauses.

C. Suspension Procedure

Suspensions shall be initiated according to the following procedures:

1. Conference

Suspension shall be preceded, if possible, by a conference conducted by the Executive Director or the Executive Director’s designee with the student and his or her parent and, whenever practical, the teacher, supervisor or Charter School employee who referred the student to the Executive Director or designee.

The conference may be omitted if the Executive Director or designee determines that an emergency situation exists. An “emergency situation” involves a clear and present danger to the lives, safety or health of students or Charter School personnel. If a student is suspended without this conference, both the parent/guardian and student shall be notified of the student’s right to return to school for the purpose of a conference.

At the conference, the student shall be informed of the reason for the disciplinary action and the evidence against him or her and shall be given the opportunity to present his or her version and evidence in his or her defense. This conference shall be held within two school days, unless the student waives this right or is physically unable to attend for any reason including, but not limited to, incarceration or hospitalization. No penalties may be imposed on a student for failure of the student’s parent or guardian to attend a conference with Charter School officials. Reinstatement of the suspended student shall not be contingent upon attendance by the student’s parent or guardian at the conference.

2. Notice to Parents/Guardians

At the time of the suspension, an administrator or designee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall be notified in writing of the suspension and the date of return following suspension. This notice shall state the specific offense committed by the student. In addition, the notice may also state the

date and time when the student may return to school. If Charter School officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may request that the parent/guardian respond to such requests without delay.

3. Suspension Time Limits/Recommendation for Expulsion

Suspensions, when not including a recommendation for expulsion, shall not exceed five (5) consecutive school days per suspension. Upon a recommendation of Expulsion by the Executive Director or Executive Director's designee, the student and the student's guardian or representative will be invited to a conference to determine if the suspension for the student should be extended pending an expulsion hearing. This determination will be made by the Executive Director or designee upon either of the following: 1) the student's presence will be disruptive to the education process; or 2) the student poses a threat or danger to others. Upon either determination, the student's suspension will be extended pending the results of an expulsion hearing.

D. Authority to Expel

A student may be expelled either by the Charter School Board following a hearing before it or by the Charter School Board upon the recommendation of an Administrative Panel to be assigned by the Board as needed. The Administrative Panel should consist of at least three members who are certificated and neither a teacher of the student or a Board member of the Charter School's governing board. The Administrative Panel may recommend expulsion of any student found to have committed an expellable offense.

E. Expulsion Procedures

Students recommended for expulsion are entitled to a hearing to determine whether the student should be expelled. Unless postponed for good cause, the hearing shall be held within thirty (30) school days after the Executive Director or designee determines that the student has committed an expellable offense.

In the event an administrative panel hears the case, it will make a recommendation to the Board for a final decision whether to expel. The hearing shall be held in closed session (complying with all student confidentiality rules under FERPA) unless the student makes a written request for a public hearing three (3) days prior to the hearing.

Written notice of the hearing shall be forwarded to the student and the student's parent/guardian at least ten (10) calendar days before the date of the hearing. Upon mailing the notice, it shall be deemed served upon the student. The notice shall include:

- 1) The date and place of the expulsion hearing;

- 2) A statement of the specific facts, charges and offenses upon which the proposed expulsion is based;
- 3) A copy of the Charter School's disciplinary rules which relate to the alleged violation;
- 4) Notification of the student's or parent/guardian's obligation to provide information about the student's status at the Charter School to any other school district or school to which the student seeks enrollment;
- 5) The opportunity for the student or the student's parent/guardian to appear in person or to employ and be represented by counsel or a non-attorney advisor;
- 6) The right to inspect and obtain copies of all documents to be used at the hearing;
- 7) The opportunity to confront and question all witnesses who testify at the hearing;
- 8) The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf including witnesses.

F. Special Procedures for Expulsion Hearings Involving Sexual Assault or Battery Offenses

The Charter School may, upon a finding of good cause, determine that the disclosure of either the identity of the witness or the testimony of that witness at the hearing, or both, would subject the witness to an unreasonable risk of psychological or physical harm. Upon this determination, the testimony of the witness may be presented at the hearing in the form of sworn declarations that shall be examined only by the Charter School or the hearing officer. Copies of these sworn declarations, edited to delete the name and identity of the witness, shall be made available to the student.

1. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of his/her right to (a) receive five days' notice of his/her scheduled testimony, (b) have up to two (2) adult support persons of his/her choosing present in the hearing at the time he/she testifies, which may include a parent, guardian, or legal counsel, and (c) elect to have the hearing closed while testifying.
2. The Charter School must also provide the victim a room separate from the hearing room for the complaining witness' use prior to and during breaks in testimony.
3. At the discretion of the person or panel conducting the hearing, the complaining witness shall be allowed periods of relief from examination and cross-examination during which he or she may leave the hearing room.

4. The person conducting the expulsion hearing may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.
5. The person conducting the expulsion hearing may also limit time for taking the testimony of the complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
6. Prior to a complaining witness testifying, the support persons must be admonished that the hearing is confidential. Nothing in the law precludes the person presiding over the hearing from removing a support person whom the presiding person finds is disrupting the hearing. The person conducting the hearing may permit any one of the support persons for the complaining witness to accompany him or her to the witness stand.
7. If one or both of the support persons is also a witness, the Charter School must present evidence that the witness' presence is both desired by the witness and will be helpful to the Charter School. The person presiding over the hearing shall permit the witness to stay unless it is established that there is a substantial risk that the testimony of the complaining witness would be influenced by the support person, in which case the presiding official shall admonish the support person or persons not to prompt, sway, or influence the witness in any way. Nothing shall preclude the presiding officer from exercising his or her discretion to remove a person from the hearing whom he or she believes is prompting, swaying, or influencing the witness.
8. The testimony of the support person shall be presented before the testimony of the complaining witness and the complaining witness shall be excluded from the courtroom during that testimony.
9. Especially for charges involving sexual assault or battery, if the hearing is to be conducted in the public at the request of the student being expelled, the complaining witness shall have the right to have his/her testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing room by means of closed-circuit television.
10. Evidence of specific instances of a complaining witness' prior sexual conduct is presumed inadmissible and shall not be heard absent a determination by the person conducting the hearing that extraordinary circumstances exist requiring the evidence be heard. Before such a determination regarding

extraordinary circumstance can be made, the witness shall be provided notice and an opportunity to present opposition to the introduction of the evidence. In the hearing on the admissibility of the evidence, the complaining witness shall be entitled to be represented by a parent, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of the complaining witness is not admissible for any purpose.

G. Record of Hearing

A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate and complete written transcription of the proceedings can be made.

H. Presentation of Evidence

While technical rules of evidence do not apply to expulsion hearings, evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. A recommendation by the Administrative Panel to expel must be supported by substantial evidence that the student committed an expellable offense. Findings of fact shall be based solely on the evidence at the hearing. While hearsay evidence is admissible, no decision to expel shall be based solely on hearsay. Sworn declarations may be admitted as testimony from witnesses of whom the Board, Panel or designee determines that disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm.

If, due to a written request by the expelled student, the hearing is held at a public meeting, and the charge is committing or attempting to commit a sexual assault or committing a sexual battery as defined in Education Code Section 48900, a complaining witness shall have the right to have his or her testimony heard in a session closed to the public.

The decision of the Administrative Panel shall be in the form of written findings of fact and a written recommendation to the Board who will make a final determination regarding the expulsion. The final decision by the Board shall be made within ten (10) school days following the conclusion of the hearing. The Decision of the Board is final.

If the Administrative Panel decides not to recommend expulsion, the student shall immediately be returned to his/her educational program.

I. Written Notice to Expel

The Executive Director or designee following a decision of the Board to expel shall send written notice of the decision to expel, including the Board's adopted findings of fact, to

the student or parent/guardian. This notice shall also include the following: Notice of the specific offense committed by the student; and Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the Charter School.

The Executive Director or designee shall send a copy of the written notice of the decision to expel to the authorizer. This notice shall include the following: a) The student's name b) The specific expellable offense committed by the student

J. Disciplinary Records

The Charter School shall maintain records of all student suspensions and expulsions at the Charter School. Such records shall be made available to the authorizer upon request.

K. No Right to Appeal

The student shall have no right of appeal from expulsion from the Charter School as the Charter School Board's decision to expel shall be final.

L. Expelled Students/Alternative Education

Students who are expelled shall be responsible for seeking alternative education programs including, but not limited to, programs within the County or their school district of residence. The Charter School shall work cooperatively with parents/guardians as requested by parents/guardians or by the school district of residence to assist with locating alternative placements during expulsion.

M. Rehabilitation Plans

Students who are expelled from the Charter School shall be given a rehabilitation plan upon expulsion as developed by the Board at the time of the expulsion order, which may include, but is not limited to, periodic review as well as assessment at the time of review for readmission. The rehabilitation plan should include a date not later than one year from the date of expulsion when the student may reapply to the Charter School for readmission.

N. Readmission

The decision to readmit a student or to admit a previously expelled student from another school district or charter school shall be in the sole discretion of the Board following a meeting with the Executive Director or designee and the student and guardian or representative to determine whether the student has successfully completed the rehabilitation plan and to determine whether the student poses a threat to others or will be disruptive to the school environment. The Executive Director or

designee shall make a recommendation to the Board following the meeting regarding his or her determination. The student's readmission is also contingent upon the Charter School's capacity at the time the student seeks readmission.

O. Special Procedures for the Consideration of Suspension and Expulsion of Students with Disabilities

1. Notification of SELPA

The Charter School shall immediately notify the SELPA⁹ and coordinate the procedures in this policy with the SELPA of the discipline of any student with a disability or student who the Charter School or SELPA would be deemed to have knowledge that the student had a disability

2. Services During Suspension

Students suspended for more than ten (10) school days in a school year shall continue to receive services so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP/504 Plan; and receive, as appropriate, a functional behavioral assessment or functional analysis, and behavioral intervention services and modifications, that are designed to address the behavior violation so that it does not recur. These services may be provided in an interim alternative educational setting.

3. Procedural Safeguards/Manifestation Determination

Within ten (10) school days of a recommendation for expulsion or any decision to change the placement of a child with a disability because of a violation of a code of student conduct, the Charter School, the parent, and relevant members of the IEP/504 Team shall review all relevant information in the student's file, including the child's IEP/504 Plan, any teacher observations, and any relevant information provided by the parents to determine:

- a) If the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or
- b) If the conduct in question was the direct result of the local educational agency's failure to implement the IEP/504 Plan.

⁹ If the Charter School remains a public school of the District for special education purposes, the Charter School shall notify the District and coordinate and cooperate with the District in the completion of the procedures as required by law and described below.

If the Charter School, the parent, and relevant members of the IEP/504 Team determine that either of the above is applicable for the child, the conduct shall be determined to be a manifestation of the child's disability.

If the Charter School, the parent, and relevant members of the IEP/504 Team make the determination that the conduct was a manifestation of the child's disability, the IEP/504 Team shall:

- a) Conduct a functional behavioral assessment or a functional analysis assessment, and implement a behavioral intervention plan for such child, provided that the Charter School had not conducted such assessment prior to such determination before the behavior that resulted in a change in placement;
- b) If a behavioral intervention plan has been developed, review the behavioral intervention plan if the child already has such a behavioral intervention plan, and modify it, as necessary, to address the behavior; and
- c) Return the child to the placement from which the child was removed, unless the parent and the Charter School agree to a change of placement as part of the modification of the behavioral intervention plan.

If the Charter School, the parent, and relevant members of the IEP/504 team determine that the behavior was not a manifestation of the student's disability and that the conduct in question was not a result of the failure to implement the IEP/504 Plan, then the Charter School may apply the relevant disciplinary procedures to children with disabilities in the same manner and for the same duration as the procedures would be applied to students without disabilities.

4. Due Process Appeals

The parent of a child with a disability who disagrees with any decision regarding placement, or the manifestation determination, or the Charter School believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others, may request an expedited administrative hearing through the Special Education Unit of the Office of Administrative Hearings or by utilizing the dispute provisions of the 504 Policy and Procedures.

When an appeal relating to the placement of the student or the manifestation determination has been requested by either the parent or the Charter School, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the forty-five (45) day time period provided for in an interim alternative educational setting,

whichever occurs first, unless the parent and the Charter School agree otherwise.

5. Special Circumstances

Charter School personnel may consider any unique circumstances on a case-by-case basis when determining whether to order a change in placement for a child with a disability who violates a code of student conduct.

The Executive Director or designee may remove a student to an interim alternative educational setting for not more than forty-five (45) days without regard to whether the behavior is determined to be a manifestation of the student's disability in cases where a student:

- a) Carries or possesses a weapon, as defined in 18 USC 930, to or at school, on school premises, or to or at a school function;
- b) Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function; or
- c) Has inflicted serious bodily injury, as defined by 20 USC 1415(k)(7)(D), upon a person while at school, on school premises, or at a school function.

6. Interim Alternative Educational Setting

The student's interim alternative educational setting shall be determined by the student's IEP/504 team.

7. Procedures for Students Not Yet Eligible for Special Education Services

A student who has not been identified as an individual with disabilities pursuant to IDEIA and who has violated the Charter School's disciplinary procedures may assert the procedural safeguards granted under this administrative regulation only if the Charter School had knowledge that the student was disabled before the behavior occurred.

The Charter School shall be deemed to have knowledge that the student had a disability if one of the following conditions exists:

- a) The parent/guardian has expressed concern in writing, or orally if the parent/guardian does not know how to write or has a disability that prevents a written statement, to Charter School supervisory or administrative personnel, or to one of the child's teachers, that the student is in need of special education or related services.
- b) The parent has requested an evaluation of the child.

- c) The child's teacher, or other Charter School personnel, has expressed specific concerns about a pattern of behavior demonstrated by the child, directly to the director of special education or to other Charter School supervisory personnel.

If the Charter School knew or should have known the student had a disability under any of the three (3) circumstances described above, the student may assert any of the protections available to IDEIA-eligible children with disabilities, including the right to stay put.

If the Charter School had no basis for knowledge of the student's disability, it shall proceed with the proposed discipline. The Charter School shall conduct an expedited evaluation if requested by the parents; however the student shall remain in the education placement determined by the Charter School pending the results of the evaluation.

The Charter School shall not be deemed to have knowledge of that the student had a disability if the parent has not allowed an evaluation, refused services, or if the student has been evaluated and determined to not be eligible.

ELEMENT 11

Retirement System

The manner by which staff members of the charter schools will be covered by the State Teachers' Retirement System, Public Employees' Retirement System, or federal social security.

California Education Code Section 47605(b)(5)(K)

Mandatory Benefits for all Full-Time Staff Members

CVCHS will continue to provide mandatory benefits in accordance to the law. These include:

- Workers' Compensation Insurance (to be re-bid each year with an A-rated Company)
- Unemployment Insurance
- Medicare
- Social Security, if applicable

Health Benefits

CVCHS will provide eligible employees with a comprehensive health benefits package that is at least equivalent in value to the one currently provided by MDUSD. After CVCHS has the opportunity to build organizational capacity and maintain long-term fiscal health, we will consider improving the compensation schedules and benefits package.

Eligibility for health benefits will be referenced in the CVCHS Employee Handbook and, where applicable, in a collective bargaining agreement.

STRS

All full-time, certificated employees of CVCHS will continue to be with STRS. Employees will contribute the required percentage and CVCHS will contribute the employer's portion. All withholdings from employees and from CVCHS will be forwarded to the STRS fund as required. Employees will accumulate service credit years in the same manner as all other members of STRS. For instance, if an employee has worked for the sponsoring district for five years and another four years at CVCHS, he/she will have accumulated a total of nine years of service credit towards retirement from STRS. STRS contributions will be reported through the appropriate STRS-approved agency.

PERS

All current classified employees of CVCHS will continue with PERS. Employees and CVCHS will contribute the required rate as designated by PERS. All withholdings will be forwarded to the PERS fund as required. Employees will accumulate service credit years in the same manner as all other members of PERS. For instance, if an employee has worked for the sponsoring district for five years and another four years for CVCHS, he/she will have accumulated a total of nine years of service credit towards retirement from PERS. Social Security payments will be contributed for all qualifying PERS members. PERS contributions will be reported through the appropriate PERS-approved agency.

PARS

CVCHS will continue to participate in the Public Agency Retirement System for non-PERS/STRS eligible part-time employees.

Illness/Vacation/Holidays/ Personal Necessity

All paid days off including illness, personal necessity, holidays, and vacation days will be provided in accordance with applicable collective bargaining agreements.

Willie Brown

Those employees participating in the Willie Brown option will be able to continue to do so as employees of CVCHS. The Willie Brown option will continue in the future as long as it is legally and financially viable.

Seniority

The seniority date for pre-charter CVCHS employees will be the same as what they have with the sponsoring district. Seniority for all new employees hired after July 1, 2012 begins upon the date of employment with CVCHS and adheres to policy that will be outlined in the CVCHS Employee Handbook and/or applicable CBA.

Leaves

CVCHS will develop its own leave policy consistent with applicable collective bargaining agreements and/or California Law. The entire CVCHS leave policy will be available in the CVCHS Employee Handbook. The handbook will be distributed annually to all employees and the receipt acknowledging review and acceptance kept on file in the Main Office. All newly hired employees will receive the handbook on the first day of employment.

ELEMENT 12

Attendance Alternatives

The public school attendance alternatives for students residing within the school district who choose not to attend charter schools.

California Education Code Section 47605(b)(5)(L)

No student shall be required to attend CVCHS (California Education Code Section 47605).

Students who choose not to attend CVCHS may choose to attend other public schools in their district of residence or pursue an inter-district transfer in accordance with existing enrollment and transfer policies of the district.

Parents and guardians of each student enrolled in the charter school will be informed on admissions forms that the students have no right to admission in a particular school of a local education agency as a consequence of enrollment in the charter school, except to the extent that such a right is extended by the local education agency.

E L E M E N T 1 3

Employee Rights to Return

A description of the rights of any employee of the school district upon leaving the employment of the school district to work in a charter school and of any rights of return to the school district after the employment at a charter school.

California Education Code Section 47605(b)(5)(M)

No District employee shall be required to work at CVCHS (California Education Code Section 47605).

All employees employed by the Charter School are considered employees of CVCHS and not of the District.

Former District employees must consult with the District to determine their eligibility for leave in accordance with applicable collective bargaining agreements.

Employees at Clayton Valley High School who are offered a position at CVCHS may voluntarily resign from the District or choose to remain with the sponsoring District.

All provisions pertaining to leave and return rights for MDUSD union employees will be granted to certificated and classified employees in accordance with current collective bargaining agreements.

The Charter School shall comply with any and all applicable collective bargaining agreements and/or employment agreements in place at the time of conversion until negotiated and agreed upon otherwise. Such agreements shall control any right of employment at CVCHS post-conversion, with the exception of permanent, certificated teachers employed by CVHS at the end of the 2011-2012 school year who will be offered a position at CVCHS.

E L E M E N T 1 4

Dispute Resolution Process

The procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to the provisions of the charter.

California Education Section 47605(b)(5)(N)

CVCHS recognizes that it cannot bind MDUSD to a dispute resolution procedure to which MDUSD does not agree. The policy below is intended as a starting point for a discussion of dispute resolution procedures. CVCHS is willing to consider changes to the process outline below as suggested by the District.

CVCHS and MDUSD will be encouraged to attempt to resolve any disputes with MDUSD amicably and reasonably without resorting to formal procedures.

In the event of a dispute between CVCHS and MDUSD, CVCHS staff, employees and CVCHS Board members and MDUSD agree to first frame the issue in written format ("dispute statement") and to refer the issue to the MDUSD Superintendent and Executive Director of CVCHS. In the event that the MDUSD Board of Trustees believes that the dispute relates to an issue that could lead to revocation of the charter in accordance with Education Code Section 47607, CVCHS requests that this shall be noted in the written dispute statement, although it recognizes it cannot legally bind MDUSD to do so. However, participation in the dispute resolution procedures outlined in this section shall not be interpreted to impede or act as a pre-requisite to MDUSD's ability to proceed with revocation in accordance with Education Code Section 47607.

The CVCHS Executive Director and MDUSD Superintendent (or designees) shall informally meet and confer in a timely fashion to attempt to resolve the dispute, not later than 5 business days from receipt of the dispute statement. In the event that this informal meeting fails to resolve the dispute, both parties shall identify two Board members from their respective boards who shall jointly meet with the MDUSD Superintendent and the CVCHS Executive Director and attempt to resolve the dispute within 15 business days from receipt of the dispute statement.

If this joint meeting fails to resolve the dispute, the MDUSD Superintendent and the CVCHS Executive Director shall meet to jointly identify a neutral third party mediator to engage the Parties in a mediation session designed to facilitate resolution of the dispute. The format of the mediation session shall be developed jointly by the MDUSD Superintendent and the CVCHS Executive Director. Mediation shall be held within sixty

business days of receipt of the dispute statement. The costs of the mediator shall be split equally between MDUSD and CVCHS. If mediation does not resolve the dispute either party may pursue any other remedy available under the law. All timelines and procedures in this section may be revised upon mutual written agreement of MDUSD and CVCHS.

Procedures for Resolving Internal Complaints/Grievances

Grievance procedures shall be handled in accordance with the applicable collective bargaining agreements.

Internal disputes will not be brought to the charter-granting agency.

Uniform Complaint Procedures

CVCHS will designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under Title IX of the Education Amendments of 1972 (Title IX) and section 504 of the Rehabilitation Act of 1973 (Section 504), including any investigation of any complaint filed with CVCHS alleging its non-compliance with these laws or alleging any actions that would be prohibited by these laws. CVCHS will notify all of its students and employees of the name, office, address, and telephone number of the designated employee or employees.

CVCHS will adopt and publish grievance procedures providing prompt and equitable resolution of student and employee complaints alleging any action that would be prohibited by Title IX or Section 504.

CVCHS will implement specific and continuing steps to notify applicants for admission and employment, students and parents, employees, and all unions or professional organizations holding collective bargaining or profession agreements that it does not discriminate on the basis of sex or mental or physical disability in the educational program or activity that it operates and that it is required by Title IX and Section 504 not to discriminate in such a manner.

E L E M E N T 15

Labor Relations

Employer Status and Collective Bargaining

A declaration whether or not the charter school shall be deemed the exclusive public school employer of the employees of the charter school for the purposes of The Educational Employment Relations Act.

California Education Section 4760(b)(5)(O)

CVCHS shall be deemed the exclusive public school employer of the charter school for the purposes of the Education Employment Relations Act (EERA) as specified in Chapter 10.7 (commencing with section 3540) of Division 4 of Title 1 of the California State Education Code [47611.5(b)] and shall adhere to EERA and any other applicable laws. In accordance with this code, CVCHS employees have the right to join organizations of their choice, to be represented by such organizations in their professional and employment relations with public school employers, to select one employee organization as the exclusive representative of the employees in an appropriate unit, and to afford certificated employees a voice in the formulation of educational policy.

E L E M E N T 1 6

Charter School Closure Procedures

A description of the procedures to be used if the charter school closes. The procedures shall ensure a final audit of the school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of student records. The Governing structure of the school, including, but not limited to, the process to be followed by the school to ensure parental involvement.

California Education Code Section 47605(b)(5)(P)

If CVCHS ceases operation as a charter school, it shall revert to its prior status as a school of MDUSD for all purposes.

Closure Procedures

The following are closure procedures that abide by California Education Code Section 47605(b)(5)(P) and the California Code of Regulations, Title 5, Sections 11962, should the school close for any reason.

Closure of CVCHS will be documented by official action of the CVCHS Governing Board. The action will identify the reason for closure. The official action will also identify an entity and person or persons responsible for closure-related activities.

The Board of Directors will promptly notify parents and students of CVCHS, MDUSD, the Contra Costa County Office of Education, CVCHS's SELPA, the retirement systems in which CVCHS's employees participate (e.g., Public Employees' Retirement System, State Teachers' Retirement System, and federal social security), and the California Department of Education of the closure as well as the effective date of the closure. This notice will also include the name(s) of and contact information for the person(s) to whom reasonable inquiries may be made regarding the closure; the students' school districts of residence; and the manner in which parents/guardians may obtain copies of student records, including specific information on completed courses and credits that meet graduation requirements.

The CVCHS Governing Board will ensure that the notification to the parents and students of CVCHS of the closure provides information to assist parents and students in locating suitable alternative programs. This notice will be provided promptly following the Board's decision to close CVCHS.

The Board will also develop a list of students in each grade level and the classes they have completed, together with information on the students' districts of residence, which they will provide to the entity responsible for closure-related activities.

As applicable, CVCHS will provide parents, students and MDUSD with copies of all appropriate student records and will otherwise assist students in transferring to their next school. All transfers of student records will be made in compliance with the Family Educational Rights and Privacy Act ("FERPA") 20 U.S.C. § 1232g. CVCHS will ask MDUSD to store original records of Charter School students. All records of CVCHS shall be transferred to MDUSD upon CVCHS closure. If MDUSD will not or cannot store the records, CVCHS shall work with the Contra Costa County Office of Education to determine a suitable alternative location for storage.

All state assessment results, special education records, and personnel records will be transferred to and maintained by the entity responsible for closure-related activities in accordance with applicable law.

As soon as reasonably practical, CVCHS will prepare final financial records. CVCHS will also have an independent audit completed within six months after closure. CVCHS will pay for the final audit. The audit will be prepared by a qualified Certified Public Accountant selected by CVCHS and will be provided to MDUSD promptly upon its completion. The final audit will include an accounting of all financial assets, including cash and accounts receivable and an inventory of property, equipment, and other items of material value, an accounting of the liabilities, including accounts payable and any reduction in apportionments as a result of audit findings or other investigations, loans, and unpaid staff compensation, and an assessment of the disposition of any restricted funds received by or due to CVCHS.

CVCHS will complete and file any annual reports required pursuant to Education Code section 47604.33.

On closure of CVCHS, all assets of CVCHS, including but not limited to all leaseholds, personal property, intellectual property and all ADA apportionments and other revenues generated by students attending CVCHS, remain the sole property of CVCHS and upon the dissolution of the non-profit public benefit corporation shall be distributed in accordance with the CVCHS Articles of Incorporation. Any assets acquired from MDUSD or MDUSD property will be promptly returned upon CVCHS closure to MDUSD. The distribution shall include return of any grant funds and restricted categorical funds to their source in accordance with the terms of the grant or state and federal law, as appropriate, which may include submission of final expenditure reports for entitlement grants and the filing of any required Final Expenditure Reports and Final Performance Reports, as well as the return of any donated materials and property in

accordance with any conditions established when the donation of such materials or property was accepted.

On closure, CVCHS shall remain solely responsible for all liabilities arising from the operation of CVCHS.

As CVCHS is operated as a non-profit public benefit corporation, should the corporation dissolve with the closure of CVCHS, the Board will follow the procedures set forth in the California Corporations Code for the dissolution of a non-profit public benefit corporation and file all necessary filings with the appropriate state and federal agencies.

CVCHS will utilize the reserve fund in its budget to undertake any expenses associated with the closure procedures identified above.

District Impact Statement

Proposed Operation and Potential Effects of the School

The governing board of a school district shall require the petitioner or petitioners provide information regarding the proposed operation and potential effects of the school, including, but not limited to, the facilities to be used by the school, the manner in which administrative services of the school are to be provided, and the potential civil liability effects, if any, upon the school and upon the school district.

California Education Code Section 47605(g)

Facilities to be Used by the School

Governing Law: The facilities to be utilized by the school. The description of the facilities to be used by the charter school shall specify where the school intends to locate. California Education Code Section 47605(g).

As a conversion charter, CVCHS will be located at 1101 Alberta Way Concord, CA 94521. A Proposition 39 request will be made in accordance with Education Code Section 47614 and its implementing regulations. The Charter School plans to utilize these school buildings, grounds, furnishings, equipment, and existing supplies for the duration of the charter. CVCHS and MDUSD shall enter into a comprehensive facilities use agreement outlining the responsibilities of the parties to maintain the CVCHS school site.

Administrative Services of the School

Governing Law: The manner in which administrative services of the school are to be provided. California Education Code Section 47605(g).

CVCHS will be responsible for its own financial services (accounting, budgeting, and payroll) and personnel services.

MDUSD Services

All CVCHS requested services from MDUSD will be provided on a fee-for-service basis pursuant to a negotiated memorandum of understanding (MOU) between the District and the Charter School. Services that CVCHS may be interested in, include, but are not limited to the following:

- School Police (including filing theft reports, alarm monitoring, support during times of emergency, canine program, and patrol)
- Student Health and Human Services (including access to school mental health, nursing services, suicide prevention services, support for crisis team, and access to audiology services.
- Site maintenance and repair
- Garbage pick-up
- Fingerprinting and criminal processing of certificated and classified employees (including paraprofessionals)
- Processing of emergency credentials
- Bilingual fluency testing
- Field trip transportation
- School Mail
- Standardized test processing
- Supplies/materials acquisition and delivery

CVCHS shall retain the right to negotiate a contract with an outside contractor at any time if such a contract proves to be in the best interests of CVCHS.

Transportation

CVCHS will contract with MDUSD transportation or an outside vendor for curricular and athletic trips.

Food Services

CVCHS will provide for food services through MDUSD, an outside vendor, or other contractor that complies with state regulations. CVCHS will ensure that its contracted food services vendor will follow all applicable laws governing the safety and quality of food. If CVCHS does not contract with MDUSD, it will ensure that its food services vendor reviews and takes into consideration MDUSD's Food Services Branch's sample menus, nutritional guidelines, and sanitation standards. Additionally, all employees of the food services vendor will complete a background check pursuant to Education Code Section 45125.1

Maintenance

CVCHS will be responsible for routine maintenance including, but not limited to, custodial, gardening, landscaping, and tree trimming services. CVCHS will either contract with MDUSD or hire an outside vendor for these services as determined by the Governing Board.

Potential Civil Liability Effects Upon the School and District

Governing Law: Potential civil liability effects, if any, upon the school and upon the District. California Education Code Section 47605(g).

CVCHS shall be operated as a California non-profit public benefit corporation. This corporation is organized and operated exclusively for charitable purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code and California Revenue and Taxation Code Section 23701d.

Pursuant to Education Code Section 47604(c), an entity that grants a charter to a charter school operated by or as a non-profit public benefit corporation shall not be liable for the debts or obligations of the charter school or for claims arising from the performance of acts, errors or omissions by the charter school if the authority has complied with all oversight responsibilities required by law. CVCHS shall work diligently to assist MDUSD in meeting any and all oversight obligations under the law, including monthly meetings, reporting, or other MDUSD-requested protocol to ensure MDUSD shall not be liable for the operation of CVCHS.

Further, CVCHS and MDUSD shall enter into a memorandum of understanding, wherein CVCHS shall indemnify MDUSD for the actions of CVCHS under this charter.

The corporate bylaws of CVCHS shall provide for indemnification of CVCHS's Board, officers, agents, and employees, and CVCHS will purchase general liability insurance, Board Members and Officer's insurance, and fidelity bonding to secure against financial risks.

As stated above, insurance amounts will be determined by recommendation of MDUSD and CVCHS's insurance company for schools of similar size, location, and student population. MDUSD shall be named an additional insured on the general liability insurance of CVCHS.

The CVCHS Board will institute appropriate risk management practices as discussed herein, including screening of employees, establishing codes of conduct for students, and dispute resolution.

CONCLUSION

By approving this charter, the District will be fulfilling the intent of the Charter Schools Act of 1992 to improve pupil learning; create new professional opportunities for teachers; and provide parents and pupils with expanded choices in education and following the directive of law to encourage the creation of charter schools. The Petitioners are eager to work independently, yet cooperatively with the District to establish the highest bar for what a charter school can and should be. To this end, the Petitioners pledge to work cooperatively with the District to answer any concerns over this document and to present the District with the strongest possible proposal requesting a five year term.

Appendix:

A

FOUNDERS BIOGRAPHIES

Steering Committee

1) Pat Middendorf CAA, Co-Lead Petitioner for CVCHS

Education

Bachelor of Science – University of Minnesota, Mankato

Double Major Social Work/Corrections

Masters Degree - Wichita State University, Administration of Justice

Multiple Subject Teaching Credential – Chapman University

Special Education Credential – St. Mary's College

Learning Handicap Credential – Sonoma State College

Certified Athletic Administrator – Nation Federation of High Schools, Ohio State University

Present Employment

Resource Specialist – Athletic Director – Clayton Valley High School

Past Employment

Social Worker – Dodge County, MN

Court Service Officer – Sedgwick County Courts, Wichita KS

Teacher – Parkside Elementary – Pittsburgh, CA

SDC and RS Teacher – El Dorado Middle School

Relevant Experience

President – United Mt Diablo Athletic Foundation

Co-Chair 5K Race to Save Sports

Fundraising Chairperson and Project Manager for Construction of Gonsalves Track & Field Stadium - \$1.2 million

Diablo Valley Athletic League Representative to the NCS Sports Advisory Committee

CV Varsity High School and Club Soccer Coach – 20 years

Head Soccer Coach and Coach Trainer - Mt Diablo Soccer Association

Sports Advisory Committee member to the MDUSD School Board

CVHS Representative – “Do the Right Thing” and Club 800 Character Initiative

MDUSD Academic Literacy Curriculum Committee

PTA President and Texas Life Time PTA Member

Honors

City of Concord Mayors 2010 Community Service Award

MDUSD Coach of the Year Award 2008

2008 CVHS Ray Schultz Memorial Award for Extraordinary Commitment to CVHS

2004 Senate Recognition Certificate for Community Service- Senator Tom Torlakson

2) Neil McChesney, Co-Lead Petitioner for CVCHS

Education

Bachelor of Arts – California State University, Chico

English with an Option in Education

Single Subject Teaching Credential – California State University, Chico
English

Master of Arts – San Francisco State University
English Literature

Present Employment

Teacher – Clayton Valley High School

English I, II, and IV, Public Speaking I and II, Renaissance Leadership

Past Employment

Remedial English Instructor – CSU, Chico

Writing Center Assistant – CSU, Chico

Relevant Experience

Public Service Academy Department Chair

Renaissance Leadership Activities Director

Staff Senator

Curriculum Committee Member

MDEA Union Representative

Senior Men Advisor (Community Service Club)

Honors/Achievements

2008 CVHS Ray Schultz Memorial Award for Extraordinary Commitment to CVHS

Eagle Boy Scout, Troop 484

3) Dylan Perreira

Dylan Perreira graduated from California State University, Chico with a B.A.

in Psychology and minor in Business Administration. Over the past eight years, he has taught Geography, World History, U.S. History, Government, and Economics at Clayton Valley. For the last five years, Dylan has been a core teacher in the Public Service Academy. He is also the advisor of Senior Men, a community service club on campus, and co-chair of the Social Science Department.

Professional development experiences have included studying the effective development and implementation of Professional Learning Communities in schools. In addition, he is currently working towards a Master of Arts degree in Education, with a focus on Instructional Design/Educational Technology, through San Diego State University.

4) Cate Sundling

After thirteen years as an MDUSD student and sixteen as an MDUSD teacher, Cate Sundling is a veteran of the Mt. Diablo Unified School District. She credits great teachers from her elementary through high school experience for her love of education. She teaches English as well as English as a Second Language and has attended several workshops and trainings to improve her skills in both areas. She has over ten years experience as site WASC coordinator and faculty representative to the Parent Faculty Club. She served on Clayton Valley's Site Council for four years. After attending two conferences led by Richard and Rebecca DuFour, she is looking forward to working with her fellow conference attendees and others to develop and implement effective Professional Learning Communities.

5) Jeanne Costello

Jeanne Costello has a Bachelors Degree in Mathematics from Sacramento State University. She has been teaching mathematics for 19 years, the last five of which have been at Clayton Valley High School. Jeanne has also taught at Casa Roble High School in the San Juan Unified School District, and at Joseph Kerr Middle School and Florin High School, both in the Elk Grove Unified School District. Additionally, Jeanne was a teacher liaison with Fame Public Charter School (formerly BASIS), in Newark, CA.

6) Christine Reimer

Christine Reimer has taught in the Social Science and Physical Education Departments at Clayton Valley High School for 15 years. She has taught World History and Geography, and currently teaches US History, AP US History, ASB Leadership and Dance. Mrs. Reimer graduated Summa Cum Laude from St. Mary's College of California with a BA in History and a minor in Dance in 1995. The following year she earned her teaching credential from St. Mary's College as well. While teaching at Clayton Valley High, Mrs. Reimer has served as the Social Science Department Chairperson, Senior Women Advisor, WASC committee chairperson, and Hip Hop Club Advisor in addition to beginning a successful Dance program at CVHS in 1996. Christine Reimer resides in Clayton and has three children.

7) Paula Dillon

Graduated from Clayton Valley High School in 1999. Received BAs in Psychology and Communications from UC Davis in 2003, and has taught World History, Psychology, and U.S. Government at CVHS for 6 years and has worked for MDUSD for 7 years.

8) Jennifer Pelosi

Jennifer Pelosi has been a teacher for 12 years. Her most recent experience has been teaching various levels of math at Clayton Valley High School for the past 4 years. She has a BCLAD Multiple Subject Credential with a supplemental credential in math and Spanish and holds a Bachelor of Arts degree from Cal Poly, San Luis Obispo. Jennifer's collective teaching experiences includes not only math and Spanish, but also primary grades, conflict resolution management, Peer Helpers, and LINK Crew.

9) Mundy Viar

Basil Mundy Viar is the instrumental music teacher at Clayton Valley High School. Prior to his placement at CVHS, he served in the same capacity at Riverview Middle School in Bay Point, California. He served as the Principal of the inaugural Mt. Diablo Summer Arts Academy in 2006, and as Vice Principal of the Glenbrook Middle School Summer Intervention in 2005.

While at Clayton Valley and Riverview, both within the Mt. Diablo Unified School District, Mr. Viar's students have been recognized for local, regional, statewide, and national excellence. These students have been selected for such honors as the CBDA All California Concert Band and Wind Symphony; CODA All California String Orchestra and All California Symphony Orchestra; Cal Poly SLO All California Band; Northern California Honor Band; Contra Costa County Honor Band and Honor Jazz Band; California State University East Bay Instrumental Music Festival Honor Band; and the Mt. Diablo Unified School District Honor Band, Honor Jazz Band, and Honor Orchestra. Under his direction, the Clayton Valley bands and orchestra have had the opportunity to travel to performances in Anaheim, Seattle, Colonial Williamsburg, and New Orleans.

Mr. Viar is a PhD student at the California Institute of Integral Studies, where he is researching effectiveness of school music programs. He earned the MA degree in Education from UC Berkeley's Principal Leadership Institute, while also being recommended for the administrative services credential. He earned his BS degree from Virginia Commonwealth University in Richmond, Virginia.

10) Margaret Ljepava

Margaret earned her BA in Social Science from Sacramento State and her teaching credential from Saint Mary's College. For ten years she served Clayton Valley as the College and Career Advisor and helped to create the Renaissance program. She was the co-chairperson for the 2000 WASC review and has served on the Site Council and Staff Senate for multiple terms. She has taught U. S. History, World History, A. P. Psychology, Introduction to Psychology, Renaissance Leadership, ASB Leadership. She was a founding teacher for the Public Service Academy. She is a recipient of the Ray Shultz Memorial Award.

11) Amber Lineweaver

Amber Lineweaver received her BA degree in English from CSUH in 1990 and went on to receive a single subject teaching credential in 1991 from Chapman University. She has been a teacher in the MDUSD for twenty years and has taught grades 6 through 12 in an array of subjects including English, Yearbook, Journalism, PE, Ancient Civilizations and Communications. During her 18-year tenure at Clayton Valley High School she has served on the Curriculum Committee, Staff Senate, as the English Department Chairperson and earned the students' choice for Most Inspirational Staff Member in 2004. Amber also served as a MDEA site rep for four years as well as a high school delegate on the Executive Board for two.

12) Misha Safran

Misha Safran received her MA in French literature from the University of Oregon. She has been teaching for 20 years. She lived in Poitiers, France for one year and has traveled through parts of Spain, Mexico, Belize and Guatemala. In August 2007, she began teaching Spanish at Clayton Valley High School but has also taught French and Spanish at various other schools in and out of the area; University of Oregon, Diablo Valley College, Northgate High, Foothill Middle and Glenbrook Middle. Safran is an innovative and energetic educator who has a passion for teaching and languages.

13) Tom Fester

Tom Fester began his teaching career at Clayton Valley High School in the Fall of 1971. Prior to that he graduated from Capuchino High School in San Bruno in 1963, received his Bachelor of Arts in Biological Science from San Francisco State in 1968. After two years of active duty in the US Army as a medical lab technician he return to San Francisco State where he subsequently received his Life Secondary Teaching Credential in 1971. In the years that followed, he added additional Associative degrees in

Chemistry and Introductory Physical Science. He has now taught 95% of all science curricular offerings at CVHS.

Outside of the classroom, he has served in a number of ways. He has coached both Men's and Women's gymnastics in the '70s. He has been the Science Chairman for the past three decades. In the area of leadership he has served some capacity on every major team or service committee that has existed at CVHS over the last 35 years. With regard to awards he has received to mention a few: Administrative Teacher of the Year, Ray Schultz service award, but more importantly a number of student recognitions from the Student Bodies over the past years. Currently he resides with his wife Barbara, also a teacher in the Mt. Diablo Unified School District, and Zachary his youngest of two sons, who graduated from Clayton Valley in 2004. James his oldest son, who graduated from CVHS in 2000, is now a teacher of US History at Hall Middle School in Larkspur.

14) Bob Ralston

CA Teacher Credential, CLAD certificate
M.S. Physical Education, emphasis in Athletic Administration
B.S. Physical Education

1998-present: Clayton Valley High School PE Dept., Past Dept. Chair Phys. Ed.
1999-present: Head Baseball Coach, 5 League Championships, 2009, NorthCoast Champions

236-61 (Win/Loss Record as CVHS Head Coach)
343-94 (Overall High School Coaching Record)

2006-2008, Diablo Valley College, Head Baseball Coach/Physical Education Instructor

1984, All-American University of Arizona
1984-90, Professional Baseball Player (Minnesota Twins/Oakland A's)
1997-98, Professional Baseball, Chicago Cubs Minor League Manager

15) Maureen Allan

Maureen has her B.A. in English from Saint Mary's College. After working in fund-raising at Saint Mary's and the University of California at Berkeley, she returned to teaching. For the last 15 years, she has taught English II, III, IV, AP English, English III Honors and English III and IV in the Public Service Academy.

16) Alison Bacigalupo

Alison Bacigalupo has been an involved parent and community member for over 12 years whose work in the Interior Design field has always allowed a schedule flexibility that fits well with her ongoing volunteer commitments. As such, she has sat on or led the Executive Boards of the Parent Faculty Clubs almost continuously from kindergarten through high school. Along the way, Alison established new ways to generate income for the school communities (a now-traditional silent auction benefit for elementary school, an on-going check writing campaign at the middle and high school) and new ways to communicate with the parent community (implemented an email newsletter at middle and high school).

Finally, Alison has been an active participant on a site-specific Site Council for the past two years. This collaborative work between faculty, staff, administration and parents has given her a beginning-level insight into the different categories of school funding and budgets and a working understanding of the challenges and rewards involved in educating a broad-based, diverse school community.

17) David Shuey

David "Shoe" Shuey is the Mayor of Clayton, whose population feeds exclusively to Clayton Valley High School for public education. Mr. Shuey graduated from Clayton Valley High before obtaining a Bachelor of Arts in Political Science in 1989 from Stanford University followed by a Juris Doctor in 1992 from Santa Clara University School of Law. He has been in private practice in the area since 1992 performing civil defense litigation, including representing public entities. He is married with five children, three being adopted from foreign countries. Mr. Shuey has been involved in community efforts for most of his life, including serving two terms as a Clayton Community Services Commissioner and serving three terms on the Clayton City Council. Mr. Shuey has also coached children in soccer, basketball and baseball, served on the Board of Clayton Valley Little League, Chaired the Clayton Downtown Park Design Committee, and is an active member of the Clayton Business and Community Association, whose philanthropy has significantly benefited area schools. Education has been a focus during his time on City Council and as Mayor.

Consultants

1) ExED and Marshall Mayotte

ExED is a back office provider of over 50 charter schools in Southern California. The organization was founded by William Siart, former CEO of First Interstate Bank. The goal of the organization is to help stakeholders with the business side of operating a charter school.

Over the past few years, ExED has experienced significant growth. Among the clients ExED serves are two charter management organizations and five conversion schools. The most recent successes include the conversion of Birmingham Community Charter High School and El Camino Real Charter High School.

Marshall Mayotte, CFP, CPA from ExED will oversee the financials for Clayton Valley Charter High School. He has been with ExED since 2006. He has worked closely with five charter schools. He holds master degrees from UCLA Anderson School of Management and USC School of Business and a bachelor of arts from University of California at Los Angeles.

2) MYM Law Firm, Paul Minney, and Lisa Korr

Middleton, Young & Minney, LLP ("MYM"): MYM has been a leader in charter school law for more than a decade, representing over 400 charter schools throughout the state in start up and operation. MYM offers superior legal expertise as well as the technical know-how to assist charter schools to effectively resolve problems and prevent operational challenges by utilizing a preventative approach to the law.

Paul C. Minney, Firm Principal, has represented charter schools in a multitude of critical areas, since the inception of the Charter Schools Act in 1992. After drafting the fifth charter in the state Paul has assisted over 350 charter schools in developing charter petitions, MOU's, facility use agreements, corporate papers and many other vital charter school documents. His areas of practice also include policy development, governance, Prop. 39 and facilities, revocation, audit defense, dispute resolution, and litigation. Paul has successfully represented numerous charter schools before the courts and state agencies including the following appellate and trial court decisions: Sequoia School District v. Aurora Charter School (2003) (writ of mandate issued directing District to allocate facilities to the charter school under Prop. 39), BASIS v. Sunol Glen School District (2004) (writ of mandate issued directing the District to fully fund the charter school without offset); Richard Standley v. Office of Administrative Hearings (2004)(upholding a schools layoff of employee); Ridgecrest Charter School v. Sierra Sands School District (2005); CCSA v. San Diego City School District (2005); CCSA, Green

Dot, PUC et al v. LAUSD (2008); and California School Boards Assoc. v. State Board of Education and Aspire Public Schools (2008); New West Charter School v. Los Angeles Unified School District, Case No. BS 115979 (2008) (writ of mandate directing LAUSD to provide Proposition 39 facilities to New West Charter School and ordering LAUSD to pay damages); California School Boards Assoc. et al v. Cal. Dept of Education and State Board of Education (successfully defending the SBE's Proposition 39 Implementing Regulations) (2008); MATES Charter School v. Conejo Valley Unified School District (2009) (Writ of Mandate issued to the District declaring MATES to be a conversion school and directing the District to allocate the converted school site to MATES under Proposition 39).

Paul also is a frequent speaker at CCSA sponsored events throughout California and his firm conducts annual workshops in northern and southern California on all aspects of charter school law.

Paul is also a contributing author to the National Charter School Law Deskbook published by Lexis Nexis in association with the National Alliance for Public Charter Schools.

Paul continues to be a founding member of the CCSA Legal Defense Fund (an organization designed to provide high quality and comprehensive legal services to all charter schools throughout the state of California) and he was a founding organizer of the National Network of Charter School Attorneys (the goal of this organization is to provide coordinated, effective legal support for charter schools throughout the United States). Paul was also formerly an appointed member of the State Superintendent's Charter School Advisory Committee. And Paul was also a founding member of the American Inns of Court (Robert G. McGrath, American Inns of Court).

Paul graduated with a B.A. in Political Science from the University of California, Berkeley and received his J.D. cum laude, from Seattle University School of Law.

Lisa A. Corr, Partner, graduated with a Bachelor of Arts degree in English, Anthropology and Fine Arts from Hofstra University in Hempstead, New York. Lisa graduated with a Juris Doctorate from the University of San Diego School of Law in 1997 and has represented charter schools for fourteen years. Her primary focus has been on the developmental phase of charter schools, including the charter petition process and negotiation of legal and fiscal agreements between a charter school and authorizers. Her areas of practice also include special education, policy development, governance, strategic planning, facilities, non-classroom legal compliance, revocation and audit defense, student discipline and dispute resolution. Lisa is a frequent presenter for the California Charter Schools Association, the California Consortium of Independent Study, and the APlus+ personalized learning network and she was the lead petitioner and on the Founding Board of Directors for Westlake Charter School, where her children attend school.

3) California Charter Schools Association (CCSA), Chase Davenport, and Nick Driver

Representing over 70% of charter schools in California, The California Charter Schools Association (CCSA) advances the charter school movement through state and local advocacy, leadership on accountability, and resources for member schools. CCSA is a trusted source of data and information on California's charter schools for parents, authorizers, legislators, the press and other interested groups.

Chase Davenport serves as the Vice President, School Development for the California Charter Schools Association (CCSA) where he oversees program management for specialized programs that support new and early stage schools and supports strategy setting for continued growth of charter schools statewide. Chase joined CCSA in 2005 and has supported numerous charter schools through the petitioning and implementation process. Prior to joining CCSA, Chase was a charter school administrator and has taught at the middle school and high school levels. Chase graduated with a B.A. in History from the Pitzer College and earned an MA in Curriculum and Teacher Education from Stanford University.

Nick Driver (Vice President, Northern California) heads up the Bay Area regional team to inform and affect charter-related policy in the 18 counties centered on the Bay Area as well as up and down the north and central coasts. He manages the advocacy needs for new and existing charter schools in the San Francisco, Oakland and San Jose metropolises. In addition, he advocates on behalf of the collective interests of the Association's members in the San Francisco Unified School District.

Appendix:

B

Clayton Valley Charter High School

IDENTIFICATION, EVALUATION AND EDUCATION UNDER SECTION 504 SECTION 504 POLICY

Charter School Policy # _____

Date Approved: _____

The Board of Directors of Clayton Valley Charter High School recognizes the need to identify and evaluate students with disabilities in order to provide them with a free, appropriate public education and its legal responsibility to ensure that “no qualified person with a disability shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” This policy and the related administrative regulation has been developed to ensure the implementation of Section 504 of the Rehabilitation Act of 1973 (“Section 504”), and its implementing regulations as amended, which pertains to public schools. The intent is to ensure that all students with disabilities, who are eligible under Section 504, are identified and evaluated and have access to a free, appropriate public education (“FAPE”).

Under Section 504, individuals with physical or mental impairments that substantially limit one or more major life activities, including learning, are entitled to receive regular or special education and/or related aids and services designed to meet their individual needs as adequately as the needs of nondisabled students are met. Major Life Activities include functions such as caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working. Students may be disabled and entitled to services under Section 504 even though they are not eligible for services pursuant to the Individuals with Disabilities in Education Act Improvement Act of 2004 (“IDEA”).

The Principal shall ensure that this policy and set of procedures is implemented and followed. Whenever there is reason to believe that, because of a disability, a student needs regular or special education and/or related aids and services (and the student has not been found eligible under IDEA) that student will be evaluated under this policy’s administrative regulation.

A Section 504 Team will be convened to determine the student’s need for regular or special education and/or related aids and services. The 504 Team will include persons knowledgeable about the Section 504 standards, the student’s individual needs and school history, the meaning of evaluation data, and placement options.

The student's parent/guardian shall be invited to participate in this 504 Team and shall receive notice of procedural safeguards guaranteed by law. If Clayton Valley Charter High School does not assess a student after a parent has requested an assessment, Clayton Valley Charter High School shall provide notice of the parent's/guardian's procedural safeguards.

If the student, due to disability, is found to require regular or special education and/or related aids and services under Section 504, the Section 504 Team shall develop a 504 plan for the provision of such services to the student. The student shall be educated with nondisabled students to the maximum extent appropriate to the student's individual needs. The student's parent/guardian shall be provided a copy of the 504 plan and shall receive notice of procedural safeguards guaranteed by law. Clayton Valley Charter High School shall periodically review the student's progress and placement.

Clayton Valley Charter High School will implement this policy through its corresponding Administrative Regulations.

Clayton Valley Charter High School

IDENTIFICATION, EVALUATION AND EDUCATION
UNDER SECTION 504

SECTION 504 ADMINISTRATIVE REGULATIONS

Charter School Policy # ____

Date Approved: _____

A. Definitions

1. **Academic Setting** – the regular, educational environment operated by Clayton Valley Charter High School (the “Charter School”)
2. **Individual with a Disability under Section 504** – An individual who:
 - a. has a physical or mental impairment that substantially limits one or more major life activities;
 - b. has a record of such an impairment; or
 - c. is regarded as having such an impairment.
3. **Evaluation** – procedures used to determine whether a student has a disability as defined within, and the nature and extent of the services that the student needs. The term means procedures used selectively with an individual student and does not include basic tests administered to, or procedures used with, all students in a school, grade or class.
4. **504 Plan** – is a plan developed to identify and document the student’s needs for regular or special education and related aids and services for participation in educational programs, activities, and school – sponsored events.
5. **Free Appropriate Public Education (“FAPE”)** – the provision of regular or special education and related aids and services that are designed to meet the individual needs of persons with disabilities as adequately as the needs of persons without disabilities are met.
6. **Major Life Activities** - Functions such as caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.

7. **Physical or Mental Impairment –**

- a. Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory; including speech organs; cardiovascular; reproductive; digestive; genitor-urinary; hemic and lymphatic; skin; and endocrine; or
- b. Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

8. **504 Coordinator** – The [TITLE], [NAME], shall serve as the Charter School's Section 504 coordinator. The parents or guardians may request a Section 504 due process hearing from, or direct any questions or concerns to the 504 Coordinator at [NUMBER].

9. **Has a record of such an impairment** - means has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.

10. **Is regarded as having an impairment** - means

(A) has a physical or mental impairment that does not substantially limit major life activities but that is treated by a recipient as constituting such a limitation;

(B) has a physical or mental impairment that substantially limits major life activities only as a result of the attitudes of others toward such impairment; or

(C) has none of the impairments defined in paragraph (j)(2)(i) of this section but is treated by a recipient as having such an impairment.

B. Referral, Assessment and Evaluation Procedures

- 1. The Charter School will evaluate any student who, because of disability, needs or is believed to need regular or special education and/or related aids and services.
- 2. A student may be referred by anyone, including a parent/guardian, teacher, other school employee or community agency, for consideration as to whether the student qualifies as a student with disabilities under Section 504. Requests for evaluation shall be made

in writing, and a copy of said request will remain in the student's file regardless of the final determination. This referral should be made to the Section 504 Coordinator who will convene a 504 Team. Any requests made to another Charter School employee will be forwarded to the Section 504 Coordinator.

3. The Charter School has the responsibility to ensure that students with disabilities are evaluated. Therefore, it is important that students who are or may be disabled are referred to the Section 504 Coordinator so that the assessment process is initiated.
4. The 504 Team convened by the Section 504 Coordinator will be composed of the student's parents/guardians and other persons knowledgeable about the student (such as the student's regular education teachers), the student's school history, the student's individual needs (such as a person knowledgeable about the student's disabling condition), the meaning of evaluation data, the options for placement and services, and the legal requirements for least restrictive environment and comparable facilities.
5. The 504 Team shall promptly consider the referral and determine what assessments are needed in all suspected areas of disability to evaluate whether the student is a student with a disability under Section 504 and what special needs the student may have. The decision regarding what assessments shall be undertaken shall be based on a review of the student's school records (including academic, social and behavioral records), any relevant medical records, and the student's needs. Students requiring assessment shall be provided appropriate assessments administered by qualified assessment specialists.
6. The 504 Team will consider the following information in its evaluation of the student:
 - a. Tests and other evaluation materials that have been validated for the specific purpose for which they are used and are administered by trained personnel;
 - b. Tests and other evaluation materials including those tailored to assess specific areas of educational need and not merely those which are designed to provide a single general intelligence quotient; and
 - c. Tests are selected and administered so as to best ensure that, when a test is administered to a student with impaired sensory, manual, or speaking skills, the test results accurately reflect the student's aptitude or achievement level or whatever factor the test purports to

measure, rather than reflecting the student's impaired sensory, manual, or speaking skills (except where those skills are the factors that the test purports to measure.)

7. The evaluation of the student must be sufficient for the 504 Team to accurately and completely describe: (a) the nature and extent of the disabilities; (b) the student's special needs; (c) the impact upon the student's education; and (d) what regular or special education and/or related aids and services are appropriate to ensure that the student receives a free appropriate public education. All significant factors relating to the learning process for that student, including adaptive behavior and cultural and language background, must be considered. The evaluation may include, but is not limited to, classroom and playground observation, performance-based testing, academic assessment information, and data offered by the student's teachers and parent/guardian.
8. The parents/guardians shall be given an opportunity in advance of 504 Team meetings to examine assessment results and all other relevant records.
9. If a request for evaluation is denied, the 504 Team shall inform the parents/guardians in writing of this decision and of their procedural rights as described below.

C. 504 Plan

1. When a student is identified as disabled within the meaning of Section 504, the 504 Team shall determine what, if any, services are needed to ensure that the student receives a free, appropriate public education ("FAPE").
2. The 504 Team responsible for making the placement decision shall include the parents/guardians and other persons knowledgeable about the child, the meaning of the evaluation data, and the placement options.
3. For each identified disabled student, the 504 Team will develop a 504 Plan describing the student's disability and the regular or special education and/or related aids and services needed. The Plan will specify how the special education and/or related aids and services will be provided to the disabled student and by whom. The 504 Plan will also identify the person responsible for ensuring that all the

components of the Plan are implemented.

4. The student's teacher and any other staff who are to provide services to the student or who are to make modifications in the classroom for the student shall be informed of the services or modifications necessary for the student and, if appropriate, provided a copy of the 504 Plan. A copy of this plan shall be kept in the student's cumulative file in a manner that limits access to those persons involved in the 504 process and/or the provision of services and modifications.
5. The disabled student shall be placed in the regular education environment unless it is demonstrated that the student's needs cannot be met in the regular education environment with supplementary aids and services. The disabled student shall be educated with students who are not disabled to the maximum extent appropriate to his/her individual needs.
6. The referral, assessment, evaluation and placement process will be completed within a reasonable time. It is generally not reasonable to exceed 50 school days in completing this process.
7. The parents/guardians shall be notified in writing of the final decision concerning the student's identification as a person with disabilities, the educational program and services to be provided, if any, and of the Section 504 procedural safeguards, as described below, including the right to an impartial hearing to challenge the decision.
8. If the 504 Team determines that the student is disabled but that no special services are necessary for the student, the 504 Plan shall reflect the identification of the student as a disabled person under Section 504 and shall state the basis for the decision that no special services are presently needed.
9. The 504 Plan shall include a schedule for annual review of the student's needs, and indicate that this review may occur more frequently at the request of the parent/guardian or school staff.

D. Review of the Student's Progress

1. The 504 Team shall monitor the progress of the disabled student and the effectiveness of the student's 504 Plan. According to the review schedule set out in the student's 504 Plan, the 504 Team shall annually determine whether the services and modifications are appropriate.
2. A reevaluation of the student's needs shall be conducted before any

subsequent significant change in placement.

E. Procedural Safeguards

1. Parents/guardians shall be notified in writing of all decisions regarding the identification, evaluation or educational placement of students with disabilities or suspected disabilities. Notifications shall include a statement of their rights to:
 - Examine relevant records
 - Have an impartial hearing with an opportunity for participation by the parents/guardians and their counsel
 - Have the right to file a Uniform Complaint pursuant to school policy
 - Seek review in federal court if the parents/guardians disagree with the hearing decision.
2. Notifications shall also set forth the procedures for requesting an impartial hearing. Requests shall be made to **[NAME]**, 504 Coordinator c/o Clayton Valley Charter High School, 1101 Alberta Way, Concord, CA 94521. Notifications shall advise that reimbursement for attorney's fees is available only as authorized by law.
3. The Principal shall maintain a list of impartial hearing officers who are qualified and willing to conduct Section 504 hearings. To ensure impartiality, such officers shall not be employed by or under contract with any district within the Contra Costa SELPA or the County Office of Education in any capacity other than that of hearing officer and shall not have any professional or personal involvement that would affect their impartiality or objectivity in the matter.
4. If a parent/guardian disagrees with the identification, evaluation or educational placement of a student with disabilities under Section 504, he/she may request a hearing to initiate due process procedures. The parent/guardian shall set forth in writing his/her request for a hearing. A request for hearing should include:
 - The specific decision or action with which the parent/guardian disagrees.
 - The changes to the 504 Plan the parent/guardian seeks.

- Any other information the parent/guardian believes is pertinent.
5. Within 5 calendar days of receiving the parent/guardian's request for a hearing, the Charter School may offer the parent/guardian an optional alternative dispute resolution process. However, the timeline for the hearing shall remain in effect unless it is extended by mutual written agreement of the parent/guardian and the Charter School. Alternative dispute resolution options include:
 - Mediation by a neutral third party.
 - Review of the 504 Plan by the Principal or designee.
 6. Within 10 calendar days of receiving the parent/guardian's request, the Principal or designee shall select an impartial hearing officer. This 10 days may be extended for good cause or by mutual agreement of the parent/guardian and Principal.
 7. Within 35 calendar days of the selection of the hearing officer, the due process hearing shall be conducted. This 35 days may be extended for good cause or by mutual agreement of the parent/guardian and Principal.
 8. The parent/guardian and the Charter School shall be afforded the rights to:
 - Be accompanied and advised by counsel and by individuals with special knowledge or training related to the individual needs of students who are qualified as disabled under Section 504.
 - Present written and oral evidence.
 - Question and cross-examine witnesses.
 - Receive written findings by the hearing officer.
 9. The hearing officer shall issue a written decision within 10 calendar days of the hearing.
 10. If desired, either party may seek a review of the hearing officer's decision by a federal court. The decision shall be implemented unless the decision is stayed, modified or overturned by a court.

Clayton Valley Charter High School

PARENT/STUDENT RIGHTS IN IDENTIFICATION, EVALUATION, ACCOMMODATION AND PLACEMENT

(Section 504 of the Rehabilitation Act of 1973)

The following is a description of the rights granted by federal law to students with disabilities. The intent of the law is to keep you fully informed concerning decisions about your child and to inform you of your rights if you disagree with any of these decisions. Please keep this explanation for future reference.

You have the right to:

1. Have your child take part in and receive benefits from public education programs without discrimination because of his/her disabling condition.
2. Have the Clayton Valley Charter High School advise you of your rights under federal law.
3. Receive notice with respect to Section 504 identification, evaluation and/or placement of your child.
4. Have your child receive a free appropriate public education. This includes the right to be educated with non-disabled students to the maximum extent appropriate. It also includes the right to have the Clayton Valley Charter High School make reasonable accommodations to allow your child an equal opportunity to participate in school and school-related activities.
5. Have your child educated in facilities and receive services comparable to those provided to non-disabled students.
6. Have your child receive special education and related services if he/she is found to be eligible under the Individuals with Disabilities Education Act (IDEA) [20 U.S.C. Chapter 33, P.L. 101-4761.
7. Have an evaluation, educational recommendation, and placement decision developed by a team of persons who are knowledgeable of the student, the assessment data, and any placement options.
8. Have your child be given an equal opportunity to participate in non-academic and extracurricular activities offered by the Clayton Valley Charter High School.
9. Examine all relevant records relating to decisions regarding your child's Section 504 identification, evaluation, educational program, and placement.

10. Obtain copies of educational records at a reasonable cost unless the fee would effectively deny you access to the records.
11. Obtain a response from the Clayton Valley Charter High School to reasonable requests for explanations and interpretations of your child's records.
12. Request amendment of your child's educational records if there is reasonable cause to believe they are inaccurate, misleading or otherwise in violation of the privacy rights of your child. If the Clayton Valley Charter High School refuses this request for amendment, the Charter School shall notify you within a reasonable time and advise you of your right to an impartial hearing.
13. Request mediation or file a grievance in accordance with the Clayton Valley Charter High School's Section 504 mediation grievance and hearing procedures.
14. Request an impartial hearing regarding the Section 504 identification, evaluation, or placement of your child. You and the student may take part in the hearing and have an attorney represent you.
15. File a formal complaint pursuant to the Clayton Valley Charter High School's Uniform Complaint Policy and Procedures.
16. File a formal complaint with the U.S. Department of Education.

Office for Civil Rights, Region IX
50 Beale Street, Suite 7200
San Francisco, CA 94105
(415) 486-5555

Please contact **[NAME]**, 504 Coordinator, c/o Clayton Valley Charter High School, 1101 Alberta Way, Concord, CA 94521 with any questions regarding the information contained herein.

Appendix:

C

CLAYTON VALLEY CHARTER HIGH SCHOOL
STRATEGIC PLAN
April 10, 2011

- Long-term goal
 - ◆ Develop, communicate, and implement a sustainable charter plan, which includes the Clayton Valley Charter High School (CVCHS) Mission and Vision Statement that embraces a partnership with all stakeholders in the Clayton Valley Community.
- 3 Month short-term objectives
 - ◆ Establish who will be the involved stakeholders in building the vision for Clayton Valley Charter High School.
 - ◆ Continually acknowledge the reality that Clayton Valley High School has developed many good programs over the last two decades, but now needs a consistent and a disciplined effort to improve its declining stature and performance as a community school.
 - ◆ Develop a financial feasibility study.
 - ◆ Create a CVHS Charter that includes 16 required elements, a mission statement, a shared vision, a description of the schools structure, and its expectations for student performance.
 - ◆ Continuously communicate and update the faculty and community on the progress and direction the charter school is taking by setting up communication lines via a Google page, Facebook, and a charter website.
 - ◆ Circulate a petition to the permanent certificated teachers to approve the charter.
 - ◆ Work with the Mount Diablo School District, Contra Costa County, and State of California to approve and implement the charter.
- One Year objectives – based on the approved CVHS Charter
 - ◆ Apply timeless principles and core values while building a system of accountability and a 21st Century Plan for Clayton Valley High School.
 - ◆ Establish and elect the governance board.
 - ◆ Identify which existing programs work and which ones do not
 - ◆ .
 - ◆ Search, interview and employ the CVHS Administrative team.
 - ◆ Establish a yearly calendar for CVHS.
 - ◆ Apply for grants that may help with start up costs, facility upgrades, faculty training, and curriculum improvements.
 - ◆ Develop a staff handbook
 - ◆ Develop a transition program from middle school to high school

- ◆ Initiate partnerships with local universities, adult education, alternative schools, parent/community groups and other relevant organizations
 - ◆ File required State and Federal paperwork to incorporate and establish non-profit status
 - ◆ Set up parameters for financial independence from MDUSD
 - ◆ Establish Bargaining units for staff

- Five Year Transition
 - ◆ Apply as a California Distinguished School.
 - ◆ Evaluate, revise, and improve initial charter
 - ◆ Submit a charter renewal to the school district

- Internal Strengths
 - ◆ Passion and Commitment of Stakeholders
 - ◆ Strength of Co- Facilitators, Petition Leadership Group, and involved faculty
 - ◆ Perceived support of overall community
 - ◆ Support of Charter Associations.
 - ◆ Support of Business and Development Charter School Specialists
 - ◆ Enter legal agreement with team of charter experts
 - ◆ Renewed spirit and optimism of staff, students, parents and community.

- Internal Weaknesses
 - ◆ Time constraints of over involved stakeholders.
 - ◆ Inexperience with Charter conversion
 - ◆ Lack of interest or involvement of small group of onsite staff

- External Concerns
 - ◆ Bad economy and continued economic uncertainty
 - ◆ Non-support of MDUSD
 - ◆ Financial Feasibility Study
 - ◆ MDUSD denies Charter Petition

Appendix:

D

November 13, 2010

To: All CVHS Staff, Administrators, and Stakeholders

From: Faculty Senate, PFC

The History of the 800 Club and “Do the Right Thing.”

For the past few months various staff members, administrators, and stakeholders in our community met to discuss the “Do the Right Thing” character initiative originally proposed by Hank Stafford, the mayor of Clayton. Several CVHS leadership students and athletes, Alison Bacigalupo PFC President, Pat Middendorf CVHS Athletic Director, Patti Bannister Diablo View Principal, and members of the CBCA attended this city council meeting.

After lengthy discussion and input from the community, the character initiative, passed unanimously.

The city council and staff, police department, CBCA, and all three Clayton schools have endorsed the six traits of the initiative. Diablo View Middle and Mt Diablo Elementary have already begun programs to implement their version of this program for their specific population of students. The Clayton Police will put the slogan: “Do the Right Thing”, on their police cars, and the city of Clayton will hang banners to promote the different characteristics over the next year. The committee members from CVHS committed to do their part in bringing this program to the high school.

Shortly after that meeting a group of teachers informally met to discuss how we could improve some of the negative issues surrounding CV this year. This group quickly keyed in on a way to turn some of those negatives into a positive change for our school. All agreed that an emphasis for the school year would be to attain an API score of 800 and in order for that to happen the entire staff would have to be involved. As plans developed it was apparent that these two programs should merge with the same emphasis – to academically and morally improve the school climate at CV.

Amber Lineweaver and Pat M. quickly designed the faculty and student shirt, Gary Swanson approved it and Alison B. joined in with Pat to develop the Eagle Pride Oath and new banner for CV. The idea was put out to the student body at the homecoming rally by Coach Paul Reynaud, Leadership teacher Christine Reimer and Amber L. Several shirts were thrown out into the student crowd and they responded by pleading for more. The faculty senate, led by Tom Fester endorsed the two programs, followed by both leadership class teacher and Link Crew head teachers.

The Plan

The Faculty Senate met six times and at each meeting brought in new CV staff and teachers for feedback on the programs and ways to develop a plan to present to the faculty and staff. Here it is:

- Bring together the entire stakeholder at CVHS for input.
- Continue to develop a strategic plan over the school year to ensure that CVHS becomes a forerunner as a school of character and pride.
- Develop a CVHS character oath to be taken by staff and students. (Already distributed.)
- Create a culture of success and character at CV with an emphasis on achieving an 800 score on our API.
- Call an emergency staff meeting November 10th for all staff and CV stakeholders.
- Explain the programs and implementation to the staff and community.
- Involve **all staff members and stakeholders in a united effort to immediately carryout the plan.**
- **Involve all students in this united effort by recognizing students displaying the six character traits and ask them to declare their commitment to making CVHS a campus of character and pride.**
- The CVHS staff and stakeholders will make a powerful statement of commitment by reciting the Clayton Valley High School Eagle Pride Oath in the quad at 12:30 on Tuesday, November 16th. The staff and stakeholders will wear their Club 800 shirts or any CV staff or spirit shirt. (Invite all stakeholders to this declaration). The teachers will then sign their oath to hang up in their classroom or related area.
- On Wednesday, November 17th each teacher or informed staff member will give out a maximum of one student 800 club t-shirt per class period to a deserving student. Rather than give the actual shirt they will give the student a coupon to pick up the shirt from Mrs. Lineweaver's classroom. (She will check them off the school list so only one shirt is awarded to each student.). Every student receiving a coupon must read the Eagle Pride Oath to the class, sign it and it will be hung up in their classroom. Staff members must use good judgment and aforethought before rewarding students with a t-shirt.
- The t-shirt comes with benefits. Each month beginning with December 17th the staff will throw a party for all students who have earned the shirt – the shirt must be worn that day as admittance to the party. The last party will be a Gala Event in May after Star Testing. The details are still being worked out.
- Staff Senate and PFC are developing a poster to put in each classroom. Together with the City of Clayton, CVHS will be emphasizing one characteristic a month that will be advertised around campus and in your classroom.
- We are hoping you can brainstorm with us ways to incorporate these characteristics in your everyday lessons and classroom culture.



CLAYTON VALLEY HIGH SCHOOL
EAGLE PRIDE OATH

On My Honor, I promise to uphold the ideals of the “Do the Right Thing” Character Initiative at Clayton Valley High School **by:**

- Taking **RESPONSIBILITY** for what I am supposed to do and being accountable for my choices.
- Having **RESPECT** for others.
- Showing **KINDNESS** to others and being forgiving.
- Developing **SELF-DISCIPLINE** by setting goals and working to achieve them.
- Building **INTEGRITY** by being reliable and doing what I say I’ll do.
- Displaying **COURAGE** by standing up for what is right, even if I stand alone.

**I commit to keeping our campus safe, clean, and
filled with School Spirit and Eagle Pride.**

*I will represent Clayton Valley High School on and off campus
as a person of character.*

X_____

CVHS “Do the Right Thing”



Character Award

Name: _____

Has been caught “Doing the Right Thing” and is deemed ready to take the **Eagle Pride Oath** and be inducted in the ***CVHS 800 CLUB***. Upon signing the oath this student will turn in this certificate and be awarded an 800 CLUB t-shirt in recognition of this honor.

Awarded by _____

This person of character will be eligible for additional incentives throughout the school year. Redeem in Room C6 during 1st or 2nd period or at brunch.

CVHS “Do the Right Thing”



Character Award

Name: _____

Has been caught “Doing the Right Thing” and is deemed ready to take the **Eagle Pride Oath** and be inducted in the ***CVHS 800 CLUB***. Upon signing the oath this student will turn in this certificate and be awarded an 800 CLUB t-shirt in recognition of this honor.

Awarded by _____

This person of character will be eligible for additional incentives throughout the school year. Redeem in Room C6 during 1st or 2nd period or at brunch.

Appendix:

E

ARTICLES OF INCORPORATION
OF
CLAYTON VALLEY CHARTER HIGH SCHOOL
(A California Nonprofit Public Benefit Corporation)

I.

The name of the Corporation shall be Clayton Valley Charter High School.

II.

The Corporation is a nonprofit public benefit corporation and is not organized for the private gain of any person. It is organized under the Nonprofit Public Benefit Corporation Law for public and charitable purposes. The specific purposes for which this Corporation is organized are to manage, operate, guide, direct and promote the Clayton Valley Charter High School.

The Corporation is organized and operated exclusively for educational and charitable purposes pursuant to and within the meaning of Section 501(c)(3) of the Internal Revenue Code or the corresponding provision of any future United States Internal Revenue Law. Notwithstanding any other provision of these articles, the Corporation shall not, except to an insubstantial degree, engage in any other activities or exercise of power that do not further the purposes of the Corporation. The Corporation shall not carry on any other activities not permitted to be carried on by: (a) a corporation exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code; or (b) by a corporation, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

III.

The name and address in the State of California of this Corporation's initial agent for service of process is:

Paul C. Minney
701 University Ave., Ste. 150
Sacramento, CA 95825

IV.

All corporate property is irrevocably dedicated to the purposes set forth in the second article above. No part of the net earnings of the Corporation shall inure to the benefit of, or be distributable to any of its directors, members, trustees, officers or other private persons except that the Corporation shall be authorized and empowered to pay reasonable compensation for services rendered, and to make payments and distributions in furtherance of the purposes set forth in Article II.

No substantial part of the activities of the Corporation shall consist of the carrying on of propaganda, or otherwise attempting to influence legislation, and the Corporation shall not participate in, or intervene in (including the publishing or distribution of

statements) any political campaign on behalf of or in opposition to any candidate for public office.

Subject to the provisions of the nonprofit public benefit provisions of the Nonprofit Corporation Law of the State of California, and any limitations in the articles or bylaws relating to action to be approved by the members or by a majority of all members, if any, the activities and affairs of this Corporation shall be conducted and all the powers shall be exercised by or under the direction of the board of directors.

The number of directors shall be as provided for in the bylaws. The bylaws shall prescribe the qualifications, mode of election, and term of office of directors.

V.

The authorized number and qualifications of members of the corporation, if any, the different classes of membership, the property, voting and other rights and privileges of members, and their liability for dues and assessments and the method of collection thereof, shall be set forth in the bylaws.

VI.

Upon the dissolution or winding up of the Corporation, its assets remaining after payment of all debts and liabilities of the Corporation, shall be distributed to a nonprofit fund, foundation, or association which is organized and operated exclusively for educational, public or charitable purposes and which has established its tax exempt status under Section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not so disposed of shall be disposed of by a court of competent jurisdiction of the county in which the principal office of the Corporation is then located, exclusively for such purposes or to such organization or organizations, as said court shall determine which are organized and operated exclusively for such purposes.

Dated: _____

Kimberly Rodriguez, Incorporator

BYLAWS

OF

Clayton Valley Charter High School

(A California Nonprofit Public Benefit Corporation)

ARTICLE I NAME

Section 1. NAME. The name of this corporation is Clayton Valley Charter High School.

ARTICLE II PRINCIPAL OFFICE OF THE CORPORATION

Section 1. PRINCIPAL OFFICE OF THE CORPORATION. The principal office for the transaction of the activities and affairs of this corporation is 1101 Alberta Way, Concord, State of California. The Board of Directors may change the location of the principal office. Any such change of location must be noted by the Secretary on these bylaws opposite this Section; alternatively, this Section may be amended to state the new location.

Section 2. OTHER OFFICES OF THE CORPORATION. The Board of Directors may at any time establish branch or subordinate offices at any place or places where this corporation is qualified to conduct its activities.

ARTICLE III GENERAL AND SPECIFIC PURPOSES; LIMITATIONS

Section 1. GENERAL AND SPECIFIC PURPOSES. The purpose of this corporation is to manage, operate, guide, direct and promote the Clayton Valley Charter High School ("Charter School"), a California public charter school. Also in the context of these purposes, the Corporation shall not, except to an insubstantial degree, engage in any other activities or exercise of power that do not further the purposes of the Corporation.

The Corporation shall not carry on any other activities not permitted to be carried on by: (a) a corporation exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code; or (b) a corporation, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code, or the corresponding section of any future federal tax code. No substantial part of the activities of the Corporation shall consist of the carrying on of propaganda, or otherwise attempting to influence legislation, and the Corporation shall not participate in, or intervene in (including the publishing or distributing of statements) any political campaign on behalf of or in opposition to any candidate for public office.

ARTICLE IV CONSTRUCTION AND DEFINITIONS

Section 1. CONSTRUCTION AND DEFINITIONS. Unless the context indicates otherwise, the general provisions, rules of construction, and definitions in the California Nonprofit Corporation Law shall govern the construction of these bylaws. Without limiting the generality of the preceding sentence, the masculine gender includes the feminine and neuter, the singular includes the plural, and the plural includes the singular, and the term “person” includes both a legal entity and a natural person.

ARTICLE V DEDICATION OF ASSETS

Section 1. DEDICATION OF ASSETS. This corporation’s assets are irrevocably dedicated to public benefit purposes as set forth in the Charter School’s Charter. No part of the net earnings, properties, or assets of the corporation, on dissolution or otherwise, shall inure to the benefit of any private person or individual, or to any director or officer of the corporation. On liquidation or dissolution, all properties and assets remaining after payment, or provision for payment, of all debts and liabilities of the corporation shall be distributed to a nonprofit fund, foundation, or corporation that is organized and operated exclusively for charitable purposes and that has established its exempt status under Internal Revenue Code section 501(c)(3).

ARTICLE VI CORPORATIONS WITHOUT MEMBERS

Section 1. CORPORATIONS WITHOUT MEMBERS. This corporation shall have no voting members within the meaning of the Nonprofit Corporation Law. The corporation’s Board of Directors may, in its discretion, admit individuals to one or more classes of nonvoting members; the class or classes shall have such rights and obligations as the Board of Directors finds appropriate.

ARTICLE VII BOARD OF DIRECTORS

Section 1. GENERAL POWERS. Subject to the provisions and limitations of the California Nonprofit Public Benefit Corporation Law and any other applicable laws, and subject to any limitations of the articles of incorporation or bylaws, the corporation’s activities and affairs shall be managed, and all corporate powers shall be exercised, by or under the direction of the Board of Directors (“Board”). The Board may delegate the management of the corporation’s activities to any person(s), management company or committees, however composed, provided that the activities and affairs of the corporation shall be managed and all corporate powers shall be exercised under the ultimate direction of the Board.

Section 2. SPECIFIC POWERS. Without prejudice to the general powers set forth in Section 1 of these bylaws, but subject to the same limitations, the Board of Directors shall have the power to:

- a. Appoint and remove, at the pleasure of the Board of Directors, all corporate officers, agents, and employees; prescribe powers and duties for them as are

consistent with the law, the articles of incorporation, and these bylaws; fix their compensation; and require from them security for faithful service.

- b. Change the principal office or the principal business office in California from one location to another; cause the corporation to be qualified to conduct its activities in any other state, territory, dependency, or country; conduct its activities in or outside California.
- c. Borrow money and incur indebtedness on the corporation's behalf and cause to be executed and delivered for the corporation's purposes, in the corporate name, promissory notes, bonds, debentures, deeds of trust, mortgages, pledges, hypothecations, and other evidences of debt and securities.
- d. Adopt and use a corporate seal.

Section 3. DESIGNATED DIRECTORS AND TERMS. The number of directors shall be no less than nine (9) and no more than ten (10), unless changed by amendments to these bylaws. All directors shall have full voting rights, including any representative appointed by the charter authorizer as consistent with Education Code Section 47604(c). The Board of Directors shall consist of at least nine (9) directors unless changed by amendment to these bylaws.

Except for the initial Board of Directors, each director shall hold office unless otherwise removed from office in accordance with these bylaws for two (2) years and until a successor director has been designated and qualified. Terms for the initial Board of Directors shall be staggered as drawn by lot with five (5) seats, which includes, one (1) certificated staff representative, one (1) classified staff representative, one (1) parent representative, the retired teacher representative and one (1) at large representative, serving a three (3) year term and four (4) seats, which includes, one (1) certificated staff representative, one (1) parent representative, one (1) at large representative and the administrative staff representative serving a two (2) year term.

Section 4. QUALIFICATIONS.

- a. Certificated Staff Representatives: Must be currently employed by CVCHS and, if applicable, a member of the respective bargaining unit at CVCHS.
- b. Classified Staff Representative: Must be currently employed at CVCHS.
- c. Administrative Staff Representative: Must be currently employed at CVCHS.
- d. Parent Representatives: Must be parent of a currently enrolled CVCHS student. Must not be an employee of CVCHS. Must not have received any compensation in the last twelve (12) months.

- e. At Large Representatives and retired teacher: Must be non-interested (not an employee of CVCHS), committed to the mission and vision of the school, and meet one of the following criteria:
- Community member with direct familiarity with CVCHS history and goals
 - Former educator with direct familiarity with CVCHS history and goals
 - Experience in education, strategic planning, staff development, board relations, financial management, and organizational leadership.
 - Must not be an employee of CVCHS.
 - Must not have received any compensation in the last twelve (12) months.

Section 5. BOARD MEMBER SELECTION

a. Certificated Staff Representatives:

Certificated staff representatives will be elected by a simple majority vote of all teachers at CVCHS. If applicable, no teacher who currently serves as the teacher bargaining unit representative may be elected to a Governing Board seat.

No more than one member of each academic department may hold a board seat at the same time. In the event that two or more members of the same department are competing for a seat on the Governing Board, the individual who receives the most votes will be selected. A teacher who teaches in more than one department will be considered to represent the department for which he/she teaches the most hours.

b. Classified Staff Representative:

The classified staff representative will be elected by a simple majority vote of all classified staff. If applicable, no classified staff member who currently serves as a bargaining unit representative may be elected to a Governing Board seat.

c. Administrative Staff Representative:

Not counting the Executive Director, the administrative staff representative shall select a representative by a simple majority vote of all administrative staff. No administrative staff member who currently serves as a bargaining unit representative may be elected to a Governing Board seat.

d. At Large Representatives, Retired Teacher Representative, and Parent Representatives:

The Governing Board members shall appoint an ad hoc committee comprised of current CVCHS educators and community members who adhere to the following process:

- In September, the ad hoc committee will solicit nominations of qualified candidates. Interested candidates submit a statement of candidacy (resume of experience, qualifications, interest and understanding of CVCHS history and

goals, etc.) by October 1. In the first year of operation, the ad hoc committee will solicit nomination as soon as possible.

- In October, the ad hoc committee will review statements of candidacy, interview candidates, and recommend to the Board candidates for further consideration. In the first year of operation, this will occur within the first month of operation.
- In November, candidates will address the Board to respond to questions. This shall be on the Board Agenda.
- In December, Board members will elect the qualified candidates whose term shall begin January of the following year.
- In the event the Retired Teacher seat is unfilled, the elected Board members shall appoint a person who qualifies as an at large representative to fill the seat until a retired teacher can be selected per the process outlined above.

Section 6. **RESTRICTION ON INTERESTED PERSONS AS DIRECTORS.** No more than 49 percent of the persons serving on the Board of Directors may be interested persons. An interested person is (a) any person compensated by the corporation for services rendered to it within the previous 12 months, whether as a full-time or part-time employee, independent contractor, or otherwise, excluding any reasonable compensation paid to a director as director; and (b) any brother, sister, ancestor, descendant, spouse, brother-in-law, sister-in-law, son-in-law, daughter-in-law, mother-in-law, or father-in-law of such person. However, any violation of this paragraph shall not affect the validity or enforceability of transactions entered into by the corporation. The Board may adopt other policies circumscribing potential conflicts of interest.

Section 7. **DIRECTORS' TERM.** Each director shall hold office for two (2) years and until a successor director has been designated and qualified.

Section 8. **USE OF CORPORATE FUNDS TO SUPPORT NOMINEE.** If more people have been nominated for director than can be elected, no corporation funds may be expended to support a nominee without the Board's authorization.

Section 9. **EVENTS CAUSING VACANCIES ON BOARD.** A vacancy or vacancies on the Board of Directors shall occur in the event of (a) the death, resignation, or removal of any director; (b) the declaration by resolution of the Board of Directors of a vacancy in the office of a director who has been convicted of a felony, declared of unsound mind by a court order, or found by final order or judgment of any court to have breached a duty under California Nonprofit Public Benefit Corporation Law, Chapter 2, Article 3 or (c) the increase of the authorized number of directors; or (d) the termination of employment with CVCHS for the certificated staff representative, the classified staff representative and the administrative staff representative; and (e) the failure of a parent representative to have at least one child actively enrolled at CVCHS.

Section 10. **RESIGNATION OF DIRECTORS.** Except as provided below, any director may resign by giving written notice to the Chairman of the Board, if any, or to the President, or

the Secretary, or to the Board. The resignation shall be effective when the notice is given unless the notice specifies a later time for the resignation to become effective. If a director's resignation is effective at a later time, the Board of Directors may elect a successor to take office as of the date when the resignation becomes effective.

Section 11. DIRECTOR MAY NOT RESIGN IF NO DIRECTOR REMAINS. Except on notice to the California Attorney General, no director may resign if the corporation would be left without a duly elected director or directors.

Section 12. REMOVAL OF DIRECTORS. Signatures of 40 percent of the respective constituency of the certificated staff representatives, classified staff representative and administrative staff representatives are needed in order to initiate recall procedures. Within two weeks of receiving this petition, the Executive Director will oversee a recall vote of the representative's respective constituency which will be conducted by secret ballot. A recall shall be valid if approved by a two-thirds vote.

The at large representatives, retired teacher representative and parent representatives may be removed, with or without cause, by the vote of the majority of the members of the entire Board of Directors at a special meeting called for that purpose, or at a regular meeting, provided that notice of that meeting and of the removal questions are given in compliance with the provisions of the Ralph M. Brown Act. (Chapter 9 (commencing with Section 54950) of Division 2 of Title 5 of the Government Code). Any vacancy caused by the removal of an at large representative, retired teacher representative and parent representative shall be filled as provided in Section 13.

Section 13. VACANCIES FILLED BY BOARD. Vacancies on the Board of Directors of the certificated staff representative, classified staff representative, and administrative staff representative shall be filled as provided in Section 5.

Vacancies on the Board of Directors of an at large representative, retired teacher representative and parent representative may be filled by approval of the Board of Directors or, if the number of directors then in office is less than a quorum, by (a) the affirmative vote of a majority of the directors then in office at a regular or special meeting of the Board, or (b) a sole remaining director. The Board of Directors may appoint an interim replacement until the following September at which time the procedures in Section 5 shall be followed to fill a vacancy for the remaining term of the vacant seat.

Section 14. NO VACANCY ON REDUCTION OF NUMBER OF DIRECTORS. Any reduction of the authorized number of directors shall not result in any directors being removed before his or her term of office expires.

Section 15. PLACE OF BOARD OF DIRECTORS MEETINGS. Meetings shall be held at the principal office of the Corporation. The Board of Directors may also designate that a meeting be held at any place within the granting agency's boundaries designated in the notice of the meeting. All meetings of the Board of Directors shall be called, held and conducted in accordance with the terms and provisions of the Ralph M. Brown Act, California Government Code Sections 54950, et seq., as said chapter may be modified by subsequent legislation.

Section 16. MEETINGS; ANNUAL MEETINGS. All meetings of the Board of Directors and its committees shall be called, noticed, and held in compliance with the provisions of the Ralph M. Brown Act ("Brown Act"). (Chapter 9 (commencing with Section 54950) of Division 2 of Title 5 of the Government Code). The Board of Directors shall meet annually for the purpose of organization, appointment of officers, and the transaction of such other business as may properly be brought before the meeting. This meeting shall be held at a time, date, and place as noticed by the Board of Directors in accordance with the Brown Act.

Section 17. REGULAR MEETINGS. Regular meetings of the Board of Directors, including annual meetings, shall be held at such times and places as may from time to time be fixed by the Board of Directors. At least 72 hours before a regular meeting, the Board of Directors, or its designee shall post an agenda containing a brief general description of each item of business to be transacted or discussed at the meeting.

Section 18. SPECIAL MEETINGS. Special meetings of the Board of Directors for any purpose may be called at any time by the Chairman of the Board of Directors, if there is such an officer, or a majority of the Board of Directors. If a Chairman of the Board has not been elected then the President is authorized to call a special meeting in place of the Chairman of the Board. The party calling a special meeting shall determine the place, date, and time thereof.

Section 19. NOTICE OF SPECIAL MEETINGS. In accordance with the Brown Act, special meetings of the Board of Directors may be held only after twenty-four (24) hours notice is given to the public through the posting of an agenda. Directors shall also receive at least twenty-four (24) hours notice of the special meeting, in the manner:

- a. Any such notice shall be addressed or delivered to each director at the director's address as it is shown on the records of the Corporation, or as may have been given to the Corporation by the director for purposes of notice, or, if an address is not shown on the Corporation's records or is not readily ascertainable, at the place at which the meetings of the Board of Directors are regularly held.*
- b. Notice by mail shall be deemed received at the time a properly addressed written notice is deposited in the United States mail, postage prepaid. Any other written notice shall be deemed received at the time it is personally delivered to the recipient or is delivered to a common carrier for transmission, or is actually transmitted by the person giving the notice by electronic means to the recipient. Oral notice shall be deemed received at the time it is communicated, in person or by telephone or wireless, to the recipient or to a person at the office of the recipient whom the person giving the notice has reason to believe will promptly communicate it to the receiver.*
- c. The notice of special meeting shall state the time of the meeting, and the place if the place is other than the principal office of the Corporation, and the general nature of the business proposed to be transacted at the meeting. No business, other than the business the general nature of which was set forth in the notice of the meeting, may be transacted at a special meeting.*

Section 20. QUORUM. A majority of the directors then in office shall constitute a quorum. All acts or decisions of the Board of Directors will be by majority vote of the directors in attendance, based upon the presence of a quorum. Should there be less than a majority of the directors present at any meeting, the meeting shall be adjourned. Directors may not vote by proxy.

Section 21. TELECONFERENCE MEETINGS. Members of the Board of Directors may participate in teleconference meetings so long as all of the following requirements in the Brown Act are complied with:

- a. *At a minimum, a quorum of the members of the Board of Directors shall participate in the teleconference meeting from locations within the boundaries of the school district in which the Charter School operates;*
- b. *All votes taken during a teleconference meeting shall be by roll call;*
- c. *If the Board of Directors elects to use teleconferencing, it shall post agendas at all teleconference locations with each teleconference location being identified in the notice and agenda of the meeting;*
- d. *All locations where a member of the Board of Directors participates in a meeting via teleconference must be fully accessible to members of the public and shall be listed on the agenda;¹*
- e. *Members of the public must be able to hear what is said during the meeting and shall be provided with an opportunity to address the Board of Directors directly at each teleconference location; and*
- f. *The agenda shall indicate that members of the public attending a meeting conducted via teleconference need not give their name when entering the conference call.²*

Section 22. ADJOURNMENT. A majority of the directors present, whether or not a quorum is present, may adjourn any Board of Directors meeting to another time or place. Notice of such adjournment to another time or place shall be given, prior to the time scheduled for the continuation of the meeting, to the directors who were not present at the time of the adjournment, and to the public in the manner prescribed by any applicable public open meeting law.

Section 23. COMPENSATION AND REIMBURSEMENT. Directors may not receive compensation for their services as directors or officers, only such reimbursement of expenses as the Board of Directors may establish by resolution to be just and reasonable as to the corporation at the time that the resolution is adopted.

Section 24. CREATION AND POWERS OF COMMITTEES. The Board, by resolution adopted by a majority of the directors then in office, may create one or more committees of the Board, each consisting of two or more directors and no one who is not a director, to serve at the pleasure of the Board. Appointments to committees of the Board of Directors shall be by majority vote of the authorized number of directors. The Board of Directors may appoint one or more directors as alternate members of any such committee, who may replace any absent member at any meeting. Any such committee shall have all the authority of the Board, to the extent provided in the Board of Directors' resolution, except that no committee may:

- a. Take any final action on any matter that, under the California Nonprofit Public Benefit Corporation Law, also requires approval of the members or approval of a majority of all members;
- b. Fill vacancies on the Board of Directors or any committee of the Board;

¹ This means that members of the Board of Directors who choose to utilize their homes or offices as teleconference locations must open these locations to the public and accommodate any members of the public who wish to attend the meeting at that location.

² The Brown Act prohibits requiring members of the public to provide their names as a condition of attendance at the meeting.

- c. Fix compensation of the directors for serving on the Board of Directors or on any committee;
- d. Amend or repeal bylaws or adopt new bylaws;
- e. Amend or repeal any resolution of the Board of Directors that by its express terms is not so amendable or subject to repeal;
- f. Create any other committees of the Board of Directors or appoint the members of committees of the Board;
- g. Expend corporate funds to support a nominee for director if more people have been nominated for director than can be elected; or
- h. Approve any contract or transaction to which the corporation is a party and in which one or more of its directors has a material financial interest.

The Board may also create one or more advisory committees composed of directors and non-directors. It is the intent of the Board to encourage the participation and involvement of faculty, staff, parents, students and administrators through attending and participating in open committee meetings. The Board may establish, by resolution adopted by a majority of the directors then in office, advisory committees to serve at the pleasure of the Board.

Section 25. ADVISORY COMMITTEES. The Board may establish advisory committees, including, but not limited to, the following:

- Curriculum and Instruction: Curriculum, instructional delivery, professional development, graduation, and technology. All academic department chairs or their designees are required to serve on this committee.
- Student Services: School safety, security, attendance, and student needs
- Human Resources: Employee salary, benefits, incentives, and work related issues
- Operations: Facility related matters such as new construction, policy on facilities rental, other plant improvements and policies, and scheduling matters such as calendar and bell schedules.

The Board shall clearly define the purpose, scope, responsibilities of each standing committee in a separate Board resolution.

Section 26. MEETINGS AND ACTION OF COMMITTEES. Meetings and actions of committees shall be governed by, held, and taken under the provisions of these bylaws concerning meetings, other Board of Directors' actions, and the Brown Act, if applicable, except that the time for general meetings of such committees and the calling of special meetings of such committees may be set either by Board of Directors' resolution or, if none, by resolution of the committee. Minutes of each meeting shall be kept and shall be filed with the corporate records. The Board of Directors may adopt rules for the governance of any

committee as long as the rules are consistent with these bylaws. If the Board of Directors has not adopted rules, the committee may do so.

Section 27. NON-LIABILITY OF DIRECTORS. No director shall be personally liable for the debts, liabilities, or other obligations of this corporation.

Section 28. COMPLIANCE WITH LAWS GOVERNING STUDENT RECORDS. The Charter School and the Board of Directors shall comply with all applicable provisions of the Family Education Rights Privacy Act ("FERPA") as set forth in Title 20 of the United States Code Section 1232g and attendant regulations as they may be amended from time to time.

ARTICLE VIII OFFICERS OF THE CORPORATION

Section 1. OFFICES HELD. The officers of this corporation shall be a President, a Secretary, and a Chief Financial Officer. The corporation, at the Board's direction, may also have a Chairman of the Board and a Vice-Chair. The officers, in addition to the corporate duties set forth in this Article VIII, shall also have administrative duties as set forth in any applicable contract for employment or job specification. Officers, except for the Chairman of the Board, shall not also be directors (Board members).

Section 2. DUPLICATION OF OFFICE HOLDERS. Any number of offices may be held by the same person, except that neither the Secretary nor the Chief Financial Officer may serve concurrently as either the President or the Chairman of the Board.

Section 3. ELECTION OF OFFICERS. The officers of this corporation shall be chosen annually by the Board of Directors and shall serve at the pleasure of the Board, subject to the rights of any officer under any employment contract.

Section 4. REMOVAL OF OFFICERS. Without prejudice to the rights of any officer under an employment contract, the Board of Directors may remove any officer with or without cause.

Section 5. RESIGNATION OF OFFICERS. Any officer may resign at any time by giving written notice to the Board. The resignation shall take effect on the date the notice is received or at any later time specified in the notice. Unless otherwise specified in the notice, the resignation need not be accepted to be effective. Any resignation shall be without prejudice to any rights of the corporation under any contract to which the officer is a party.

Section 6. VACANCIES IN OFFICE. A vacancy in any office because of death, resignation, removal, disqualification, or any other cause shall be filled in the manner prescribed in these bylaws for normal appointment to that office, provided, however, that vacancies need not be filled on an annual basis.

Section 7. CHAIRMAN OF THE BOARD. If a Chairman of the Board of Directors is elected, he or she shall preside at the Board of Directors' meetings and shall exercise and perform such other powers and duties as the Board of Directors may assign from time to time.

If a Chairman of the Board of Directors is elected, there shall also be a Vice-Chairman of the Board of Directors. In the absence of the Chairman, the Vice-Chairman shall preside at Board of Directors meetings and shall exercise and perform such other powers and duties as the Board of Directors may assign from time to time.

Section 8. **PRESIDENT.** The President, also known as the Executive Director shall be the general manager of the corporation and shall supervise, direct, and control the corporation's activities, affairs, and officers as fully described in any applicable employment contract, agreement, or job specification. The President shall have such other powers and duties as the Board of Directors or the bylaws may require. If there is no Chairman of the Board, the President shall also preside at the Board of Directors' meetings.

Section 9. **SECRETARY.** The Secretary shall keep or cause to be kept, at the corporation's principal office or such other place as the Board of Directors may direct, a book of minutes of all meetings, proceedings, and actions of the Board and of committees of the Board. The minutes of meetings shall include the time and place that the meeting was held; whether the meeting was annual, regular, special, or emergency and, if special or emergency, how authorized; the notice given; and the names of the directors present at Board of Directors and committee meetings.

The Secretary shall keep or cause to be kept, at the principal California office, a copy of the articles of incorporation and bylaws, as amended to date.

The Secretary shall give, or cause to be given, notice of all meetings of the Board and of committees of the Board of Directors that these bylaws require to be given. The Secretary shall keep the corporate seal, if any, in safe custody and shall have such other powers and perform such other duties as the Board of Directors or the bylaws may require.

Section 10. **CHIEF FINANCIAL OFFICER.** The Chief Financial Officer shall keep and maintain, or cause to be kept and maintained, adequate and correct books and accounts of the corporation's properties and transactions. The Chief Financial Officer shall send or cause to be given to directors such financial statements and reports as are required to be given by law, by these bylaws, or by the Board. The books of account shall be open to inspection by any director at all reasonable times.

The Chief Financial Officer shall (a) deposit, or cause to be deposited, all money and other valuables in the name and to the credit of the corporation with such depositories as the Board of Directors may designate; (b) disburse the corporation's funds as the Board of Directors may order; (c) render to the President, Chairman of the Board, if any, and the Board, when requested, an account of all transactions as Chief Financial Officer and of the financial condition of the corporation; and (d) have such other powers and perform such other duties as the Board, contract, job specification, or the bylaws may require.

If required by the Board, the Chief Financial Officer shall give the corporation a bond in the amount and with the surety or sureties specified by the Board of Directors for faithful performance of the duties of the office and for restoration to the corporation of all of its books,

papers, vouchers, money, and other property of every kind in the possession or under the control of the Chief Financial Officer on his or her death, resignation, retirement, or removal from office.

ARTICLE IX CONTRACTS WITH DIRECTORS

Section 1. CONTRACTS WITH DIRECTORS. The Corporation shall not enter into a contract or transaction in which a director directly or indirectly has a material financial interest (nor any other corporation, firm, association, or other entity in which one or more of this Corporation's directors are directors have a material financial interest).

ARTICLE X CONTRACTS WITH NON-DIRECTOR DESIGNATED EMPLOYEES

Section 1. CONTRACTS WITH NON-DIRECTOR DESIGNATED EMPLOYEES. The Corporation shall not enter into a contract or transaction in which a non-director designated employee (e.g., officers and other key decision-making employees) directly or indirectly has a material financial interest.

ARTICLE XI LOANS TO DIRECTORS AND OFFICERS

Section 1. LOANS TO DIRECTORS AND OFFICERS. This corporation shall not lend any money or property to or guarantee the obligation of any director or officer without the approval of the California Attorney General; provided, however, that the corporation may advance money to a director or officer of the corporation for expenses reasonably anticipated to be incurred in the performance of his or her duties if that director or officer would be entitled to reimbursement for such expenses of the corporation.

ARTICLE XII INDEMNIFICATION

Section 1. INDEMNIFICATION. To the fullest extent permitted by law, this corporation shall indemnify its directors, officers, employees, and other persons described in Corporations Code Section 5238(a), including persons formerly occupying any such positions, against all expenses, judgments, fines, settlements, and other amounts actually and reasonably incurred by them in connection with any "proceeding," as that term is used in that section, and including an action by or in the right of the corporation by reason of the fact that the person is or was a person described in that section. "Expenses," as used in this bylaw, shall have the same meaning as in that section of the Corporations Code.

On written request to the Board of Directors by any person seeking indemnification under Corporations Code Section 5238 (b) or Section 5238 (c) the Board of Directors shall promptly decide under Corporations Code Section 5238 (e) whether the applicable standard of conduct set forth in Corporations Code Section 5238 (b) or Section 5238 (c) has been met and, if so, the Board of Directors shall authorize indemnification.

ARTICLE XIII INSURANCE

Section 1. INSURANCE. This corporation shall have the right to purchase and maintain insurance to the full extent permitted by law on behalf of its directors, officers, employees, and other agents, to cover any liability asserted against or incurred by any director, officer, employee, or agent in such capacity or arising from the director's, officer's, employee's, or agent's status as such.

ARTICLE XIV MAINTENANCE OF CORPORATE RECORDS

Section 1. MAINTENANCE OF CORPORATE RECORDS. This corporation shall keep:

- a. Adequate and correct books and records of account;
- b. Written minutes of the proceedings of the Board and committees of the Board; and
- c. Such reports and records as required by law.

ARTICLE XV INSPECTION RIGHTS

Section 1. DIRECTORS' RIGHT TO INSPECT. Every director shall have the right at any reasonable time to inspect the corporation's books, records, documents of every kind, physical properties, and the records of each subsidiary as permitted by California and federal law. The inspection may be made in person or by the director's agent or attorney. The right of inspection includes the right to copy and make extracts of documents as permitted by California and federal law. This right to inspect may be circumscribed in instances where the right to inspect conflicts with California or federal law (e.g., restrictions on the release of educational records under FERPA) pertaining to access to books, records, and documents.

Section 2. ACCOUNTING RECORDS AND MINUTES. On written demand on the corporation, any director may inspect, copy, and make extracts of the accounting books and records and the minutes of the proceedings of the Board of Directors and committees of the Board of Directors at any reasonable time for a purpose reasonably related to the director's interest as a director. Any such inspection and copying may be made in person or by the director's agent or attorney. This right of inspection extends to the records of any subsidiary of the corporation.

Section 3. MAINTENANCE AND INSPECTION OF ARTICLES AND BYLAWS. This corporation shall keep at its principal California office the original or a copy of the articles of incorporation and bylaws, as amended to the current date, which shall be open to inspection by the directors at all reasonable times during office hours.

ARTICLE XVI REQUIRED REPORTS

Section 1. ANNUAL REPORTS. The Board of Directors shall cause an annual report to be sent to itself (the members of the Board of Directors) within 120 days after the end of

the corporation's fiscal year. That report shall contain the following information, in appropriate detail:

- a. The assets and liabilities, including the trust funds, or the corporation as of the end of the fiscal year;
- b. The principal changes in assets and liabilities, including trust funds;
- c. The corporation's revenue or receipts, both unrestricted and restricted to particular purposes;
- d. The corporation's expenses or disbursement for both general and restricted purposes;
- e. Any information required under these bylaws; and
- f. An independent accountant's report or, if none, the certificate of an authorized officer of the corporation that such statements were prepared without audit from the corporation's books and records.

Section 2. ANNUAL STATEMENT OF CERTAIN TRANSACTIONS AND INDEMNIFICATIONS. As part of the annual report to all directors, or as a separate document if no annual report is issued, the corporation shall, within 120 days after the end of the corporation's fiscal year, annually prepare and mail or deliver to each director and furnish to each director a statement of any transaction or indemnification of the following kind:

- a. Any transaction (i) in which the corporation, or its parent or subsidiary, was a party, (ii) in which an "interested person" had a direct or indirect material financial interest, and (iii) which involved more than \$50,000 or was one of several transactions with the same interested person involving, in the aggregate, more than \$50,000. For this purpose, an "interested person" is either:
 - (1) Any director or officer of the corporation, its parent, or subsidiary (but mere common directorship shall not be considered such an interest); or
 - (2) Any holder of more than 10 percent of the voting power of the corporation, its parent, or its subsidiary. The statement shall include a brief description of the transaction, the names of interested persons involved, their relationship to the corporation, the nature of their interest, provided that if the transaction was with a partnership in which the interested person is a partner, only the interest of the partnership need be stated.

ARTICLE XVII

BYLAW AMENDMENTS

Section 1. BYLAW AMENDMENTS. The Board of Directors may adopt, amend or repeal any of these Bylaws by a majority of the directors present at a meeting duly held at which a quorum is present, except that no amendment shall change any provisions of the Charter that created Clayton Valley Charter High School or make any provisions of these Bylaws inconsistent with that Charter, the corporation's Articles of Incorporation, or any laws.

ARTICLE XVIII FISCAL YEAR

Section 1. FISCAL YEAR OF THE CORPORATION. The fiscal year of the Corporation shall begin on July 1st and end on June 30th of each year.

CERTIFICATE OF SECRETARY

I certify that I am the duly elected and acting Secretary of Clayton Valley Charter High School, a California nonprofit public benefit corporation; that these bylaws, consisting of 16 pages, are the bylaws of this corporation as adopted by the Board of Directors on _____; and that these bylaws have not been amended or modified since that date.

Executed on _____ at _____, California.

_____, Secretary

CLAYTON VALLEY CHARTER HIGH SCHOOL

CONFLICT OF INTEREST CODE

I. ADOPTION

In compliance with the Political Reform Act of 1974, California Government Code Section 87100, et seq., Clayton Valley Charter High School hereby adopts this Conflict of Interest Code ("Code"), which shall apply to all governing board members, candidates for member of the governing board, and all other designated employees of Clayton Valley Charter High School ("Charter School"), as specifically required by California Government Code Section 87300.

II. DEFINITION OF TERMS

As applicable to a California public charter school, the definitions contained in the Political Reform Act of 1974, the regulations of the Fair Political Practices Commission, specifically California Code of Regulations Section 18730, and any amendments or modifications to the Act and regulations are incorporated by reference to this Code.

III. DESIGNATED EMPLOYEES

Employees of this Charter School, including governing board members and candidates for election and/or appointment to the governing board, who hold positions that involve the making or participation in the making, of decisions that may foreseeably have a material effect on any financial interest, shall be "designated employees." The designated positions are listed in "Exhibit A" attached to this policy and incorporated by reference herein.

IV. STATEMENT OF ECONOMIC INTERESTS: FILING

Each designated employee, including governing board members and candidates for election and/or appointment to the governing board, shall file a Statement of Economic Interest ("Statement") at the time and manner prescribed by California Code of Regulations, title 2, section 18730, disclosing reportable investments, interests in real property, business positions, and income required to be reported under the category or categories to which the employee's position is assigned in "Exhibit A."

An investment, interest in real property or income shall be reportable, if the business entity in which the investment is held, the interest in real property, the business position, or source of income may foreseeably be affected materially by a decision made or participated in by the designated employee by virtue of his or her position. The specific disclosure responsibilities assigned to each position are set forth in "Exhibit B."

Statements Filed With the Charter School. All Statements shall be supplied by the Charter School. All Statements shall be filed with the Charter School. The Charter School's filing officer shall make and retain a copy of the Statement and forward the original to the County Board of Supervisors.

V. DISQUALIFICATION

No designated employee shall make, participate in making, or try to use his/her official position to influence any Charter School decision which he/she knows or has reason to know will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the official or a member of his or her immediate family.

VI. MANNER OF DISQUALIFICATION

A. Non-Governing Board Member Designated Employees

When a non-Governing Board member designated employee determines that he/she should not make a decision because of a disqualifying interest, he/she should submit a written disclosure of the disqualifying interest to his/her immediate supervisor. The supervisor shall immediately reassign the matter to another employee and shall forward the disclosure notice to the Charter School Executive Director, who shall record the employee's disqualification. In the case of a designated employee who is head of an agency, this determination and disclosure shall be made in writing to his/her appointing authority.

B. Governing Board Member Designated Employees

Governing Board members shall disclose a disqualifying interest at the meeting during which consideration of the decision takes place. This disclosure shall be made part of the Board's official record. The Board member shall refrain from participating in the decision in any way (i.e., the Board member with the disqualifying interest shall refrain from voting on the matter and shall leave the room during Board discussion and when the final vote is taken) and comply with any applicable provisions of the Charter School bylaws.

EXHIBIT A

Designated Positions

- I. Persons occupying the following positions are designated employees and must disclose financial interests in all categories defined in “Exhibit B” (i.e., categories 1, 2, and 3).
 - A. Members of the Governing Board and their alternates (if applicable)
 - B. Candidates for Member of the Governing Board
 - C. Corporate Officers (e.g., CEO/President, CFO/Treasurer, Secretary, etc.)
 - D. Executive Director of Charter School
 - E. Chief Business Officer
 - F. Director Personnel Services
 - I. Assistant Director of Personnel Services
 - J. Consultants³

- II. Persons occupying the following positions are designated employees and must disclose financial interests defined in Category 1 of “Exhibit B.”
 - A. Purchasing Manager
 - B. Assistant Business Officer

- III. Persons occupying the following positions are designated employees and must disclose financial interests defined in Categories 2 and 3 of “Exhibit B.”
 - A. Information Systems Technician
 - B. Contractor

³ The Charter School Executive Director may determine, in writing, that a particular consultant, although a “designated position,” is hired to perform a range of duties that is limited in scope and thus not required to fully comply with the disclosure requirements in this section. Such written determination shall include a description of the consultant’s duties and, based upon that description, a statement of the extent of disclosure requirements. The Charter School Executive Director’s determination is a public record and shall be retained for public inspection in the same manner and location of interest code.

EXHIBIT B

Disclosure Categories

Category 1 Reporting:

- A. Interest in real property which is located in whole or in part either (1) within the boundaries of the District, or (2) within two miles of the boundaries of the District, including any leasehold, beneficial or ownership interests or option to acquire such interest in real property.

(Interests in real property of an individual include a business entity's share of interest in real property of any business entity or trust in which the designated employee or his or her spouse owns, directly, indirectly, or beneficially, a 10% interest or greater.)

- B. Investments in or income from persons or business entities which are contractors or sub-contractors which are or have been within the previous two-year period engaged in the performance of building construction or design within the District.

- C. Investments in or income from persons or business entities engaged in the acquisition or disposal of real property within the jurisdiction.

(Investment includes any financial interest in or security issued by a business entity, including but not limited to common stock, preferred stock, rights, warrants, options, debt instruments and any partnership interest or other ownership interests.)

(Investments of any individual include a pro rata share of investments of any business entity or trust in which the designated employee or his or her spouse owns, directly, indirectly or beneficially, a ten percent interest or greater.)

(Investment does not include a time or demand deposit in a financial institution, shares in a credit union, any insurance policy, or any bond or other debt instrument issued by any government or government agency.)

Category 2 Reporting:

- A. Investments in or income from business entities which manufacture or sell supplies, books, machinery or equipment of the type utilized by the department for which the designated employee is Manager or Charter School Executive Director. Investments include interests described in Category 1.

Category 3 Reporting:

- A. Investments in or income from business entities which are contractors or sub-contractors engaged in the performance of work or services of the type utilized by the department for which the designated employee is Manager or Charter School Executive Director. Investments include the interests described in Category 1.

	12-13 FORECAST	Jul-12	Aug-12	Sep-12	Oct-12	Nov-12	Dec-12	Jan-13	Feb-13	Mar-13	Apr-13	May-13	Jun-13	Accrual	12-13 ESTIMATED
INCOME															
8011-8015 · Revenue Limit Sources															
8011 · Supplemental Hours	214,957	-	-	-	-	-	-	-	-	26,870	26,870	26,870	26,870	107,478	214,957
8015 · Charter School General Purpose - State	8,068,863	-	-	-	2,985,479	-	-	1,452,395	-	54,465	-	1,198,226	363,099	2,015,199	8,068,863
8096 · In Lieu of Property Tax	2,220,625	-	133,238	266,475	177,650	177,650	177,650	177,650	177,650	155,444	310,888	155,444	155,444	155,444	2,220,625
Total 8011-8015 · Revenue Limit Sources	10,504,445	-	133,238	266,475	3,163,129	177,650	177,650	1,630,045	177,650	236,778	337,757	1,380,539	545,412	2,278,121	10,504,445
8100-8290 · Other Federal Income															-
8220 · Child Nutrition (Federal)	103,000	-	-	-	-	8,583	8,583	8,583	8,583	8,583	8,583	8,583	8,583	34,333	103,000
8291 · Title I, A, Basic Low Income	111,920	-	-	-	-	37,307	-	-	-	37,307	-	-	-	37,307	111,920
8292 · Title II, A Teacher Quality	8,500	-	-	-	-	-	-	-	-	-	-	-	-	8,500	8,500
Total 8100-8290 · Other Federal Income	223,419	-	-	-	-	45,890	8,583	8,583	8,583	45,890	8,583	8,583	8,583	80,140	223,419
8300-8599 · Other State Income															-
8311 · Special Ed	621,775	-	37,307	74,613	49,742	49,742	49,742	49,742	49,742	43,524	87,049	43,524	43,524	43,524	621,775
8480 · Charter Sch Categorical - Blk Gr	761,162	-	-	-	281,630	-	-	137,009	-	5,138	-	113,033	34,252	190,100	761,162
8520 · Child Nutrition (State)	10,300	-	-	-	-	858	858	858	858	858	858	858	858	3,433	10,300
8560 · State Lottery Revenue	248,710	-	-	-	-	-	-	-	-	-	-	-	-	248,710	248,710
8599 · Other State Revenue	200,000	-	10,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000	10,000	-	200,000
Total 8300-8599 · Other State Income	1,841,947	-	47,307	94,613	351,372	70,600	70,600	207,609	70,600	69,520	107,907	177,415	88,635	485,768	1,841,947
8600-8780 · Other Income-Local															-
8634 · Food Service Sales	414,058	-	20,703	41,406	41,406	41,406	41,406	41,406	41,406	41,406	41,406	41,406	20,703	-	414,058
8690 · All Other Income	95,370	-	31,790	-	-	-	31,790	-	-	-	31,790	-	-	-	95,370
8699 · Fundraising	47,685	-	-	-	5,298	5,298	5,298	5,298	5,298	5,298	5,298	5,298	5,298	-	47,685
Total 8600-8780 · Other Income-Local	557,113	-	52,493	41,406	46,704	46,704	78,494	46,704	46,704	46,704	78,494	46,704	26,001	-	557,113
TOTAL INCOME	13,126,924	-	233,037	402,494	3,561,205	340,844	335,328	1,892,942	303,538	398,893	532,741	1,613,242	668,632	2,844,028	13,126,924
EXPENSE															
1000 · Certificated Salaries															
1110 · Teachers Salaries	4,581,553	381,796	381,796	381,796	381,796	381,796	381,796	381,796	381,796	381,796	381,796	381,796	381,796	-	4,581,553
1175 · Teachers - Extra Duty/Stipend	961,940	-	55,162	55,162	55,162	55,162	110,323	55,162	55,162	55,162	55,162	55,162	355,162	-	961,940
1300 · Certificated School Administrators	612,000	51,000	51,000	51,000	51,000	51,000	51,000	51,000	51,000	51,000	51,000	51,000	51,000	-	612,000
1900 · Other Certificated	122,400	10,200	10,200	10,200	10,200	10,200	10,200	10,200	10,200	10,200	10,200	10,200	10,200	-	122,400
Total 1000 · Certificated Salaries	6,277,893	442,996	498,158	498,158	498,158	498,158	553,319	498,158	498,158	498,158	498,158	498,158	798,158	-	6,277,893
2000 · Classified Salaries															
2100 · Instructional Aides	158,157	-	7,908	15,816	15,816	15,816	15,816	15,816	15,816	15,816	15,816	15,816	7,908	-	158,157
2200 · Classified Support (maintenance, food service, etc)	306,000	-	15,300	30,600	30,600	30,600	30,600	30,600	30,600	30,600	30,600	30,600	15,300	-	306,000
2400 · Clerical/Technical/Office	367,200	-	18,360	36,720	36,720	36,720	36,720	36,720	36,720	36,720	36,720	36,720	18,360	-	367,200
2900 · Other Classified (noon and yard supervision)	122,400	-	6,120	12,240	12,240	12,240	12,240	12,240	12,240	12,240	12,240	12,240	6,120	-	122,400
Total 2000 · Classified Salaries	953,757	-	47,688	95,376	95,376	95,376	95,376	95,376	95,376	95,376	95,376	95,376	47,688	-	953,757
3000 · Employee Benefits															
3111 · STRS	517,926	36,547	41,098	41,098	41,098	41,098	45,649	41,098	41,098	41,098	41,098	41,098	65,848	-	517,926
3212 · PERS	106,821	-	5,341	10,682	10,682	10,682	10,682	10,682	10,682	10,682	10,682	10,682	5,341	-	106,821
3311 · Social Security (OASDI)	59,133	-	2,957	5,913	5,913	5,913	5,913	5,913	5,913	5,913	5,913	5,913	2,957	-	59,133
3331 · Medicare	104,859	6,423	7,915	8,606	8,606	8,606	9,406	8,606	8,606	8,606	8,606	8,606	12,265	-	104,859
3401 · H & W Payment (medical, dental, vision)	1,235,520	51,480	51,480	51,480	257,400	102,960	102,960	102,960	102,960	102,960	102,960	102,960	102,960	-	1,235,520
3501 · SUI Payment Account	21,695	1,329	1,638	1,781	1,781	1,781	1,946	1,781	1,781	1,781	1,781	1,781	2,538	-	21,695
3601 · Wkr Comp Payment Account	144,633	6,026	6,026	6,026	30,132	12,053	12,053	12,053	12,053	12,053	12,053	12,053	12,053	-	144,633
Total 3000 · Employee Benefits	2,190,587	101,806	116,454	125,587	355,612	183,093	188,609	183,093	183,093	183,093	183,093	183,093	203,961	-	2,190,587
4000 · Supplies															
4110 · Textbooks	50,000	-	25,000	25,000	-	-	-	-	-	-	-	-	-	-	50,000
4210 · Other Books and Reference Materials	30,000	-	15,000	15,000	-	-	-	-	-	-	-	-	-	-	30,000
4310 · Instructional Materials	133,238	-	12,113	12,113	12,113	12,113	12,113	12,113	12,113	12,113	12,113	12,113	12,113	-	133,238
4350 · Office Supplies	75,000	-	-	7,500	7,500	7,500	7,500	7,500	7,500	7,500	7,500	7,500	7,500	-	75,000
4370 · Custodial Supplies	88,825	-	-	8,883	8,883	8,883	8,883	8,883	8,883	8,883	8,883	8,883	8,883	-	88,825
4390 · Other Supplies	47,685	-	-	4,769	4,769	4,769	4,769	4,769	4,769	4,769	4,769	4,769	4,769	-	47,685
4400 · Noncapitalized Furniture/Equipment	88,825	-	-	44,413	-	-	-	44,413	-	-	-	-	-	-	88,825
4700 · Food Supplies	343,332	-	17,167	34,333	34,333	34,333	34,333	34,333	34,333	34,333	34,333	34,333	17,167	-	343,332
Total 4000 · Supplies	856,905	-	69,279	152,009	67,597	67,597	67,597	112,009	67,597	67,597	67,597	67,597	50,430	-	856,905

	12-13 FORECAST	Jul-12	Aug-12	Sep-12	Oct-12	Nov-12	Dec-12	Jan-13	Feb-13	Mar-13	Apr-13	May-13	Jun-13	Accrual	12-13 ESTIMATED
5000 · Operating Services															
5200 · Travel and Conferences	66,300			33,150				33,150							66,300
5300 · Dues and Fees	66,300			66,300											66,300
5450 · Insurance (property, student accident)	72,317	3,013	3,013	3,013	15,066	6,026	6,026	6,026	6,026	6,026	6,026	6,026	6,026	-	72,317
5500 · Utilities and Housekeeping	510,000	42,500	42,500	42,500	42,500	42,500	42,500	42,500	42,500	42,500	42,500	42,500	42,500		510,000
5620 · Equipment Rental	51,000	4,250	4,250	4,250	4,250	4,250	4,250	4,250	4,250	4,250	4,250	4,250	4,250		51,000
5630 · Vendor Repairs	204,000	17,000	17,000	17,000	17,000	17,000	17,000	17,000	17,000	17,000	17,000	17,000	17,000		204,000
5812 · Pupil Transportation - General	95,370			9,537	9,537	9,537	9,537	9,537	9,537	9,537	9,537	9,537	9,537		95,370
5820 · Legal/Audit	61,200	5,100	5,100	5,100	5,100	5,100	5,100	5,100	5,100	5,100	5,100	5,100	5,100		61,200
5830 · Advertisement/Recruitment	10,200		510	1,020	1,020	1,020	1,020	1,020	1,020	1,020	1,020	1,020	510		10,200
5850 · Non-Instructional Consultants	133,238		6,662	13,324	13,324	13,324	13,324	13,324	13,324	13,324	13,324	13,324	6,662		133,238
5851 · Instructional Consultants	355,300		17,765	35,530	35,530	35,530	35,530	35,530	35,530	35,530	35,530	35,530	17,765		355,300
5853 · ExED	183,600	15,300	15,300	15,300	15,300	15,300	15,300	15,300	15,300	15,300	15,300	15,300	15,300		183,600
5890 · Other Services & Operating Expe	10,200		510	1,020	1,020	1,020	1,020	1,020	1,020	1,020	1,020	1,020	510		10,200
5890 · Bad Debt Expense	20,400			2,040	2,040	2,040	2,040	2,040	2,040	2,040	2,040	2,040	2,040		20,400
5897 · Fundraising Cost	14,306		715	1,431	1,431	1,431	1,431	1,431	1,431	1,431	1,431	1,431	715		14,306
5900 · Communications (tele, internet, copy)	40,800	3,400	3,400	3,400	3,400	3,400	3,400	3,400	3,400	3,400	3,400	3,400	3,400		40,800
Total 5000 · Operating Services	1,894,530	90,563	116,725	253,914	166,517	157,478	157,478	190,628	157,478	157,478	157,478	157,478	131,316	-	1,894,530
6000 · Depreciation															
6400 · Computer & Other Equipment	30,000		30,000												30,000
6499 · Furniture	5,000		5,000												5,000
Total 6000 · Capital Outlay	35,000	-	35,000	-	-	-	-	-	-	-	-	-	-	-	35,000
7000 · Other Outgo															
7299 · District Oversight Fee	88,777	-	1,297	2,594	26,578	1,729	1,729	13,818	1,729	1,967	3,027	11,486	4,535	18,286	88,777
7438 · Debt Service - Interest	100,000	8,333	8,333	8,333	8,333	8,333	8,333	8,333	8,333	8,333	8,333	8,333	8,333		100,000
Total 7000 · Other Outgo	188,777	8,333	9,630	10,928	34,912	10,063	10,063	22,151	10,063	10,300	11,360	19,820	12,869	18,286	188,777
Total Expenses	12,397,448	643,699	892,935	1,135,971	1,218,171	1,011,764	1,072,441	1,101,415	1,011,764	1,012,001	1,013,061	1,021,520	1,244,421	18,286	12,397,448
NET INCOME	729,476	(643,699)	(659,898)	(733,477)	2,343,034	(670,919)	(737,114)	791,528	(708,226)	(613,108)	(480,319)	591,722	(575,789)	2,825,742	729,476
89790 · Financing Sources (Incur Debt)	2,000,000	666,667	666,667	666,667	-	-	-	-	-	-	-	-	-		2,000,000
74390 · Debt Service - Principal	350,000	-	-	-	350,000	-	-	-	-	-	-	-	-		350,000
Change in Net Assets	2,379,476	22,968	6,769	(66,811)	1,993,034	(670,919)	(737,114)	791,528	(708,226)	(613,108)	(480,319)	591,722	(575,789)	2,825,742	2,379,476

BALANCE SHEET	June 2012	Jul-12	Aug-12	Sep-12	Oct-12	Nov-12	Dec-12	Jan-13	Feb-13	Mar-13	Apr-13	May-13	Jun-13	Accrual	Annual
Cash	-	304,417	348,005	343,500	2,698,013	1,727,033	1,010,330	1,799,378	1,073,222	460,161	(19,947)	573,467	73,559	73,559	73,559
Accounts Receivable	-	-	-	-	-	-	-	-	-	-	-	-	-	2,844,028	2,844,028
Property, Plant and Equipment	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Computers	-	-	30,000	30,000	30,000	30,000	30,000	30,000	30,000	30,000	30,000	30,000	30,000	30,000	30,000
Furniture	-	-	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000
TOTAL ASSETS	-	304,417	383,005	378,500	2,733,013	1,762,033	1,045,330	1,834,378	1,108,222	495,161	15,053	608,467	108,559	2,952,587	2,952,587
Accounts Payable	-	128,740	178,587	227,194	243,634	202,353	214,488	220,283	202,353	202,400	202,612	204,304	248,884	267,170	267,170
Payroll Liabilities	-	101,806	116,454	125,587	355,612	183,093	188,609	183,093	183,093	183,093	183,093	183,093	203,961	203,961	203,961
Other Current Liabilities	-	50,903	58,227	62,793	177,806	91,546	94,305	91,546	91,546	91,546	91,546	91,546	101,980	101,980	101,980
LT Debt	-	666,667	1,333,333	2,000,000	1,650,000	1,650,000	1,650,000	1,650,000	1,650,000	1,650,000	1,650,000	1,650,000	1,650,000	1,650,000	1,650,000
Total Liabilities	-	948,115	1,686,602	2,415,574	2,427,052	2,126,992	2,147,402	2,144,922	2,126,992	2,127,040	2,127,252	2,128,944	2,204,825	2,223,111	2,223,111
Unrestricted Balance	-	(643,699)	(1,303,597)	(2,037,074)	305,960	(364,959)	(1,102,072)	(310,545)	(1,018,771)	(1,631,879)	(2,112,198)	(1,520,477)	(2,096,266)	729,476	729,476
Total Equity	-	(643,699)	(1,303,597)	(2,037,074)	305,960	(364,959)	(1,102,072)	(310,545)	(1,018,771)	(1,631,879)	(2,112,198)	(1,520,477)	(2,096,266)	729,476	729,476
TOTAL LIABILITIES AND EQUITY	-	304,417	383,005	378,500	2,733,013	1,762,033	1,045,330	1,834,378	1,108,222	495,161	15,053	608,467	108,559	2,952,587	2,952,587
INCOME STATEMENT		Jul-12	Aug-12	Sep-12	Oct-12	Nov-12	Dec-12	Jan-13	Feb-13	Mar-13	Apr-13	May-13	Jun-13	Accrual	Annual
Revenue Limit Sources	-	133,238	266,475	3,163,129	177,650	177,650	177,650	1,630,045	177,650	236,778	337,757	1,380,539	545,412	2,278,121	10,504,445
Other Federal Revenue	-	-	-	-	45,890	45,890	8,583	8,583	8,583	45,890	8,583	8,583	8,583	80,140	223,419
Other State Revenue	-	47,307	94,613	351,372	70,600	70,600	207,609	70,600	69,520	107,907	177,415	88,635	485,768	1,841,947	1,841,947
Other Local Revenue	-	52,493	41,406	41,406	41,406	73,196	41,406	41,406	41,406	41,406	73,196	41,406	20,703	-	509,428
Total Operating Revenue	-	233,037	402,494	3,555,907	335,546	330,029	1,887,644	298,239	393,594	527,443	1,607,944	663,333	2,844,028	13,079,239	
Certificated Salaries	442,996	498,158	498,158	498,158	498,158	498,158	553,319	498,158	498,158	498,158	498,158	498,158	798,158	-	6,277,893
Classified Salaries	-	47,688	95,376	95,376	95,376	95,376	95,376	95,376	95,376	95,376	95,376	95,376	47,688	-	953,757
Employee Benefits	101,806	116,454	125,587	355,612	183,093	188,609	183,093	183,093	183,093	183,093	183,093	183,093	203,961	-	2,190,587
Supplies	-	69,279	152,009	67,597	67,597	67,597	112,009	67,597	67,597	67,597	67,597	67,597	50,430	-	856,905
Consultants	20,400	44,827	69,254	69,254	69,254	69,254	69,254	69,254	69,254	69,254	69,254	69,254	44,827	-	733,338
Other Operating Services	70,163	71,183	183,230	95,833	86,793	86,793	119,943	86,793	86,793	86,793	86,793	86,793	85,773	-	1,146,887
Debt - Interest	8,333	8,333	8,333	8,333	8,333	8,333	8,333	8,333	8,333	8,333	8,333	8,333	8,333	-	100,000
District Oversight	-	1,297	2,594	26,578	1,729	1,729	13,818	1,729	1,729	1,967	3,027	11,486	4,535	18,286	88,777
Total Expenditures	643,699	857,220	1,134,541	1,216,740	1,010,333	1,071,011	1,099,984	1,010,333	1,010,570	1,010,570	1,011,630	1,020,090	1,243,705	18,286	12,348,142
Operating Income	(643,699)	(624,183)	(732,047)	2,339,167	(674,787)	(740,981)	787,660	(712,094)	(616,976)	(484,187)	587,854	(580,372)	2,825,742	731,097	
Fundraising	-	-	-	5,298	5,298	5,298	5,298	5,298	5,298	5,298	5,298	5,298	5,298	-	47,685
Fundraising Cost	-	(715)	(1,431)	(1,431)	(1,431)	(1,431)	(1,431)	(1,431)	(1,431)	(1,431)	(1,431)	(1,431)	(715)	-	(14,306)
Other Income	-	(715)	(1,431)	3,868	3,868	3,868	3,868	3,868	3,868	3,868	3,868	3,868	4,583	-	33,380
NET INCOME	(643,699)	(624,898)	(733,477)	2,343,034	(670,919)	(737,114)	791,528	(708,226)	(613,108)	(480,319)	591,722	(575,789)	2,825,742	764,476	
CASH FLOW STATEMENT		Jul-12	Aug-12	Sep-12	Oct-12	Nov-12	Dec-12	Jan-13	Feb-13	Mar-13	Apr-13	May-13	Jun-13	Accrual	
Net Income	(643,699)	(659,898)	(733,477)	2,343,034	(670,919)	(737,114)	791,528	(708,226)	(613,108)	(480,319)	591,722	(575,789)	2,825,742		
Adjustments to Income															
Decrease (Increase) to Current Assets	-	-	-	-	-	-	-	-	-	-	-	-	-	(2,844,028)	
Increase (Decrease) to Current Liabilities	281,449	71,820	62,306	361,478	(300,060)	20,410	(2,480)	(17,930)	47	212	1,692	75,882	18,286		
Net cash flow from operating activities	(362,250)	(588,078)	(671,172)	2,704,513	(970,979)	(716,704)	789,048	(726,156)	(613,061)	(480,107)	593,414	(499,907)	(0)		
Capital Expenditures	-	(35,000)	-	-	-	-	-	-	-	-	-	-	-	-	
Net cash flow from investing activities	-	(35,000)	-	-	-	-	-	-	-	-	-	-	-	-	
Debt	666,667	666,667	666,667	(350,000)	-	-	-	-	-	-	-	-	-	-	
Net cash flow from financing activities	666,667	666,667	666,667	(350,000)	-	-	-	-	-	-	-	-	-	-	
Net increase (decrease) in cash and cash equivalents	304,417	43,589	(4,505)	2,354,513	(970,979)	(716,704)	789,048	(726,156)	(613,061)	(480,107)	593,414	(499,907)	(0)		
Beginning Cash Balance	-	304,417	348,005	343,500	2,698,013	1,727,033	1,010,330	1,799,378	1,073,222	460,161	(19,947)	573,467	73,559		
Ending Cash Balance	304,417	348,005	343,500	2,698,013	1,727,033	1,010,330	1,799,378	1,073,222	460,161	(19,947)	573,467	73,559	73,559		

[illegible]

	13-14														13-14
	BUDGET	Jul-13	Aug-13	Sep-13	Oct-13	Nov-13	Dec-13	Jan-14	Feb-14	Mar-14	Apr-14	May-14	Jun-14	Accrual	ESTIMATED
5000 · Operating Services															
5200 · Travel and Conferences	67,626			33,813	-	-	-	33,813	-	-	-	-	-		67,626
5300 · Dues and Fees	67,626			67,626											67,626
5450 · Insurance (property, student acci	73,793	7,379	7,379	7,379	7,379	7,379	7,379	7,379	7,379	7,379	7,379				73,793
5500 · Utilities and Housekeeping	520,200	43,350	43,350	43,350	43,350	43,350	43,350	43,350	43,350	43,350	43,350	43,350	43,350		520,200
5620 · Equipment Rental	52,020	4,335	4,335	4,335	4,335	4,335	4,335	4,335	4,335	4,335	4,335	4,335	4,335		52,020
5630 · Vendor Repairs	208,080	17,340	17,340	17,340	17,340	17,340	17,340	17,340	17,340	17,340	17,340	17,340	17,340		208,080
5812 · Pupil Transportation - General	97,277			9,728	9,728	9,728	9,728	9,728	9,728	9,728	9,728	9,728	9,728		97,277
5820 · Legal/Audit	62,424	5,202	5,202	5,202	5,202	5,202	5,202	5,202	5,202	5,202	5,202	5,202	5,202		62,424
5830 · Advertisement/Recruitment	10,404	867	867	867	867	867	867	867	867	867	867	867	867		10,404
5850 · Non-Instructional Consultants	135,902	11,325	11,325	11,325	11,325	11,325	11,325	11,325	11,325	11,325	11,325	11,325	11,325		135,902
5851 · Instructional Consultants	362,406			36,241	36,241	36,241	36,241	36,241	36,241	36,241	36,241	36,241	36,241		362,406
5853 · ExED	187,272	15,606	15,606	15,606	15,606	15,606	15,606	15,606	15,606	15,606	15,606	15,606	15,606		187,272
5890 · Other Services & Operating Expe	10,404	867	867	867	867	867	867	867	867	867	867	867	867		10,404
5890 · Bad Debt Expense	20,808	1,734	1,734	1,734	1,734	1,734	1,734	1,734	1,734	1,734	1,734	1,734	1,734		20,808
5897 · Fundraising Cost	14,592	1,216	1,216	1,216	1,216	1,216	1,216	1,216	1,216	1,216	1,216	1,216	1,216		14,592
5900 · Communications (tele, internet, c	41,616	3,468	3,468	3,468	3,468	3,468	3,468	3,468	3,468	3,468	3,468	3,468	3,468		41,616
Total 5000 · Operating Services	1,932,450	112,689	112,689	260,097	158,658	158,658	158,658	192,471	158,658	158,658	158,658	151,278	151,278	-	1,932,450
6000 · Depreciation															
6400 · Computer & Other Equipment	30,600		30,600												30,600
6499 · Furniture	5,100		5,100												5,100
Total 6000 · Capital Outlay	35,700	-	35,700	-	-	-	-	-	-	-	-	-	-	-	35,700
7000 · Other Outgo															
7299 · District Oversight Fee	90,553	1,323	2,646	5,189	5,189	1,764	14,094	14,094	3,675	2,232	931	13,138	4,630	21,646	90,553
7438 · Debt Service - Interest	80,000	6,667	6,667	6,667	6,667	6,667	6,667	6,667	6,667	6,667	6,667	6,667	6,667	-	80,000
Total 7000 · Other Outgo	170,553	7,990	9,313	11,856	11,856	8,431	20,761	20,761	10,342	8,899	7,598	19,805	11,297	21,646	170,553
Total Expenses	12,672,985	787,461	997,635	1,161,386	1,059,947	1,026,321	1,038,651	1,113,264	1,028,232	1,026,789	1,025,488	1,030,316	1,355,848	21,646	12,672,985
NET INCOME	687,477	(613,506)	(628,609)	(404,455)	(201,271)	(734,511)	874,351	832,164	(335,133)	(471,051)	(815,798)	816,781	(680,918)	3,049,432	687,477
89790 · Financing Sources (Incur Debt)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
74390 · Debt Service - Principal	300,000	-	-	-	-	-	300,000	-	-	-	-	-	-	-	300,000
Change in Net Assets	387,477	(613,506)	(628,609)	(404,455)	(201,271)	(734,511)	574,351	832,164	(335,133)	(471,051)	(815,798)	816,781	(680,918)	3,049,432	387,477

BALANCE SHEET	June 2013	Jul-13	Aug-13	Sep-13	Oct-13	Nov-13	Dec-13	Jan-14	Feb-14	Mar-14	Apr-14	May-14	Jun-14	Accrual	Annual
Cash	73,559	11,720	114,714	465,018	954,466	213,230	790,047	1,637,134	1,284,995	813,656	(2,403)	815,343	244,471	244,471	244,471
Accounts Receivable	2,844,028	2,133,021	1,422,014	711,007	-	-	-	-	-	-	-	-	-	3,071,078	3,071,078
Property, Plant and Equipment	-														-
Computers	30,000	30,000	60,600	60,600	60,600	60,600	60,600	60,600	60,600	60,600	60,600	60,600	60,600	60,600	60,600
Furniture	5,000	5,000	10,100	10,100	10,100	10,100	10,100	10,100	10,100	10,100	10,100	10,100	10,100	10,100	10,100
TOTAL ASSETS	2,952,587	2,179,741	1,607,428	1,246,725	1,025,166	283,930	860,747	1,707,834	1,355,695	884,356	68,297	886,043	315,171	3,386,249	3,386,249
Accounts Payable	267,170	157,492	199,527	232,277	211,989	205,264	207,730	222,653	205,646	205,358	205,098	206,063	271,170	292,816	292,816
Payroll Liabilities	203,961	170,852	180,360	187,694	187,694	187,694	187,694	187,694	187,694	187,694	187,694	187,694	240,462	240,462	240,462
Other Current Liabilities	101,980	85,426	90,180	93,847	93,847	93,847	93,847	93,847	93,847	93,847	93,847	93,847	120,231	120,231	120,231
LT Debt	1,650,000	1,650,000	1,650,000	1,650,000	1,650,000	1,650,000	1,350,000	1,350,000	1,350,000	1,350,000	1,350,000	1,350,000	1,350,000	1,350,000	1,350,000
Total Liabilities	2,223,111	2,063,770	2,120,067	2,163,818	2,143,530	2,136,805	1,839,271	1,854,194	1,837,187	1,836,899	1,836,639	1,837,604	1,981,862	2,003,508	2,003,508
Unrestricted Balance	729,476	115,970	(512,638)	(917,093)	(1,118,364)	(1,852,875)	(978,524)	(146,360)	(481,493)	(952,543)	(1,768,341)	(951,561)	(1,666,691)	1,382,740	1,382,740
Total Equity	729,476	115,970	(512,638)	(917,093)	(1,118,364)	(1,852,875)	(978,524)	(146,360)	(481,493)	(952,543)	(1,768,341)	(951,561)	(1,666,691)	1,382,740	1,382,740
TOTAL LIABILITIES AND EQUITY	2,952,587	2,179,741	1,607,428	1,246,725	1,025,166	283,930	860,747	1,707,834	1,355,695	884,356	68,297	886,043	315,171	3,386,249	3,386,249
INCOME STATEMENT		Jul-13	Aug-13	Sep-13	Oct-13	Nov-13	Dec-13	Jan-14	Feb-14	Mar-14	Apr-14	May-14	Jun-14	Accrual	Annual
Revenue Limit Sources		135,902	271,805	592,715	592,715	181,203	1,662,646	1,662,646	404,913	263,120	123,042	1,589,671	567,475	2,666,680	10,714,533
Other Federal Revenue		-	-	-	48,559	10,506	10,506	10,506	48,559	10,506	10,506	10,506	10,506	57,229	227,887
Other State Revenue		38,053	76,105	89,556	175,168	51,787	191,537	191,537	191,314	233,799	27,828	166,180	69,753	347,169	1,849,786
Other Local Revenue		-	21,117	74,660	42,234	42,234	42,234	74,660	42,234	42,234	42,234	42,234	21,117	-	519,617
Total Operating Revenue		173,955	369,027	756,931	858,676	285,730	1,906,923	1,939,349	687,019	549,659	203,610	1,841,017	668,851	3,071,078	13,311,824
Certificated Salaries		441,537	503,099	515,584	515,584	515,584	515,584	515,584	515,584	515,584	515,584	515,584	815,584	-	6,400,471
Classified Salaries		36,414	55,141	90,602	90,602	90,602	90,602	90,602	90,602	90,602	90,602	90,602	71,875	-	978,849
Employee Benefits		170,852	180,360	187,694	187,694	187,694	187,694	187,694	187,694	187,694	187,694	187,694	240,462	-	2,280,919
Supplies		17,978	101,334	95,553	95,553	65,353	65,353	106,153	65,353	65,353	65,353	65,353	65,353	-	874,043
Consultants		32,133	32,133	68,374	68,374	68,374	68,374	68,374	68,374	68,374	68,374	68,374	68,374	-	748,004
Other Operating Services		80,556	80,556	191,723	90,284	90,284	90,284	124,097	90,284	90,284	90,284	82,905	82,905	-	1,184,446
Debt - Interest		6,667	6,667	6,667	6,667	6,667	6,667	6,667	6,667	6,667	6,667	6,667	6,667	-	80,000
District Oversight		1,323	2,646	5,189	5,189	1,764	14,094	14,094	3,675	2,232	931	13,138	4,630	21,646	90,553
Total Expenditures		787,461	961,935	1,161,386	1,059,947	1,026,321	1,038,651	1,113,264	1,028,232	1,026,789	1,025,488	1,030,316	1,355,848	21,646	12,637,285
Operating Income		(613,506)	(592,909)	(404,455)	(201,271)	(740,591)	868,271	826,084	(341,213)	(477,130)	(821,878)	810,701	(686,997)	3,049,432	674,539
Fundraising		-	-	-	-	6,080	6,080	6,080	6,080	6,080	6,080	6,080	6,080	-	48,639
Other Income		-	-	-	-	6,080	6,080	6,080	6,080	6,080	6,080	6,080	6,080	-	48,639
NET INCOME		(613,506)	(592,909)	(404,455)	(201,271)	(734,511)	874,351	832,164	(335,133)	(471,051)	(815,798)	816,781	(680,918)	3,049,432	723,177
CASH FLOW STATEMENT		Jul-13	Aug-13	Sep-13	Oct-13	Nov-13	Dec-13	Jan-14	Feb-14	Mar-14	Apr-14	May-14	Jun-14	Accrual	Annual
Net Income		(613,506)	(628,609)	(404,455)	(201,271)	(734,511)	874,351	832,164	(335,133)	(471,051)	(815,798)	816,781	(680,918)	3,049,432	687,477
Adjustments to Income															-
Decrease (Increase) to Current Assets		711,007	711,007	711,007	711,007	-	-	-	-	-	-	-	-	(3,071,078)	(227,050)
Increase (Decrease) to Current Liabilities		(159,341)	56,296	43,751	(20,288)	(6,725)	2,466	14,923	(17,006)	(289)	(260)	966	144,258	21,646	80,397
Net cash flow from operating activities		(61,840)	138,695	350,304	489,448	(741,236)	876,817	847,087	(352,139)	(471,339)	(816,058)	817,746	(536,660)	(0)	540,824
Capital Expenditures		-	(35,700)	-	-	-	-	-	-	-	-	-	-	-	(35,700)
Net cash flow from investing activities		-	(35,700)	-	-	-	-	-	-	-	-	-	-	-	585,521
Debt		-	-	-	-	-	(300,000)	-	-	-	-	-	-	-	(300,000)
Net cash flow from financing activities		-	-	-	-	-	(300,000)	-	-	-	-	-	(34,213)	-	249,821
Net increase (decrease) in cash and cash equivalents		(61,840)	102,995	350,304	489,448	(741,236)	576,817	847,087	(352,139)	(471,339)	(816,058)	817,746	(570,873)	(0)	170,911
Beginning Cash Balance		73,559	11,720	114,714	465,018	954,466	213,230	790,047	1,637,134	1,284,995	813,656	(2,403)	815,343	244,471	73,559
Ending Cash Balance		11,720	114,714	465,018	954,466	213,230	790,047	1,637,134	1,284,995	813,656	(2,403)	815,343	244,471	244,471	244,471

		14-15 FORECAST	Jul-14	Aug-14	Sep-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	May-15	Jun-15	Accrual	14-15 ESTIMATED
INCOME																
8011-8015 · Revenue Limit Sources																
8011 · Supplemental Hours		223,641	-	-	-	-	-	-	-	27,955	27,955	27,955	27,955	27,955	83,865	223,641
8015 · Charter School General Purpose		8,394,845	-	-	419,742	419,742	-	1,511,072	1,511,072	-	45,332	-	1,495,961	453,322	2,538,601	8,394,845
8096 · In Lieu of Property Tax		2,310,338	138,620	277,241	184,827	184,827	184,827	184,827	184,827	385,056	195,095	97,548	97,548	97,548	97,548	2,310,338
Total 8011-8015 · Revenue Limit Sources		10,928,824	138,620	277,241	604,569	604,569	184,827	1,695,899	1,695,899	413,011	268,382	125,503	1,621,464	578,824	2,720,014	10,928,824
8100-8290 · Other Federal Income																
8220 · Child Nutrition (Federal)		107,161	-	-	-	8,930	8,930	8,930	8,930	8,930	8,930	8,930	8,930	8,930	26,790	107,161
8291 · Title I, A, Basic Low Income		116,441	-	-	-	38,814	-	-	-	38,814	-	-	-	-	38,814	116,441
8292 · Title II, A Teacher Quality		8,843	-	-	-	-	-	-	-	-	-	-	-	-	8,843	8,843
Total 8100-8290 · Other Federal Income		232,445	-	-	-	47,744	8,930	8,930	8,930	47,744	8,930	8,930	8,930	8,930	74,447	232,445
8300-8599 · Other State Income																
8311 · Special Ed		646,895	38,814	77,627	51,752	51,752	51,752	51,752	51,752	107,816	54,627	27,313	27,313	27,313	27,313	646,895
8480 · Charter Sch Categorical Blk Gr		791,913	-	-	39,596	39,596	-	142,544	142,544	-	4,276	-	141,119	42,763	239,474	791,913
8520 · Child Nutrition (State)		10,716	-	-	-	893	893	893	893	893	893	893	893	893	2,679	10,716
8560 · State Lottery Revenue		258,758	-	-	-	86,253	-	-	-	86,253	-	-	-	-	86,253	258,758
Total 8300-8599 · Other State Income		1,708,282	38,814	77,627	91,347	178,493	52,645	195,189	195,189	194,961	59,796	28,206	169,325	70,970	355,719	1,708,282
8600-8780 · Other Income-Local																
8634 · Food Service Sales		430,786		21,539	43,079	43,079	43,079	43,079	43,079	43,079	43,079	43,079	43,079	21,539	-	430,786
8690 · All Other Income		99,223			33,074	-	-	-	33,074	-	-	-	33,074	-	-	99,223
8699 · Fundraising		49,611					6,201	6,201	6,201	6,201	6,201	6,201	6,201	6,201	-	49,611
Total 8600-8780 · Other Income-Local		579,621	-	21,539	76,153	43,079	49,280	49,280	82,354	49,280	49,280	49,280	82,354	27,741	-	579,621
TOTAL INCOME		13,449,172	177,434	376,407	772,069	873,885	295,682	1,949,298	1,982,373	704,997	386,389	211,919	1,882,074	686,465	3,150,181	13,449,172
EXPENSE																
1000 · Certificated Salaries																
1110 · Teachers Salaries		4,777,828	398,152	398,152	398,152	398,152	398,152	398,152	398,152	398,152	398,152	398,152	398,152	398,152		4,777,828
1175 · Teachers - Extra Duty/Stipend		792,722	-	44,793	44,793	44,793	44,793	44,793	44,793	44,793	44,793	44,793	44,793	344,793		792,722
1200 · Certificated Pupil Support		200,000	16,667	16,667	16,667	16,667	16,667	16,667	16,667	16,667	16,667	16,667	16,667	16,667		200,000
1300 · Certificated School Administrator		636,725	53,060	53,060	53,060	53,060	53,060	53,060	53,060	53,060	53,060	53,060	53,060	53,060		636,725
1900 · Other Certificated		127,345			12,735	12,735	12,735	12,735	12,735	12,735	12,735	12,735	12,735	12,735		127,345
Total 1000 · Certificated Salaries		6,534,620	467,879	512,672	525,407	525,407	525,407	525,407	525,407	525,407	525,407	525,407	525,407	825,407	-	6,534,620
2000 · Classified Salaries																
2100 · Instructional Aides		176,701		-	17,670	17,670	17,670	17,670	17,670	17,670	17,670	17,670	17,670	17,670		176,701
2200 · Classified Support (maintenance,		318,362	26,530	26,530	26,530	26,530	26,530	26,530	26,530	26,530	26,530	26,530	26,530	26,530		318,362
2400 · Clerical/Technical/Office		382,035		19,102	38,204	38,204	38,204	38,204	38,204	38,204	38,204	38,204	38,204	19,102		382,035
2900 · Other Classified (noon and yard s		127,345	10,612	10,612	10,612	10,612	10,612	10,612	10,612	10,612	10,612	10,612	10,612	10,612		127,345
Total 2000 · Classified Salaries		1,004,443	37,142	56,244	93,016	93,016	93,016	93,016	93,016	93,016	93,016	93,016	93,016	73,914		1,004,443
3000 · Employee Benefits																
3111 · STRS		571,779	40,939	44,859	45,973	45,973	45,973	45,973	45,973	45,973	45,973	45,973	45,973	72,223	-	571,779
3212 · PERS		122,542	3,389	5,132	8,487	8,487	8,487	8,487	8,487	8,487	8,487	8,487	8,487	37,641	-	122,542
3311 · Social Security (OASDI)		62,275	2,303	3,487	5,767	5,767	5,767	5,767	5,767	5,767	5,767	5,767	5,767	4,583	-	62,275
3331 · Medicare		109,316	7,323	8,249	8,967	8,967	8,967	8,967	8,967	8,967	8,967	8,967	8,967	13,040	-	109,316
3401 · H & W Payment (medical, dental,		1,336,338	111,362	111,362	111,362	111,362	111,362	111,362	111,362	111,362	111,362	111,362	111,362	111,362		1,336,338
3501 · SUI Payment Account		22,617	1,515	1,707	1,855	1,855	1,855	1,855	1,855	1,855	1,855	1,855	1,855	2,698	-	22,617
3601 · Wkr Comp Payment Account		150,781	12,565	12,565	12,565	12,565	12,565	12,565	12,565	12,565	12,565	12,565	12,565	12,565	-	150,781
Total 3000 · Employee Benefits		2,375,650	179,396	187,360	194,976	194,976	194,976	194,976	194,976	194,976	194,976	194,976	194,976	254,111	-	2,375,650
4000 · Supplies																
4110 · Textbooks		52,020		26,010					26,010							52,020
4210 · Other Books and Reference Mater		31,212		15,606		-			15,606							31,212
4310 · Instructional Materials		138,620		12,602	12,602	12,602	12,602	12,602	12,602	12,602	12,602	12,602	12,602	12,602		138,620
4350 · Office Supplies		78,030	6,503	6,503	6,503	6,503	6,503	6,503	6,503	6,503	6,503	6,503	6,503	6,503		78,030
4370 · Custodial Supplies		92,414	7,701	7,701	7,701	7,701	7,701	7,701	7,701	7,701	7,701	7,701	7,701	7,701		92,414
4390 · Other Supplies		49,611	4,134	4,134	4,134	4,134	4,134	4,134	4,134	4,134	4,134	4,134	4,134	4,134		49,611
4400 · Noncapitalized Furniture/Equipm		92,414		30,805	30,805	30,805										92,414
4700 · Food Supplies		357,203			35,720	35,720	35,720	35,720	35,720	35,720	35,720	35,720	35,720	35,720		357,203
Total 4000 · Supplies		891,523	18,338	103,360	97,465	97,465	66,660	66,660	108,276	66,660	66,660	66,660	66,660	66,660	-	891,523

	14-15 FORECAST	Jul-14	Aug-14	Sep-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	May-15	Jun-15	Accrual	14-15 ESTIMATED
5000 · Operating Services															
5200 · Travel and Conferences	68,979			34,489	-	-	-	34,489	-	-	-	-	-		68,979
5300 · Dues and Fees	68,979			68,979											68,979
5450 · Insurance (property, student acci	75,391	7,539	7,539	7,539	7,539	7,539	7,539	7,539	7,539	7,539	7,539				75,391
5500 · Utilities and Housekeeping	530,604	44,217	44,217	44,217	44,217	44,217	44,217	44,217	44,217	44,217	44,217	44,217	44,217		530,604
5620 · Equipment Rental	53,060	4,422	4,422	4,422	4,422	4,422	4,422	4,422	4,422	4,422	4,422	4,422	4,422		53,060
5630 · Vendor Repairs	212,242	17,687	17,687	17,687	17,687	17,687	17,687	17,687	17,687	17,687	17,687	17,687	17,687		212,242
5812 · Pupil Transportation - General	99,223			9,922	9,922	9,922	9,922	9,922	9,922	9,922	9,922	9,922	9,922		99,223
5820 · Legal/Audit	63,672	5,306	5,306	5,306	5,306	5,306	5,306	5,306	5,306	5,306	5,306	5,306	5,306		63,672
5830 · Advertisement/Recruitment	10,612	884	884	884	884	884	884	884	884	884	884	884	884		10,612
5850 · Non-Instructional Consultants	138,620	11,552	11,552	11,552	11,552	11,552	11,552	11,552	11,552	11,552	11,552	11,552	11,552		138,620
5851 · Instructional Consultants	369,654		18,483	36,965	36,965	36,965	36,965	36,965	36,965	36,965	36,965	36,965	18,483		369,654
5853 · ExED	191,017	15,918	15,918	15,918	15,918	15,918	15,918	15,918	15,918	15,918	15,918	15,918	15,918		191,017
5890 · Other Services & Operating Expe	10,612	884	884	884	884	884	884	884	884	884	884	884	884		10,612
5890 · Bad Debt Expense	21,224	1,769	1,769	1,769	1,769	1,769	1,769	1,769	1,769	1,769	1,769	1,769	1,769		21,224
5897 · Fundraising Cost	14,883	1,240	1,240	1,240	1,240	1,240	1,240	1,240	1,240	1,240	1,240	1,240	1,240		14,883
5900 · Communications (tele, internet, c	42,448	3,537	3,537	3,537	3,537	3,537	3,537	3,537	3,537	3,537	3,537	3,537	3,537		42,448
Total 5000 · Operating Services	1,971,221	114,955	133,438	265,311	161,843	161,843	161,843	196,332	161,843	161,843	161,843	154,304	135,821	-	1,971,221
6000 · Depreciation															
6400 · Computer & Other Equipment	31,212		31,212												31,212
6499 · Furniture	5,202		5,202												5,202
Total 6000 · Capital Outlay	36,414	-	36,414	-	-	-	-	-	-	-	-	-	-	-	36,414
7000 · Other Outgo															
7299 · District Oversight Fee	92,364	1,350	2,699	5,293	5,293	1,799	14,376	14,376	3,749	2,277	950	13,401	4,723	22,079	92,364
7438 · Debt Service - Interest	60,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000		60,000
Total 7000 · Other Outgo	152,364	6,350	7,699	10,293	10,293	6,799	19,376	19,376	8,749	7,277	5,950	18,401	9,723	22,079	152,364
Total Expenses	12,966,235	824,060	1,037,188	1,186,467	1,082,999	1,048,701	1,061,278	1,137,383	1,050,650	1,049,178	1,047,851	1,052,763	1,365,636	22,079	12,966,235
NET INCOME	482,936	(646,626)	(660,781)	(414,397)	(209,115)	(753,019)	888,020	844,989	(345,654)	(662,790)	(835,932)	829,310	(679,171)	3,128,102	482,936
89790 · Financing Sources (Incur Debt)	-	-	-	-	-	-	-	-	-	-	-	-	-		-
74390 · Debt Service - Principal	350,000	-	175,000	175,000	-	-	-	-	-	-	-	-	-		350,000
Change in Net Assets	132,936	(646,626)	(835,781)	(589,397)	(209,115)	(753,019)	888,020	844,989	(345,654)	(662,790)	(835,932)	829,310	(679,171)	3,128,102	132,936

BALANCE SHEET	June 2011	Jul-14	Aug-14	Sep-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	May-15	Jun-15	Accrual	Annual
Cash	244,471	146,012	96,159	315,810	853,771	93,892	984,428	1,844,638	1,481,638	818,554	(17,644)	812,649	250,542	250,542	250,542
Accounts Receivable	3,071,078	2,303,308	1,535,539	767,769	-	-	-	-	-	-	-	-	-	3,150,181	3,150,181
Property, Plant and Equipment															
Computers	60,600	60,600	60,600	60,600	60,600	60,600	60,600	60,600	60,600	60,600	60,600	60,600	60,600	60,600	60,600
Furniture	10,100	10,100	10,100	10,100	10,100	10,100	10,100	10,100	10,100	10,100	10,100	10,100	10,100	10,100	10,100
Accumulated Depreciation	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
TOTAL ASSETS	3,386,249	2,520,020	1,738,812	1,190,693	960,885	201,006	1,091,542	1,951,752	1,588,752	925,668	89,470	919,763	357,656	3,507,837	3,507,837
Accounts Payable	292,816	164,812	207,438	237,293	216,600	209,740	212,256	227,477	210,130	209,836	209,570	210,553	273,127	295,206	295,206
Payroll Liabilities	240,462	179,396	187,360	194,976	194,976	194,976	194,976	194,976	194,976	194,976	194,976	194,976	254,111	254,111	254,111
Other Current Liabilities	120,231	89,698	93,680	97,488	97,488	97,488	97,488	97,488	97,488	97,488	97,488	97,488	127,056	127,056	127,056
LT Debt	1,350,000	1,350,000	1,175,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Total Liabilities	2,003,508	1,783,906	1,663,478	1,529,757	1,509,064	1,502,204	1,504,719	1,519,940	1,502,594	1,502,299	1,502,034	1,503,017	1,654,294	1,676,373	1,676,373
Unrestricted Balance	1,382,740	736,114	75,333	(339,064)	(548,179)	(1,301,198)	(413,178)	431,812	86,158	(576,632)	(1,412,564)	(583,254)	(1,296,638)	1,831,464	1,831,464
Total Equity	1,382,740	736,114	75,333	(339,064)	(548,179)	(1,301,198)	(413,178)	431,812	86,158	(576,632)	(1,412,564)	(583,254)	(1,296,638)	1,831,464	1,831,464
TOTAL LIABILITIES AND EQUITY	3,386,249	2,520,020	1,738,812	1,190,693	960,885	201,006	1,091,542	1,951,752	1,588,752	925,668	89,470	919,763	357,656	3,507,837	3,507,837
INCOME STATEMENT		Jul-14	Aug-14	Sep-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	May-15	Jun-15	Accrual	Annual
Revenue Limit Sources		138,620	277,241	604,569	604,569	184,827	1,695,899	1,695,899	413,011	268,382	125,503	1,621,464	578,824	2,720,014	10,928,824
Other Federal Revenue		-	-	-	47,744	8,930	8,930	8,930	47,744	8,930	8,930	8,930	8,930	74,447	232,445
Other State Revenue		38,814	77,627	91,347	178,493	52,645	195,189	195,189	194,961	59,796	28,206	169,325	70,970	355,719	1,708,282
Other Local Revenue		-	21,539	76,153	43,079	43,079	43,079	76,153	43,079	43,079	43,079	76,153	21,539	-	530,009
Total Operating Revenue		177,434	376,407	772,069	873,885	289,480	1,943,097	1,976,171	698,795	380,187	205,718	1,875,872	680,263	3,150,181	13,399,560
Certificated Salaries		467,879	512,672	525,407	525,407	525,407	525,407	525,407	525,407	525,407	525,407	525,407	825,407	-	6,534,620
Classified Salaries		37,142	56,244	93,016	93,016	93,016	93,016	93,016	93,016	93,016	93,016	93,016	73,914	-	1,004,443
Employee Benefits		179,396	187,360	194,976	194,976	194,976	194,976	194,976	194,976	194,976	194,976	194,976	254,111	-	2,375,650
Supplies		18,338	103,360	97,465	97,465	66,660	66,660	108,276	66,660	66,660	66,660	66,660	66,660	-	891,523
Consultants		32,776	51,259	69,741	69,741	69,741	69,741	69,741	69,741	69,741	69,741	69,741	51,259	-	762,964
Other Operating Services		82,180	82,180	195,570	92,102	92,102	92,102	126,591	92,102	92,102	92,102	84,563	84,563	-	1,208,257
Depreciation		-	-	-	-	-	-	-	-	-	-	-	-	-	-
Debt - Interest		5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	-	60,000
District Oversight		1,350	2,699	5,293	5,293	1,799	14,376	14,376	3,749	2,277	950	13,401	4,723	22,079	92,364
Total Expenditures		824,060	1,000,774	1,186,467	1,082,999	1,048,701	1,061,278	1,137,383	1,050,650	1,049,178	1,047,851	1,052,763	1,365,636	22,079	12,929,821
Operating Income		(646,626)	(624,367)	(414,397)	(209,115)	(759,221)	881,819	838,788	(351,855)	(668,991)	(842,134)	823,109	(685,373)	3,128,102	469,739
Fundraising		-	-	-	-	6,201	6,201	6,201	6,201	6,201	6,201	6,201	6,201	-	49,611
Other Income		-	-	-	-	6,201	6,201	6,201	6,201	6,201	6,201	6,201	6,201	-	49,611
NET INCOME		(646,626)	(624,367)	(414,397)	(209,115)	(753,019)	888,020	844,989	(345,654)	(662,790)	(835,932)	829,310	(679,171)	3,128,102	519,350
CASH FLOW STATEMENT		Jul-14	Aug-14	Sep-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	May-15	Jun-15	Accrual	Annual
Net Income		(646,626)	(660,781)	(414,397)	(209,115)	(753,019)	888,020	844,989	(345,654)	(662,790)	(835,932)	829,310	(679,171)	3,128,102	482,936
Adjustments to Income															-
Decrease (Increase) to Current Assets		767,769	767,769	767,769	767,769	-	-	-	-	-	-	-	-	(3,150,181)	(79,103)
Increase (Decrease) to Current Liabilities		(219,603)	54,573	41,279	(20,694)	(6,860)	2,515	15,221	(17,347)	(294)	(265)	982	151,277	22,079	22,865
Net cash flow from operating activities		(98,459)	161,561	394,651	537,961	(759,879)	890,536	860,210	(363,000)	(663,084)	(836,198)	830,293	(527,894)	0	426,698
Capital Expenditures		-	(36,414)	-	-	-	-	-	-	-	-	-	-	-	(36,414)
Net cash flow from investing activities		-	(36,414)	-	-	-	-	-	-	-	-	-	-	-	413,149
Debt		-	(175,000)	(175,000)	-	-	-	-	-	-	-	-	-	-	(350,000)
Net cash flow from financing activities		-	(175,000)	(175,000)	-	-	-	-	-	-	-	-	(34,213)	-	26,735
Net increase (decrease) in cash and cash equivalents		(98,459)	(49,853)	219,651	537,961	(759,879)	890,536	860,210	(363,000)	(663,084)	(836,198)	830,293	(562,107)	0	6,071
Beginning Cash Balance		244,471	146,012	96,159	315,810	853,771	93,892	984,428	1,844,638	1,481,638	818,554	(17,644)	812,649	250,542	244,471
Ending Cash Balance		146,012	96,159	315,810	853,771	93,892	984,428	1,844,638	1,481,638	818,554	(17,644)	812,649	250,542	250,542	250,542



Agenda Date: 6-21-11

Agenda Item: 10c

Approved:

Gary A. Napper
City Manager/Executive Director

AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: CITY MANAGER

DATE: 21 JUNE 2011

**SUBJECT: CONSIDERATION OF VARIOUS OPTIONS FOR REDISTRICTING BOUNDARIES
CONTRA COSTA COUNTY SUPERVISORIAL DISTRICTS**

RECOMMENDATION

It is recommended the City Council consider the various boundary alternatives for redistricting of County Supervisorial Districts relative to representing the best interests of Clayton; and then by motion endorse one or more options and authorize a member of the City Council to convey the City's preference(s) at the June 28, 2011 meeting of the County Board of Supervisors.

BACKGROUND

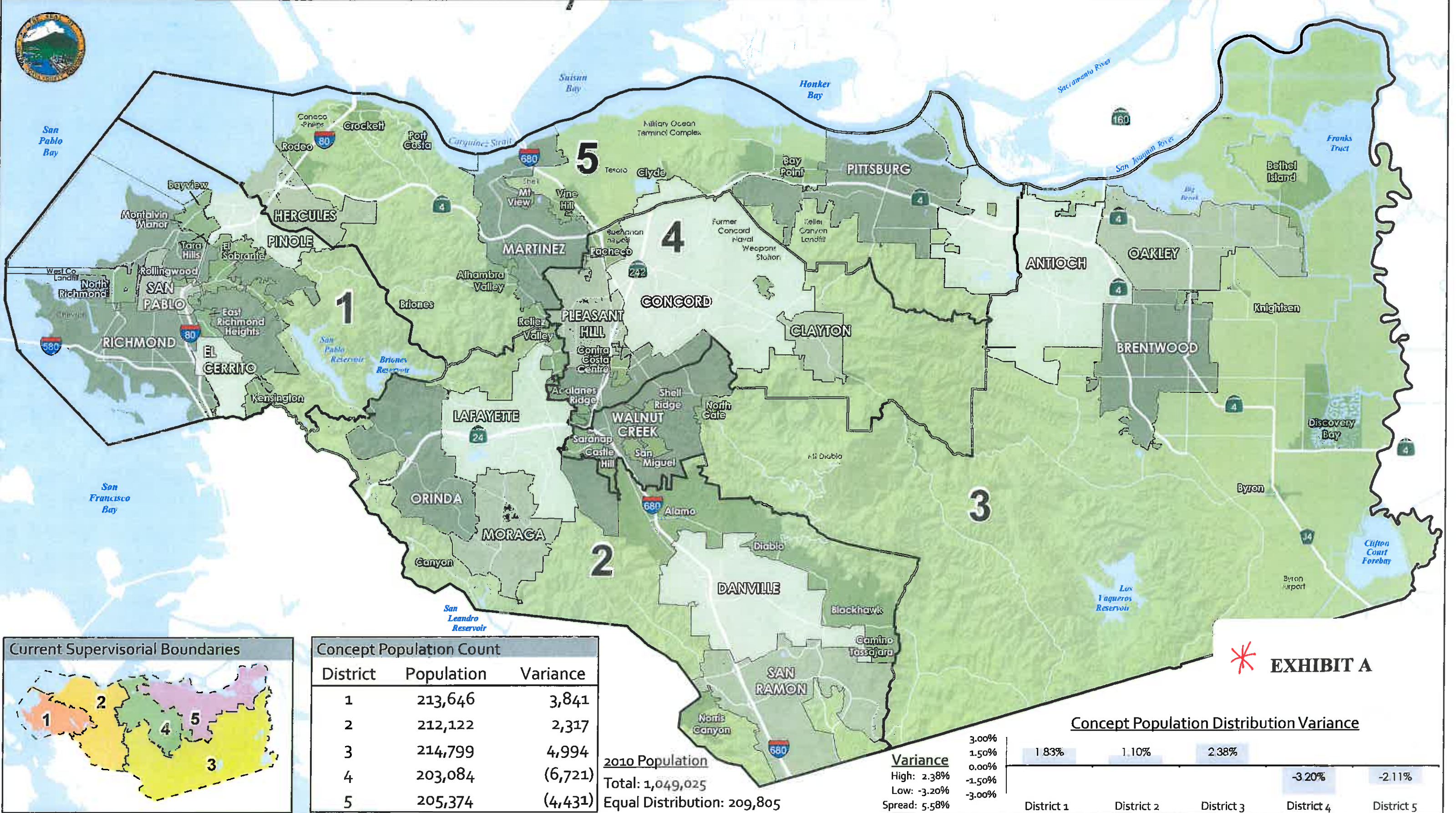
Based on the 2010 Census population results, the County of Contra Costa experienced a 10.5% population growth since the 2000 Census, pushing our county's total population past one million people to 1,049,025. Pursuant to law that requires equal representation when elected officials are voted into office via separate districts, each of the five (5) County Board of Supervisor's seat necessitates an equal population of approximately 209,805. Therefore, current supervisorial district boundaries must be shifted to reflect changes in population growth and location.

In April 2011, County staff released a series of four options for redistricting boundaries that has now increased to eight (8) mapping concepts (attached as Exhibits B). At its public meeting scheduled for June 28th, the Board of Supervisors will commence its public process to determine new district boundaries. Prior to that meeting, County Supervisor Karen Mitchoff (current District 4 Supervisor and Clayton's current representative) will submit another redistricting map for consideration, which concept has been labeled and attached hereto as "Exhibit A".

For effective representation of Clayton's interest in regional and county affairs, it is prudent for our City to review the mapping concepts offered and then provide public testimony to the Board of Supervisors at its June 28th meeting as to the City of Clayton's preference(s).

Exhibits: A. Supervisor Mitchoff's proposed redistricting map [1 pg.]
B. County staff report and 8 redistricting maps [12 pp.]

Contra Costa County



To: Board of Supervisors

From: Catherine Kutsuris, Conservation & Development Director

Date: April 19, 2011



**Contra
Costa
County**

Subject: Report on 2011 Redistricting for Contra Costa County Supervisorial District Boundaries

RECOMMENDATION(S):

1. ACCEPT the report from the Director of Conservation and Development on the 2011 Board Redistricting effort including the analysis of the 2010 Census population for the current Supervisorial District boundaries, along with the concept map packages that have been prepared;

2. CONSIDER whether additional concept maps should be prepared for the Board's consideration and provide direction to staff;

3. For each of the four concept maps included within this report:

a. DETERMINE whether this concept warrants moving forward to the public workshop phase of this effort and, if so, whether any modifications should be made to the concept;

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **05/03/2011**

☐ APPROVED AS RECOMMENDED

☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYES

NOES

ABSENT

ABSTAIN

RECUSE

Contact: **Patrick Roche 925-335-1242**

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

**ATTESTED: May
3, 2011**

**David J. Twa, County
Administrator and
Clerk of the Board of
Supervisors**

RECOMMENDATION(S): (CONT'D)

b. DETERMINE whether the Board wishes any additional options to be prepared with respect to specific areas within the concept;

4. DIRECT the Department of Conservation and Development to return to the Board at the May 10, 2011 meeting to confirm the map concepts that will be used for the public workshops.

5. ACCEPT the report related to the public outreach and participation effort including the utilization of "District Builder" and the proposed schedule of public workshops.

FISCAL IMPACT:

Redistricting activities are provided for in the departmental budgets for the County Administrator, County Counsel, and Department of Conservation & Development.

BACKGROUND:

REASONS FOR RECOMMENDATION

On February 8, 2011 the Board of Supervisors approved a general approach to complete the redrawing of supervisorial district boundaries based on the 2010 Census as required under California law (Elections Code section 21500 et. seq.), including guiding principles, work program (data analysis/mapping, public outreach component, etc), and a general timeline. The Board directed the Department of Conservation & Development (DCD) to initiate redistricting activities pursuant to the approved work program, and requested that DCD return to the Board on May 3, 2011 to provide a report on the impact of the 2010 Census population on current supervisorial district boundaries, to prepare a draft set of supervisorial district boundaries map alternatives for public discussion, and to confirm a schedule for public workshops on redistricting. The purpose of this report is to present an analysis of 2010 Census population, to review a proposed set of supervisorial district concept maps, to confirm the public participation process/public workshops schedule, and to receive input and direction from the Board on next steps in the 2011 redistricting process.

Analysis of 2010 Census Population and Current (2001) Supervisorial District Boundaries:

Contra Costa County formally received the 2010 Census population results on March 8, 2011, which showed the County had reached a total population of 1,049,205, which is a 10.5% percent increase in population since the 2000 Census (Population: 948,816). Based on the 2010 Census population, the equal population for each the five supervisorial districts is 209,805. Immediately upon the receiving the 2010 Census data, DCD began analyzing and mapping the 2010 Census population. More specifically, the 2010 Census population was compared to the current (2001) supervisorial district boundaries.

On March 24, 2011, the Department produced a map which depicted the 2010 Census population and population distribution by district according to current boundaries, and a table that provided a breakdown of the 2010 Census population in each supervisorial district by place name: incorporated area (Cities) and unincorporated area (Census Designated Place [CDP], or other place name). The map and table, which are attached as Exhibit "A" to this report, were also posted on March 24, 2011 to the County's Redistricting webpage.

The following table summarizes the current (2001) supervisorial district boundaries with the 2010 Census population count by district:

Supervisorial District	2000 Census Population	2010 Census Population	Population Increase 2000 to 2010	Population % Change 2000 to 2010	Percent Under/Over Equal Dist. Pop. 2010*	Amount Over/Under Equal Dist. Pop. 2010
District 1	185,339	190,153	4,814	(+) 2.5%	9.37% under	19,652 under
District 2	184,473	188,338	3,865	(+) 2.1%	10.23% under	21,467 under
District 3	193,653	256,707	63,054	(+) 33%	22.36% over	46,902 over

* = Equal Population per District is 209,805 (2010 Census Population: 1,049,025 divided by 5 districts)
As described in the map and table in Exhibit "A", and

District 4	186,287	187,681	1,394	(+) 1%	10.55% under	22,124 under	noted in the table above, there is a very significant variance for each of the five supervisorial districts and the equal population per district
District 5	199,064	226,146	25,082	(+) 13.6%	7.79% over	16,341 over	
Total:	948,816	1,049,205	100,209	(+) 10.5%			

at 209,805 persons based on 2010 Census population. The guiding principles adopted by the Board on February 8, 2011 recommended the total population for each district should be within 5% of each of the others. The population growth in East County and San Ramon Valley have resulted in districts that are substantially unequal in population, with a 33% spread between the most populated district (District 3 with a 2010 population at 256,707) and the least populated district (District 4 with a 2010 population at 187,681). The results of the 2010 Census clearly demonstrate the need to redraw board district boundaries to achieve a near equal population for each district as mandated under the California Elections Code section 21500.

Proposed Supervisorial District Concept Maps for Public Discussion: DCD has developed a set of four (4) concepts for the Board's consideration. These concept maps were developed using the 2010 Census population data. In developing these map concepts, DCD staff has tried to apply the guiding principles approved by the Board on February 8, 2011. That is to say, each of the concept maps tries to achieve a near equal population, within at least 5% of each other; identifiable geographic features and topography were generally used to draw the concept maps to achieve some measure of compactness and contiguity, while recognizing that the County's physical geography (landform, topography, transportation network, etc.) already defines geographic subareas in the County; and, each of the concept maps tries to maintain existing communities of interest within a single district and, to the extent possible, tries to avoid splitting communities in adjusting boundaries. However, it is difficult to achieve a perfect balance between each of these guiding principles. It is inevitable that under each of the concept maps there will be boundary changes that will have a much greater effect on some communities than on other communities where little or no change would result. The four Concept Maps are intended to be a starting point for discussion about redistricting possibilities. It is recognized that there are many possible permutations for district boundary adjustments, and the four Concept Maps presented under this report are by no means an exhaustive set of possibilities.

Attached as **Exhibit "B"** to this report are the four Concept Maps. The Concept Maps are labeled 1 through 4. Each Concept Map, 1-4, includes four sheets:

- Sheet #1 in each set shows a map of proposed redrawn district lines under the concept. At the bottom of the map starting from left to right is an inset map of current district boundaries, a table showing population/variance for each district based on the new district lines, population/variance high, low, and spread, and the population distribution variance based on the hypothetical new district lines for that concept (Note: the purpose in showing the percentage above or below the equal population per district at 209,805 persons is to demonstrate how well the concept meets the Board's criteria of meeting the target of redrawn district boundaries within 5% of the equal population of 209,805 persons in each district);
- Sheet #2 in each set shows a map of the proposed redrawn lines including a summary of boundary and population shifts by location within each district under the concept, along with the same summary of the population distribution/variance information as shown on Sheet #1;
- Sheet #3 in each set provides a thumbnail or zoomed in view of the location where the proposed boundary lines would split a city under the concept and a table identifying whether key facilities in the County would shift by district under the concept; and,
- Sheet #4 in each set provides a breakdown of population by place (incorporated and unincorporated areas) associated with the concept.

DCD staff is seeking the Board's input and direction related to these four Concept Maps, changes that should be made, or any additional concepts that should be prepared for the Board's consideration. The intent is to have various concept maps completed and available for discussion at upcoming public workshops.

Public Participation / Public Workshops: A key cornerstone of the 2011 redistricting work program adopted by the Board on February 8, 2011 was "to insure a transparent process, providing exceptional public access to information." DCD has been collaborating with the Department of Information Technology and Director, Contra Costa County Office of Communications & Media, to implement a web based public participation program, including a webpage devoted to the 2011 redistricting effort, (www.ccredistriking.org). The webpage is intended to serve as the main portal for the public to receive information and updates regarding the redistricting effort. Information currently posted to the

webpage includes an explanation of the redistricting process and criteria, timeline and events, maps and census data, frequently asked questions, key contacts, and a public input form (including email notification request; so far, 55 people have signed up for email notification). In addition, an "open source" (publicly available, non-commercial) web application will be added to www.ccredistricting.org, called "District Builder." District Builder will enable members of the public to draw district boundaries from an internet linked computer and then submit and share their map proposal on the webpage. This web based application is anticipated to be operational on May 3, 2011. DCD will also establish a computer station at the County's Application & Permits Center (651 Pine Street, Martinez, CA) to enable members of the public who lack internet access to use the "District Builder" application.

Public workshops on redistricting are planned during a two week period from May 16 through May 26, 2011. These public workshops are expected to be held in each supervisorial district, and to be hosted by the District Supervisor. Using an open house format, the District Supervisor would make some introductory remarks, there would be a staff presentation, and there would be stations set up for each Concept Map with staff present to explain the map proposal and record public comments.

The following table is the proposed listing for the public workshops including the dates and the community locations:

Date of Workshop	Supervisor - District	Time	Community
Monday, May 16, 2011	Gayle Uilkema – Dist. II	2:00pm	Rossmoor
Monday, May 16, 2011	Mary Piepho – Dist. III	7:30pm	Walnut Creek
Tuesday, May 17, 2011	Karen Mitchoff – Dist. IV	7:00pm	Pleasant Hill
Wednesday, May 18, 2011	Gayle Uilkema – Dist. II	7:00pm	Martinez
Thursday, May 19, 2011	Karen Mitchoff – Dist. IV	7:30pm	Concord
Thursday, May 19, 2011	Federal Glover - Dist. V	7:00pm	Bay Point
Monday, May 23, 2011	John Gioia- Dist. I	7:00pm	San Pablo
Tuesday, May 24, 2011	Federal Glover - Dist. V	7:00pm	Antioch
Wednesday, May 25, 2011	Federal Glover - Dist. V	7:00pm	Oakley
Wednesday, May 25, 2011	Mary Piepho – Dist. III	7:00pm	Brentwood
Thursday, May 26, 2011	Mary Piepho – Dist. III	7:00pm	Alamo
Thursday, May 26, 2011	Gayle Uilkema – Dist. II	7:00pm	Pinole

CONSEQUENCE OF NEGATIVE ACTION:

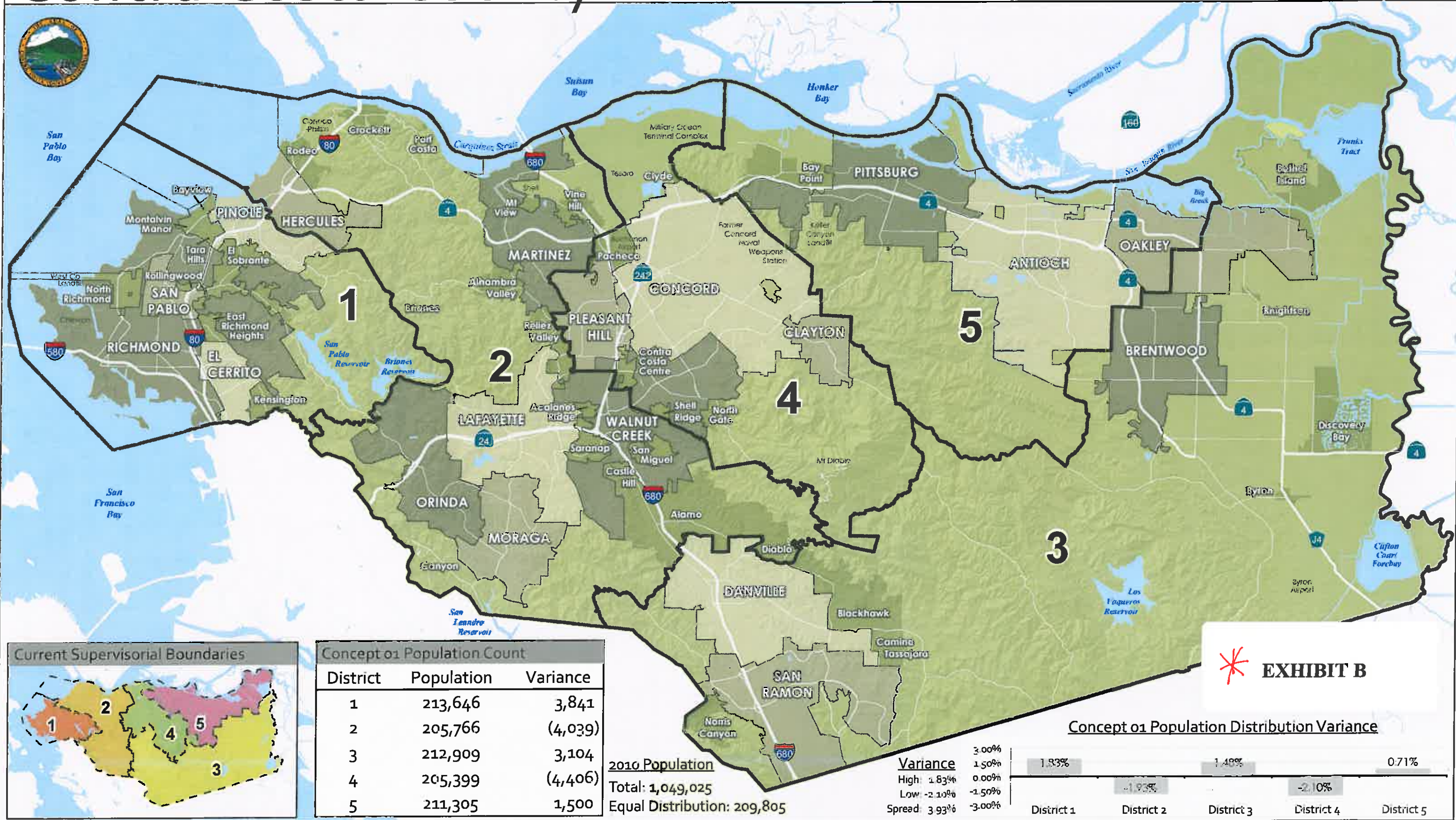
In the absence of further direction from the Board of Supervisors, the Department of Conservation and Development would not be able to prepare new Supervisorial districts based on the 2010 Census, as required by California law, based on policy guidance from the Board of Supervisors.

CHILDREN'S IMPACT STATEMENT:

None

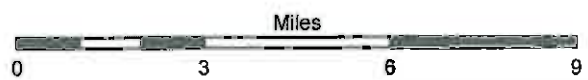
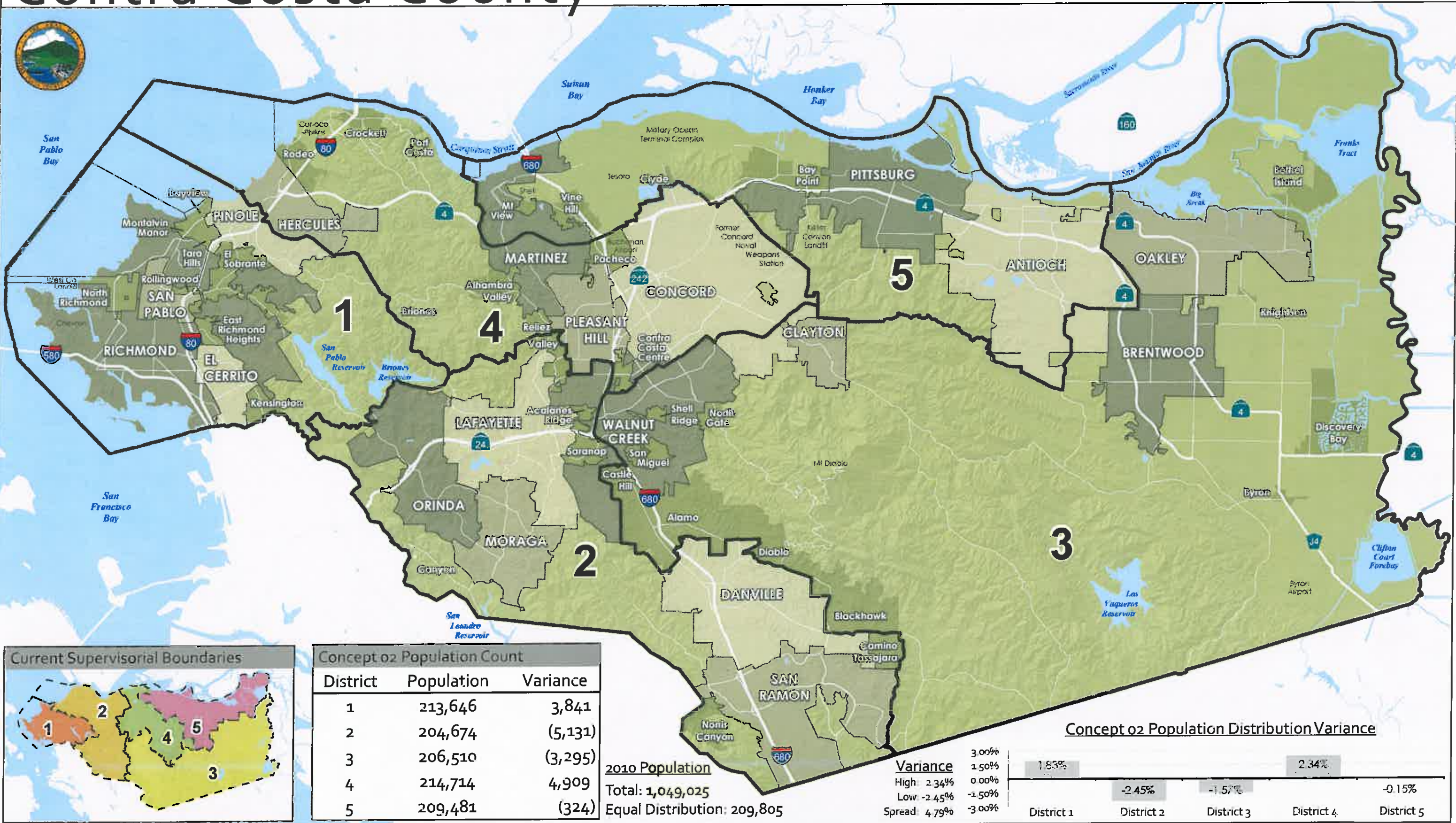
Contra Costa County

DRAFT - 2011 Supervisorial District - Concept 01



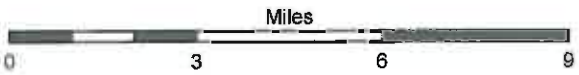
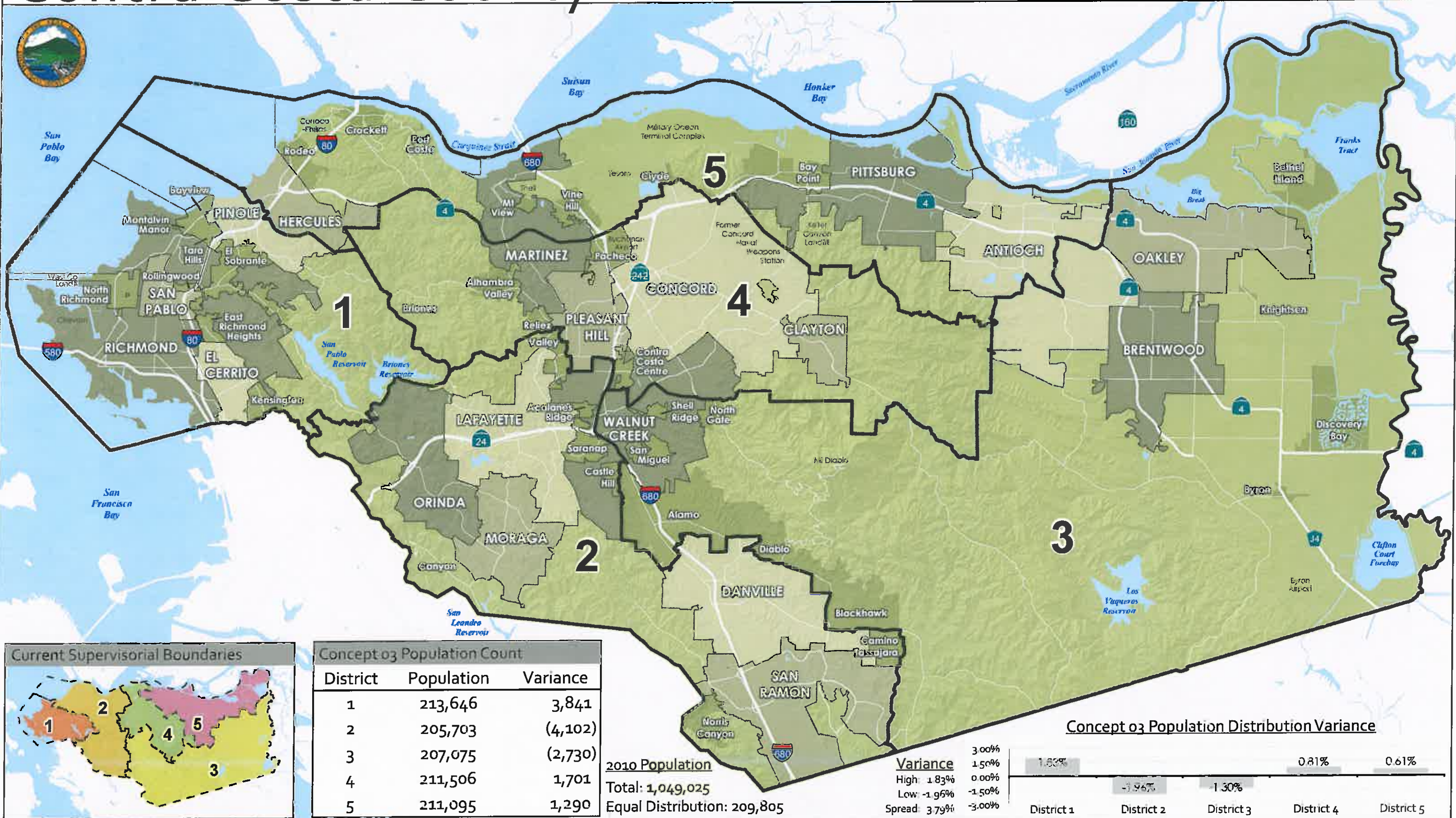
Contra Costa County

DRAFT - 2011 Supervisorial District - Concept 02



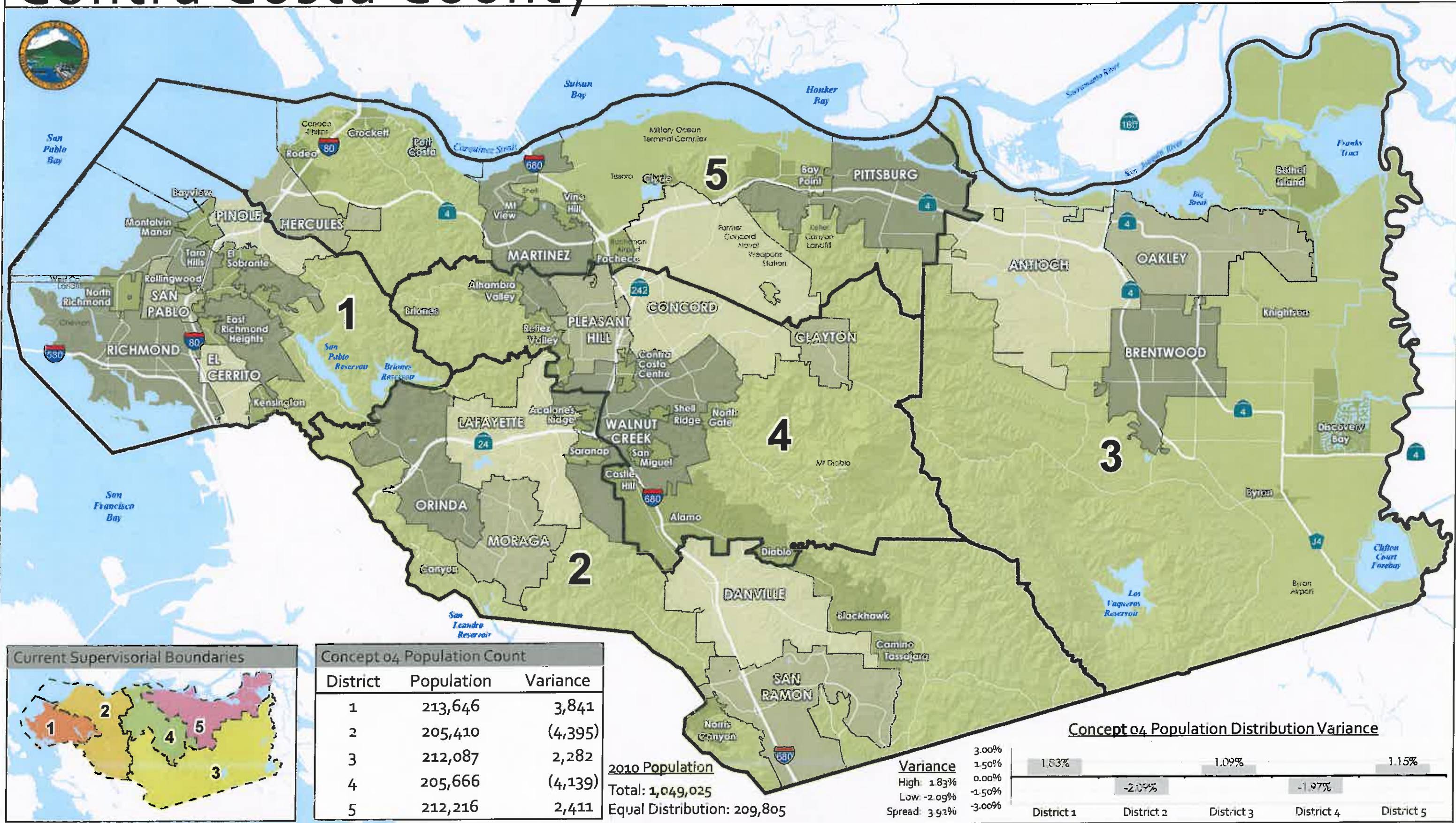
Contra Costa County

DRAFT - 2011 Supervisorial District - Concept 03



Contra Costa County

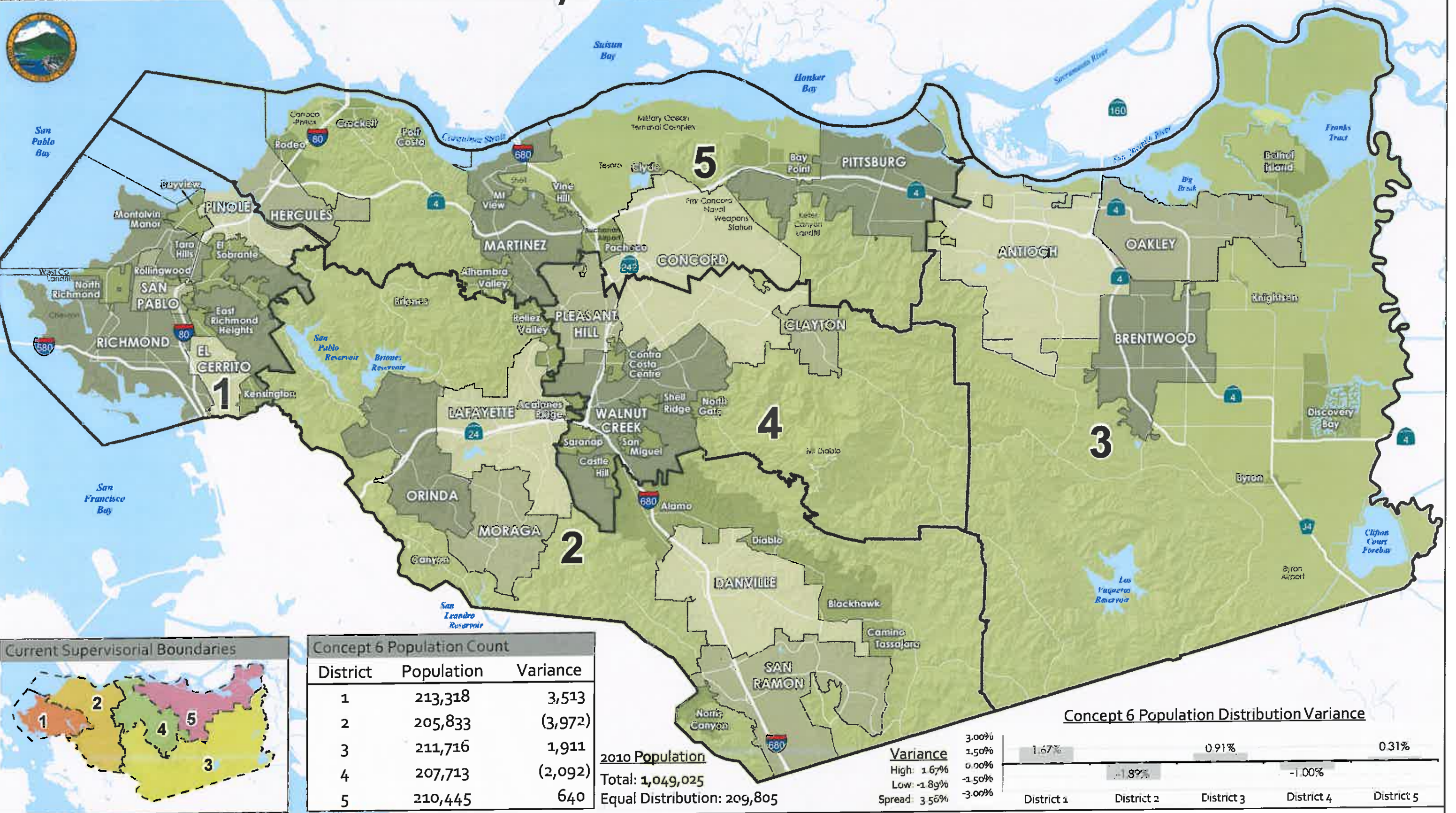
DRAFT - 2011 Supervisorial District - Concept 04



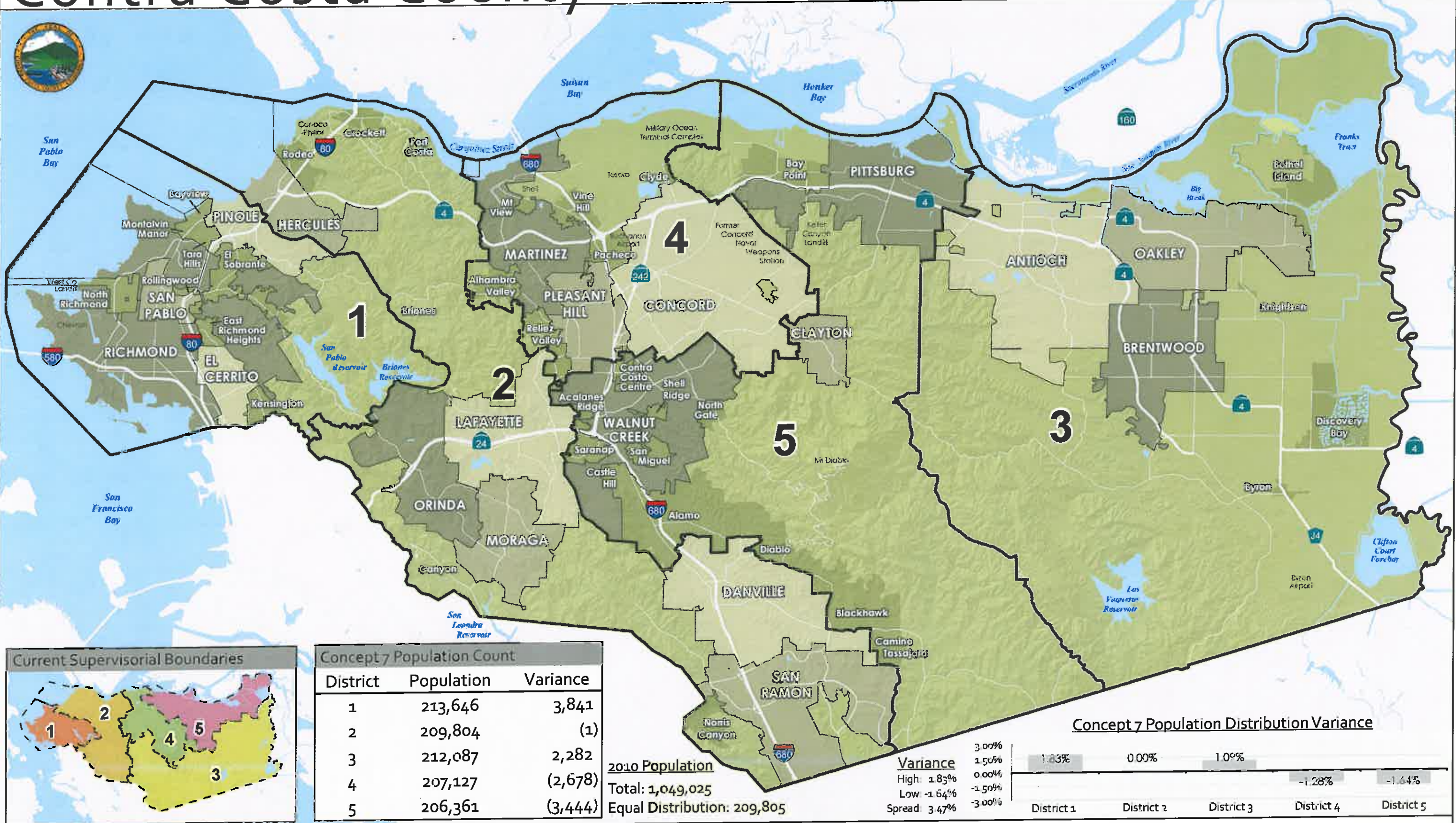
DRAFT - 2011 Supervisorial District - Concept 5
(Contra Costa Times)



Map Created for Board of Supervisor Public Workshops May 16-26, 2011
Contra Costa County Department of Conservation & Development
651 Pine Street, 4th Floor - N. Wing, Martinez, CA 94553-0095
37:59:48.455N 122:06:35.384W



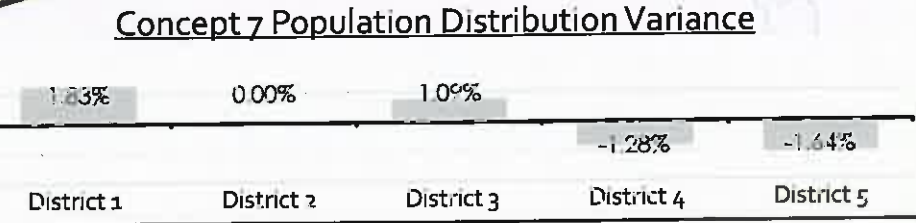
Contra Costa County



Concept 7 Population Count		
District	Population	Variance
1	213,646	3,841
2	209,804	(1)
3	212,087	2,282
4	207,127	(2,678)
5	206,361	(3,444)

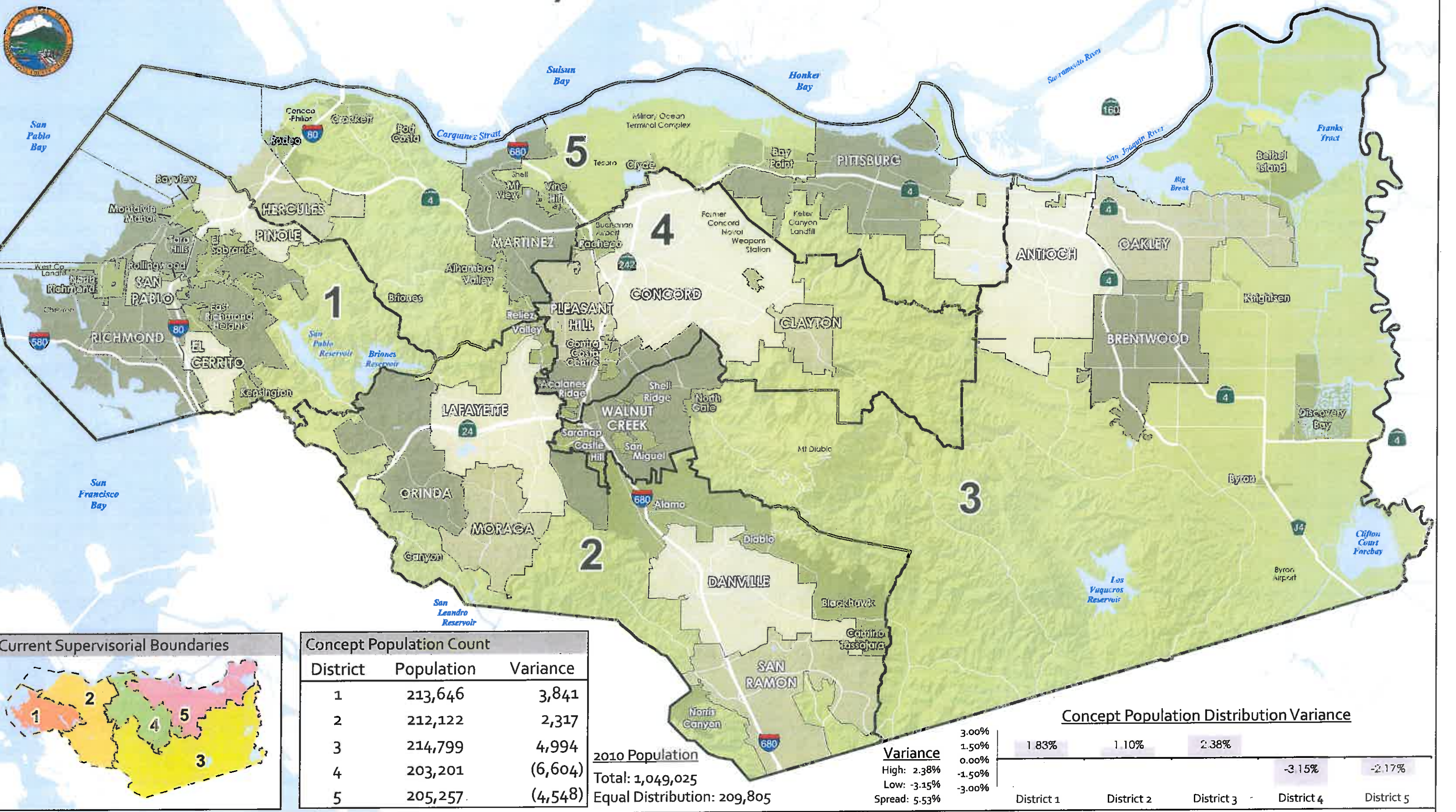
2010 Population
Total: 1,049,025
Equal Distribution: 209,805

Variance	
High:	1.83%
Low:	-1.64%
Spread:	3.47%



Contra Costa County

DRAFT - 2011 Supervisorial District Concept





Agenda Date: 6-21-11

Agenda Item: 10d

STAFF REPORT

Approved:

Gary A. Napper
City Manager/Executive Director

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: Laci J. Jackson, City Clerk

DATE: June 21, 2011

SUBJECT: Consider applicants for appointment to the Planning Commission.

BACKGROUND

The terms of office for existing Planning Commissioners Ted Meriam and Dan Richardson will end on June 30, 2011. Commissioners Meriam and Richardson both reapplied for the Planning Commission. Tonight the City Council accepted the unexpected resignation of Commissioner Tujia Catalano effective August 1, 2011.

Staff previously advertised for Planning Commission applications in the Clayton Pioneer, on the City's website, and at the City's three (3) posting areas. The applications were due on June 3, 2011 and eight (8) applications were received by the filing date. Two applicants have since rescinded their applications before the interview process.

Earlier in this meeting the City Council interviewed six candidates. Official appointments to the Planning Commission require full City Council vote.

RECOMMENDATION

Adopt the attached Resolution appointing three (3) individuals to the Planning Commission vacancies. Two individuals to be appointed for two year terms (July 1, 2011 through June 30, 2011) and one individual to serve out the remainder of Commissioner Catalano's term (August 1, 2011 through June 30, 2012). It will be necessary for the City Council to determine which applicant is appointed to the specific term of office.

FISCAL IMPACT

None.

Attachments: Resolution -1page
Applications (6)- 15 pages

RESOLUTION NO. -2011

**A RESOLUTION APPOINTING THREE CITIZENS
TO UPCOMING VACANT OFFICES
ON THE APPOINTED
CLAYTON PLANNING COMMISSION**

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

WHEREAS, in 1964 the City Council of Clayton adopted Ordinance No. 20 establishing the City of Clayton Planning Commission; and

WHEREAS, the terms of office for existing Commissioners Ted Meriam and Dan Richardson will end on June 30, 2011; and

WHEREAS, on June 15, 2011 Commissioner Tuija Catalano unexpectedly resigned from the Planning Commission effective August 1, 2011 therefore creating a mid-term opening on the Planning Commission; and

WHEREAS, staff advertised the known vacancy of two positions on the Planning Commission and set a deadline of June 3, 2011 for candidates to submit an application to serve; and

WHEREAS, eight interested citizens submitted timely applications with ultimately six candidates expressing willingness to serve in the appointed capacity, two candidates rescinded their applications from consideration; and

WHEREAS, the full City Council interviewed the six applicants on June 21, 2011 during a regular open public meeting.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Clayton, California, does hereby appoint as follows: two individuals to the Planning Commission of the City of Clayton for full two-year terms, and one individual with a term commencing August 1, 2011 through June 20, 2012:

_____: July 1, 2011 through June 30, 2013

_____: July 1, 2011 through June 30, 2013

_____: August 1, 2011 through June 30, 2012

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California at a regular public meeting thereof held the 21st day of June 2011 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

THE CITY COUNCIL OF CLAYTON, CA

David T. Shuey, Mayor

ATTEST:

Laci J. Jackson, City Clerk

Received

JUN 3 2011

PLANNING COMMISSION APPLICATION

City of Clayton

All information contained on this application is public record. This includes home address and all phone numbers and this position is required to fill out a Financial Statement of Economic Interest.

Name: Janise E. Trezise

Date: June 3, 2011

Home address: 1267 Shell Circle Home phone: 925-672-6385

Business phone: 925-497-4803

FAX number: 925-672-6385 if applicable

Length of residence in Clayton: Seven years

E-mail address: janisetrezise@yahoo.com

Present employer: Oakland Unified School District

Occupation: Sub-Teacher

Education and special training:

UCB, B.S. College of Natural Resources

Additional - course work for Certified R.E. Appraiser

8 1/2 yrs w/ major lender - Chase (now)

I am comfortable & interested in helping make the correct choices in

Experience and activities, which particularly qualify you for an appointment to the Clayton Planning Commission:

Two years on TLC - Clayton, CIBCA for Clayton

Both Concord and Clayton AAUW branches

Worked successfully with planning departments

builders - Romaneros etc for Great Western

How do you perceive the role of a Planning Commissioner?

I would be active in Charge County

particant (P) - with creating

solutions to problems dealing

Other interests and hobbies:

Art, Travel, Architecture - social and

political issues - I was key to

getting the last bond - TLC ballot issue passed

List three references with phone numbers:

Dan Richardson 872-3712

Pete Lawrence 672-6118

Log Argentiou 672-1982

Janis E. Truse

Signature

Received

MAY 24 2011

City of Clayton

PLANNING COMMISSION APPLICATION

All information contained on this application is public record. This includes home address and all phone numbers and this position is required to fill out a Financial Statement of Economic Interest.

Name: Daniel Richardson

Date: May 23, 2011

Home address: 5565 Morningside Dr. Home phone: 672-3712

Business phone: _____

FAX number: _____ if applicable

Length of residence in Clayton: 22 years

E-mail address: bckpckdan@comcast.net

Present employer: Retired

Occupation: Farmer

MAY 24 2011

City of Clayton

Education and special training:

Retired after a lengthy career in public service that included extensive professional experience, and training, in the areas of Public Works, Community Development, Planning and Parks. Additionally, considerable training was received in the areas of building and achieving community consensus, and problem solving.

Experience and activities, which particularly qualify you for an appointment to the Clayton Planning Commission:

Serving on the City Council appointed Blue Ribbon Landscaping Committee and Clayton Trails & Landscape Committee. Also worked toward the successful passing of a replacement landscape maintenance assessment that insures the continued success of much of Clayton's public landscaping and trails.

Served the past two years as a Clayton Planning Commissioner.

Served many years on the Clayton 4th of July Committee, and other civic event committees including the CBCA sponsored Art & Wine and Oktoberfest.

Clayton CERT trained.

How do you perceive the role of a Planning Commissioner?

A member of the Planning Commission is expected to review development and building applications to insure compliance with zoning, planning and use ordinances adopted by the City Council. From time to time the Planning Commission is expected to review and when appropriate, recommend amendments to those ordinances, as well as components of the Clayton General Plan. The Planning Commission also reviews Temporary Use Permits, Use Permits and other types of permits requiring commission approval.

Other interests and hobbies:

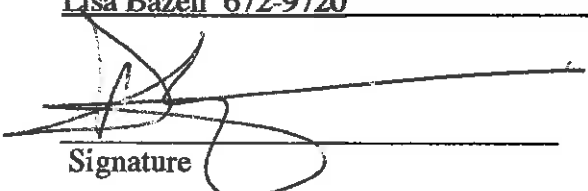
Outdoors. Farming. Wine making.

List three references with phone numbers:

Walt Howard 672-7669

Dena Stevens 672-0698

Lisa Bazell 672-9720



Signature

JUN 01 2011

City of Clayton

PLANNING COMMISSION APPLICATION

All information contained on this application is public record. This includes home address and all phone numbers and this position is required to fill out a Financial Statement of Economic Interest.

Name: Ted Meriam

Date: May 31, 2011

Home address: 990 Oak Street

Home phone: 925-690-8600

Business phone: 425-703-6517

FAX number: 425-936-7329

Length of residence in Clayton: 1988-2001; 2008-Present

E-mail address: tedmeriam@hotmail.com

Present employer: Microsoft Corporation

Occupation: Technical Account Manager

Education and special training:

- **1989-1994: Mt. Diablo Elementary School**
- **1994-1997: Diablo View Middle School**
- **1997-2001: Clayton Valley High School**
 - **Grand Altair**
- **2001-2005: University of Puget Sound**
 - **Cum Laude, Business Leadership Program**

Experience and activities, which particularly qualify you for an appointment to the Planning Commission:

- **Clayton Planning Commission, Planning Commissioner**
- **Clayton Historical Society, President**
- **P2C Foundation, Founder**
- **Clayton Business & Community Association, Member of Several Committees**
- **University of Puget Sound Judicial Branch, Chief Justice**
- **University of Puget Sound Governance Committee, Representative**

How do you perceive the role of a Planning Commissioner?

Please see attached cover letter.

Other interests and hobbies:

- **Cooking**
- **Education**
- **Gardening**
- **Golf**
- **Technology**

List three references with phone numbers:

1. **Ed Hartley**, Past Planning Commissioner, City of Clayton: 925-698-4191
2. **Janet Easton**, Past President, Clayton Historical Society: 925-354-2670
3. **John Rubiales Jr.**, Past President, Clayton Business & Community Association: 925-682-9486

A handwritten signature in black ink that reads "Ted Meriam". The signature is written in a cursive style with a large, sweeping "T" and a long, horizontal stroke at the end.

Signature

Ted Meriam
990 Oak Street
Clayton, CA 94517
(925) 690-8600

May 31, 2011

City of Clayton
ATTN: City Clerk
6000 Heritage Trail
Clayton, CA 94517

Dear Planning Commission Selection Committee:

Please accept this letter and application as my intent to renew my seat in the 2011-2013 Planning Commission. As an active member of the current Clayton Planning Commission, I am well aware of the importance and level of commitment required to fully execute the responsibilities asked of me during my term. I have enjoyed my time these past two years as a Planning Commissioner and have brought a unique value to the Commission. With multiple, challenging projects before the Commission, continuity on the Commission would provide the much-needed context and leadership that will be especially needed in the upcoming term.

As one of the younger homeowners in Clayton, I represent the future generation of citizens in the City of Clayton. For the past two years I've brought this perspective to the current Planning Commission. While my perspective is unique, I act in a non-biased manner when making decisions, which are ultimately based on the facts before the Commission. Rulings on land-use issues should be made with the best interests of Clayton in mind and this is my guiding philosophy in public service.

My employment with the Microsoft Corporation has paired me with other professionals working in a demanding environment. As a member of the Planning Commission, I have advocated for the same high standards and professionalism that I am used to in the corporate world. I am fortunate that Microsoft provides me with a schedule that will accommodate the time demand of this vital role.

Thank you for your time in reviewing my application materials and considering me as a renewal candidate for the 2011-2013 Planning Commission in the City of Clayton.

Respectfully,

A handwritten signature in black ink that reads "Ted Meriam". The signature is fluid and cursive, with the first name "Ted" and last name "Meriam" clearly distinguishable.

Ted Meriam, Clayton Planning Commissioner

Received

JUN 02 2011

PLANNING COMMISSION APPLICATION

City of Clayton

All information contained on this application is public record. This includes home address and all phone numbers and this position is required to fill out a Financial Statement of Economic Interest.

Name: Jason "Jake" Pauline
Date: 5/24/11
Home address: 5833 Verna Way East Home phone: (925) 672-6808
Business phone: (925) 777-3440
FAX number: (925) 777-3339 if applicable
Length of residence in Clayton: 22 years
E-mail address: Jake@blackdiamondelectric.com
Present employer: Black Diamond Electric
Occupation: Electrical Contractor

Education and special training:

See Attached

Experience and activities, which particularly qualify you for an appointment to the Clayton Planning Commission:

(See Attached)

How do you perceive the role of a Planning Commissioner?

(See Attached)

Other interests and hobbies:

(See Attached)

List three references with phone numbers:

(See Attached)


Signature

City of Clayton Planning Commission Application

Date: 5-24-11

Education: Graduate of *De La Salle High School* 1990. Graduate of *University of Arizona* 1995 with BA in History.

Training: I hold an electrical contractors license in the states of Arizona, California, and Nevada. Each license requires the applicant to provide documentation of training and experience and each state requires the applicant to take an exam.

Experience and Activities that would make me qualified for the Planning Commission: I have been in the construction business for my entire adult life. As an Electrical contractor I familiar with the building and permitting process. I remodeled my own residence in 2001 and personally went through the process of gaining a permit within the City of Clayton. My own personal experience and my professional experience enables me to have a solid base of the overall building process that I believe would be an asset to the commission.

I am a 21 year resident of Clayton. I have a wife and three children and I love to call Clayton home. I am involved in the community and have a deep appreciation of what our town has to offer. I am a strong believer in Community involvement and I try to participate whenever possible. I have coached and refereed soccer for AYSO. I am currently coaching baseball for CVLL. I am currently serving as Chair on the Trails and Landscape Committee. I belong to the Contra Costa Sheriff's Posse, a lifetime member of the 100 Club, and a member of our CBCA. As a family and as business we have adopted the Cardinet trail. I am completely vested in our community and would take an appointment to the Commission very seriously and try my best to do what is best for our community as a whole.

Role of the Planning Commission: My perception is that the Commission appointed by the City Council reviews building applications from applicants that want to build within the City of Clayton. The Planning Commission working under the guide lines of the General Plan and applicable building codes will review each application, hear any public comment and then make a recommendation to the City Council on whether to approve or deny the project. I perceive that following the guide lines of the General Plan, adhering to the building codes, reviewing applications, listening to the City Staff's input, and making well founded recommendations to the Council is the fundamental role of the Commission. Another important role of the Commission is to have citizens of the community, who have a personal stake in the community, actively participate in their own governance. These citizens that personally hold a stake (whether it be property values, aesthetic interest, or having a glorious place to raise children) will be more likely to make the right decision that benefits the entire community.

Interest and Hobbies: The older I get the more my hobbies have slowly been taken over by my number one interest; My Family. My wife Cristina, my son Johnny and two daughters Analisa and Julia are the centers of my proverbial universe and I enjoy spending as much time as possible with them. Like I listed above I am interested in our local community. I majored in History in college and still hold a deep interest in History. I enjoy reading books about history, concentrating on early American history. I am fascinated by our founding fathers. I do consider myself a Patriot and I love our country. My love of history drives my interest in our government. The older I get the more I am driven to be a part of it and to uphold the sacred promise of our founders; Government of the people by the people, which truly does make our country great.

All and all I do find time for hobbies. I love to ride my mountain bike with my wife on our beautiful trails. I enjoy hiking. I still like tinker around on the guitar every once in a while. We have a

family cabin in Tahoe and I enjoy spending time there during the Summer with the family. I also love to plop down on the couch and watch a good movie.

List of three References:

-Contra Costa Sheriff, **David Livingston**. Cell # 925-786-2327. David@contracostasheriff.net.

-Contra Costa District Attorney **Mark Peterson**. Phone # 925-890-4600. MarkDDA@aol.com.

-Clayton Resident, owner of Diablo Ford **Michael Moore**. Cell # 925-575-0672.
Mmoore@diabloford.com.

Received

JUN 03 2011

PLANNING COMMISSION APPLICATION **City of Clayton**

All information contained on this application is public record. This includes home address and all phone numbers and this position is required to fill out a Financial Statement of Economic Interest.

Name: Keith Haydon
Date: 6/2/2011
Home address: 1542 O'Hara Ct Home phone: 672-8262
Business phone: 824-5898
FAX number: 925-866-9317 if applicable
Length of residence in Clayton: 26 years
E-mail address: KHaydon@pacbell.net and Kh5149@att.com
Present employer: AT&T
Occupation: Attorney

Education and special training:

Western St Univ - College of Law, Bachelor of Science in Law and Juris Doctor
The Role of the Planning Commissioner, Planning Institute
Ethics Training for Local Officials, Institute for Local Self Government

Experience and activities, which particularly qualify you for an appointment to the Clayton Planning Commission:

- Previous experience serving on Clayton Planning Commission
- Working knowledge of City of Clayton General Plan, Town Center Specific Plan & City Ordinances.
- Involved in community activities, such as CBCA.

How do you perceive the role of a Planning Commissioner?

- Interpret and apply city General Plan, Specific Plan, Zoning and Ordinances
- Revise and update appropriate city ordinances and requirements as needed.
- Work with the Community Development Department and
Other interests and hobbies: Developers to promote and enhance Clayton.
- President of the Westwood HOA, Vice President of CBCA.
- Enjoy hiking on Clayton's trails and playing Bocce Ball in the Clayton Bocce Ball League.

List three references with phone numbers:

Ed Hartley - home 672-3421, cell 698-4191

Pete Lawrence - 672-6118

Glenn Miller - 673-3369

Keith Haydon
Signature

PLANNING COMMISSION APPLICATION

Received
JUN 9 2011
City of Clayton

All information contained on this application is public record. This includes home address and all phone numbers and this position is required to fill out a Financial Statement of Economic Interest.

Name: Robert Staehle

Date: 6/3/11

Home address: 215 Mountaire Circle Home phone: 925 672 7726

Business phone: 925 672 8600

FAX number: 925 672 4801 if applicable

Length of residence in Clayton: 23 years

E-mail address: bob@draftingboard.com

Present employer: self - VIZf/x and RASNCC Holdings LLC

Occupation: Architect

Education and special training:

B. of Architecture, University of Arizona. '80

Registered Architect.

Self employed since '92, primary focus of firm is on land use entitlements.

Have worked on land use entitlement projects throughout the entire state. Project types have varied from 5000 acre utility usage to residential additions.

Experience and activities, which particularly qualify you for an appointment to the Clayton Planning Commission:

I was a planning commissioner for the City of Clayton in the early '90s. Worked on the Oakhurst development including many of the residential communities and the club house.

I am the architect of record for the proposed Creekside Terrace project located in downtown Clayton.

How do you perceive the role of a Planning Commissioner?

Serve at the pleasure of the City Council. Work with staff to review proposed projects for conformance with the General Plan, special specific planning areas, and other regional, state or national land use laws and practices.

Represent local issues and concerns when working with regional organizations such as ABAG or TransPAC.

Other interests and hobbies:

CEQA regulations as they apply to visual impacts of proposed development.

Photography

Computer based modeling and animation

List three references with phone numbers:

David Woltering, Community Development Director, Clayton 673-7300

Niroop Srivatsa, Community Development Director, Lafayette 284-1976

Suzanne Jones, Preserve Lamorinda Open Space, Moraga 376-9310

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke at the end.

Signature



Agenda Date: 6-21-11

Agenda Item: 10e

Approved:

Gary A. Napper
City Manager/Executive Director

AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: CITY MANAGER

DATE: 21 JUNE 2011

**SUBJECT: CONSIDER CANCELLATION OF ANY REGULAR COUNCIL MEETINGS
SUMMER 2011**

RECOMMENDATION

It is recommended the City Council provide policy direction concerning its collective desire to cancel any regularly-scheduled City Council meetings during the upcoming summer months of July, August or September 2011.

BACKGROUND

Clayton Municipal Code Section 2.04.010 specifies the regular meetings of the Clayton City Council shall be held on the first and third Tuesdays of each and every month.

In previous years, the City Council has canceled one or more of its regularly-scheduled meetings during summer months to accommodate various vacation plans of its elected members. In addition, the workload of City Council business items for action often decreases in the summer months following formal adoption of the annual City and RDA Budgets and the associated procedures to levy the annual special taxes for our several assessment and maintenance districts administered by the City. Various key members of the Management Staff also take planned vacations during the summer months.

In order to provide optimum notice of meeting cancellation to interested members of the public and the development community as well as to arrange placement of agenda matters around the vacation plans of the City Council, this item has been placed on the Agenda for discussion and direction purposes. The action of canceling one or more regularly-scheduled meetings is a matter to be taken in open public session by the City Council.

SUMMER 2011 REGULAR MEETINGS

The following table outlines the upcoming dates for regular City Council meetings in the summer months of 2011:

MEETNG DATE	COMMENTS
Tuesday, July 5th	City response on two Civil Grand Jury Reports. Surveillance camera/vandalism reward report. Solid Waste Franchise Agm't. extension "deal points".
Tuesday, July 19th	Agenda handles a host of annual assessment levies for existing tax districts in FY 2011 – 12, including set & noticed Public Hearings on Street Light & GHAD assessments.
Tuesday, August 2nd	No pressing Agenda Items at this time. (3 rd Civil Grand Jury response due Aug. 24 th) (Interview of city attorney candidates?)
Tuesday, August 16th	No pressing Agenda Items at this time.
Tuesday, September 6th	No pressing Agenda Items at this time. Possible appointment of replacement city attorney. (Labor Day Holiday is Monday, Sept. 5th).

Note: Hearings on the church downtown land use application are expected to commence at the Planning Commission in September/October 2011.

FISCAL IMPACT

There is no real financial impact to the City for cancellation of City Council meetings, except nominal savings for expenses incurred in the preparation, publication and holding of a Council meeting (e.g. staff time, paper and copying expenses, meeting room utilities, video taping of the meeting for cable television replay).

If necessary or if an emergency arises between cancelled meetings, a special Council meeting may always be called by the Mayor with proper notice to members of the City Council, the press, and with fully-required public postings of the Agenda.

Attachments: 1. Calendar Months of July, August & September 2011 (3 pp.)

~ July 2011 ~							Aug 2011 ▶
Sun	Mon	Tue	Wed	Thu	Fri	Sat	
					1	2 Concert	
3	4 4 th of July Parade	5 City Council Meeting	6	7	8	9	
10	11	12	13	14	15	16 Concert	
17	18	19 City Council Meeting	20	21	22	23	
24	25	26	27	28	29	30 Concert	
31	Notes:						

~ August 2011 ~							Sep 2011 ▶
◀ Jul 2011	Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3	4	5	6	
		City Council Meeting					
7	8	9	10	11	12	13	Concert
14	15	16	17	18	19	20	
		City Council Meeting					
21	22	23	24	25	26	27	Concert
28	29	30	31	Notes:			

~ September 2011 ~						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5 Labor Day Holiday	6 City Council Meeting	7	8	9	10 Concert
11	12	13	14	15	16	17
18	19	20 City Council Meeting	21	22	23	24
25	26	27	28	29	30	Notes:

**MINUTES
OF THE
REGULAR MEETING
CLAYTON REDEVELOPMENT AGENCY**

Agenda Date: 6-21-11

Agenda Item: 3a RDA

June 7, 2011

1. **CALL TO ORDER & ROLL CALL** - the meeting was called to order at 8:38 p.m. by Chairperson Pierce in Hoyer Hall of the Clayton Community Library, 6125 Clayton Road, Clayton, CA. Boardmembers present: Chairperson Pierce, Vice Chair Geller, Boardmember Medrano. Boardmembers absent: Boardmembers Shuey, and Stratford. Staff present: Executive Director Napper, Finance Manager Pelletier, Secretary Jackson, and Assistant General Counsel Huguet.

2. **PUBLIC COMMENTS** – None.

3. **CONSENT CALENDAR** It was moved by Boardmember Medrano, seconded by Vice Chairman Geller to approve the Consent Calendar as submitted (Passed; 3-0 vote).

(a) Approved the minutes of the regular meeting of May 17, 2011.

4. **PUBLIC HEARINGS** - None

5. **ACTION ITEMS**

(a) Introduction and consideration of the proposed Clayton Redevelopment Agency Budget for Fiscal Year 2011 – 2012.

The Executive Director stated the Governor is still trying to eliminate Redevelopment Agencies. He stated this year's Redevelopment Agency budget is 6% less than last year due to the downturn in real property assessed valuations. He stated the Agency did many projects long ago and 89% of the money for the Agency is used to retire debt service. He stated this year's bond payment is \$3.5 million. He stated \$32,364 was transferred back from the CIP budget. He stated there are a few projects including the renovation of the Oak Street bridge and a sewer project for El Molino Drive. He stated the Low Moderate Income Housing Fund has \$6 million and that needs to be the primary focus of the Agency. He stated this budget pays for the Concerts in The Grove and the Farmers' Market.

Pete Laurence, thanked the Finance Manager and the Executive Director for preparing the budget. He asked when the debt for the Agency would be retired. The Executive Director stated the agency expects to retire the debt by FY 2013/2014. Mr. Laurence asked how much the City had set aside for affordable housing? The Executive Director responded the City has \$6 million set aside. Mr. Laurence suggested the City consider purchasing homes in Clayton for the program because of the good prices in the market.

The Executive Director stated people are realizing it is a good time to buy in Clayton. He stated the Agency is working with an affordable housing group and stated the Creekside terrace project has had interest for live/work situations. He stated the timing is right to look at real properties.

It was moved by Boardmember Medrano, seconded Vice Chairman Geller to instruct the Executive Director to prepare the Budget for Public Hearing and adoption at its June 21st meeting (Passed; 3-0 vote).

6. **BOARD ITEMS** – None.

7. **ADJOURN** – on call by Chairperson Pierce the meeting adjourned at 8:55 p.m.

Respectfully submitted,

Laci J. Jackson, Secretary

Clayton Redevelopment Agency Board

Julie K. Pierce, Chairperson



Agenda Date: 6-21-11

Agenda Item: 4a RDA

Approved:

Gary A. Napper
City Manager/Executive Director

AGENDA REPORT

TO: HONORABLE CHAIR AND BOARDMEMBERS

FROM: EXECUTIVE DIRECTOR

DATE: 21 JUNE 2011

SUBJECT: ADOPTION OF FY 2011-12 AGENCY BUDGET

RECOMMENDATION

Following the conduct of the Public Hearing and receipt of public comments on the proposed Agency Budget, it is recommended the Board of Directors of the Clayton Community Redevelopment Agency adopt the prepared Resolution approving the Agency's planned operating and capital improvement budgets for Fiscal Year 2011-2012.

BACKGROUND

At its regular meeting of 07 June 2011, the Board of Directors received a presentation and reviewed the proposed operating and capital budgets of the Redevelopment Agency for the fiscal year commencing 01 July 2011. The operations of the Agency are primarily split between two (2) funds: the Redevelopment Project Budget [the 80% discretionary use fund] and the Redevelopment Housing Budget [the 20% mandatory set-aside fund for affordable housing purposes]. The budgetary details of these two (2) funds are further explained and shown in Attachment 2, the Agency's Budget Message.

Now protected from further statewide "shifts" of local tax increment from the Agency due to voter passage of Proposition 22 in November 2010, the Agency is not under compulsion to contribute anymore SERAF (Supplemental Education Revenue Augmentation Fund) "donations" to the State to assist its chronic budget deficits and aid its obligation to fund public education (from the same source of property taxes). The absence of this oppression frees the Agency to barely meet its own debt service this coming fiscal year (\$3.5 million) plus fund minimal program and operating expenses. The net result is a treadmill rolling to the conclusion of the Agency's activities sometime in FY 2013-14 when debt service

retirement meets the voluntary expenditure cap of \$55 million. Still, in order to accomplish this fiscal plan next year, the Agency must call for the transfer back of **\$32,364** from the City's Capital Improvement Project (CIP) Budget to reconcile the forged financial course. Agency operations may continue this fiscal year but no new capital project monies are available to address the Agency's mission to cure blighted conditions, bolster economic development and create jobs.

The Affordable Housing Fund of the Agency will accumulate a total of \$6.0 million for use in the facilitation of low-to-moderate income housing within the Project Area. These affordable housing monies must be targeted to address affordable housing opportunities (note: actual production of housing units) for low and very-low income households, as required by California Redevelopment Law. Effort must be sustained to promote the inclusion of affordable housing units in residential projects which come before the City, and to seek partnership with non-profit or profit development firms interested in the construction of affordable housing projects within the Project Area. The Agency looks favorably at the opportunity to work with a future developer of the Creekside Terrace project in the Town Center to assist in making its 7-8 units of second floor housing available to affordable income households. Agency staff met recently with a proven affordable housing corporation interested in pursuing the merits of a 35-unit low-income affordable housing project (rental units) on private lands buffering the Town Center area.

SKIRMISH WITH DEATH

Frustrated by its voter-blocked ability to further divert redevelopment agency revenues to its State Budget annual gaps, Governor Brown threatened to outright eliminate redevelopment agencies altogether in January 2011. After five (5) months of legislative negotiations and posturing, the Democratic-controlled majorities in the State Senate and State Assembly passed a State Budget bill on June 15th that called for draconian measures to eliminate redevelopment agencies and then allow each to resurrect themselves by agreeing in FY 2011-12 to "voluntarily" make payments of local tax increment revenues to the State in exchange for agency continuance (thereby sidestepping Prop 22 due to the "voluntary" nature of the payment). The bills (AB 1 x26 and AB 1 x27) passed partisan format in the Senate by votes of 21-19 and in the Assembly by votes of 51-23 & 47-28. The "extortion" payment of **\$1.7 billion** expected from all redevelopment agencies for the resurrection option is likely hollow and Clayton's share could possibly be \$1.7 million (based on past ratios).

Given the magnitude of the extortion payment ongoing in future years (\$400 million statewide in subsequent fiscal years) coupled with a mandatory provision the agency's city obligate itself to make all future payments in behalf of the agency should the agency fail or lack funds to do so, a serious decision awaited the Agency Board [and City Council] on whether to fold operations next year or try to stay alive. And yet, before those options could be drafted, Governor Brown announced on June 16th that he would veto the State Budget approved on June 15th by the State Legislature. Consequently, an Agency/City decision

whether to pull the plug or breathe with a ventilator has been postponed. It remains disconcerting the budget trailer bills which were passed by the State Legislature to eliminate redevelopment agencies were not submitted to the Governor and are not part of his intended Budget veto. Therefore, the state's elimination of redevelopment agencies remains very much alive in Sacramento; remember it was the Governor's original idea in January 2011 to terminate local redevelopment agencies. The watch continues even as we must press forward to act responsibly and adopt an Agency Budget for next year based on the best and actual information at this date.

It is indeed unfortunate and discouraging the prevalent thought remains in Sacramento that the elimination of redevelopment agencies, their missions and legacy of accomplishments are matters deemed frivolous in a state desperate to create new jobs, promote economic health and development, and to install capital and infrastructure improvements which enhance and elevate the overall quality of life in a community and in the state.

CONCLUSION

The enactment of the prepared Resolution will allow planned operations of the Clayton Community Redevelopment Agency to continue for the ensuing twelve-month fiscal year that will end on 30 June 2012. Modifications to the Agency's Budget may be enacted, and likely be necessary, during the next few months and over the course of the fiscal year based on final budgetary acts of the State of California.

- Attachments:
1. Resolution adopting RDA Budget [2 pp]
 2. June 7, 2011 Budget Message and Budget Detail [11 pp.]
 3. Pie Chart [1 pg.]

AGENCY RESOLUTION NO. - 2011

**A RESOLUTION ADOPTING THE ANNUAL BUDGET FOR THE CLAYTON
COMMUNITY REDEVELOPMENT AGENCY FOR THE 2011 – 2012
FISCAL YEAR BEGINNING 01 JULY 2011 AND ENDING 30 JUNE 2012,
AND DECLARING THE 2011 – 2012 GANN APPROPRIATIONS LIMITATION**

**CLAYTON REDEVELOPMENT AGENCY
City of Clayton, California**

WHEREAS, on 07 June 2011 the Executive Director had prepared, submitted and presented to the Board of Directors for the Clayton Community Redevelopment Agency a proposed budget for operation of the Agency in the fiscal year commencing 01 July 2011; and

WHEREAS, for 21 June 2011, a Public Hearing was set and duly held on the proposed Agency Budget and opportunities were provided accordingly for members of the public to offer comments and input on the fiscal plan presented; and

WHEREAS, after due consideration and review, the Board of Directors finds it is in the best interests of the general health, welfare and safety of this Agency, its citizens and businesspersons to adopt a financial plan governing the receipt and expenditure of public monies in Fiscal Year 2011 – 2012.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Clayton Community Redevelopment Agency of Clayton, California, does hereby adopt the budget tax increment [revenue] by fund for the Clayton Community Redevelopment Agency for the fiscal year beginning 01 July 2011 and ending 30 June 2012 as follows:

<u>FUND</u>	<u>2011-2012 GROSS REVENUES</u>
Redevelopment Project Fund – No. 301	\$ 4,016,933
Affordable Housing Fund – No. 302	<u>\$ 1,230,770</u>
TOTAL REVENUE:	\$ 5,247,703; and

BE IT FURTHER RESOLVED that the budget appropriations by fund for the Clayton Community Redevelopment Agency for the fiscal year beginning 01 July 2011 and ending 30 June 2012 are adopted as follows:

<u>FUND</u>	<u>2011-2012 APPROPRIATIONS</u>
Redevelopment Project Fund – No. 301	\$ 4,016,933
Affordable Housing Fund – No. 302	<u>\$ 567,765</u>
TOTAL APPROPRIATIONS:	\$ 4,584,698; and

BE IT FURTHER RESOLVED the appropriations above constitute the Agency Budget for the 2011-2012 fiscal year and the Executive Director is authorized to transfer appropriations within the control accounts as deemed necessary provided no change is made in the total amount designated for any of the funds; and

BE IT FURTHER RESOLVED that in the 2011-2012 Budget document adopted herein, pursuant to Senate Bill 1972 (Campbell; Chapter 1342, 1980 Statutes), it is hereby deemed that any tax increment revenue received by the Clayton Community Redevelopment Agency is not the receipt of proceeds of taxes by or on behalf of the Clayton Community Redevelopment Agency within the meaning or for the purposes of Article XIII B of the California Constitution nor of any other public body nor pursuant to any statutory provision enacted implementing Article XIII B; and,

BE IT FURTHER RESOLVED that the Board of Directors does hereby determine it has complied with all of the provisions of Article XIII B in determining the annual appropriations limit for the Fiscal Year 2011-2012 and there are no appropriations subject to limitation in Fiscal Year 2011-2012 for the Clayton Community Redevelopment Agency.

PASSED, APPROVED AND ADOPTED by the Board of Directors of the Clayton Community Redevelopment Agency of Clayton, California during a Public Hearing at a special public meeting thereof held on the 21st day of June 2011 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

THE BOARD OF DIRECTORS

Julie K. Pierce, Chairperson

ATTEST:

Laci J. Jackson, Secretary

PROPOSED BUDGET
2011 – 2012

CLAYTON REDEVELOPMENT AGENCY

BOARD OF DIRECTORS

JULIE K. PIERCE, CHAIR
HOWARD GELLER, VICE CHAIR
JOSEPH A. MEDRANO, BOARDMEMBER
DAVID T. SHUEY, BOARDMEMBER
HANK STRATFORD, BOARDMEMBER

* * *

PROPOSED BY:

GARY A. NAPPER, EXECUTIVE DIRECTOR

* * * * *

PREPARED BY:

MERRY PELLETIER, FINANCE MANAGER

CITY OF CLAYTON, CALIFORNIA
94517
www.ci.clayton.ca.us

BUDGET MESSAGE

TO: HONORABLE CHAIR AND BOARDMEMBERS
FROM: EXECUTIVE DIRECTOR
MEETING DATE: 07 JUNE 2011
SUBJECT: PROPOSED REDEVELOPMENT AGENCY BUDGET
FISCAL YEAR 2011-2012

RECOMMENDATION

Following introduction and presentation of the proposed Budget for the Clayton Redevelopment Agency in FY 2011-2012, it is recommended the Board provide any policy direction or changes accordingly, and then instruct staff to prepare the Budget for public hearing and adoption at the 21 June 2011 regular public meeting.

BACKGROUND

Formed under California Redevelopment Law, the Clayton Redevelopment Agency receives tax increment revenue from real property taxes collected each year within the Redevelopment Agency's project boundaries. As required by law, the minimum 20% of the tax increment revenue is "set aside" for programs enacted by the Board to facilitate affordable housing opportunities within Clayton for qualified, low to moderate income households.

The remaining 80% is available for Agency programs and activities consistent with its Project Plan and its 5-Year Implementation Plan (2008-2013) primarily focused at curing and improving blighted conditions and spurring private economic development opportunities on real properties that exist within the Agency's Project boundaries. Monies of the Agency cannot be used to fund on-going operations or maintenance of facilities, infrastructures or programs of the Agency or the City of Clayton, except to pay expenses necessary to administer the Agency's Plan (e.g. staff time, legal counsel, office expenses, etc.). In addition, with limited exceptions the Agency cannot expend monies on projects *outside* its Project Area (Note: the Redevelopment Project Area *is not* co-terminus with the City's boundary. For example, most of Oakhurst Development and all of Dana Hills are not within the Redevelopment Agency's Project Area).

Since its creation, the Clayton Redevelopment Agency implemented a host of capital improvement projects that have been paid for using previous revenue bond issuances of the Agency. This issued and incurred debt must first be serviced using the annual tax increment revenues flowing to the Agency each year. Despite this sizeable debt load, in recent years the Agency has managed to use smaller portions of its annual tax

increment revenues to implement improvement projects (e.g. old Marsh Creek Road retaining wall) and to stimulate Town Center economic development (e.g. acquisition of land and construction of enlarged municipal parking lot adjacent to Endeavor Hall; acquisition of land for private development of Flora Square; applicant of Creekside Terrace mixed-use commercial project).

However, retiring debt represents the ever-increasing percentage of the Agency's expenses as the Project Area's time project activities limitation matures toward its 45-year expiration date in July 2027. That debt service obligation becomes even more crucial as assessed valuations within the Project Area have been stressed by the economic downturn. The approved Agency Plan self-imposed a \$55 million tax increment revenue cap on Discretionary Project monies that may be attained earlier than expected in the Year 2013-14 (ref. Agency 5-Year Plan).

REDEVELOPMENT AGENCIES UNDER ATTACK

Pierced by continuing wounds to the tax increment revenue streams to duly-adopted redevelopment agencies, the Clayton Redevelopment Agency over the last two fiscal years tendered a total of \$2.37 million to the State of California in the name of legislated underwriting of the Supplemental Educational Revenue Augmentation Fund (SERAF). Frustrated by repetitive mortal gashes to local plans addressing blight and stimulating local economic development jobs and construction, redevelopment agencies were no longer content to idly stand by and watch local monies be diverted for State deficit obligations. An initiative ballot measure qualified for the November 2010 statewide election that would close this "theft" loophole and prevent further State actions to shift redevelopment agency local revenues (and other local tax monies). The ballot measure was named the "Local Taxpayer, Public Safety and Transportation Protection Act", and became Proposition 22.

Voters statewide discerned the merits of keeping local tax monies in their community and overwhelmingly endorsed passage of Prop 22 with a 61% affirmative vote. Fresh off the battlefield in November 2010 with that Prop 22 victory, redevelopment agencies throughout California breathed a sigh of relief and actually began to once again look forward to budgets that would not have huge chunks of revenue reserved for their SERAF pain. Then, in January 2011, a besieged Sacramento, licking a \$26 billion deficit, launched a surprise 32-pounder cannon shot across the desks of redevelopment agencies; newly-elected Governor Brown called for the outright elimination of redevelopment agencies effective 01 July 2011. No longer were redevelopment agencies merely threatened by State takeaways – the State intended to foreclose the operation of redevelopment agencies, use the local tax monies for certain State purposes and forcing the balance of local property tax increment to flow back to public schools and other taxing entities.

Instantly declared unconstitutional and in direct opposition with voter desires through Prop 22, the Governor failed to muster the Legislature votes to terminate agencies. Battle cries of “reform” and “mend, not end” wafted through the victory ramparts as agencies once again felt the heat of extinction. Even now, the Governor’s “May Revise” budget statement held firm his goal of exterminating the redevelopment pest while other legislators authored bills (SB 286, AB 1250) aimed on collaring redevelopment agencies into submission. Despite the predominant good agencies have instituted locally and statewide, the very existence of this beneficial economic engine in California was now an anathema to its founding fathers.

While Prop 22 now provides the clear line of defense barring the State from taking any more redevelopment agency monies, the very fate of redevelopment life now hangs in the smelly fog of this battlefield. Within the last month the State Legislative Counsel Bureau issued a legal opinion that concluded the practice of the State reimbursing itself with local property tax dollars violates Section 1 of Article XIII A of the California Constitution because the required apportionment of property tax funds in each county to the [local tax] districts is restricted. Governor Brown’s earlier purpose to terminate redevelopment agencies in order to send \$1.7 billion to the State in 2011-12 as reimbursement for trial court and health care services violates this provision. And yet, like the ill-fated Pickett’s charge at Gettysburg in 1863, history repeats itself with the Governor’s continued hard line stance to end redevelopment agencies.

At this point in the annual budget calendar, local public agencies must assemble a financial plan of action by June 30th to approve a budget for the ensuing fiscal year of 2011-12. Amidst these uncharted waters, the Agency’s Budget is submitted for review and Board action.

PROPOSED REVENUE

In FY 2011-2012, it is estimated the Agency will receive *gross* tax increment revenues [secured local property tax] of \$4,956,336; folding in projected interest earnings (\$35,000), program revenues and certain internal loan repayments brings the gross revenue total to \$5,215,339. This amount is slightly less (\$332,157; - 6%) than our revenue receipt projection for last year’s budget yet is understandable due to revenue linkage with real property assessed valuations.

Our Project Area unfortunately mirrors the general downturn in local housing market values and resale of land within its boundaries. Real property attritions and foreclosures that occur within the Project Area trigger assessed valuation readjustments, after being artificially compressed under Proposition 13. As forced or foreclosed private property sales occur in this depressed economy, the new assessed values are generally lower than its previous market value. That creep in lowered real property values within the Project Area is softly counter-balanced by long-held Clayton properties turning ownership which result in higher assessed valuations. However, the net effect is a

negative revenue trend over several years for the Agency, and one that has no growth potential to offset the State's nefarious taking of local revenues.

The Agency's total revenue projection is illustrative of what our Agency is allotted *before* tax increment is siphoned for our pre-negotiated "pass throughs" to other taxing public entities within our jurisdiction (e.g. school district, community college district, etc.). As our Agency's maturation marches on, these predetermined formulas escalate in size as to the amount of property tax increment that is released back to the underlying taxing entities. In Fiscal Year 2011-12, the combined "pass-throughs" total \$1 million, the fifth (5th) year of full allocation to other underlying taxing entities. In other words, public education entities already receive 20% of the gross secured property tax revenue of the Agency!

The State of California has stared-down an initial \$26.6 billion deficit to a \$10 billion deficit at the Governor's 2011 "May Revise" statement, which reduced deficit number includes an allocation to the State's reserve. The Governor is serious about reducing the long-deferred debt of the state, and likewise this redevelopment agency is serious about retiring its pre-obligated debt service. As the Agency is in the twilight of its existence due to the approaching revenue cap limit of \$55 million, much of the Agency's budget now manages debt service retirement. Fortunately with Prop 22's passage, this year the Agency is not plagued by a hungry State looking to divert local revenues to its vault.

In summation, of the Agency's gross revenue stream, approximately \$3.18 million (61%) flows to our Agency's Discretionary-use Fund (No. 301) while the balance of \$1.03 million (20%) is deposited in our state-required Low-Moderate Income Housing Fund (LMI Fund No. 302). Charting the pathway of secured tax revenue, "pass throughs" and "State takeaways", the Table below illustrates our Agency's available net revenues:

	<u>DISCRETIONARY FUND</u>	<u>LMI HOUSING FUND</u>
Gross Revenues	\$3,984,569	\$1,230,770
Negotiated "Pass Throughs"	(800,000)	(200,000)
State "Take Aways"	-0-	-0-
NET REVENUE	\$ 3,184,569	\$ 1,030,770

These net revenues represent the funds available to the Agency this year for bond calls, capital improvement projects, operations, affordable housing opportunities and to pay the Agency's internal loan schedules.

PROPOSED EXPENDITURES

Using the net revenue expectations calculated above, the Agency turns to expenditure of the tax increment to accomplish the multi-faceted objectives within the Redevelopment Project Area.

A. DISCRETIONARY FUND NO. 301 (80%)

1. Local Obligation Expenditures – Debt Service

Through previous actions of the Agency over the course of its life, the Board obligated a large portion of its future revenue stream to retire debt service via its 1993 revenue bond issuance (ref. Fund No. 401). This traditional action to capitalize the Agency created immediate monies for the Agency to expend on selected priority projects. A significant portion of the net revenue stream noted above is therefore pre-obligated to retiring debt service payments this year of \$2,100,921. Over the course of years, the Agency has refinanced this debt several times to obtain more favorable interest rates to lower the annual repayment of principal and interest.

The Discretionary Fund of the Agency is the only account that previously issued debt; it has not been necessary to date for the Affordable Housing Fund to issue debt for an affordable housing opportunity. However, as discovered last year, by omission since creation the Agency did not remit monies reflecting the 2% Election of the City during the formation of the Agency. Consequently the Board obligated the Agency to pay the City its debt over a 4 year period. A transfer to the City's General Fund (Acct. 8101) in the amount of \$100,380 represents the Agency's first year of payment. Further, in order to pay the State its ordered SERAF portion in FY 09-10 of \$1.966 million, the Agency held insufficient funds of that magnitude. It therefore "borrowed" \$592,412 from the LMI Fund's reserves (as allowed by state law) to fulfill the order, and by law that internal loan must be repaid by June 2015. In that regard, the Agency's second year repayment of that internal LMI SERAF loan (over 4 years) is included in this year's budget (equals \$148,103).

And of final note: starting at the end of FY 09-10 (\$334,867) and continuing to the close of FY 10-11 (\$140,214), the Discretionary Fund has operated in the red by an accumulative \$475,081. Therefore it is necessary for the Agency to halt that bleeding now that Prop 22 is in effect and no more SERAF takeaways are in play.

By necessity then, the Agency's Project Fund this year is essentially gutted by the deadly combination of operating debt, debt service and loan obligations amounting to 89% of available net revenues before operating and program budgets can be addressed.

2. Agency Management and Operations

Since our Redevelopment Agency does not employ separate staff or use a separate governing body, the fixed assets, facilities and personnel of the City of Clayton are shared to more efficiently administer and effectively manage the operations of our Agency. In order to compensate the City of Clayton for the Agency's work allocations, an annual transfer of funds has historically

been tendered by the Agency to offset incurred administration expenses through the course of the fiscal year. The proposed Budget calls for the same amount set three years ago of \$275,000, equating to a 6.8% overhead charge relative to this Fund's gross revenue stream.

An additional \$117,449 is budgeted for direct expenses of the Agency to cover costs and desired program expenses:

A. The County's fee for property tax administration charges (\$43,000), advertising/promotion of the Agency's programs (\$4,074 in Yellow Page ads for Endeavor Hall rental, audit services (\$1,500) and specialized legal services (\$15,000).

B. An annual operational expense of the Agency has been monies to promote the Clayton Town Center via the seasonal "Concerts in The Grove" series and Clayton's Farmers' Market (\$23,000).

C. A fixed interest payment of \$30,875 that represents repayment to the City for its construction loan on the County Fire District Station relocated and built within the Town Center area (Center Street).

After addressing the required internal debt service, bond call and operational obligations of the Agency, the summation is the Discretionary Fund is in an annual deficit position of **\$32,364** that must be cured this year. It is proposed, as was done in previous years faced with a deficit situation, the Agency reverse a transfer of tax increment revenues to the City's Capital Improvement Project (CIP) Budget of \$32,364 from CIP No. 10400 – Downtown Economic Development Fund. Line Account 6003 (Fund 310) attends to this action. Although there are other calls for use of CIP No. 10400 monies in the City's proposed Budget, there are sufficient funds remaining (over \$1 million) to cover this reverse transfer.

3. Discretionary Projects (CIP)

Therefore, given this depressing set of facts, the Agency will not have any annual revenues projected this coming year for allocation to approved programs or new projects.

In order to receive the maximum allocation of tax increment allowed under California Redevelopment Law, our Redevelopment Agency must demonstrate sufficient debt and capital improvement project allocation. Therefore, it is the antithesis for the Agency to accumulate large unallocated reserves (fund balances/retained earnings).

B. AFFORDABLE HOUSING FUND NO. 302 (20%)

Our Agency continues to have retained equity available to address needs in the facilitation and availability of affordable housing stock in its Project Area. As noted above under Proposed Revenue, the *net* revenue for FY 2011-2012 in the Affordable Housing Fund is \$1,030,770 or \$124,991 more than the \$905,779 budgeted last year +14%). Affordable Housing set-aside funds, to this date, have not been a target of the Governor's call to eliminate redevelopment agencies; rather, any LMI cash assets would default to an undefined "inheritor" agency or to the county's affordable housing program.

1. Agency Management and Operations

Operational expenses of the Agency to administer the state-required Housing Set-Aside Program equal \$17,670, down by 70% from last year's budget of \$59,689 since the Agency has completed its consultant's work for a new City Housing Element. It is proposed the Agency transfer the same annual payment for the last three years of \$125,000 to the City for overhead, facility expenses and staff time incurred in the on-going administration of our affordable housing programs, units and projects (12% overhead rate).

City staff spends considerable time managing the agreements and obligations of the Stranahan affordable housing units, the Diamond Terrace Senior Housing Project and monitoring the Kirker Court Apartments. During the last year, staff personally handled the Agency's temporary ownership of three (3) single-family affordable housing units within our Project Area, has one affordable home in escrow for sale to a qualified family, and expended considerable time attempting to resell units in a downturn housing market. The Agency has been successful in re-marketing these units to the Low Income category household, step downs that required further Agency subsidy into the home in contrast to the Moderate Income category. Each of these transactions involves real estate escrow, home inspection and repairs, and extensive documentation to maintain the 45-year affordable housing covenant. The Agency expects to deal with additional purchases and re-sales in the coming fiscal year.

2. Local Obligation Expenditure

The Agency has a contractual payment of \$200,000 each year for the next two (2) years as additional direct support to the successful Diamond Terrace affordable housing project for qualified seniors (ref. Expense Acct. 7520). Its remaining obligation of \$400,000 must be deleted from the ending Fund Balance of \$6,428,308 (leaving a net unreserved balance of \$6,028,308 projected on 30 June 2012).

3. Second Year Installment of 2% Election Monies Owed City

As noted above during the Discretionary Fund discussion, the Agency owes the City a total of \$501,898 in missed 2% Election monies from the Agency's tax increment revenue flow since 1988. Proportionately, the monies due went to each Agency Fund in the 80% - 20% split. Therefore, the Affordable Housing Fund's share is 20% of the annual 4-year installment payment of \$125,475, which accounts for the \$25,095 expense item in Acct. 8101.

4. Affordable Housing Projects

No monies are shown for expense at this time as the Agency has no automatic affordable housing project it is presently undertaking. Therefore, the balance of annual Affordable Housing monies (\$663,005; 64% of the net revenue flow) drops into the Fund's restricted-use reserve. This amount includes the LMI Fund's receipt of \$148,103 in "borrowed" monies from the Agency's Discretionary Fund for previous payment of its SERAF obligation.

In the City's adopted and State-certified Housing Element, certain programs are identified as relying on the Agency's affordable housing monies to assist in the production of affordable housing units and qualified secondary dwelling units within the Project Area. Furthermore, private developments (e.g. second floor units in the Creekside Terrace Project) within the Downtown area may surface in this fiscal year offering a partnership opportunity for the Agency to advance its mission in this objective. Agency staff is also presently working with an affordable housing project firm for consideration of land assemblage and the construction of affordable units in the Town Center area.

As housing units become available within the Project Area suitable for our Affordable Housing Program and related resale restrictions (e.g. Stranahan Subdivision), the Agency will utilize this Fund's reserve balance to further its mission in this regard. The Agency's 5-Year Implementation Plan also provides a roadmap for allocation of this money to facilitate affordable housing opportunities in Clayton for all generations.

C. REDEVELOPMENT DEBT SERVICE (FUND NO. 401)

As noted previously, annual tax increment is diverted from the Discretionary Project Fund to cover the Agency's payment of its previously-issued annual debt service obligations. For FY 2011-2012, a huge bond call of \$3,110,000 in principal plus interest due of \$413,663 is proposed; the total debt service payment then becomes \$3,523,663.

The Agency's annual debt service liability is met for the coming fiscal year:

a.	Principal Owed	\$3,110,000
b.	Accrued Interest	\$ 413,663
c.	Debt service agent fees	\$ 5,365
d.	Professional service fees	\$ 2,900
	Total:	\$3,531,928

Fund 301 will transfer \$2,100,921 from this year's budget to Fund 401 – Debt Service to assist in this debt obligation and the balance due of \$1,429,507 is contributed by the Debt Service's reserve balance from the close of FY 2010-11. The Debt Service Fund also posts interest earnings of \$1,500 that is applied to the payment.

The Agency is maximizing the amount of its bond calls in FY 2011-12 in accord with available resources to deter the Agency from reaching its \$55 million cap as long as possible. By exercising this strategic plan option, the Fund's unallocated closing balance on 30 June 2012 will be zero (\$0). It is expected next fiscal year the Agency will not have this level of resources to institute bond calls of this magnitude.

SUMMATION

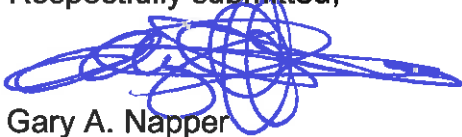
Although the Agency technically has 16 years remaining for its Project Activity, the voluntary cap of \$55 million in discretionary project revenues is fast approaching and could land at our doorstep in three (3) years. Fortunately, the Agency has made significant improvements already throughout its defined Project Area and the Clayton community has been greatly served by its existence and operation as opposed to allowing nature to run its course. The Clayton Town Center enjoys much of the financial attention of the Agency and has become the gathering place for the community. Residential neighborhoods have long forgotten the considerable municipal sewer projects installed by the Agency, and The Grove Park and the Clayton Community Gym are proud assets of the town. Significant satisfaction is derived whenever the Agency hands over the house keys to a delighted family as they engage in the American dream of home ownership in the city of Clayton through our Affordable Housing Program. Each household expresses universal gratefulness for being able to live in such a wonderful small town setting as Clayton.

Looking forward, much of the Agency's continued work effort centers on the challenge of courting the construction of new affordable housing units within the Project Area. Redevelopment agencies, like municipalities, facilitate and do financially assist the development community to perform the actual construction of affordable housing units but it is private investment that pushes such goals into reality. The Agency has set the table in this regard with the fully-permitted Creekside Terrace Project on Oak Street in the Clayton Town Center, primed for a developer to construct this mixed-use development with seven (7) units on the second floor. Such arrangement is ideal for the historic use of "live above – work below" entrepreneurs and small business incubators.

Through its certified Housing Element which the Agency helped prepare, the City is in the process of re-designating appropriate lands to nurture the private development of affordable homes for all types of professionals in this employment region (e.g. public safety; teachers). To that end, approximately \$6 million remains available in the Agency's LMI Fund to partner with the right developer who sees the community of Clayton as we do: a very desirable town in which to live, raise a family, and/or retire. Since the Agency's tax increment discretionary funds are now wholly tied to servicing previously-issued debt and internal "loans" caused by State SERAF shifts, the future is brightest in its mission to provide affordable housing opportunities.

Staff looks forward to these challenges in FY 2011-12 with the Board of Directors as together we continue the legacy of building and maintaining a quality community.

Respectfully submitted,



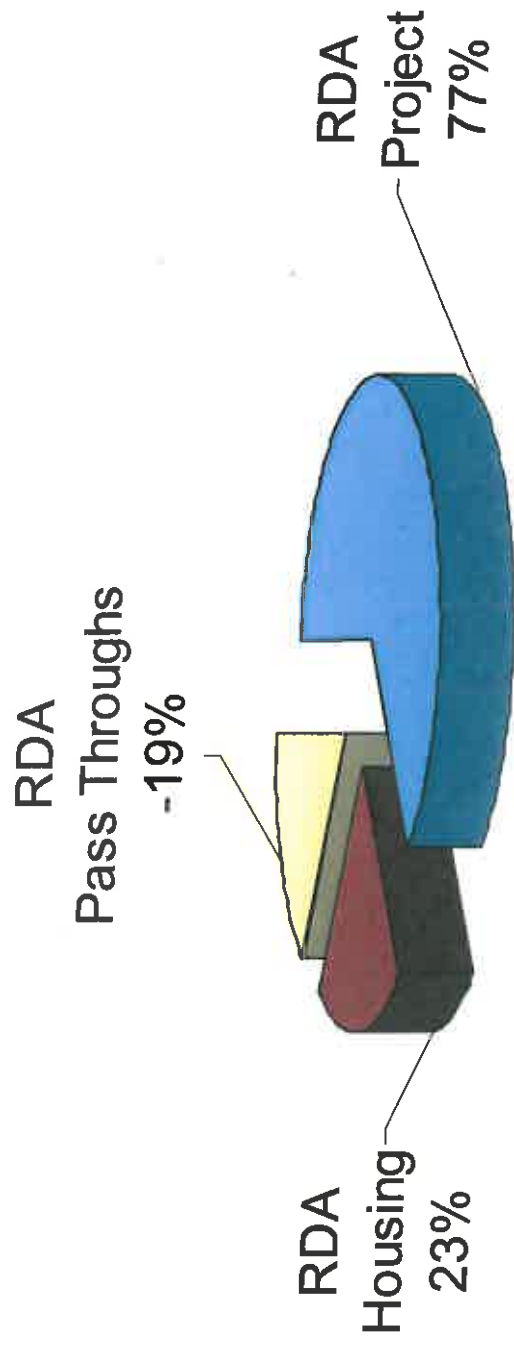
Gary A. Napper
Executive Director

Attachment: Proposed Agency Budget for FY 2011-2012 [1 pp.]

CITY OF CLAYTON REDEVELOPMENT AGENCY FUND ADOPTED BUDGET

Account Number	Account Name	Redevelopment Projects Fund 301			Redevelopment Housing Fund 302			Redevelopment Debt Service Fund 401			RDA Recap		
		2009-10 Actual 6/30/2010	2010-11 Projected 6/30/2011	2011-12 Adopted Budget	2009-10 Actual 6/30/2010	2010-11 Projected 6/30/2011	2011-12 Adopted Budget	2009-10 Actual 6/30/2010	2010-11 Projected 6/30/2011	2011-12 Adopted Budget	2009-10 Actual 6/30/2010	2010-11 Projected 6/30/2011	2011-12 Adopted Budget
7361	Advertising	605,674	4,074	4,074	-	-	-	-	-	-	3,236	4,074	4,074
7362	City Promotional Activity	-	5,276	-	-	-	-	-	-	-	-	5,276	-
7381	Property Tax Admin Cost	-	42,349	43,000	-	-	-	-	-	-	-	52,936	-
7389	Misc. Expenses	44,167	-	-	11,042	10,537	10,746	-	-	-	55,209	-	53,746
7413	Special Legal Services	855	-	-	-	-	-	-	-	-	855	-	-
7414	Auditing Services	2,601	13,000	15,000	2,615	1,000	1,000	-	-	-	5,216	14,000	16,000
7419	Other Prof. Services	1,490	1,500	1,500	-	-	-	-	-	-	1,490	1,500	1,500
7520	Project/Program costs	16,631	6,620	-	22,916	14,873	5,924	-	-	-	39,547	21,493	8,824
7611	Principal	29,596	22,986	23,000	200,744	585,764	200,000	-	2,900	2,900	230,340	608,750	223,000
7612	Interest Payment	-	-	-	-	-	-	-	-	-	-	-	-
7613	Paying Agent Fees	30,875	30,875	30,875	-	-	-	2,045,000	2,195,000	3,110,000	-	-	3,110,000
7998	County Pass Throughs	-	-	-	-	-	-	551,828	381,638	413,863	-	-	444,538
7999	State Take Aways	808,477	796,697	800,000	202,119	199,174	200,000	5,365	5,365	5,365	30,875	30,875	5,365
8101	Transfer to General Fund	1,374,542	404,961	-	-	-	-	-	-	-	-	-	-
8106	Transfer to RDA Debt	275,000	275,000	275,000	-	-	-	-	-	-	1,010,596	996,871	1,000,000
8111	Transfer to CIP Fund	2,604,143	2,851,085	2,100,921	125,000	125,000	125,000	-	-	-	1,374,542	404,961	-
8101	Transfer to General Fund 2% Election	702,873	-	-	-	-	-	-	-	-	400,000	400,000	400,000
8118	Transfer to LMI Housing Fund	-	100,380	100,380	-	-	-	-	-	-	2,604,143	2,851,085	2,100,921
	Total Expenses	-	-	-	-	25,095	25,095	-	-	-	702,873	-	-
	Revenues	6,486,897	4,554,813	4,554,813	564,436	961,493	567,765	-	-	-	-	125,475	125,475
	Annual Balance (Shortfall)	5,546,356	4,414,599	4,016,933	1,271,323	1,132,897	1,230,770	2,605,093	2,584,904	3,531,928	6,458,921	-	148,103
	Ending Fund Balance	(940,541)	(140,214)	475,080	706,887	171,404	663,005	2,608,828	2,853,286	2,102,421	6,817,678	5,516,306	7,641,546
		(334,867)	(475,081)	(0)	5,593,899	5,765,303	6,428,308	3,735	268,382	(1,429,507)	(233,654)	299,572	5,247,703
								1,151,125	1,429,507	(0)			(291,421)

Clayton Redevelopment Agency Program Revenues 2011-12



**MINUTES
REGULAR MEETING
OAKHURST GEOLOGIC HAZARD ABATEMENT DISTRICT (GHAD)
December 7, 2010**

Agenda Date: 6-21-11
Agenda Item: 3a GHAD

1. **CALL TO ORDER AND ROLL CALL** – the meeting was called to order by Chairman Geller at 8:47 p.m. Boardmembers present: Chairman Geller, Vice Chairman Shuey, Medrano, Boardmembers Pierce and Stratford. Staff present: City Manager Napper, General Counsel Adams, District Manager Rick Angrisani, and Secretary Jackson.

2. **PUBLIC COMMENTS** - None.

3. **CONSENT CALENDAR** – It was moved by Vice Chairman Shuey, seconded by Boardmember Stratford to approve the Consent Calendar as submitted (Passed; 5-0 vote).

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

5. **ANNUAL REORGANIZATION OF THE BOARD OF DIRECTORS**

(a) Nominations and election of Chair

Chairman Geller opened nominations.

Boardmember Shuey nominated Hank Stratford for the position of Chair. No other nominations were received. Chairman Geller called for the vote to elect Hank Stratford as Chairperson (Passed; 5-0 vote).

(b) Nominations and election of Vice Chair.

Chairman Stratford opened nominations for Vice Chair.

Boardmember Pierce opened nominated Joe Medrano for the position of Vice Chair. No other nominations were received. Chair Stratford called for the vote to elect Joe Medrano as Vice Chair (Passed; 5-0 vote).

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

7. **ADJOURN**- on call by Chairman Stratford the meeting adjourned at 8:50 p.m.

Respectfully submitted,

Laci J. Jackson, Secretary

Approved by Board of Directors
Geologic Hazard Abatement District

Hank Stratford, Chairman



Agenda Date: 6-21-11
Agenda Item: 5a. GHAD

GHAD STAFF REPORT

TO: HONORABLE CHAIRPERSON AND BOARD MEMBERS

FROM: RICK ANGRISANI, DISTRICT MANAGER

DATE: JUNE 21, 2011

**SUBJECT: CONSIDERATION OF DISTRICT BUDGET FOR FY 2011-12 AND
RESOLUTION OF INTENTION TO LEVY ASSESSMENTS**

RECOMMENDATION

Approve budget and resolution of intention.

BACKGROUND

The attached Budget Report for FY 2011-12 has been prepared and submitted for the Board's consideration.

If the proposed budget and assessments are acceptable to the Board, it is recommended that the Board approve the attached resolution approving the budget, announcing the Board of Directors' intention to levy assessments, setting July 19, 2011 as the public hearing date, and directing the mailing of notices to affected property owners.

FISCAL IMPACT

Since the property owners within the GHAD voted against any significant increases in the annual assessment several years ago, the GHAD has only been able to levy minimal assessments which cover little more than administrative costs and minor maintenance tasks in the City-owned open space areas.

The proposed budget does not include funds for continued slope monitoring work below Pebble Beach Drive, but does include anticipated legal defense costs related to the homeowner lawsuits. Again, this year the District is forced to include a budget figure of more than \$13,000 to cover the significant surcharge in insurance premiums due to the potential exposure and defense costs related to the various property owner lawsuits. Costs in excess

of those anticipated in the budget will have to be funded from the small remaining fund balance (\$4,994.48) and the remaining Presley lawsuit funds.

Since the ongoing maintenance of drainage facilities (v-ditches, catch basins, etc.) in the open space parcels should not be deferred, failure to impose the proposed assessments could cause the Clayton City Council to consider the use of General Fund monies to accomplish the work.

CONCLUSION

In order to avoid yet another impact to the City's General Fund, Staff recommends approval of the attached budget and the Resolution of Intention.

Attachments: 2011-12 Budget Report
 Resolution of Intention
 Notice of Public Hearing

GHAD BUDGET REPORT

DATE: JUNE 17, 2011

TO: BOARD OF DIRECTORS

FROM: RICK ANGRISANI, DISTRICT MANAGER

RE: FISCAL YEAR 2011-12

BACKGROUND

In April 2000, the property owners within the Oakhurst Geologic Hazard Abatement District (GHAD) approved, by ballot, assessments to cover the routine maintenance and operations needs of the District. The ballot measure also allowed increases in the annual assessment not to exceed the CPI. These annual assessments are the only source of revenues to the District as it is solely funded by the private property owners within the District. Without real property owners' approval, the District cannot create or mandate additional revenues to fund hazard abatement or prevention services.

Settlement proceeds from the Presley lawsuit (2002) funded the initial investigation and monitoring of the slope below Kelok Way. The slope monitoring did confirm that some movement is occurring at a depth some 30 feet below the Golden Eagle Place cul-de-sac. Stabilization costs, estimated at several million dollars, far exceed the limited resources of the District. On several previous opportunities, property owners within the District soundly rejected by ballot any willingness to approve increases in the annual assessments.

Since early 2007, the District has also been monitoring the slope below Pebble Beach Drive near Inverness Way. The contract for this monitoring has been completed and the District does not have funds available to either continue or expand this work. Numerous lawsuits have been filed by affected private property owners against the builder (Lyon), the City and the GHAD. While there is little likelihood the GHAD will be found liable for any damages, legal defense costs have been a drain on the GHAD's limited resources. In addition, the potential exposure and defense costs for the property owner lawsuits have caused a significant surcharge in the City's and the District's liability insurance rates. In the past, the cost of the insurance was absorbed by the City's General Fund. However, the size of the surcharge, not to mention the budget difficulties all cities are now facing, has necessitated including this item in the District's budget.

The GHAD's fund balance (reserves) is expected to have a surplus of \$4,017 at the end of FY 2010-11, and there is approximately \$118,758 in remaining funds from the Presley lawsuit settlement after using \$100,000 of these proceeds in FY 2010-11 to perform selected street rehabilitations within the District. We currently anticipate being able to fund the District's operations with the proposed assessments and to provide a slight increase to the fund deficit leaving a surplus of \$4,994.48. It was, of course, intended that the remaining Presley lawsuit settlement funds be used to rehabilitate the street pavement in the Keller Ridge area once the ongoing movement

ceased. However, having no other reserves and no interest by the property owners in raising the annual assessments, the District has no choice but to use these funds to cover any of the District's funding shortfalls in excess of the fund balance that may occur for as long as possible.

FY 2011-12 BUDGET

This Budget proposes to continue funding just the routine operations, along with the ongoing monitoring and legal defense costs, of the District through the allowable annual assessments. The year to year increase allowable per the most current CPI is 2.80% (April 2010 to April 2011, San Francisco, All Items, All Urban Consumers Index).

Following is the recommended budget for the GHAD for FY 2011-12:

EXPENSES

Postage	\$700.00
Legal Notices	95.00
Insurance Premium Surcharge (transfer to General Fund)	13,200.00
County Collections Charge	1,000.00
Engineering Services	5,000.00
Legal Services	7,000.00
Administration (transfer to General Fund)	<u>6,000.00</u>

TOTAL EXPENSES	\$32,995.00
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INCOME

Property Assessments	\$33,972.48
Interest on Funds	<u>0.00</u>

TOTAL INCOME	\$33,972.48
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Excess Income to GHAD Fund Balance	\$ 977.48
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FY 2011-12 PROPERTY ASSESSMENTS

As stated above, the annual assessment will be the same as last year except for an increase consistent with the increase in the CPI. Exhibit A explains the methodology of the assessments and provides a summary of the proposed assessment for this year.

EXHIBIT A
OAKHURST GEOLOGIC HAZARD ABATEMENT DISTRICT
METHOD OF ASSESSMENT

A geologic hazard abatement district is essentially a benefit assessment district. Therefore, the assessments must be apportioned to individual parcels according to the benefit received.

Based upon discussions with the City's consultant, Randy Leptien of Leptien, Cronin & Cooper, the various areas and types of development in Oakhurst require that the assessments be broken down by area as well as type of unit. The areas have been broken down to reflect, as much as possible, units with an equal amount of risk and benefit.

The total development has been divided into three areas for assessment:

Area 1	Lower 6000's, lower 5000's, Duets, and Townhouses
Area 2	Upper 6000's, upper 5000's, 8,000's, condominiums
Area 3	10000's

After reviewing the needs of each area and the benefits of the District to each area, we have assigned each area the following share of the District's costs (including reserves);

Area 1	25%
Area 2	50%
Area 3	25%

As will be noted, the number of units in each area is not considered a factor and the amount of assessment per unit will vary greatly from area to area. Since there are different types of housing mixed in Areas 1 and 2, we have assigned different assessment units to each type of housing as follows:

Single Family (regardless of size)	1.00
Duets	0.75
Multi-family	0.50

District Boundaries

As of FY 1999-00, the District was complete and consisted of 200 single family homes, 226 duets, and 169 townhouses in Area 1; 612 single family homes and 136 condos in Area 2; and 141 single family homes in Area 3.

Summary of Assessments

AREA I 2011-12 ASSESSMENT			Total =	\$8,502.26		
Subarea	# Units	Type	Factor	Ass. Units	11/12 Asses	Total
Tr. 6990	92	sfd	1.00	92.00	\$18.72	\$1,722.24
Tr. 7065	108	duets	0.75	81.00	\$14.04	\$1,516.32
Tr. 7066	117	multifamily	0.50	58.50	\$9.38	\$1,097.46
Tr. 7303	52	multifamily	0.50	26.00	\$9.38	\$487.76
Tr. 7311	118	duets	0.75	88.50	\$14.04	\$1,656.72
Tr. 7768	55	sfd	1.00	55.00	\$18.72	\$1,029.60
Tr. 7769	53	sfd	1.00	53.00	\$18.72	\$992.16
Subtotals	595			454.00		\$8,502.26
AREA II 2011-12 ASSESSMENT			Total =	\$16,990.48		
Subarea	# Units	Type	Factor	Ass. Units	11/12 Asses	Total
Tr. 7256	70	sfd	1.00	70.00	\$24.98	\$1,748.60
Tr. 7257	60	sfd	1.00	60.00	\$24.98	\$1,498.80
Tr. 7260	75	sfd	1.00	75.00	\$24.98	\$1,873.50
Tr. 7261	70	sfd	1.00	70.00	\$24.98	\$1,748.60
Tr. 7262	99	sfd	1.00	99.00	\$24.98	\$2,473.02
Tr. 7263	101	sfd	1.00	101.00	\$24.98	\$2,522.98
Tr. 7264	102	sfd	1.00	102.00	\$24.98	\$2,547.96
Tr. 7766	35	sfd	1.00	35.00	\$24.98	\$874.30
Tr. 7766	60	multifamily	0.50	30.00	\$12.52	\$751.20
Tr. 7767	76	multifamily	0.50	38.00	\$12.52	\$951.52
Subtotals	748			680.00		\$16,990.48
AREA III 2011-12 ASSESSMENT			Total =	\$8,479.74		
Subarea	# Units	Type	Factor	Ass. Units	11/12 Asses	Total
Tr. 7249	69	sfd	1.00	69.00	\$60.14	\$4,149.66
Tr. 7255	72	sfd	1.00	72.00	\$60.14	\$4,330.08
Subtotals	141			141.00		\$8,479.74
Grand Totals	1,484			1,275.00		\$33,972.48

GHAD RESOLUTION NO. - 2011

**A RESOLUTION APPROVING A BUDGET AND DECLARING INTENTION TO LEVY
AND COLLECT ASSESSMENTS FOR THE OAKHURST GEOLOGIC HAZARD
ABATEMENT DISTRICT FOR FISCAL YEAR 2011-12, AND GIVING NOTICE OF
THE TIME AND PLACE FOR HEARING ON THE LEVY OF THE PROPOSED
ASSESSMENT.**

**THE BOARD OF DIRECTORS
OAKHURST GEOLOGIC HAZARD ABATEMENT DISTRICT
City of Clayton, California**

WHEREAS, by Resolution No. 5-89, the Clayton City Council formed the Oakhurst Geologic Hazard Abatement District (herein "GHAD"), pursuant to Division 17, Geologic Hazard Abatement Districts, of the Public Resources Code, Section 26500 et seq.; and

WHEREAS, the District Manager has prepared and filed a Budget Report with the Board of Directors setting forth, among other things, the proposed assessments upon assessable lots and parcels of land within the GHAD for fiscal year 2011-12, which report is dated June 21, 2011; and

WHEREAS, the proposed assessments do not represent an increase in excess of the latest annual increase in the Bay Area CPI (CPI-U), such annual increase formula having been approved by the voters of GHAD on April 18, 2000; and

WHEREAS, the Board of Directors reviewed the Budget Report at its regular meeting on June 21, 2011, and found same to be satisfactory and in compliance with Section 26651 of the Public Resources Code; and

WHEREAS, it is now necessary for the Board of Directors to establish the date for the public hearing on levying of the proposed assessments for fiscal year 2011-12 and to direct the Secretary to give the required notice of such hearing;

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Board of Directors of the GHAD as follows:

1. The Budget Report, dated June 21, 2011, prepared by the District Manager and each part thereof, is sufficient in each particular, has fairly and properly apportioned the cost

of the maintenance and improvement to each parcel of land in the GHAD in proportion to the estimated benefits to be received by each parcel respectively from such maintenance and improvements, is hereby approved as filed and is, by reference, included herein.

2. The Board of Directors hereby declares its intention to levy and collect assessments within the GHAD for fiscal year 2011-12, as follows:

<u>GHAD AREA</u>	<u>SUBD</u>	<u># UNITS</u>	<u>TYPE</u>	<u>\$ ASSESS PER LOT</u>	<u>TOTAL \$ PER SUBD</u>
I	6990	92	Sfd	\$18.72	\$1,722.24
I	7065	108	Duets	\$14.04	\$1,516.32
I	7066	117	multi-family	\$9.38	\$1,097.46
I	7303	52	multi-family	\$9.38	\$487.76
I	7311	118	Duets	\$14.04	\$1,656.72
I	7768	55	Sfd	\$18.72	\$1,029.60
I	7769	53	Sfd	\$18.72	\$992.16
II	7256	70	Sfd	\$24.98	\$1,748.60
II	7257	60	Sfd	\$24.98	\$1,498.80
II	7260	75	Sfd	\$24.98	\$1,873.50
II	7261	70	Sfd	\$24.98	\$1,748.60
II	7262	99	Sfd	\$24.98	\$2,473.02
II	7263	101	Sfd	\$24.98	\$2,522.98
II	7264	102	Sfd	\$24.98	\$2,547.96
II	7766	35	Sfd	\$24.98	\$874.30
II	7766	60	multi-family	\$12.52	\$751.20
II	7767	76	multi-family	\$12.52	\$951.52
III	7249	69	Sfd	\$60.14	\$4,149.66
III	7255	72	Sfd	\$60.14	\$4,330.08
Total		1484 lots		TOTAL	\$33,972.48

3. The GHAD consists of a portion of the City of Clayton as shown on the GHAD Diagram on file with the Secretary.

4. The Budget Report of the District Manager on file with the Secretary contains a fully detailed description of the proposed maintenance and improvements, consisting of open space inspection and the maintenance thereof, with the estimated cost of the maintenance

and improvements, a diagram of the District, and a proposed assessment of the estimated cost of such maintenance and improvements.

5. **On Tuesday, July 19, 2011, at or near the hour of 7:00 p.m., of said day, at a regular Board of Directors meeting at Hoyer Hall in the Clayton Community Library situated at 6125 Clayton Road, Clayton, California,** the regular meeting place of the GHAD Board of Directors, any and all persons having any interest in the lands within the GHAD, liable to be assessed for the expenses of the GHAD for fiscal year 2011-12, may be heard, and any such persons may also present any objections that they may have by written protest, filed with Secretary at or before the time set for hearing.

6. The Secretary shall give notice of the passage of this resolution and of the time and place of hearing of protests as herein designated by causing a notice of the passage of this resolution and of the time and place of hearing of protests to be mailed to all owners of property within the GHAD as required by Section 26652 of the Public Resources Code.

Passed, Approved and Adopted by the Board of Directors of the GHAD at a regular public meeting thereof held on June 21, 2011, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

THE BOARD OF DIRECTORS OF GHAD

HANK STRATFORD, Chairman

ATTEST:

Laci J. Jackson, Secretary

* * * * *

I hereby certify that the foregoing resolution was duly and regularly passed by the Board of Directors of the GHAD at a regular meeting held on June 21, 2011.

Secretary

NOTICE OF PUBLIC HEARING ON THE LEVYING OF ASSESSMENTS ON PROPERTY IN THE OAKHURST GEOLOGIC HAZARD ABATEMENT DISTRICT PURSUANT TO PUBLIC RESOURCES CODE SECTION 26652.

KNOW ALL INTERESTED PARTIES BY THIS NOTICE THAT:

1. The District Manager did present on June 21, 2011, to the Board of Directors, his report dated June 21, 2011, indicating a total budget for FY 2011-12 of \$32,995.00 and recommending the assessments shown on the attached table to pay for the obligations of the Oakhurst Geologic Hazard Abatement District ("District") during the 2011-12 fiscal year.

2. The Board of Directors accepted and approved the report on June 21, 2011, by adopting GHAD Resolution No. XX-2011, which set forth, among other things:

- a. The Board's intent to levy and collect a per unit assessment in accordance with the recommendations of the District Manager as specified to pay for the obligations of said District during the 2011-12 fiscal year.
- b. The date of Tuesday, July 19, 2011, at 7:00 p.m., at Hoyer Hall in the Clayton Community Library, situated at 6125 Clayton Road, Clayton, California, as the date, time and place for hearing protests against the levying of said assessments in the District for the cost of operating in fiscal year 2011-12.

3. The per unit assessments for the 2010-11 fiscal year were as shown on the attached table. The proposed per unit assessments, representing an increase of less than the latest annual increase in the San Francisco, All Items, All Urban Consumers Index (2.80%; April '10 – April '11) and therefore within the formula limits previously approved by ballot, do not constitute an increase in assessments.

4. A general description of the items to be maintained and operated in the District and paid for by the assessment is as follows: open space areas and geologic hazard mitigation devices and improvements.

5. All interested parties may obtain further particulars concerning the proposed per unit assessments in the District and a description and map of the boundaries of the District by referring to GHAD Resolution XX-2011, and the report of June 21, 2011, which are on file with the Secretary in the Clayton City Office. In addition, interested parties may contact the District Manager directly by phone at (925) 363-7433 or in person at 5375 Clayton Road, Concord, California, or view the reports at www.ci.clayton.ca.us.

NOW, THEREFORE, any and all persons having any interest in lands within the District liable to be assessed for the expenses of the district for fiscal year 2011-12, may appear at the public hearing, the time and place thereof being set forth above, and offer protest to said assessments, and any of said persons may also present any objections that they may have by written protest filed with the Secretary, Oakhurst Geologic Hazard Abatement District, City of Clayton, 6000 Heritage Trail, Clayton, California, 94517, at or before the time set for public hearing.

LACI J. JACKSON
Secretary
Oakhurst Geologic Hazard Abatement District

DATED: June 22, 2011

**OAKHURST GEOLOGIC HAZARD ABATEMENT DISTRICT
PROPOSED ANNUAL ASSESSMENTS
FISCAL YEAR 2011/12**

<u>GHAD AREA</u>	<u>SUBD. NAME</u>	<u>SUBD. #</u>	<u># UNITS</u>	<u>TYPE</u>	<u>PROPOSED ASSESS.</u>	<u>2010-2011 ASSESS.</u>	<u>ANNUAL \$ INCREASE</u>
I	Windmill Canyon I	6990	92	6,000 sf	\$18.72	\$18.20	0.52
I	Black Diamond I	7065	108	Duets	\$14.04	\$13.66	0.38
I	Chaparral Springs I	7066	117	Multi-family	\$9.38	\$9.12	0.26
I	Chaparral Springs II	7303	52	Multi-family	\$9.38	\$9.12	0.26
I	Black Diamond II	7311	118	Duets	\$14.04	\$13.66	0.38
I	Oak Hollow IIA	7768	55	5,000 sf	\$18.72	\$18.20	0.52
I	Oak Hollow IIB	7769	53	5,000 sf	\$18.72	\$18.20	0.52
II	Eagle Peak I	7256	70	8,000 sf	\$24.98	\$24.30	0.68
II	Eagle Peak II	7257	60	8,000 sf	\$24.98	\$24.30	0.68
II	Falcon Ridge I	7260	75	8,000 sf	\$24.98	\$24.30	0.68
II	Falcon Ridge II	7261	70	8,000 sf	\$24.98	\$24.30	0.68
II	Windmill Canyon II	7262	99	6,000 sf	\$24.98	\$24.30	0.68
II	Windmill Canyon III	7263	101	6,000 sf	\$24.98	\$24.30	0.68
II	Windmill Canyon IV/Ironwood	7264	102	6,000 sf	\$24.98	\$24.30	0.68
II	Oak Hollow I	7766	35	5,000 sf	\$24.98	\$24.30	0.68
II	Diablo Ridge I	7766	60	Multi-family	\$12.52	\$12.18	0.34
II	Diablo Ridge II	7767	76	Multi-family	\$12.52	\$12.18	0.34
III	Peacock Creek I	7249	69	10,000 sf	\$60.14	\$58.50	1.64
III	Peacock Creek II	7255	72	10,000 sf	\$60.14	\$58.50	1.64