CITY OF CLAYTON

Founded 1857 .. Incorporated 1964

AGENDA

REGULAR MEETING

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CLAYTON CITY COUNCIL

***

TUESDAY, July 3, 2012

7:00 p.m.

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

Mayor: Howard Geller
Vice Mayor: Joseph A. Medrano

Council Members
Julie K. Pierce
David T. Shuey
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*
July 3, 2012

7:00 P.M.

1. **CALL TO ORDER THE CITY COUNCIL** – Mayor Geller.

2. **CLOSED SESSION** – None.

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

4. **CONSENT CALENDAR**

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

(a) Information Only (no action)
1. Planning Commission position paper on Solar Access Rights (CDD 01-12). (View Here)

(b) Approve the minutes of the regular meeting of June 19, 2012. (View Here)

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

(d) Approve award of contract to Downtown Ford Sales in the amount of $26,057.93 for the purchase of one new 2011 Ford Crown Victoria "Police Interceptor" as the FY 2012-13 replacement patrol vehicle for the Clayton Police Department. \ (View Here)

(e) Authorization of a flat fee donation in the amount of $172 from the Clayton Woman's Club for use of the Clayton Library Meeting Room (Hoyer Hall) for its Annual Craft Sale on November 17th and 18th, 2012. (View Here)

(f) Adopt a Resolution authorizing the levy of annual tax assessments for Community Facility District No. 2007-1 (Landscape Maintenance District; Fund No. 210) in FY 2012-2013. (View Here)

(g) Adopt a Resolution authorizing the levy of annual tax assessments for Community Facility District No. 2006-1 (Downtown Park O & M; Fund No. 211) in FY 2012-2013. (View Here)

(h) Adopt a Resolution approving the one (1) year Addendum No. 4 to the 2006 base Memorandum of Agreement with the Clayton Undesignated Miscellaneous City Employees Group effective the Fiscal Year 2012-13. (View Here)

(i) Adopt a Resolution authorizing the levy of annual tax assessments for the Clayton Station Community Facility District No. 1990-2R; Fund No. 421) in the 2012-2013 Tax Year. (View Here)

(j) Approve an Agreement authorizing a three (3) month time extension (Addendum No. 4) to the 2008 base Memorandum of Understanding (MOU) and Addenda Nos. 1-3 with the Clayton Police Officers Association through September 30, 2012. (View Here)

(k) Adopt a Resolution authorizing the levy of annual tax assessments for the Diablo View Middle School and Clayton Community Park Community Facility District No. 1990-1R (2007) for the Fiscal Year 2012-13. (View Here)

5. RECOGNITIONS AND PRESENTATIONS

(a) Recognition of Bob Armstrong for his 6 years of civic service on the Clayton Planning Commission from July 2006 through June 2012.

6. REPORTS

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

7. PUBLIC COMMENT ON NON - AGENDA ITEMS

Members of the public may address the City Council on items within the Council's jurisdiction, (which are not on the agenda) at this time. To facilitate the recordation of comments, it is requested each speaker complete a speaker card available on the Lobby table and submit it in advance 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 or you are recognized by the Mayor as wishing to speak, 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 at its discretion 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.

8. **PUBLIC HEARINGS** – None.

9. **ACTION ITEMS**

(a) Consideration of a Resolution rejecting the two (2) public works competitive bids received for the advertised 2012 Neighborhood Street Repaving Project (CIP No. 10411) due to both bids exceeding the Engineer's Estimate of $675,000, and discussion with staff on rebidding the Project. (View Here)
(City Engineer)

Staff recommendation: Following staff report and public comments, that Council adopt the Resolution to reject each of the two (2) competitive bids received for the 2012 Neighborhood Street Repaving Project due to both bids exceeding the Engineer's Estimate, and provide policy direction on rebidding the Project.

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

11. **ADJOURNMENT**– the next regularly scheduled City Council meeting is July 17, 2012.

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CITY OF CLAYTON
Founded 1857 Incorporated 1964

Agenda Date: 7-3-12

Agenda Item: 4a

Approved:
Gary A. Napper City Manager/Executive Director

AGENDA REPORT

TO: **HONORABLE MAYOR AND COUNCILMEMBERS**

FROM: **DAVID WOLTERING, COMMUNITY DEVELOPMENT DIRECTOR** DW

DATE: **JULY 3, 2012**

SUBJECT: **PLANNING COMISSION POSITION PAPER ON SOLAR ACCESS RIGHTS (CDD 01-12)**

RECOMMENDATION

The attached position paper (See **Attachment 1**) is being provided to the City Council for information only at the request of the Planning Commission; no action is requested.

BACKGROUND

At the Planning Commission meetings of May 22, 2012 and June 12, 2012, there were discussions about the impact of vegetation on solar collectors and whether, as the number of solar collectors increase in the community, should the City take a more proactive role to assure trees and other vegetation do not adversely impact the effectiveness of solar collectors. Discussion of the matter was initiated as a report out by staff on a code enforcement matter at the Commission's May 22nd meeting. As directed by the Planning Commission, staff brought the matter back as a formal agenda item for discussion at the Commission's June 12th meeting. Staff has attached the staff memorandum with attachments (See **Attachment 2**) provided to the Commission at that meeting.

At the June 12th meeting, the Commission determined there is existing State law in place to provide guidance and regulation of vegetation that may exceed acceptable thresholds with respect to assuring acceptable solar access for solar collectors. Accordingly, the Commission, given available City resources and existing State regulations, did not believe it necessary, at this time, for the City to create additional regulations in this area. The Commission requested that staff prepare a position paper on this matter to forward to the City Council to inform the Council of it discussion and findings on this matter. The attached position paper was submitted and accepted by the Planning Commission at its June 26th meeting.

Attachments:

1. Planning Commission Solar Access Rights Position Paper, dated June 26, 2012
2. Staff Memorandum to the Planning Commission, dated June 12, 2012, regarding Solar Access Rights

CDD\01-12.cc.sr.7.3.12

Attachment 1

Memorandum

To: Honorable Mayor Geller and Councilmembers
City Manager Gary Napper

From: Chair Richardson and Planning Commissioners

Date: June 26, 2012

Subject: Solar Access Rights (CDD 01-12)

At the Planning Commission's May 22, 2012 meeting, staff brought to the Commission's attention a code enforcement complaint related to vegetation potentially shading solar collectors on an adjoining property. Staff indicated that State regulations exist to address this matter and that, generally, these matters are addressed privately between neighbors or, if necessary, through the courts. The Commission requested this issue be placed on a future regular agenda to obtain more information on the matter from staff and to determine if the City should be taking a more proactive role in resolving these matters.

The item came back to the Planning Commission at its June 12, 2012 meeting as a Study Session under New Business. Staff provided a number of background materials, including an ordinance from the City of Berkeley wherein Berkeley provides detailed guidance on dispute resolution for matters involving vegetation and related loss of views or solar access. Staff also provided a copy of the California Solar Shade Control Act (CSSCA) which provides specific parameters and thresholds for violation of solar rights.

The threshold for violation in Section 25982 of the CSSCA is that "it prohibits certain tree owners from planting or allowing a newly planted tree or shrubs to cast a shadow over more than ten percent of a solar collector on a neighboring property at any one time during the hours between 10:00 a.m. and 2:00 p.m." However, the CSSCA, as amended in 2008, exempts all trees and shrubs planted prior to the time of the installation of a solar collector.

The Commission reviewed the CSSCA at the June 12, 2012 meeting as well as the City of Berkeley approach of offering detailed guidance on dispute resolution with respect to this issue. The consensus of the Commission after its study and discussion of this matter was that there already exist sufficient regulations at the State level to enable guidance and enforcement of solar access rights. Staff and the Planning Commission should give due consideration to those landscape plans it currently reviews to help avoid, as practicable, loss of solar access rights in the future. However, given staffing levels, available resources, and priorities, the Planning Commission reached a consensus that there is not a need to take an otherwise more proactive role in addressing this issue at this time.

Attachment 2

Memorandum

To: Chair Richardson and Planning Commissioners

From: David Woltering, Community Development Director DW

Date: June 12, 2012

Subject: Agenda Item 5B. – CDD 01-12, Solar Access Rights, City of Clayton

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At the Planning Commission's May 22, 2012 meeting, the Commission requested that the topic of solar access rights related primarily to the planting of off-site vegetation be placed on a future Commission agenda for discussion. The focus for this discussion relates to the sometimes competing objectives: A) the planting of trees and vegetation for, among other reasons, their aesthetic value and shading benefits; and, B) the increased use of solar collectors to generate electricity and, thereby, reduce dependency on non-renewable resources.

Commissioner Johnson commented that as the installation of solar collectors are encouraged and more installed, it is likely that the number of complaints received will increase about trees and other vegetation shading and adversely impacting the effectiveness of these solar collectors. She questioned whether the City of Clayton should take a more active role in addressing this issue. Commissioner Johnson provided an example from the City of Berkeley, Berkeley Municipal Code Chapter 12.45, Solar Access and Views (See **Attachment 1**) in which that City provides active guidance for its private property owners relating to the resolution of disputes because of loss of views or sunlight due to tree growth.

Staff mentioned at the May 22nd meeting that currently there is the California Solar Shade Control Act (Amended in 2008) (Act) (See **Attachment 2**) which provides guidance and regulation in the area of this discussion item. In addition to the Act, staff has gathered and attached a number of documents to facilitate this discussion. These documents include a review of the California Solar Shade Control Act (See **Attachment 3**); an article from the law firm of Stimmel, Stimmel & Smith titled, "Encroaching Trees: Who Has The Right To Do What?" (See **Attachment 4**); Chapter 15.70, Tree Protection, of the Clayton Municipal Code, CMC, (See **Attachment 5**); and, Chapter 16.50, Hillside Development, Open Space, and Trees of the CMC (See **Attachment 6**).

The threshold for violation in Section 25982 of California's Solar Shade Control Act is that "it prohibits certain tree owners from planting or allowing a newly planted tree or shrub to cast a shadow over more than ten percent of a solar collector on a neighboring property at any one time during the hours between 10:00 a.m. and 2:00 p.m." However, the Act as amended in 2008 exempts all trees and shrubs planted prior to the time of the installation of a solar collector.

The attached Berkeley Municipal Code Chapter 12.45, Solar Access and Views does provide substantial guidance on dispute resolution and mediation, but, ultimately, under Section 12.45.070, Enforcement, indicates that if the dispute cannot be resolved "[t]he complaining party shall have the right to bring injunctive action to enforce any restorative action ordered pursuant to this chapter." Accordingly, at that point, it is likely that a private action relying on the provisions of the California Solar Shade Control Act would be applicable.

Attachments:

1 Berkeley Municipal Code Chapter 12.45, Solar Access and Views
2 California Solar Shade Control Act (Amended in 2008)
3 Review of the California Solar Shade Control Act
4 "Encroaching Trees: Who Has The Right To Do What?" by Law Offices of Stimmel, Stimmel & Smith
5 Chapter 15.70, Tree Protection, Clayton Municipal Code
6 Chapter 16.50, Hillside Development, Open Space, and Trees Chapter, clayton Municipal Code

comdev/CDD/2012/01-12.Solar Access Rights

Attachment 1

Chapter 12.45

SOLAR ACCESS AND VIEWS

Sections:

Section 12.45.010 Purpose and objectives.

A. The purpose of this chapter is to:

1. Set forth a procedure for the resolution of disputes between private property owners relating to the resolution of sunlight or views lost due to tree growth.

2. This view chapter does not impair obligations imposed by an existing easement, or a valid pre-existing enforceable covenant or agreement.

3. Nothing in this chapter is meant to replace the peaceful, sensible and just resolution of differences between neighbors acting in good faith. The provisions contained in this chapter are meant to encourage that such resolution occurs prior to engaging in the legal remedies provided by it.

B. The objectives of this chapter are:

1. To preserve and promote the aesthetic and practical benefits which trees provide for individuals and the entire community;

2. To discourage ill-considered harm to or destruction of trees;

3. To encourage the use of solar energy for heat and light;

4. To encourage food production in private gardens;

5. To restore access to light and views from the surrounding locale;

6. To encourage the maintenance of positive relationships within a neighborhood when there is conflict between objectives 1-2 and 3-5 above.

7. It is not an objective of this chapter to facilitate or encumber the transmission of radio and television signals. (Ord. 6286-NS § 1 (part), 1995: Ord. 6173-NS § 1 (part), 1993: Ord. 5817-NS § 1 (part), 1987)

Section 12.45.020 Definitions.

A. For the purposes of this chapter, the meaning and construction of words and phrases hereinafter set forth shall apply:

1. "Solar access" means the availability of sunlight to a property.

2. "Views" mean a distant vista or panoramic range of sight of Berkeley, neighboring areas or the San Francisco Bay. Views include but are not limited to skylines, bridges, distant cities, geologic features, hillside terrains and wooded canyons or ridges.

3. "Trees" means any woody perennial plant, usually with one or more major trunks attaining a height of at least fifteen feet at maturity.

4. "Complaining party" means any property owner (or legal occupant without objection of property owner) who wishes to alter or remove a tree(s) on the property of another which creates an obstruction to his or her access to sunlight or view whether such access is gained from an original dwelling or any addition thereto used as a dwelling.

5. "Tree owner" means any individual owning real property in Berkeley upon whose land is located a

tree or trees alleged by a complaining party to cause an obstruction.

6. "Obstruction" means any substantial blocking or diminishment of a view from a structure lawfully used as a dwelling or access to sunlight to the real property which is attributable to the growth, maintenance or location of tree(s).

7. "Tree mediator or tree arbitrator" means any trained and experienced mediator or mediator/arbitrator acceptable to both complaining party and tree owner to mediate or arbitrate a tree dispute.

8. "Restorative action" means any specific requirement to resolve a tree dispute.

9. "Thinning" means the selective removal of entire branches from a tree so as to improve visibility through the tree and/or improve the tree's structural condition.

10. "Tree removal" means the elimination of any tree from its present location.

11. "Trimming" means the selective removal of portions of branches from a tree so as to modify the tree(s) shape or profile or alter the tree's appearance.

12. "Topping" means removal of the top portion of a tree's main leader stems, resulting in an overall reduction in the tree's height and size.

13. "Tree claim" means the written basis for arbitration or court action under the provisions of this article which includes all of the following:

a. The nature and extent of the alleged obstruction, including pertinent and corroborating physical evidence. Evidence may include, but is not limited to photographic prints, negatives or slides. Such evidence must show absence of the obstruction at any documentable time during the tenure of the current property owner (or legal occupant without objection of property owner), hereinafter referred to as complaining party. Evidence to show date of acquisition must be included.

b. The location of all trees alleged to cause the obstruction, the address of the property upon which the tree(s) are located, and the present tree owner's name and address. This requirement may be satisfied by the inclusion of the tree location, property address, and tree owner information.

c. Any mitigating actions proposed by the parties involved to resolve the tree claim.

d. The failure of personal communication between the complaining party and the tree owner to resolve the alleged obstruction as set forth in Section 12.45.030 of this chapter. The complaining part must provide physical evidence that written attempts at conciliation have been made and failed. Evidence may include, but is not limited to, copies of and receipts for certified or registered mail correspondence. (Ord. 6286-NS § 1 (part), 1995: Ord. 6173-NS § 1 (part), 1993: Ord. 5817-NS § 1 (part), 1987)

Section 12.45.030 Procedures.

A. The procedures described in this section shall be followed in the resolution of tree disputes between private parties.

1. Initial reconciliation: A complaining party who believes in good faith that the growth, maintenance or location of tree(s) on the private property of another (hereinafter referred to as tree owner) diminishes the beneficial use of economic value of his or her property because such tree(s) interfere with the access to sunlight or views which existed prior to such growth, maintenance or location of the tree(s) on the property during the time the complaining party has occupied the property, shall notify the tree owner in writing of such concerns. The notification should, if possible, be accomplished by personal discussions to enable the complaining party and tree owner to attempt to reach a mutually agreeable solution.

2. Mediation: If the initial reconciliation attempt fails, the complaining party shall propose mediation as a means to settle the dispute on a relatively informal basis. Acceptance of mediation by the tree owner shall be voluntary. If mediation is elected, the parties shall mutually agree upon a tree mediator.

The mediation meeting may be informal, and no written record is necessary unless desired by the parties. The mediation process may include the hearing of viewpoints of lay or expert witnesses, and shall include a site visit to the properties of the complaining party and the tree owner. Parties should be encouraged to give notice to immediate neighbors and solicit input. The tree mediator shall consider the objectives, benefits and burdens set forth in this chapter in attempting to help both parties reach a resolution of the dispute. The tree mediator shall not have the power to issue binding orders for restorative action, but shall strive to enable the parties to resolve their dispute at this stage in order to eliminate the need for binding arbitration or litigation.

3. Tree claim preparation: In the event that the initial reconciliation process fails and mediation either is not elected or fails, the complaining party must prepare a tree claim (as defined in 12.45.020) and provide a copy to the tree owner, in order to pursue either binding arbitration or litigation. This constitutes a filing of a tree claim.

4. Binding arbitration: In those cases where the initial reconciliation process fails and where mediation has not resolved the dispute, the complaining party must offer to submit the dispute to binding arbitration and the tree owner may elect binding arbitration. The identity of the tree arbitrator shall be agreed upon by both the complaining party and the tree owner who shall indicate such agreement in writing. This agreement may provide for employment of experts representing the parties or may be limited to an investigation of the tree claim conducted by the tree arbitrator. The tree arbitrator shall follow the provisions of this chapter to reach a fair resolution of the tree claim and shall submit a complete written report to the complaining party and the tree owner. This report shall include the tree arbitrator's findings with respect to all standards listed in Section 12.45.040 (Standards) of this chapter, a pertinent list of all mandated restorative actions with any appropriate conditions concerning such actions including a schedule by which mandates must be completed. Such actions must be completed with due regard for the health of the tree. A copy of the arbitrator's report shall be filed with the City Clerk.

5. Litigation: In those cases where initial reconciliation fails and binding arbitration is not elected, civil action may be pursued by the complaining party for resolution of the sunlight access or view tree claim under the provisions of this chapter. The litigant must state in the lawsuit that arbitration was offered and not accepted, and that a copy of the lawsuit was filed with the City Clerk. A copy of any order or settlement in the lawsuit shall also be filed with the City Clerk. (Ord. 6286-NS § 1 (part), 1995: Ord. 6173-NS § 1 (part), 1993: Ord. 5817-NS § 1 (part), 1987)

Section 12.45.040 Standards for resolution of disputes.

A. In resolving the tree dispute, the tree mediator, tree arbitrator or court shall consider the benefits and burdens derived from the alleged obstruction within the framework of the objectives of this chapter as set forth in Section 12.45.010 in determining what restorative actions, if any, are appropriate. The burden of proof shall be on the complaining party.

1. Benefits:

a. Visual quality of the tree(s), including but not limited to species characteristics, size, growth, form and vigor.

b. Location with respect to overall appearance, design, and/or use of the tree owner's property.

c. Soil stability provided by the tree(s) considering soil structure, degree of slope and extent of the tree's root system.

d. Visual, auditory and wind screening provided by the tree(s) to the tree owner and to neighbors. Existing privacy provided by the tree(s) to the tree owner's home shall be given particular weight.

e. Energy conservation and/or climate control provided by the tree(s).

f. Wildlife habitat provided by the tree(s).

g. The economic value of the tree(s) as measured by criteria developed by the International Society of Arboriculture and the economic value of the property as a result of the tree(s).

h. Other tree-related factors, including but not limited to:

(i) The degree to which the species is native to the local region or area

(ii) Indigenous nature of the species to which the tree belongs

(iii) Specimen tree quality

(iv) Rare tree species, and the frequency of new planting of a tree

2. Burdens:

a. The hazard posed by a tree or trees to persons or structures on the property of the complaining party including but not limited to fire danger and the danger of falling limbs or trees.

b. The extent to which the trees diminish the amount of sunlight available to the garden or home of the complaining party.

c. The extent to which the trees interfere with efficient operations of a complaining party's pre-existing solar energy system.

d. The existence of landmarks, vistas or other unique features which cannot be seen because of growth of trees since the acquisition of the property.

e. The extent to which the alleged obstruction interferes with sunlight or view. The degree of obstruction shall be determined by means of a measuring instrument or photography.

f. The extent to which solar access or the view is diminished by factors other than trees.

g. Deleterious effect of the trees upon the complaining party's vegetation through loss of heat and light except that the dropping of leaves or maintenance factors shall not be a burden under this chapter.

3. Restorative actions: The tree mediator shall recommend or the tree arbitrator or court shall order restorative action or no action according to Section 12.45.040 (Standards). Restorative actions may include written directions as to appropriate timing of trimming, thinning, topping or removal. Such restorative actions are to apply only to current parties to the dispute. The tree arbitrator or court may require compensation to the tree owner for value lost due to restorative actions.

Possible restorative actions may include:

- Trimming
- Thinning
- Delayed trimming or thinning
- Topping
- Tree removal, possibly with replacement plantings

a. Restorative actions shall be limited to the trimming and/or thinning of branches where possible and practical.

Trimming or thinning may be on a delayed basis, providing time for the top of the tree to grow above the point where it obstructs sunlight or view.

b. When trimming and/or thinning of branches is not a feasible solution, the impact on the health of the tree shall be considered and replacement may be required. Topping is not a generally accepted arboricultural practice and therefore is not recommended by the City.

c. In those cases where tree removal eliminates or significantly reduces the tree owner's benefits, replacement plantings shall at the tree owner's option be set forth in writing prior to the tree removal. The tree owner may elect tree removal with replacement plantings (as an alternative to trimming, thinning and topping).

d. All trimming, thinning, topping and tree removal required under this chapter shall be performed by a person or firm selected by the tree owner with the concurrence of the complaining party, except that in the event that the complaining party is not obligated to bear any of the cost for such action, his or her concurrence is not required. The use of a certified arborist for such work is encouraged but not required.

e. The extent of solar access or view available and documentable as present at any time during the tenure of the present owner or legal occupant is the limit of restorative action which may be required. If the complaining party is seeking a view or sunlight from an addition, the complaining party has no right to a view or solar access greater than that which existed at the time the construction of the addition was completed, or August 6, 1987, whichever date is later.

f. No restorative action may be required concerning any tree the base of which is more than three hundred feet from the immediate vicinity of the dwelling of the complaining party's property. If no dwelling exists, the distance shall be determined from the most likely dwelling site upon the property or from the geographical center of the property at the discretion of the mediator, arbitrator or court as appropriate.

g. A tree which has been the subject of restorative action under the terms of this chapter is exempted from other property owners' claims for a period of five years from date of filing of a tree claim.

h. Nothing in this section shall be construed to deny compensation to a tree owner to which a tree owner would be entitled under any other provision of law. (Ord. 6286-NS § 1 (part), 1995: Ord. 6173-NS § 1 (part), 1993: Ord. 5817-NS § 1 (part), 1987)

Section 12.45.050 Apportionment of costs.

A. Cost of mediation and arbitration:

1. The complaining party shall pay all the costs, if any, of mediation.

2. The complaining party and the tree owner shall each pay fifty percent of all the costs of the arbitrator's professional fee, if any.

B. Cost of litigation:

1. The complaining party shall pay one hundred percent of both parties' reasonable attorneys' fees in the event that his or her claim is finally denied, or no action is ordered pursuant to Section 12.45.040, unless the tree owner has refused to participate in either the initial reconciliation or mediation.

2. In all other cases, the complaining party and the tree owner shall each pay his or her attorney's fees. Court costs shall be allocated to the parties at the court's discretion.

C. Cost of restorative actions: At any time during the procedure specified in this chapter, the parties may agree between themselves as to the allocation of the costs of restorative action. If such an agreement is not reached, the following shall apply:

1. As to trees planted prior to August 6, 1987, the complaining party shall pay one hundred percent of the costs of the initial restorative action. The complaining party shall pay the cost of subsequent restorative action as the result of the recurrence of the same obstruction.

2. As to trees planted subsequent to August 6, 1987, the tree owner and the complaining party shall each be responsible for fifty percent of the costs of restorative action and subsequent recurrence of the same obstruction.

D. Compensation for value of restorative actions: In the event a tree arbitrator or court orders restorative action and compensation to the tree owner therefor, the tree arbitrator or court may use any of the following methods to determine value lost: fair market value, replacement value, or trunk formula. "Trunk formula" shall mean the method of determining value as set forth in latest edition of the "Guide for Plant Appraisal," published by the Council of Tree and Landscape Appraisers. (Ord. 6286-NS § 1 (part), 1995: Ord. 6173-NS § 1 (part), 1993: Ord. 5817-NS § 1 (part), 1987)

Section 12.45.060 Liabilities.

A. The issuance of mediation findings, an arbitration report or a court decision shall not create any liability of the City with regard to the restorative actions to be performed.

B. The complaining party shall indemnify and hold harmless the tree owner with respect to any damages or liability incurred by said owner, arising out of the performance of any work at the behest of the complaining party as follows:

1. With respect to trees planted prior to August 6, 1987, the complaining party shall indemnify the tree owner as to one hundred percent of any such damages or liability.

2. With respect to trees planted after August 6, 1987, the complaining party shall indemnify the tree owner as to fifty percent of any such damages or liability.

C. Failure to enforce on the part of the City will not give rise to any civil or criminal liabilities. (Ord. 6286-NS § 1 (part), 1995: Ord. 6173-NS § 1 (part), 1993: Ord. 5817-NS § 1 (part), 1987)

Section 12.45.070 Enforcement.

A violation of this chapter is not a misdemeanor, and the enforcement of this chapter shall be by private parties involved. The complaining party shall have the right to bring injunctive action to enforce any restorative action ordered pursuant to this chapter. (Ord. 6286-NS § 1 (part), 1995: Ord. 6173-NS § 1 (part), 1993: Ord. 5817-NS § 1 (part), 1987)

Section 12.45.080 Severability.

If any portion of this chapter is struck down by court action, all other portions will remain in effect. (Ord. 6286-NS § 1 (part), 1995: Ord. 6173-NS § 1 (part), 1993: Ord. 5817 § 1 (part), 1987)

Attachment 2

PUBLIC RESOURCES CODE SECTION 25980-25986

25980. This chapter shall be known and may be cited as the Solar Shade Control Act. It is the policy of the state to promote all feasible means of energy conservation and all feasible uses of alternative energy supply sources. In particular, the state encourages the planting and maintenance of trees and shrubs to create shading, moderate outdoor temperatures, and provide various economic and aesthetic benefits. However, there are certain situations in which the need for widespread use of alternative energy devices, such as solar collectors, requires specific and limited controls on trees and shrubs.

25981. (a) As used in this chapter, "solar collector" means a fixed device, structure, or part of a device or structure, on the roof of a building, that is used primarily to transform solar energy into thermal, chemical, or electrical energy. The solar collector shall be used as part of a system that makes use of solar energy for any or all of the following purposes:

(1) Water heating.

(2) Space heating or cooling.

(3) Power generation.

(b) Notwithstanding subdivision (a), for the purpose of this chapter, "solar collector" includes a fixed device, structure, or part of a device or structure that is used primarily to transform solar energy into thermal, chemical, or electrical energy and that is installed on the ground because a solar collector cannot be installed on the roof of the building receiving the energy due to inappropriate roofing material, slope of the roof, structural shading, or orientation of the building.

(c) For the purposes of this chapter, "solar collector" does not include a solar collector that is designed and intended to offset more than the building's electricity demand.

(d) For purposes of this chapter, the location of a solar collector is required to comply with the local building and setback regulations, and to be set back not less than five feet from the property line, and not less than 10 feet above the ground. A solar collector may be less than 10 feet in height only if, in addition to the five-foot setback, the solar collector is set back three times the amount lowered.

25982. After the installation of a solar collector, a person owning or in control of another property shall not allow a tree or shrub to be placed or, if placed, to grow on that property so as to cast a shadow greater than 10 percent of the collector absorption area upon that solar collector surface at any one time between the hours of 10 a.m. and 2 p.m., local standard time.

25982.1. (a) An owner of a building where a solar collector is proposed to be installed may provide written notice by certified mail installed may provide a record of persons receiving the notice pursuant to subdivision (a) to a transferee of the building.

(2) A transferor receiving a notice pursuant to subdivision (a) may provide the notice to a transferee of the property.

25983. A tree or shrub that is maintained in violation of Section 25982 is a private nuisance, as defined in Section 3481 of the Civil Code, if the person who maintains or permits the tree or shrub to be maintained fails to remove or alter the tree or shrub after receiving a written notice from the owner or agent of the affected solar collector requesting compliance with the requirements of Section 25982.

25984. This chapter does not apply to any of the following:

(a) A tree or shrub planted prior to the installation of a solar collector.

(b) A tree planted, grown, or harvested on timberland as defined in Section 4526 or on land devoted to the production of commercial agricultural crops.

(c) The replacement of a tree or shrub that had been growing prior to the installation of a solar collector and that, subsequent to the installation of the solar collector, dies, or is removed for the protection of public health, safety, or the environment.

(d) A tree or shrub that is subject to a city or county ordinance.

25985. (a) A city, or for unincorporated areas, a county, may adopt, by majority vote of the governing body, an ordinance exempting their jurisdiction from the provisions of this chapter. The adoption of the ordinance shall not be subject to the California Environmental Quality Act (commencing with Section 21000).

(b) Notwithstanding the requirements of this chapter, a city or a county ordinance specifying requirements for tree preservation or solar shade control shall govern within the jurisdiction of the city or county that adopted the ordinance.

25986. Any person who plans a passive or natural solar heating system or cooling system or heating and cooling system which would impact on an adjacent active solar system may seek equitable relief in a court of competent jurisdiction to exempt such system from the provisions of this chapter. The court may grant such an exemption based on a finding that the passive or natural system would provide a demonstrably greater net energy savings than the active system which would be impacted.

Attachment 3

California's Solar Shade Control Act

A Review of the Statutes and Relevant Cases

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EPIC

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The Energy Policy Initiatives Center (EPIC) is a nonprofit academic and research center of the USD School of Law that studies energy policy issues affecting the San Diego region and California. EPIC integrates research and analysis, law school study, and public education, and serves as a source of legal and policy expertise and information in the development of sustainable solutions that meet our future energy needs.

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Table of Contents

1. INTRODUCTION

California has been a leader in promoting solar energy since 1976, when it began to provide financial incentives for investment in solar energy technologies.[1] One legacy of California's early interest in solar energy is a series of laws designed to protect a consumer's right to install and operate solar energy technology on a home or business, including access to sunlight, or solar access. Although California's solar energy laws have been around for nearly thirty years, we now examine this groundbreaking legislation for two reasons. First, consumers and businesses often misunderstand the provisions and application of these laws. Second, given the significant financial incentives available for solar technologies in California and the availability of property-assessed clean energy ("PACE") financing programs,[2] it is likely that the number of operating solar energy systems will increase dramatically. As a result, it is reasonable to expect that the number of solar access questions in California will also increase.

This paper examines Sections 25980–25986 of the California Public Resources Code,[3] known as the Solar Shade Control Act (hereinafter "the Act"), and reviews lawsuits brought under the Act. Through the Act, which was enacted in 1978[4] and later amended in 2008,[5] the Legislature sought to balance the desired effects of planting trees and shrubs for shade and visual appeal with the desire for increased use of solar energy devices, whose performance can be hindered by shade from nearby vegetation. The Act provides for specific and limited controls of trees and shrubs to protect the use of nearby solar energy systems. However, the extent to which the Act protects solar energy systems from vegetation-created shade is frequently misunderstood, and the subject of many disputes between neighboring property owners. Thus, this paper is intended to provide solar energy users and neighboring tree and shrub owners more information about the content and application of California's solar laws.

1.1. Organization of the Paper

This paper is organized into the following sections:

1. Section 2 provides detailed information about the Act, including key provisions, and discusses how and to whom the Act applies.

2. Section 3 lists statutory criteria included in the Act to help solar energy system owners and tree owners[6] determine whether the provisions of the Act apply.

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1 A solar energy tax credit was created in 1976 and codified in California Revenue and Taxation Code Section 23601 (repealed 1987).

2 PACE programs allow local government entities to offer sustainable energy project loans to eligible property owners. Through the creation of financing districts, property owners can finance renewable onsite generation installations and energy efficiency improvements through a voluntary assessment on their property tax bills.

3 Unless otherwise indicated, all further references are to this code.

4 1978 Cal. Stat. ch. 1366.

5 2008 Cal. Stat. ch. 176.

6 The Solar Shade Control Act refers to both shrub owners and tree owners. In this paper, we use only the phrase "tree owner" for simplicity.

3. Section 4 discusses California case law under the Act.

4. Section 5 follows with a general conclusion.

5. The Appendix, Section 6, provides other informative resources related to the Act, and the full text of the Act.

2. THE SOLAR SHADE CONTROL ACT

In concept, California's solar access laws spring from deep historical roots. The Romans, whose architecture was designed to take advantage of the sun's light and heat, likely were the first to codify protections of a homeowners' access to sunlight.[7] Similarly, the doctrine of ancient lights protected landowners' access to sunlight as far back as seventeenth century Great Britain.[8]

California's interest in solar access laws began in 1973, when the United States faced an energy crisis on multiple fronts, including an inadequate electricity supply, climbing fuel prices, and an oil embargo. This crisis, in conjunction with a second that occurred in 1979-1980, increased consumer and government interest in resource conservation and alternative energy technologies. Consequently, in 1978 California passed, among other energy-related measures, legislation that provided financial incentives for consumers and businesses to invest in solar energy technologies, as well as Assembly Bill 2321, the Solar Shade Control Act.[9] The Act was later amended in 2008 after the story of two Santa Clara County residents being criminally prosecuted and convicted under the Act for letting their redwoods cast shade on a neighbor's solar panels received national attention.[10]

The Act provides limited protection to solar energy system owners from shading caused by trees and shrubs on adjacent properties. Generally speaking, the Act prohibits a property owner from allowing trees or shrubs to shade an existing solar energy system installed on a neighboring property, provided the shading trees or shrubs were planted after the solar collecting device was installed.[11] The Act includes the following key provisions.

2.1. California's Policy Intent

Section 25980 provides a policy rationale for the Act: "It is the policy of the state to promote all feasible means of energy conservation and all feasible uses of alternative energy supply sources." This section also encourages the planting of trees and shrubs to create shade and moderate ambient air temperature.[12] But with passage of the Act, the Legislature recognized that circumstances may exist "in which the need for widespread use of alternative energy devices, such as solar collectors, requires specific and limited controls on trees and shrubs" when plant shading interferes with the use of solar systems on adjacent properties.[13]

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7 Melvin M. Eisenstadt, *Access to Solar Energy: The Problem and its Current Status*, 22 Nat. Resources J. 21, 21 (1982).

8 Id.

9 *See* 1978 Cal. Stat. ch. 1366 (enacted the Act); 1978 Cal. Stat. ch. 1154 (provided for solar easements and a solar tax credit).

10 See Felicity Barringer, In California Neighbors' Dispute, Officials Find It's Time to Speak for the Trees, N.Y. Times, July 23, 2008. See also 2008 Cal. Stat. ch. 176.

11 Cal. Pub. Res. Code § 25982 (2009).

12 § 25980.

13 Id.

2.2. Definition of "Solar Collector"

Section 25981(a) of the Act provides the statutory definition of a solar collector as "a fixed device, structure, or part of a device or structure . . . that is used primarily to transform solar energy into thermal, chemical, or electrical energy." In 2008, the Act was amended to exclude from its protection any solar device or structure that is "designed and intended to offset more than the building's electricity demand."[14] Under the Act, a solar collector is to be used as part of a system which makes use of solar energy for water heating, space heating or cooling, or power generation.[15] Based on this statutory definition, the following common solar energy systems would be considered "solar collectors":

- Photovoltaics.
- Solar water heating for use in buildings.
- Solar water heating for space heating.
- Solar pool heating.

The Act does not specify whether a residential structure designed to take advantage of the sun's light and warmth, sometimes referred to as a passive solar home, would be defined as a solar collector by the Act. However, this question was answered in *Sher v. Leiderman*, in which the California Court of Appeal held that a passive solar home would not meet the definition of a "solar collector," as defined in Section 25981.[16] The court reasoned that statutory language defining a solar collector was not intended to accord protection to passive systems.[17] Consequently, the *Sher* court held that exclusively passive solar homes are not protected from shading by the Solar Shade Control Act.[18]

Confusion over what systems are "active" or "passive" under the Act is compounded by system-specific terminology. For example, there are two main types of solar water heating systems: active and passive. Active systems use pumps and sensors to control the flow of water into and out of the collector. Passive systems have no moving parts and rely on existing water pressure from the home's plumbing and convection to move water through the collector. But, because both active and passive solar water heating systems are used primarily to convert solar energy into hot water, they are "solar collectors" under the Act, and entitled to protections from shading thereunder.

2.3. Installation Requirements

A solar collector is defined under Section 25981(a) as including only those devices or structures fixed on the roof of a building.[19] However, if "a solar collector cannot be installed on the roof of [a] building receiving

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[14] § 25981(c).

[15] § 25981(a).

[16] Sher v. Leiderman, 181 Cal. App. 3d 867, 883 (1986).

[17] Id.

[18] Id.

[19] § 25981(a).

the energy due to inappropriate roofing material, slope of the roof, structural shading, or orientation of the building," the Act promulgates that a solar collector can instead be installed on the ground.[20]

Whether affixed to the roof or the ground, Section 25981(d) provides that the Act's protections only apply to solar collectors, as defined above, that have been installed and comply with all local building and setback regulations. In relevant part, the Act specifies that solar collectors must "be set back not less than five feet from the property line, and not less than 10 feet above the ground. A collector may be less than 10 feet in height, only if, in addition to the five-foot set back, the solar collector is set back three times the amount lowered."[21] Thus, it is possible that a solar energy system that meets Section 25981's definition of a solar collector may be installed in a manner that violates the Section 25981(d) setback requirements. In such a case, the solar energy system would not be protected by the provisions of the Act.

2.3.1. Optional Notice Prior to Installation

The Act's amendment authorizes property owners contemplating solar collector installations to provide notice to affected neighbors of a proposed solar collector installation. While this is not required, Section 25982.1(a) states that the owner of a property where a solar collector is proposed to be installed may provide, no more than sixty days prior to its installation, a written notice by certified mail to the owners of the affected property using a specified form. The notice would state, in part, the property owner's contact information, the specific location of where the solar collector will be installed on the property, and the proposed installation date of the solar collector.[22] A copy of the specified form to be used is provided in Section 25982.1(a) and included here in Section 6.2 of the Appendix.

2.4. Threshold for Violation

Specifically, Section 25982 of the Act prohibits certain tree owners from planting or allowing a newly planted tree or shrub to cast a shadow over more than ten percent of a solar collector on a neighboring property at any one time during the hours of 10:00 a.m. and 2:00 p.m. However, the Act's amendment exempts all trees and shrubs planted prior to the time of the installation of a solar collector.[23] In other words, the Act allows trees and shrubs to grow and shade solar panels without penalty as long as they predate the neighboring solar collector.

2.5. Who is Liable Under the Act?

Section 25983 provides that "the person who maintains or permits the tree or shrub to be maintained" can be liable if they violate the Act. Specifically, the Act states that those people who fail to "remove or alter the tree or shrub after receiving a written notice from the owner or agent of the affected solar collector requesting compliance with the requirements" of the Act can be held responsible for violations of the Act.[24]

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[20] § 25981(b).

[21] § 25982.

[22] § 25982.1(a).

[23] § 25984(a). The Act, however, does not explicitly define the phrase "time of installation."

[24] § 25983.

2.6. Penalties for Violation

Prior to its amendment in 2008, violators of the Act could be criminally prosecuted and convicted of maintaining a public nuisance for allowing their trees to shade neighboring solar collectors.[25] California legislators acted to change this punishment after the story of two Santa Clara County residents being criminally convicted and ordered to prune their redwood trees sparked national debate.[26] After the Act's amendment, violations are no longer considered criminal.[27] Instead, Section 25983 provides that violations of Section 25982 now constitute a private nuisance, as defined in Section 3481 of the California Civil Code. It should be noted, however, that the 2008 amendment is not retroactive. In other words, any criminal convictions issued under the prior Act still stand.

2.7. Procedures for Seeking Protection Under the Act

Before the Act's amendment became effective January 1, 2009, solar collector owners seeking to enforce the Act had to have their claims prosecuted by a district attorney or other prosecutor. This entailed demonstrating to the prosecutor that a violation occurred, having the prosecutor deliver a thirty day abatement notice to the offending tree owner to cure the violation, and finally prosecuting the tree owner if the violation was not abated within thirty days.[28]

Now that violations of the Act are no longer criminally prosecuted, the solar collector owner is solely responsible for enforcing the protections afforded by the Act. This is essentially a two step process. First, the affected solar collector owner must provide the tree owner written notice requesting compliance with the requirements of Section 25982.[29] Second, if the tree owner fails to comply with the written notice requesting compliance with the Act, the affected solar collector owner may bring a private nuisance suit under the Act against the neighboring tree owner to remedy the solar shading.[30]

2.8. Exemptions for Certain Property Owners

The Act both explicitly and implicitly exempts certain property owners and certain trees and shrubs from the Act. Indeed, the solar collector owner's right to sunlight is not absolute.

2.8.1. Exemption for Existing Trees or Shrubs

Section 25984(a) states that the Act does not apply to trees or shrubs planted prior to the installation of a solar collector. Therefore, trees or shrubs planted before a solar collector is installed and later grow to cast a shadow over more than ten percent of the solar collector are completely exempt from the Act.

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25 Cal. Pub. Res. Code § 25983 (2007), *amended by* Cal. Pub. Res. Code § 25983 (2009).

26 Felicity Barringer, *Trees Block Solar Panels, and a Feud Ends in Court*, N.Y. Times, April 7, 2008.

27 § 25983 (2009).

28 § 25983 (2007), *amended by* Cal. Pub. Res. Code § 25983 (2009).

29 § 25983 (2009).

30 Id.

2.8.2. Exemption for Timberland and Agricultural Land

Section 25984(b) of the Act specifically exempts all trees planted, grown, or harvested on timberland or on land devoted to the production of commercial agricultural crops. [31]

2.8.3. Exemption for Replacement Trees[32]

Section 25984(c) provides an exemption for trees or shrubs planted to replace trees or shrubs that had been growing prior to the installation of a solar collector. Consequently, if a tree planted prior to the installation of the solar collector dies, or is removed for the protection of public health, safety, or the environment, and is subsequently replaced, the replacement tree is exempt from the Act, even if it shades the solar collector in a way that would otherwise violate the Act.[33]

2.8.4. Exemption for Trees Subject to a Local Ordinance

Section 25984(d) exempts from the provisions of the Act any "tree or shrub that is subject to a city or country ordinance."

2.8.5. Exemption for Municipalities

Section 25985(a) of the Act allows any city or unincorporated areas of a county to adopt an ordinance exempting itself from the Act.[34] This exemption applies only to trees planted and maintained by the municipality itself, and not to trees owned by private citizens. *Zipperer v. County of Santa Clara*, 133 Cal. App. 4th 1013 (2005), discussed in Section 4.3 of this paper, further discusses this exemption.

2.8.6. Exemption for Passive Systems

Section 25986 permits owners of passive solar systems that would cast a shadow over a solar collector on an adjacent property to seek an exemption from the Act. To grant an exemption, the court must find that the net energy savings from the passive solar system would exceed those of the shaded solar collector.[35]

As discussed in Section 2.2 of this paper, the statute does not clearly define what solar energy systems or structures constitute a "passive or natural solar heating system or cooling system" and are exempt from the

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[31] § 4526 defines "Timberland" as:

[L]and, other than land owned by the federal government and land designated by the board as experimental forest land, which is available for, and capable of, growing a crop of trees of any commercial species used to produce lumber and other forest products, including Christmas trees. Commercial species shall be determined by the board on a district basis after consultation with the district committees and others.

[32] § 25984 does not specifically define what constitutes a replacement tree.

[33] § 25984(c).

[34] § 25985(a) further states that "adoption of the ordinance shall not be subject to the California Environmental Quality Act." The following California jurisdictions have exempted themselves from the Act: Butte County, City of Santee, City of Shasta Lake, Sacramento County, and Santa Clara County. Note that this is not an exhaustive list. Review local municipal codes or contact local officials to determine if a municipality has an exemption.

[35] § 25986.

Act's protections. A passive or natural solar heating or cooling system could be interpreted to mean a structure or building that is designed to use orientation, thermal mass, and shading for passive heating or cooling. Alternatively, a passive or natural solar heating or cooling system could be interpreted to mean deciduous trees that would block summer sunlight but permit winter sunlight to enter a building. Trees or shrubs used as passive or natural solar heating or cooling systems that shade an adjacent active solar system may be exempt from the provisions of the Act, provided the court finds that the passive system provides greater net energy savings than the adjacent solar collector.[36]

[36] *See generally* John W. Gergacz, *Legal Aspects of Solar Energy: Statutory Approaches for Access to Sunlight*, 10 B.C. Envtl. Aff. L. Rev. 1, 20 (1982) ("tree and shrub placement may work passively with the design of a building to naturally heat or cool it, at least in part").

3. HOW THE PROVISIONS AFFECT EACH PARTY

We have grouped the key provisions of the Act to demonstrate the threshold for the solar collector owner to demonstrate a violation under the Act, and the tree owner to determine if the alleged violation is actionable.

3.1. Solar Collector Owner

The following provides a listing of the statutory conditions necessary to demonstrate that a tree or shrub on an adjacent property is shading a solar collector in a way violates the Act. The solar collector owner must be able to answer the following questions in the affirmative to be protected by the Act:

- Was the tree or shrub in question planted after the solar collector's installation?
- Was the solar collector installed pursuant to Section 25981(d)'s setback requirements?
- Does the solar collector meet the statutory definition of a "solar collector" provided in Section 25981?
- Does the neighboring tree or shrub shade more than ten percent of the solar collector between 10:00 a.m. and 2:00 p.m. local standard time?

3.2. Tree Owner

The following provides a list of the statutory conditions necessary to determine if a property or tree owner is violating the Act. There may be no violation of the Act if the tree owner can answer in the negative to any of the following questions:

- Does the tree or shrub shade more than ten percent of the solar collector between 10:00 a.m. and 2:00 p.m. local standard time?
- Was the tree or shrub in question planted after the solar collector was installed?
- Did the solar collector owner, or their agent, provide written notice requesting compliance with the requirements of Section 25982?

Further, there may be no violation of the Act if the tree owner also can answer any of the following questions in the affirmative:

- Was the solar collector designed and intended to offset more than the building's electricity demand?
- Is the tree or shrub in question owned by a municipality that has passed an ordinance exempting itself from the Act?
- Is the tree or shrub subject to a city or county ordinance?
- Is the tree or shrub in question growing on land designated as timberland or agricultural land?
- Are the trees or shrubs in question part of a passive cooling and heating strategy in which net energy savings from the passive solar system are demonstrably greater than those of the shaded solar collector?

4. CASES RELATING TO THE ACT

Though relatively few cases have examined the Solar Shade Control Act since its enactment in 1978, the following cases provide insight into the Act's interpretation and legal argumentation:

- *California v. Bissett*, No. BB727255 (Cal. Sup. Ct. Santa Clara County Mar. 28, 2008).
- *Sher v. Leiderman*, 181 Cal. App. 3d 867 (1986).
- Zipperer v. County of Santa Clara, 133 Cal. App. 4th 1013 (2005).
- *Kucera v. Lizza*, 59 Cal. App. 4th 1141 (1997).
- *Prah v. Maretti*, 108 Wis. 2d 223 (1982).

4.1. California v. Bissett

The first and only prosecution under the Act occurred in *California v. Bissett.*[37] The story begins in 1996, when defendant Bissett and her husband Treanor introduced three redwood trees in their backyard.[38] Over the next five years, they planted five more redwoods.[39] In 2001, plaintiff neighbor Vargas installed solar panels on his roof and shortly thereafter asked the defendants to remove or prune the shading redwood trees.[40] After the defendants refused to comply, the District Attorney's Office commenced its prosecution against the defendants under the Act.[41]

Upon concluding that some of the redwood trees were in violation of the Act, Judge Kumli of the Santa Clara County Superior Court convicted Bissett and Treanor under the state's nuisance law.[42] As part of the conviction, Judge Kumli ordered Bissett and Treanor to alter or remove any offending tree so that less than ten percent of Vargas' solar panels would be shaded.[43] After the conviction, and in order to comply with the court's order, the defendants eventually pruned one of the redwood tree's upper branches.[44]

As a result of this case, and the widespread attention it received nationwide following the conviction, California State Senator Joe Simitian introduced Senate Bill 1399 (2008), an amendment to the Solar Shade Control Act.[45] The bill exempting all trees and shrubs planted prior to the installation of a solar panel was signed into law by Governor Arnold Schwarzenegger in July 2008 and became effective January 1, 2009.[46]

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37 No. BB727255 (Cal. Sup. Ct. Santa Clara County Mar. 28, 2008).

38 Barringer, *supra* note 26.

39 Id.

40 Id.

41 Id.

42 *Bissett*, No. BB727255.

43 Id.

44 Barringer, *supra* note 10.

45 Barringer, *supra* note 26.

46 2008 Cal. Stat. ch. 176.

4.2. Sher v. Leiderman

Sher v. Leiderman, briefly discussed in Section 2.2 of this paper, provides guidance as to whether a passive solar home meets the Act's definition of a "solar collector."[47]

The Shers designed and constructed a house that takes advantage of winter heat and light.[48] The Shers installed south-facing windows, skylights, and a large south-facing concrete patio as passive design features to light and heat the home's interior.[49] The home, which did not include any solar collectors as defined by the Act, was characterized by the trial court as a "passive solar" home, even though it had no thermal mass features to store and emit radiation of heat.[50]

In the decades after the Shers built their house, trees on the adjoining property, owned by the Leidermans, matured and prevented winter sunlight from reaching the Sher's home.[51] Between December and February, the trees cast a shadow on much of the Sher's home from 10:00 a.m. to 2:00 p.m.[52] To restore sunlight to the Sher's home, some trimming, topping, and removal of the Leiderman's trees would have been necessary.[53] As required by then-existing Section 25983, the Shers contacted the Santa Clara County District Attorney, who determined that the Solar Shade Control Act did not apply to the Sher's situation and did not offer a notice to abate to the Leidermans.[54]

The Shers then sued their neighbors on three causes of action: (1) private nuisance; (2) public nuisance under the California Solar Shade Control Act; and (3) negligent infliction of emotional distress.[55] We focus primarily on the application and interpretation of the Solar Shade Control Act in this case. The court noted in its ruling that at the time no case law had developed regarding the Act, so the question of whether a passive solar home is eligible for the protections afforded solar collectors under the Act was one of first impression.[56]

The California Court of Appeal ruled against the Shers, holding that a passive solar home designed to collect solar heat does not meet the statutory definition of "solar collectors" contained in Section 25981.[57] The court also held that blockage of sunlight in and of itself does not constitute a private nuisance.[58]

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47 Sher v. Leiderman, 181 Cal. App. 3d 867, 881–83 (1986).

48 *Id.* at 873.

49 Id.

50 Id.

51 *Id.* at 874.

52 Id.

53 *Id.* at 875.

54 *Id.* at 880.

55 *Id.* at 875.

56 *Id.* at 881 (A case of first impression is the first time such a specific legal question on that specific topic has been considered by the court).

57 *Id.* at 883.

58 *Id.* at 879–80.

In its ruling, the court referred to then-existing Section 25981, which defined "solar collector" as "a fixed device, structure, or part of a device or structure, which is used primarily to transform solar energy into thermal, chemical, or electrical energy."[59] The Act further provided that a "solar collector shall be used as part of a system which makes use of solar energy for any or all of the following purposes: (1) water heating, (2) space heating or cooling, and (3) power generation."[60]

The Shers argued that their passive solar home is a "structure, or part of a…structure… used as part of a system which makes use of solar energy," thereby meeting the definition of "solar collector" as promulgated under the Act.[61] The court disagreed, stating that the key word in the definition of a solar collector under the Act is "primarily," rather than "structure." Although the Sher's south-facing windows were part of a strategy to passively heat and cool their home, the court did not agree that the primary function of their windows were to heat their home, since the windows also allowed light into the home.[62]

The court further held that permitting the Sher's home to be considered a solar collector would create a definitional problem whereby every home that has a south facing window would be considered a solar collector, regardless of any intention to passively heat or cool their home, and therefore be eligible to receive the protections of the Act.[63] The court additionally referred to the Act's setback restrictions to support its conclusion that the Sher's home was not a solar collector.[64] The court reasoned that the setback restrictions pertain to a solar collector that would be installed on a home or building and not to the home itself.[65] Lastly, the court noted that if the Legislature had intended to apply the rights and remedies of the Act to buildings, it would have indicated its intent through explicit statutory language.[66]

4.3. Zipperer v. County of Santa Clara

Zipperer v. County of Santa Clara examines the municipal exemption contained in Section 25985 of the Act.[67] The central question in this case was whether a municipality could exempt itself from the Solar Shade Control Act after the alleged violation of the Act.[68]

The Zipperers built a home with solar heating and cooling systems in the mid-1980s.[69] The County of Santa Clara purchased an adjacent property in 1991, which contained a small grove of trees, and designated this

59 *Id.* at 881.

60 Cal. Pub. Res. Code § 25981 (1986), *amended by* Cal. Pub. Res. Code § 25981 (2009).

61 *Leiderman*, 181 Cal. App. 3d at 881.

62 Id.

63 Id.

64 *Id.* at 882–83.

65 Id.

66 Id.

67 133 Cal. App. 4th 1013 (2005).

68 *Id.* at 1023–25.

69 *Id.* at 1018.

land as a park reserve.[70] After the County acquired the land, the trees on this parcel grew significantly and began to shade the Zipperer's home, hindering the performance of their solar system.[71] In 1997, the Zipperers requested that the County trim or remove the offending trees.[72] The County did not respond to this request, but in 2002 passed an ordinance exempting itself from the Act.[73] In 2004, the Zipperers brought suit against the County seeking relief under the Act.[74] The Zipperers alleged that the County violated the Act well before it exempted itself, and that allowing the exemption to retroactively apply would allow the County to escape liability for preexisting violations.[75]

The court found in the County's favor, holding that Santa Clara County may, without limitation, exempt itself from the Act.[76] Because the Legislature expressly empowered cities and counties to exempt themselves from the Act, the *Zipperer* court held that the County's validly enacted ordinance extinguished any statutory Solar Shade Control Act claim.[77]

4.4. Kucera v. Lizza

Kucera v. Lizza concerns the validity of a town ordinance protecting property views and sunlight against unreasonable obstruction by tree growth.[78] One of the issues addressed by the California Court of Appeal was whether the Solar Shade Control Act preempts separate local ordinances regarding blockage of sunlight not related to solar collectors.[79]

A Town of Tiburon ordinance, entitled "View and Sunlight Obstruction from Trees," prohibited trees from blocking neighboring homeowners' preexisting views and access to sunlight.[80] When neighboring trees began to obstruct the Kucera's views of San Francisco Bay, the Kuceras brought suit against Lizza, the neighboring tree owner, for violating the town's ordinance. Lizza argued, in part, that the Act preempted the local ordinance due to the perceived conflict between the state law and the Town of Tiburon ordinance.[81]

The *Kucera* court disagreed with Lizza, holding that the Act does not preempt local ordinances restricting the growth of trees from unreasonably blocking views and sunlight.[82] The court reasoned that the town's

70 Id.

71 Id.

72 Id.

73 *Id.* at 1022, note 4.

74 Id.

75 *Id.* at 1022.

76 *Id.* at 1023–25.

77 *Id.* at 1025.

78 59 Cal. App. 4th 1141, 1143 (1997).

79 *Id.* at 1151–53.

80 *Id.* at 1144.

81 *Id.* at 1152–53.

82 *Id.* at 1153.

ordinance was not preempted by the Act partly because Lizza identified "no provisions of Tiburon's ordinance as inconsistent with the state legislation."[83] Therefore, the court's ruling in *Kucera* holds that local ordinances principally concerned with preserving views and sunlight will not be preempted by the Act.[84]

4.5. Prah v. Maretti

Prah v. Maretti is a Wisconsin Supreme Court case in which a homeowner sued a neighbor whose construction plans would block sunlight needed for the homeowner's solar collector.[85] At the time, Wisconsin had no state law protecting access to sunlight, so the homeowners claimed that blocking sunlight from reaching their solar collector constituted a private nuisance.[86]

In this case, the circuit court ruled in favor of the neighbor on a summary judgment motion.[87] The circuit court held that private nuisance law does not apply to blockage of sunlight, and therefore there is no claim upon which the homeowners can seek relief.

The Wisconsin Supreme Court reversed the circuit court's ruling and determined that the case should proceed to trial on the merits.[88] The Wisconsin Supreme Court posited that private nuisance law might apply to obstruction of sunlight for solar energy purposes, and therefore the homeowners stated a claim for which relief could be granted.[89] The case was remanded back to the circuit court.[90]

In reversing the circuit court ruling, the Wisconsin Supreme Court detailed arguments for why blockage of sunlight could constitute a private nuisance. The court noted that this question "requires the court to make 'a comparative evaluation of conflicting interests and to weigh the gravity of the harm to the plaintiff against the utility of the defendant's conduct.'"[91] The *Prah* court also examined three policy reasons explaining why other jurisdictions have traditionally been unwilling to apply the broad power of private nuisance to cases involving solar access.[92] The first of these is the longstanding right of landowners to use property as they wish as long as they did not cause physical damage to a neighbor.[93] Secondly, sunlight has historically only

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83 Id.

84 See id.

85 108 Wis. 2d 223, 224–25 (1982). Note that because *Prah* is not a California case, California courts are not required to abide by its holding.

86 *Id.* at 229. Shortly after *Prah* was decided, Wisconsin passed legislation similar to California's Solar Shade Control Act, and which provided two remedies for solar shading claims. See former Wis. Stat. § 66.031 (now Wis. Stat. § 66.0401) and former Wis. Stat. § 66.032 (now Wis. Stat. § 66.0403).

87 *Id.* at 225.

88 Id.

89 *Id.* at 240.

90 *Id.* at 243.

91 *Id.* at 230 (citation omitted).

92 *Id.* at 235.

93 Id.

been valued for aesthetic enjoyment or for illumination, not as a means of power generation.[94] Third, society has a strong interest in not restricting or impeding land development.[95] The Wisconsin Supreme Court argued that all three of these policy concerns are no longer fully accepted or relevant, especially considering the increase in regulation and development of the use of sun for energy purposes.[96]

[94] Id.

[95] Id.

[96] *Id.* at 236–37.

5. CONCLUSION

California's Solar Shade Control Act provides limited protections for solar collector owners whose devices are shaded by neighboring trees and shrubs. These protections are limited because the Act contains specific requirements that determine which solar collectors are eligible for protections under the Act, including the function of the collector, the manner in which it was installed on the building, and the date the offending tree or shrub was planted.

We revisit this landmark law because its provisions are generally not well understood and California's solar market will grow significantly in the coming decade as a result of expanded financial incentives for solar energy systems. This paper provides information and analysis on the Act to help parties understand the provisions of the law and to understand how the law affects them. Our research should help solar collector owners determine if they are eligible for protections under the Act, help tree owners determine if they are liable for an allegation brought under the Act, and help municipalities understand their ability to be exempt from the provisions in the Act.

6. APPENDIX

6.1. Legal Journals and Law Review Articles

For information about the Act's possible conflicts with the U.S. Constitution, and other interpretations of the Act, the following law review articles and books are a useful resource.[97]

- Sara C. Bronin, *Solar Rights*, 89 B.U.L. Rev. 1217 (2009). This article outlines the various means of protecting the right to solar access and devotes some discussion to the Act.
- Melvin M. Eisenstadt, *Access to Solar Energy: The Problem and its Current Status*, 22 Nat. Resources J. 21 (1982). This general article on solar energy devotes a few pages to specific interpretations of the Act.
- *Energy; Solar Shade Control*, 10 Pac. L.J. 484 (1979). This article provides an overview of the Act including unresolved interpretational questions.
- John. W. Gergacz, *Legal Aspects of Solar Energy: Statutory Approaches for Access to Sunlight*, 10 B.C. Envtl. Aff. L. Rev., 1 (1982–1983). This article discusses the possibility that the Act violates the U.S. Constitution and other specifics of the Act.
- Stephen B. Johnson, *State Approaches to Solar Legislation: A Survey*, 1 Solar L. Rep. 55 (1979). This article also devotes a few pages to discuss various interpretations of the Act.
- Stephen M. Murphy, *Comprehensive Solar Access Regulation in California as a Taking of Property: A Future Battleground for an Old Conflict?*, 15 U.S.F. L. Rev. 537 (1980–1981). This article also addresses the Act's potential conflicts with the U.S. Constitution.
- Robert L. Thayer, *Solar Access, "It's The Law!": A Manual on California's Solar Access Laws for Planners, Designers, Developers, and Community Officials* 9–13, (1981). This is a handbook on California's solar laws, discussing applications and interpretations of the Act.

[97] This is not intended to be an exhaustive list of resources available on the Solar Shade Control Act.

6.2. Full Text of Solar Shade Control Act

The Solar Shade Control Act is contained in the California Public Resources Code Sections 25980–25986. The full text of the statutes is provided below.[98]

25980. This chapter shall be known and may be cited as the Solar Shade Control Act. It is the policy of the state to promote all feasible means of energy conservation and all feasible uses of alternative energy supply sources. In particular, the state encourages the planting and maintenance of trees and shrubs to create shading, moderate outdoor temperatures, and provide various economic and aesthetic benefits. However, there are certain situations in which the need for widespread use of alternative energy devices, such as solar collectors, requires specific and limited controls on trees and shrubs.

25981. (a) As used in this chapter, "solar collector" means a fixed device, structure, or part of a device or structure, on the roof of a building, that is used primarily to transform solar energy into thermal, chemical, or electrical energy. The solar collector shall be used as part of a system that makes use of solar energy for any or all of the following purposes:

(1) Water heating.

(2) Space heating or cooling.

(3) Power generation.

(b) Notwithstanding subdivision (a), for the purpose of this chapter, "solar collector" includes a fixed device, structure, or part of a device or structure that is used primarily to transform solar energy into thermal, chemical, or electrical energy and that is installed on the ground because a solar collector cannot be installed on the roof of the building receiving the energy due to inappropriate roofing material, slope of the roof, structural shading, or orientation of the building.

(c) For the purposes of this chapter, "solar collector" does not include a solar collector that is designed and intended to offset more than the building's electricity demand.

(d) For purposes of this chapter, the location of a solar collector is required to comply with the local building and setback regulations, and to be set back not less than five feet from the property line, and not less than 10 feet above the ground. A solar collector may be less than 10 feet in height only if, in addition to the five-foot setback, the solar collector is set back three times the amount lowered.

25982. After the installation of a solar collector, a person owning or in control of another property shall not allow a tree or shrub to be placed or, if placed, to grow on that property so as to cast a shadow greater than 10 percent of the collector absorption area upon that solar collector surface at any one time between the hours of 10 a.m. and 2 p.m., local standard time.

[98] All current California laws can be found at http://www.leginfo.ca.gov.

Solar Shade Control Act

25982.1. (a) An owner of a building where a solar collector is proposed to be installed may provide written notice by certified mail to a person owning property that may be affected by the requirements of this chapter prior to the installation of the solar collector. If a notice is mailed, the notice shall be mailed no more than 60 days prior to installation of the solar collector and shall read as follows:

SOLAR SHADE CONTROL NOTICE

Under the Solar Shade Control Act (California Public Resources Code Sec. 25980 et seq.) a tree or shrub cannot cast a shadow greater than 10 percent of a solar collector absorption area upon that solar collector surface at any one time between the hours of 10 a.m. and 2 p.m. local standard time if the tree or shrub is placed after installation of a solar collector. The owner of the building where a solar collector is proposed to be installed is providing this written notice to persons owning property that may be affected by the requirements of the act no more than 60 days prior to the installation of a solar collector. The building owner is providing the following information:

Name and address of building owner:

Telephone number of building owner:

Address of building and specific location where a solar collector will be installed (including street number and name, city/county, ZIP Code, and assessor's book, page, and parcel number):

Installation date of solar collector:

____

Building Owner, Date

(b) If the owner of the building where a solar collector is proposed to be installed provided the notice pursuant to subdivision (a), and the installation date is later than the date specified in that notice, the later date shall be specified in a subsequent notice to persons receiving the initial notice.

(c) (1) A transferor of the building where the solar collector is installed may provide a record of persons receiving the notice pursuant to subdivision (a) to a transferee of the building.

(2) A transferor receiving a notice pursuant to subdivision (a) may provide the notice to a transferee of the property.

25983. A tree or shrub that is maintained in violation of § 25982 is a private nuisance, as defined in Section 3481 of the Civil Code, if the person who maintains or permits the tree or shrub to be maintained fails to remove or alter the tree or shrub after receiving a written notice from the owner or agent of the affected solar collector requesting compliance with the requirements of § 25982.

25984. This chapter does not apply to any of the following:

(a) A tree or shrub planted prior to the installation of a solar collector.

(b) A tree planted, grown, or harvested on timberland as defined in Section 4526 or on land devoted to the production of commercial agricultural crops.

(c) The replacement of a tree or shrub that had been growing prior to the installation of a solar collector and that, subsequent to the installation of the solar collector, dies, or is removed for the protection of public health, safety, or the environment.

(d) A tree or shrub that is subject to a city or county ordinance.

25985. (a) A city, or for unincorporated areas, a county, may adopt, by majority vote of the governing body, an ordinance exempting their jurisdiction from the provisions of this chapter. The adoption of the ordinance shall not be subject to the California Environmental Quality Act (commencing with Section 21000).

(b) Notwithstanding the requirements of this chapter, a city or a county ordinance specifying requirements for tree preservation or solar shade control shall govern within the jurisdiction of the city or county that adopted the ordinance.

25986. Any person who plans a passive or natural solar heating system or cooling system or heating and cooling system which would impact on an adjacent active solar system may seek equitable relief in a court of competent jurisdiction to exempt such system from the provisions of this chapter. The court may grant such an exemption based on a finding that the passive or natural system would provide a demonstrably greater net energy savings than the active system which would be impacted.

Attachment 4

LAW OFFICES
OF
STIMMEL, STIMMEL & SMITH
A PROFESSIONAL CORPORATION

ENCROACHING TREES: WHO HAS THE RIGHT TO DO WHAT?

Introduction:

As discussed in our article on **nuisance**, property owners have certain duties to maintain and utilize their property so that it does not constitute a nuisance for either other property owners nearby or the public. The traditional cases involved inappropriate use (a smelly pig farm in a residential area or a saloon next to a school) or obnoxious use (loud noises that make adjoining locales unpleasant for living, etc.)

One "nuisance" often alleged involves the encroachment of trees, shrubs and other vegetation from one lot onto an adjoining lot. This issue can easily become an emotional one with a property owner loving a large elderly tree while the adjoining neighbor complains about the branches overhanging the property.

Does one have a right to trim trees or branches that actually extend into one's property? Does one have a right to enter adjoining land to trim trees?

In California there is ample statutory authority to answer these questions and this article discusses both the law... and some practical considerations a property owner may want to keep in mind before pulling the chain saw out.

Basic Law:

In California a duty is imposed upon a landowner to prevent nuisances that could adversely affect the property of an adjoining owner of land. "Nuisance" is usually defined as a substantial interference with the "right to use and enjoy" the land and it may be intentional or negligent in origin. Some nuisances impose severe statutory liability if they involve hazardous conditions or substances.

A nuisance must derive from the defendant's activity or neglect. If a nuisance conflicts with another person's quiet enjoyment of the use of the adjoining property, a cause of action lies including the right to seek an injunction ordering the end of the nuisance by removal, repair, rehabilitation or demolition. The burden of proof is on the party claiming the nuisance and damages can be assessed against the defendant if the plaintiff has been injured.

The encroachment of shrubs or vegetation, including a tree, upon a neighbor that causes any damage could be held to be a nuisance and damages could lie against the owner of the land on which the tree was located. In most states, a landowner is held to a duty of "common reasonable prudence" in maintaining shrubs and trees on their own property so as to prevent injury to others or to property of another. Assuming damage is demonstrated, or clear potential for damage, liability would exist. A typical example is a half broken large limb overhanging the roof of an adjoining neighbor which will clearly break and fall in the next storm.

It should be noted that minus some degree of failure to maintain, a property owner is not responsible for Acts of God, e.g. unforeseen events that can cause damage to the adjoining lot. A example would be a lightning strike which causes a burning tree to collapse on the neighbors automobile next door.

Some damage is prolonged and fully foreseeable, such as tree roots damaging a fence or concrete walkway. Roots can also be considered encroachment.

A tree that is on two lots, a "boundary tree" is considered jointly owned and should not be removed without mutual consent or court order. And in most jurisdictions, leaves falling onto an adjacent lot are not considered a nuisance and are the responsibility of the owner of the lot with the leaves to remove. Such falling of leaves is considered a "natural occurrence" and not a nuisance. And recall that in the United States, there is no easement for light, so if a tree causes shade or blocks a view, that is not considered in itself a nuisance.

Every state allows property owners to trim and remove branches, shrubs and roots that invade their property but most states require the owner to first give the owner of the tree or shrub adequate notice to solve the problem him or herself and advise them that such cutting is planned. Usually, the trimming may only be up to the property line and one cannot enter the adjoining property without prior consent unless there is immediate danger to life or property.

One is not allowed to cut the entire tree down or to cut it in such a manner that it will kill the tree. Indeed, some jurisdictions do not allow such cutting that would create greater harm or ruin the aesthetics of the tree. A good example is to cut the tree so that it is lopsided and likely to topple over in the next storm. There are also various county or city statutes that may apply, including those that protect various species of trees or animal life or prohibit the cutting of shade trees above a certain size. Penalties and even criminal liability may lie for ignoring these laws.

California Basic Statutes:

The following California statutes should be reviewed by anyone considering taking action:

Section 833 Civil Code:

Trees whose trunks stand wholly upon the land of one owner belong exclusively to him, although their roots grow into the land of another.

Section 834 Civil Code:

Trees whose trunks stand partly on the land of two or more coterminous owners, belong to them in common.

Section 841 Civil Code:

Coterminous owners are mutually bound equally to maintain:
1. The boundaries and monuments between them;
2. The fences between them, unless one of them chooses to let his land lie without fencing; in which case, if he afterwards incloses it, he must refund to the other a just proportion of the value, at that time, of any division fence made by the latter.

Section 841.4 Civil Code:

Any fence or other structure in the nature of a fence unnecessarily exceeding 10 feet in height maliciously erected or maintained for the purpose of annoying the owner or occupant of adjoining property is a private nuisance. Any owner or occupant of adjoining property injured either in his comfort or the enjoyment of his estate by such nuisance may enforce the remedies against its continuance prescribed in Title 3, Part 3, Division 4 of this code.

Section 3346 Civil Code:

(a) For wrongful injuries to timber, trees, or underwood upon the land of another, or removal thereof, the measure of damages is three times such sum as would compensate for the actual detriment, except that where the trespass was casual or involuntary, or that the defendant in any action brought under this section had probable cause to believe that the land on which the trespass was committed was his own or the land of the person in whose service or by whose direction the act was done, the measure of damages shall be twice the sum as would compensate for the actual detriment, and excepting further that where the wood was taken by the authority of highway officers for the purpose of repairing a public highway or bridge upon the land or adjoining it, in which case judgment shall only be given in a sum equal to the actual detriment.

(b) The measure of damages to be assessed against a defendant for any trespass committed while acting in reliance upon a survey of boundary lines which improperly fixes the location of a boundary line, shall be the actual detriment incurred if both of the following conditions exist: (1) The trespass was committed by a defendant who either himself procured, or whose principal, lessor, or immediate predecessor in title procured the survey to be made; and (2) The survey was made by a person licensed under the laws of this State to practice land surveying.

(c) Any action for the damages specified by subdivisions (a) and (b) of this section must be commenced within five years from the date of the trespass.

Section 3479 Civil Code:

Anything which is injurious to health, including, but not limited to, the illegal sale of controlled substances, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, or river, bay, stream, canal, or basin, or any public park, square, street, or highway, is a nuisance.

Section 3480 Civil Code:

A public nuisance is one which affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal.

Section 3481 Civil Code:

Every nuisance not included in the definition of the last section is private.

Section 3482 Civil Code:

Nothing which is done or maintained under the express authority of a statute can be deemed a nuisance.

Section 3483 Civil Code:

Every successive owner of property who neglects to abate a continuing nuisance upon, or in the use of, such property, created by a former owner, is liable therefor in the same manner as the one who first created it.

Section 3484 Civil Code:

The abatement of a nuisance does not prejudice the right of any person to recover damages for its past existence.

Section 3501 Civil Code:

The remedies against a private nuisance are:
1. A civil action; or,
2. Abatement.

Section 3502 Civil Code:

A person injured by a private nuisance may abate it by removing, or, if necessary, destroying the thing which constitutes the nuisance, without committing a breach of the peace, or doing unnecessary injury.

Section 3503 Civil Code:

Where a private nuisance results from a mere omission of the wrongdoer, and cannot be abated without entering upon his land, reasonable notice must be given to him before entering to abate it.

Conclusion:

Some common sense is useful in determining how to handle encroachment. One mistake we often see is that the neighbors quickly become angry and that trimming is done to "punish" another in such a way that feelings are exacerbated and lawyers become wealthy.

If there is truly a potential for danger to life or property, substantiate that danger via an expert letter from someone with credibility and make sure is it sent to the neighbor. If you are the neighbor whose tree is being threatened by claims of encroachment, do the same in reverse.

The court would take such a report quite seriously and if the experts indicate a pressing danger and the neighbor owning the tree ignores it, a suit for injunction is called for which can be drafted and filed quite quickly. The expert report is the key.

Some cities have their own programs for trimming dangerous trees and a call to the relevant department in the city would make sense.

The worst thing you can do is trespass to trim the tree. Absent true emergency, avoid doing that. Remember, you have to live there after the trimming is done and aside from likely litigation, you will have hard feelings around your home.

If you own the tree which you love, most of the time a tree expert can advise as to how to protect the tree without angering or endangering your neighbor. It may cost a bit to get that advice. Most likely, attorneys are more expensive than tree experts.

And both neighbors should remember the words of John Milton: "Accuse not Nature, she hath done her parts; Do thou but thine..."

These Articles are to give the reader a general description of certain areas of the law. Legal advice is necessary to apply these legal concepts to your particular situation. ***The Reader should obtain competent legal advice before relying on the Articles.***

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Chapter 15.70

TREE PROTECTION

Sections:

15.70.010 Purpose. The City of Clayton contains many species of trees that are of great significance. It is recognized that the preservation of these trees enhances natural scenic beauty, sustains potential increases in property values, encourages high-quality development, maintains the natural ecology, tempers extremes in climate, prevents erosion of top soil, aids in reducing air pollution, provides habitat for wildlife, and preserves the identity, character, and rural tradition of the City. For these reasons, the City Council finds that regulating the removal of trees will promote the health, safety, and general welfare of the residents and property owners within the City consistent with the right of an individual to develop private property in a manner which will not be prejudicial to the public interest. It is not the intent of this ordinance to prevent the removal of undesirable trees or to restrict the reasonable rights of property owners, but only to encourage the planting and retention of desirable trees to protect the beauty and ecological balance of the natural surroundings.

15.70.015 Definitions.

A. "Development Application" means any proposed project that involves subdivision, alteration, development, or use of a property that requires one or more of the following permits: use permit, site plan permit, demolition permit, building permit, grading permit, encroachment permit, or moving building permit.

B. "Director" means the Community Development Director, including his or her designated representative.

C. "Protected Tree" means any tree that is of the following varieties: Ash (Fraxinus Dipetala); Bay (Umbellularia Californica); Box Elder (Acer Negundo); Buckeye (Aesculus Californica); Cherry (Prunus Emarginata, Prunus Illicifolia, Prunus Subcordata); Cottonwood (Populus Fremontii); Elderberry (Sambucus Mexicana); Hop Tree (Ptelea Crenulata); Madrone (Arbutus Menziesii); Maple (Acer Macrophyllum); Oak (Quercus Agrofolia, Quercus Chrysolepis, Quercus Douglasii, Quercus Kelloggii, Quercus Lobata, Quercus Wislizeni); Sycamore (Platanus Racemosa); or Walnut (Juglans Hindsii).

D. "Tree" means a live woody plant having a single perennial stem or a multi-stemmed perennial plant which is over fifteen (15) feet in height at maturity.

E. "Trunk Diameter" means the diameter of a tree trunk as measured four (4) feet, six (6) inches above natural grade.

15.70.020 Permit Required. A tree removal permit shall be obtained prior to the removal of:

A. A tree with a single trunk or multiple trunks with a cumulative trunk diameter of six (6) inches or greater, located on private or public property; or

B. A tree of any size specifically required to be planted as part of a development application, landscape plan, or tree replacement plan approved by the City after April 1, 2005.

15.70.025 Application. A permit application shall be completed and filed with the Community Development Department and shall include:

A. The application form established by the Community Development Department in order to have the information needed to demonstrate compliance with the standards set forth in Section 15.70.035.

B. A fee or deposit as established by resolution of the City Council.

C. A site plan indicating the quantity, location, size, species, and dripline of the tree(s) proposed for removal as well as the tree(s) to be retained.

D. An arborist report and/or soils report, if required by the Director. The arborist report shall be prepared by a certified arborist. The Director may require the certified arborist to be independent of the tree removal company. The arborist report shall address relevant issues including: health of the tree, soil conditions, irrigation conditions, grade levels of adjacent terrain, structural integrity, and options for removal of the tree.

E. A tree replacement plan indicating the quantity, location, size, and species of the proposed replacement tree(s), if required by the Director, in accordance with Section 15.70.040.

F. Any additional items that may be required by the Director to demonstrate compliance with the standards set forth in Sections 15.70.030.A or 15.70.035, as applicable.

15.70.030 Process. Based upon the application the Director shall, in the Director's sole discretion, determine which of the following review procedures is appropriate for review and action upon the application.

A. Administrative Decision without Notice. The Director may approve or conditionally approve a tree removal permit if the application substantially conforms with one or more of the standards listed below. The Director may deny a tree removal permit if the application does not substantially conform with any of the following standards or the Director may review and act upon the application in accordance with Section 15.70.030.B.

1. The tree is weakened by incurable disease or infestation; age; storm; improper pruning; vandalism; or other injury.
2. The tree is causing damage or clearly posing a danger to an existing structure, improvement, or other tree; and the existing structure, improvement, or other tree cannot be reasonably relocated or modified to alleviate the damage or danger posed by the subject tree and thereby retain the subject tree.
3. The tree needs to be removed to allow construction of an improvement that is related to a development application; and the improvement cannot be reasonably relocated or modified to retain the subject tree.
4. The tree is obstructing or damaging utility service; the tree cannot be reasonably pruned to alleviate the obstruction or damage to the utility service; and the utility service cannot be reasonably relocated or modified to retain the subject tree.
5. The tree will be replaced by replacement tree(s) planted pursuant to a tree replacement plan prepared in accordance with the standards of Section 15.70.040 which fully mitigates the impacts created by the removal of the tree. The Director may waive the requirement for a tree replacement plan if the Director determines that removal of the tree will not cause a significant impact since the tree is minor in nature or existing trees on the property adequately compensate for removal of the tree.

B. Administrative Decision with Notice. A notice shall be mailed to the applicant as well as the residents and owners of real property, as shown on the latest assessment roll, located contiguous to or directly across any street abutting the property containing the subject tree. The notice shall provide a general explanation of the nature of request for a tree removal permit; a general description, in text or diagram, of the location of the property containing the subject tree; and a due date, not more than ten (10) days from the date of the notice, for submission of any written comments on the requested tree removal permit. At the conclusion of the comment period, the Director shall evaluate any comments received and take one of the following actions:

1. Approve or conditionally approve a tree removal permit if the application substantially conforms with one or more of the standards set forth in Section 15.70.035.
2. Deny a tree removal permit if the application does not substantially conform with one or more of the standards set forth in Section 15.70.035.
3. Refer the application to the Planning Commission for a decision in accordance with Section 15.70.030.C.

C. Planning Commission Decision with Notice. A notice shall be mailed to the applicant as well as the residents and owners of property, as shown on the latest assessment roll, located within three hundred (300) feet of the property containing the subject tree. The notice shall contain the information listed in subsection B above and provide the time, date, and place that the Planning Commission will consider the application. The Planning Commission shall consider the application and approve or conditionally approve the permit if the application substantially conforms with one or more of the standards set forth in Section 15.70.035. The Planning Commission shall deny the permit if application does not substantially conform with one or more of the standards set forth in Section 15.70.035. Following action by the Planning Commission, a notice of decision shall be mailed to the applicant and any parties who provide testimony or written comments regarding the application.

D. Permit Expiration. A tree removal permit is valid for ninety (90) days from the date of permit approval, unless otherwise specified.

<u>15.70.035</u> <u>Standards of Approval</u>. A tree removal permit approved in accordance with Sections 15.70.030.B or C shall not cause or increase erosion in the vicinity of the tree and shall meet at least one of the standards listed below.

A. The tree is weakened by incurable disease or infestation; age; storm; improper pruning; vandalism; or other injury. At the discretion of the Director or Planning Commission, this condition may require verification by a certified arborist at a cost paid for by the applicant. In situations involving a protected tree, the arborist may be required to be independent of the tree removal company.

B. The tree is causing damage or posing a danger to an existing structure, improvement, or other tree.

C. The tree needs to be removed to allow construction of an improvement that is related to a development application.

D. The tree is obstructing or damaging utility service.

E. The tree will be replaced by replacement tree(s) planted pursuant to a tree replacement plan prepared in accordance with the standards of Section 15.70.040 which fully mitigates the impacts created by the removal of the tree. The Director or Planning Commission may waive the requirement for a tree replacement plan if the Director or Planning Commission determines that removal of the tree is minor in nature and will not cause a significant impact.

<u>15.70.040</u> <u>Tree Replacement Plan</u>. A tree replacement plan sha ll meet the following standards:

A. At the time of planting, the replacement tree(s) shall meet one of the following criteria or a pro-rated combination of the criteria based upon the trunk diameters of the respective replacement trees:

   1. A cumulative trunk diameter that is equal to no less than fifty (50) percent of the trunk diameter of the removed tree.

   2. A cumulative trunk diameter that is equal to no less than thirty-three (33) percent of the trunk diameter of the removed tree if the replacement tree(s) are of a variety listed in Section 15.70.015.C as a protected tree. (Ord. 404, 2007)

B. The replacement tree shall not impede the solar access rights of existing solar panels located on any other property.

C. The replacement tree shall be irrigated on a regular basis until the tree is established.

D. The property owner shall remain responsible for the health and survival of the replacement tree(s) for two (2) years after planting. If a replacement tree dies, is damaged, or removed within the two (2) year period, the property owner shall replace the tree in accordance with the standards in this section and the originally-approved tree replacement plan. If the tree cannot be replaced for any reason, a tree removal permit for the replacement tree shall be obtained in accordance with Section 15.70.020.

E. The Director or Planning Commission, as applicable, may require a tree replacement plan or a tree mitigation plan to be recorded with the Contra Costa County Recorder, with all recordation costs incurred by the applicant.

F. If a replacement tree cannot be planted due to limitations of the site, the Director or Planning Commission, as applicable, may require the applicant to pay an in-lieu fee, as established by resolution of the City Council, to the City for the cost of purchasing and installing any tree(s) of equivalent value in public parks, open space areas, or landscape medians. Values established by the International Society of Arboriculture or a comparable arborist organization shall be used for calculating the value of any tree(s) removed.

G. The replacement tree(s) shall be planted within sixty (60) days of the removal of the tree as otherwise specified by the Director or Planning Commission. (Ord. 404, 2007)

15.70.045 Tree Protection During Construction

A. Tree Protection Plan Required. A tree protection plan shall be submitted for review and approval as part of a development application if a tree subject to Section 15.70.020 is located within fifty (50) feet of construction (including grading and installation of underground utility lines) associated with the respective development application.

B. Preparation of Plan. At the discretion of the Director, the tree protection plan shall either be prepared by the applicant or a certified arborist. The applicant shall be responsible for any costs associated with preparation of the plan.

C. Waiver of Plan. The Director or Planning Commission may waive the requirement for a tree protection plan if the Director or Planning Commission determines that the development activity is minor in nature and will not significantly modify the ground area within or immediately surrounding the dripline of the tree.

D. Plan Requirements. The tree protection plan shall include, but not be limited to, the following attributes:

1. Identify the location of the tree trunk and dripline of all on- and off-site trees subject to Section 15.70.020.
2. A protective fence shall be installed around all trees subject to the tree protection plan. The protective fence shall be installed prior to commencement of any construction activity and shall remain in place for the duration of construction.

3. Grading, excavation, deposition of fill, erosion, compaction, and other construction-related activities shall not be permitted within the dripline or at locations which may damage the root system of trees subject to the tree protection plan, unless such activities are specifically allowed by the tree protection plan. Tree wells may be used if specifically allowed by the tree protection plan.
4. Oil, gas, chemicals, vehicles, construction equipment, machinery, and other construction materials shall not be allowed within the dripline of trees subject to the tree protection plan.
5. Additional measures may be required, as determined by the Planning Commission or Director.

15.70.050 Emergency Tree Removal. A tree may be removed on an emergency basis under any of the circumstances listed below. The property owner shall retro-actively submit an application to the Community Development Department within seventy-two (72) hours of the tree removal. The application shall be subject to the requirements of Sections 15.70.025 through 15.70.035.

A. The tree is in a dangerously substandard condition which poses an immediate threat to the safety of persons or structures.
B. The tree is obstructing the containment of a fire.
C. The tree is obstructing flood waters in creek beds or waterways, as determined by the City Engineer.

15.70.055 Violation and Penalty.
Any person who destroys or removes a tree in violation of this Chapter shall:

A. Plant one (1) replacement tree in a twenty-four (24) inch box container for each two (2) inches of the trunk diameter of the destroyed or removed tree. The replacement tree species and locations shall be subject to the review and approval of the Director; or
B. Pay restitution to the City in accordance with Section 15.70.040.F.
C. In addition to the foregoing, any violation of this Chapter may be, at the discretion of the City Manager, charged and prosecuted as an infraction or misdemeanor, pursuant to Chapter 1.20.

15.70.060 Appeal. Any decision of the Director, made in accordance with Sections 15.70.030.A and 15.70.030.B, regarding a tree removal permit may be appealed to the Planning Commission within ten (10) days of the decision. Any decision of the Planning Commission regarding the tree removal permit may be appealed to the City Council within ten (10) days of the decision. The person filing the appeal shall file an appeal form stating the grounds of the appeal and pay the appeal fee established by resolution of the City Council. Any decision made by the City Council shall be final."

(Ord 381, 2005)

Chapter 16.50

HILLSIDE DEVELOPMENT, OPEN SPACE, AND TREES

Sections:

16.50.010 Purpose and Policy. The City Council of the City of Clayton hereby finds that the terrain of certain areas of the City provides a unique and substantial character to the area, and forms an integral part of the City's total environment. Due to their physical dominance on the City's landscape, development of the hillside areas will definitely affect the visual and environmental character of the community. The City's primary objective regarding hillside development is to preserve the natural terrain, quality environment and aesthetic character of the City, while encouraging creative, innovative and safe residential development with a variety of housing types. Such characteristics will only be achieved when special consideration is given to those developments, subdivisions and lot splits within hillside areas on an individual basis, and proper consideration of the variations in conditions, design criteria and other requirements which must be flexible in order to achieve a development that meets the foregoing purpose consistent with the policies set forth herein below.

Subdivisions and other developments in hillside areas shall be subject to the provisions of this Chapter 16.20.

In enacting this Chapter 16.20 it is the intention and the policy of the City of Clayton to:

A. Preserve the most visually significant skylines, hilltops and hillsides as viewed from the streets that have been designated "Scenic Routes" by the City of Clayton's Scenic Routes Element of the General Plan.

B. Allow only minimal grading which relates to the natural contour of the land and which will round off, in a natural manner, sharp angles at the top and ends of cut and fill slopes, to provide a smooth transition from engineered slope to natural topography. Grading which creates a mass-graded, padded lot effect shall not be allowed, such as grading plans that propose the creation of high, artificial appearing slopes at the boundaries of developed areas. Land with 26% or greater slope shall not be graded except at the specific direction of the Planning Commission and/or City Council and only where it can be shown that a minimum amount of development is in the spirit of, and not incompatible with, the intention and purpose of the Safety Element of the General Plan.

C. Ensure that future hillside developments are visually and functionally compatible with the rural character of Clayton. The design of projects shall reflect sensitivity to the opportunities and conditions of the site. Allow new land developments only in a manner that compliments the natural features of the area, including the topography, creek channel, vegetation, rock outcroppings and soil characteristics. A three dimensional view of the proposed project may be required.

D. Strongly encourage the retention and protection of significant trees, such as oaks, and riparian vegetation which stabilize steep hillsides and creek banks, retain moisture, prevent erosion and enhance the natural scenic beauty, and where necessary, require additional landscaping to enhance the scenic and safety qualities of the hillsides.

E. Require a variety of building types and designs to materially reduce grading and disturbance to the natural character of specific areas.

F. Ensure that preferential consideration is given to the grouping of houses in clusters when such clustering is in the spirit of and not inconsistent with the intention and purposes of the Hillside Ordinance. However, the overall density should be within the limits established by the General Plan and the prevailing Zoning District and ordinances which may be developed for specific projects.

G. Establish circulation which will serve local traffic efficiently with a minimum of disturbance to hillsides and with a minimum of conflict with existing residential neighborhoods.

H. To ensure safe development, careful consideration should be given to potentially hazardous geologic and soil conditions. Reports shall be required early in the planning process. In areas of difficult topography, density determinations shall be controlled by topographic and geologic limitations. (Ord. 325, 1996; Ord. 192, 1978)

16.50.011 Development Standards. The following development standards are established as the minimum deemed necessary to ensure public health, safety and welfare, and to accomplish their intent and purpose of minimum scaring of hillsides:

A. Hillside street standards shall reflect a rural rather than urban character. Street alignments, where practical, should be parallel to contours. Where a location between a valley and ridge is unavoidable, directional pavements should be split, with the principle of grading being half cut and half fill versus all fill or all cut. The detailed design characteristics for each type of street shall be vary carefully considered within the framework of requiring absolute minimum geometric standards.

B. Sidewalk and walkways shall be provided in accordance with carefully conceived total pedestrian circulation plan, and not rigidly appended into every street.

C. Bicycle and equestrian trails should be integrated onto the overall circulation plan for any project in accordance with the City of Clayton's Master Trails Plan.

D. Street lighting in hillside areas should comply with City specifications, be of low profile design, be unobtrusive, and be designed to enhance a rural character.

E. When the terrain necessitates the elimination of on street parking alternative methods such as off street or intermittent widening of streets for parking and turnarounds shall be provided.

F. Building design and architectural features shall be compatible to the specific parcel to be developed and with the purpose and policies of this ordinance. Lot size, building types, height limits and setbacks shall be flexible in order to achieve this end; however, safety considerations shall be of foremost concern. (Ord. 325, 1996; Ord. 192, 1978)

16.50.020 Open Space. Those areas that are to remain as undeveloped open spaces such as undevelopable slopes and natural landmarks, etc., or to be used for recreational purposes, may be offered through dedication as part of an open space and park system. If however, such an offer is not accepted, the developer shall make provisions for ownership and care of the open space in such a manner that there can be the necessary maintenance thereof. Such areas shall be provided with appropriate access and shall be designated as separate parcels or special easements which may be maintained through special fees charged to the residents of the subject development or through an appropriate homeowners association. (Ord. 325, 1996; Ord. 192, 1978)

16.50.030 Trees. No trees shall be removed except those specifically designated for removal on the plans approved by the Planning Commission or City Council. A tree protection plan shall be prepared in accordance with Section 15.70.045 for all trees to be retained.

A. The developer shall be subject to the provisions of Chapter 15.70 for removal of any tree which was not designated for removal on the plans approved by the City.

B. The tentative subdivision map and/or final development plan shall accurately locate all trees with a diameter of six (6) inches or greater at four (4) feet, six (6) inches above natural grade and within fifty (50) feet of an area that is planned for development or is to be graded. The trees should be identified by common name and trunk diameter. All trees to remain shall be clearly labeled and numbered. Orchards trees need not be shown unless they are required to be shown by the City.

C. Prior to issuance of grading permits, the developer (or the arborist, if applicable) for the project shall certify that the driplines of all trees to be retained have been fenced, or protected in a similar manner in accordance with the tree protection plan. No grading is permitted within the driplines unless such grading is specifically approved by the Planning Commission or arborist. (Ord. 325, 1996; Ord. 192, 1978, Ord 381, 2005)

16.50.040 Density. The density for property subject to these standards shall decrease with increasing slope but the density shall be within the limits established by the General Plan. Said decrease in density shall be determined by the Planning Commission. (Ord. 325, 1996; Ord. 192, 1978)

16.50.050 Grading. Preliminary grading plans shall be submitted to the Planning Commission with the tentative subdivision map or final development plan. Said grading plans and necessary exhibits shall contain the following information. Grading plans should not be diagrammatic or generalized.

A. Grading plans shall show all grading proposed for roads, driveways and building sites.

B. The limit of fill and cut shall be clearly labeled.

C. For critical or sensitive areas as determined by the Planning Commission, there shall be accurate sections.

D. Two copies of colored cut and fill maps.

Upon approval of the preliminary grading plan and exhibits, a final grading plan and necessary exhibits shall be submitted to the City for review and approval by the City Engineer and Planning Director prior to City Council action on the final subdivision map. Said final grading plan shall be consistent with the preliminary grading plan approved by the Planning Commission. (Ord. 325, 1996; Ord. 192, 1978)

MINUTES
OF THE
REGULAR MEETING
CLAYTON CITY COUNCIL

Agenda Date: 7-3-12

Agenda Item: 4b

TUESDAY, June 19, 2012

1. **CALL TO ORDER & ROLL CALL** – The meeting was called to order at 4:15 p.m. by Mayor Geller in Hoyer Hall of the Clayton Community Library, 6125 Clayton Road, Clayton, CA. Councilmembers present: Mayor Geller, Vice Mayor Medrano, Councilmembers Pierce, Shuey, and Stratford (arrived at 4:55 p.m.). Staff present: City Manager Gary Napper, City Attorney Mala Subramanian (arrived at 6:30 p.m.), Finance Manager Merry Pelletier (arrived at 7:12 p.m.), Community Development Director David Woltering, and City Clerk Laci Jackson.

2. **COUNCIL INTERVIEW OF PLANNING COMMISSION APPLICANTS**

The following six citizens were interviewed for three appointed positions on the Planning Commission (term of office ends 30 June 2014): Bob Armstrong, David Bruzzone, Tod Taylor, Gregg Manning, Sandra Johnson, and Ethelyne Molnar.

Immediately following the final interview the Council discussed the applicants and generally concurred the incumbents Sandra Johnson and Gregg Manning should be re-appointed and David Bruzzone should also be appointed.

6:12 p.m. Council recessed.

6:26 p.m. Council reconvened.

3. **CLOSED SESSION- The City Manager indicated that a matter arose after the Council Agenda was posted necessitating adding a Closed Session item to the Agenda as an urgency matter.**

It was moved by Councilmember Pierce, seconded by Councilmember Shuey, to approve adding an urgency Closed Session Item to the agenda due to the information being provided after the Agenda was published (Passed; 5-0 vote).

(a) Conference with Real Property Negotiators
Government Code Section 54956.8
Property: 6005 Man Street, Clayton CA, and comprising two parcels (APNs 118- 560-010-1 and 119-011-003.
City Negotiators: Gary Napper, City Manager, and David Woltering, Community Development Director.
Negotiating parties: Pastor Shawn Robinson and Leadership Council of Clayton Community Church.
Under negotiation: Price and terms of payment

7:11 p.m. Report out of Closed Session: Mayor Geller reported the Council gave direction to their Real Property Negotiators.

4. **RECALL THE COUNCIL MEETING TO ORDER**: "Mayor for the Night" James Albert recalled the meeting to order at 7:12 p.m.

5. **PLEDGE OF ALLEGIANCE** – led by "Mayor for the Night" Jimmy Albert.

Mayor Geller presented James "Jimmy" Albert with a Certificate of Recognition proclaiming June 20, 2012 as "Jimmy Albert Day." The Mayor for the Night then proclaimed all Clayton citizens could eat mint chocolate chip ice cream on June 20, 2012.

6. **CONSENT CALENDAR**- **It was moved by Councilmember Shuey, seconded by Councilmember Stratford, to approve the Consent Calendar as submitted (Passed; 5-0 vote).**

(a) Approved the minutes of the regular meeting of June 5, 2012.

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

(c) Adopted Resolution 27-2012 approving the City's Growth Management Checklist for Fiscal Year 2010 and 2011 (per Contra Costa Transportation Authority's Measure J).

7. **RECOGNITIONS AND PRESENTATIONS**

(a) Certificates of Recognition to "Do The Right Thing" public school students.

Mayor Geller and Mt. Diablo Elementary School Principal Irene Keenan recognized students Brendan O'Reilly and Josie Sullivan for showing great Courage in May and June 2012.

Mayor Geller and Diablo View Middle School Principal Patty Banister recognized the 8th Grade Spirit Award winners: Caitlin Arango, Maris Degener, Drew Fagerlin, Anngail Grant, Annalise Huovinen, Daniel Jones, Claire Olson, Jason Ross, Joseph Tuano, Bana Twal, and Anthony Vines.

Mayor Geller and teacher Kat Marzel recognized the following students from Clayton Valley High School: Ben Linzey, Gillian Rush, Craig Ihle, and Sunny Shirgil.

8. **REPORTS**

(a) Planning Commission – Commissioner Gregg Manning reported on the meeting of June 12th where the Commission approved the FY 2012-2017 CIP Budget for conformity with the General Plan. They also held a study session on solar access rights and will be providing a position paper on their discussion to the City Council.

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

(c) The City Manager had no report.

(d) City Council

Vice Mayor Medrano attended a Charter High School meeting and stated the first Thursday night Concert in The Grove was a great success.

Councilmember Pierce attended an ABAG Regional Planning Committee meeting, Transportation Authority Admin. Committee meeting, a joint ABAG and MTC planning meeting, a League of California Cities Transportation Communication and Public Works Task Force meeting, and met with the mayor of Suwan City, South Korea.

Councilmember Shuey stated he has been working with the Charter High School. He attended the Thursday night concert and the feedback was great.

Mayor Geller attended the Thursday night concert and the Mayors' Conference.

Vice Mayor Medrano thanked staff for having everything ready for the first Thursday concert.

(e) Other – None.

9. PUBLIC COMMENTS – None.

10. PUBLIC HEARINGS

(a) Public Hearing on the proposed City of Clayton Budget for Fiscal Year 2012-2013 and its 5-Year Capital Improvement Project Budget (CIP) for Fiscal Years 2012-2017.

The City Manager stated tonight represents the Public Hearing aspect of the budget process. He stated the total Budget is 18.5% less than last year's primarily due to the demise of the Redevelopment Agency. He stated of the General Fund operating budget, the Police Department represents 51% of the budget. He stated there is a $200,000 gap in the General Fund budget but noted that in previous years the City has always come in with revenues over expenses. He stated the Budget is balanced and is predicated on the employees continuing labor concessions. He stated at the last meeting staff thought there might be a $65,335 deficit for FY 2011-12 but in the past week staff received two checks from the County and revenue will likely exceed expenditures. He stated there is a $1.3 million CalPERS unfunded liability but it is being paid down $100,000 per year. He noted the CalPERS pension payments are going up $45,083 and the City is only at 47.8% of its Gann Limit.

The Council thanked the City Manager and the Finance Manager for their work on the Budget.

Mayor Geller opened the Public Hearing at 8:32 p.m.; no public comments were provided, and closed the Public Hearing at 8:33 p.m.

It was moved by Councilmember Pierce, seconded by Councilmember Stratford, to adopt Resolution 28-2012 approving a City Budget for FY 2012-2013 and a 5-Year CIP Budget for FY 2012-2017 (Passed; 5-0 vote).

(b) *Action Item of City serving as Successor Agency to the former Clayton RDA*
Public Hearing on the proposed Successor Agency Budget for Fiscal Year 2012 – 2013.

The City Manager stated for this item the Council is sitting as the Successor Agency governing body. He stated the Agency can only now pay debt that was previously incurred based on State legislation. He stated the State Department of Finance has rejected the City's payback of the 2% election monies, but staff has appealed this decision and has Senator Mark Desaulnier's and Assemblywoman Bonilla's offices looking into this decision.

Mayor Geller opened the Public Hearing at 8:35 p.m.; no public comments were provided, and closed the Public Hearing at 8:36 p.m.

It was moved by Vice Mayor Medrano, seconded by Councilmember Stratford, to adopt Resolution 29-2012 approving the Successor Agency Budget for FY 2012-2013 (Passed; 5-0 vote).

11. 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 2012-2013, pursuant to Streets and Highways Code 18070 and Government Code 54954.6.

The City Manager presented the staff report and stated this assessment is for the neighborhood street lights. He stated this is a two part process which requires a public meeting be held and then at July 17th City Council meeting the Public Hearing will be held. The City Engineer is proposing no change in the current assessment that has remained at the same rate for 16 years.

Mayor Geller opened the Public Meeting.

No public comments were received and no action was taken.

(b) City Council discussion and determination of citizen appointments to three (3) vacancies on the Clayton Planning Commission: three (3) 2-year terms of appointed office from July 1, 2012 through June 30, 2014.

Mayor Geller stated earlier today the Council interviewed six applicants for the Planning Commission. The Council stated they were pleased with the interview process and the quality of candiadtes.

Councilmember Shuey stated all of the applicants were good. He stated Bob Armstrong's service was greatly appreciated, but given the wonderful candidates and his house-for-sale situation the Council thought a change now would be good for stability.

Councilmember Pierce stated Bob Armstrong has done a wonderful job as a Planning Commission, but he indicated that he will likely be moving and rather than replace him later, it is better for consistency to make the transition now. She thanked him for his work on TRANSPAC.

It was moved by Vice Mayor Medrano, seconded by Councilmember Pierce, to adopt Resolution 30-2012 appointing David Bruzzone, Sandra Johnson, and Gregg Manning to the Clayton Planning Commission for terms of office expiring June 30, 2014 (Passed; 5-0 vote).

(c) City Council discussion of holding regularly scheduled Council meetings in July, August and/or September 2012 relative to quorum availability and summer vacation plans.

Councilmembers discussed its summer plans and upcoming City business items requiring attention.

It was moved by Councilmember Shuey, seconded by Councilmember Stratford, to cancel the City Council meetings of August 7, 2012 and September 4, 2012 (Passed; 5-0 vote).

12. COUNCIL ITEMS – None.

13. RECESS THE CITY COUNCIL MEETING – 8:48 Mayor Geller recessed the City Council meeting until completion of the GHAD Board regular meeting.

14. **RECONVENE THE CITY COUNCIL MEETING** – Mayor Geller reconvened the City Council meeting at 8:50 p.m.

15. **CLOSED SESSION**- Mayor Geller announced the following purpose for Closed Session and then adjourned into Closed Session at 8:50 p.m.:

(a) Conference with Labor Negotiator
Government Code Section 54957.6
Instructions to City-designated labor negotiator: City Manager

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

2. Employee Organization: Undesignated City Employees Unit.

9:42 p.m. **Report out from Closed Session**: Mayor Geller reported the Council gave direction to the City-designated labor negotiator (City Manager).

16. **ADJOURNMENT**– On call by Mayor Geller the meeting adjourned at 9:44 p.m.

Respectfully submitted,

____
Laci J. Jackson, City Clerk

APPROVED BY CLAYTON CITY COUNCIL

____
Howard Geller, Mayor

CITY OF CLAYTON
Founded 1857 . . Incorporated 1964

Agenda Date: 7/3/12

Agenda Item: 4C

Approved:

Gary A. Napper
City Manager/Executive Director

STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: MERRY PELLETIER, FINANCE MANAGER

DATE: July 3, 2012

SUBJECT: INVOICE SUMMARY

RECOMMENDATION **Approve the following Invoices.**

6/28/12	Cash Requirements Report	$124,275.89
6/28/12	Neopost – Postage for GHAD Mailing	$960.00
	TOTAL REQUEST	**$125,235.89**

Attachments:
Cash Requirements Report dated 6/28/12 (4 pages)

City of Clayton
Cash Requirements Report
CC Meeting 7/3/12

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
ABAG								
ABAG	7/3/2012	4/19/2012	1041080	ABAG Dues FY 2012-2013	$2,598.00	$0.00		$2,598.00
				Totals for ABAG:	*$2,598.00*	*$0.00*		*$2,598.00*
All City Management Services, Inc.								
All City Management Services, Inc.	7/3/2012	6/15/2012	27234	crossing guard svcs	$418.50	$0.00		$418.50
				Totals for All City Management Services, Inc.:	*$418.50*	*$0.00*		*$418.50*
Arlene H. Kikkawa-Nielsen								
Arlene H. Kikkawa-Nielsen	7/3/2012	6/28/2012	6/12	June services	$900.00	$0.00		$900.00
				Totals for Arlene H. Kikkawa-Nielsen:	*$900.00*	*$0.00*		*$900.00*
AT&T/ CalNet 2								
AT&T/ CalNet 2	7/3/2012	6/20/2012	6/12	phone bills	$1,318.01	$0.00		$1,318.01
				Totals for AT&T/ CalNet 2:	*$1,318.01*	*$0.00*		*$1,318.01*
Blackbaud								
Blackbaud	7/3/2012	5/31/2012	90448958	May Services	$270.00	$0.00		$270.00
				Totals for Blackbaud:	*$270.00*	*$0.00*		*$270.00*
CalPERS Health								
CalPERS Health	7/3/2012	6/19/2012	707	July Health Premium	$28,701.49	$0.00		$28,701.49
				Totals for CalPERS Health:	*$28,701.49*	*$0.00*		*$28,701.49*
CalPERS Retirement								
CalPERS Retirement	7/3/2012	6/28/2012	6/10/12	PPE 6/28/12	$21,124.90	$0.00		$21,124.90
				Totals for CalPERS Retirement:	*$21,124.90*	*$0.00*		*$21,124.90*
Caltronics Business Systems, Inc								
Caltronics Business Systems, Inc	7/3/2012	6/15/2012	1103768	Konica contract	$420.69	$0.00		$420.69
				Totals for Caltronics Business Systems, Inc:	*$420.69*	*$0.00*		*$420.69*
CCC Office of the Sheriff, Forensic Services Division								
CCC Office of the Sheriff, Forensic Se	7/3/2012	6/14/2012	CLPD-1205	Toxicology/Alcohol tests	$884.00	$0.00		$884.00
				Totals for CCC Office of the Sheriff, Forensic Services Division:	*$884.00*	*$0.00*		*$884.00*
CCC Sheriff - LETC								
CCC Sheriff - LETC	7/3/2012	6/14/2012	12-16014	Pike/Billington Training	$132.00	$0.00		$132.00
				Totals for CCC Sheriff - LETC:	*$132.00*	*$0.00*		*$132.00*
CERCO Analytical, Inc.								
CERCO Analytical, Inc.	7/3/2012	6/15/2012	1206108	Well Water samples	$420.00	$0.00		$420.00
				Totals for CERCO Analytical, Inc.:	*$420.00*	*$0.00*		*$420.00*
City of Concord								

City of Clayton
Cash Requirements Report
CC Meeting 7/3/12

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
City of Concord	7/3/2012	6/8/2012	28779	vehicle maintenance	$2,809.27	$0.00		$2,809.27
City of Concord	7/3/2012	6/22/2012	28824	dispatch and computer services	$13,285.00	$0.00		$13,285.00
				Totals for City of Concord:	*$16,094.27*	*$0.00*		*$16,094.27*
Doug Stuart Woodcarving								
Doug Stuart Woodcarving	7/3/2012	6/25/2012	6/28	restore and fabricate signs - deposit	$3,680.00	$0.00		$3,680.00
				Totals for Doug Stuart Woodcarving:	*$3,680.00*	*$0.00*		*$3,680.00*
EnviroTech Services (Training)								
EnviroTech Services (Training)	7/3/2012	6/8/2012	A001A2-1B-12	artichoke thistle abatement May 2012	$8,708.00	$0.00		$8,708.00
				Totals for EnviroTech Services (Training):	*$8,708.00*	*$0.00*		*$8,708.00*
Goldfarb & Lipman								
Goldfarb & Lipman	7/3/2012	6/18/2012	105203	Fees through 5/31/12	$673.63	$0.00		$673.63
				Totals for Goldfarb & Lipman:	*$673.63*	*$0.00*		*$673.63*
Hammons Supply Company								
Hammons Supply Company	7/3/2012	5/25/2012	72333	supplies	$1,187.73	$0.00		$1,187.73
				Totals for Hammons Supply Company:	*$1,187.73*	*$0.00*		*$1,187.73*
Jarvis Fay Doporto & Gibson, LLP								
Jarvis Fay Doporto & Gibson, LLP	7/3/2012	5/15/2012	6/18/12	chevron property tax refund dispute	$63.73	$0.00		$63.73
				Totals for Jarvis Fay Doporto & Gibson, LLP:	*$63.73*	*$0.00*		*$63.73*
John Deere Landscapes Inc								
John Deere Landscapes Inc	7/3/2012	6/12/2012	61649277	parts/supplies	$603.10	$0.00		$603.10
				Totals for John Deere Landscapes Inc:	*$603.10*	*$0.00*		*$603.10*
John P Babjar								
John P Babjar	7/3/2012	6/20/2012	8042	deposit refund	$500.00	$0.00		$500.00
				Totals for John P Babjar:	*$500.00*	*$0.00*		*$500.00*
LarryLogic Productions								
LarryLogic Productions	7/3/2012	6/20/2012	1254	CC Meeting 6/19/12	$350.00	$0.00		$350.00
				Totals for LarryLogic Productions:	*$350.00*	*$0.00*		*$350.00*
LSA Associates Inc								
LSA Associates Inc	7/3/2012	6/21/2012	115972	professional services through 6/24/12	$6,548.62	$0.00		$6,548.62
				Totals for LSA Associates Inc:	*$6,548.62*	*$0.00*		*$6,548.62*
Lynn Dansie - Petty Cash								
Lynn Dansie - Petty Cash	7/3/2012	6/25/2012	6/25/12	petty cash	$99.77	$0.00		$99.77
				Totals for Lynn Dansie - Petty Cash:	*$99.77*	*$0.00*		*$99.77*
Marken Mechanical Services Inc								
Marken Mechanical Services Inc	7/3/2012	6/13/2012	412-1148-5	City Hall HVAC - May 2012	$332.50	$0.00		$332.50

City of Clayton
Cash Requirements Report
CC Meeting 7/3/12

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
				Totals for Marken Mechanical Services Inc:	*$332.50*	*$0.00*		*$332.50*
Martell Water Systems, Inc.								
Martell Water Systems, Inc.	7/3/2012	6/20/2012	19124	service call 6/18/12	$150.00	$0.00		$150.00
				Totals for Martell Water Systems, Inc.:	*$150.00*	*$0.00*		*$150.00*
Muir/ Diablo Occupation Medicine								
Muir/ Diablo Occupation Medicine	7/3/2012	6/12/2012	182675	Billington - Vaccine Hep B	$77.00	$0.00		$77.00
				Totals for Muir/ Diablo Occupation Medicine:	*$77.00*	*$0.00*		*$77.00*
Municipal Pooling Authority								
Municipal Pooling Authority	7/3/2012	6/28/2012	06/2012	June 2012 LTD/Life premiums	$1,179.91	$0.00		$1,179.91
				Totals for Municipal Pooling Authority:	*$1,179.91*	*$0.00*		*$1,179.91*
Otis Elevator Company								
Otis Elevator Company	7/3/2012	6/26/2012	6/26/12	refund overpayment of business license	$28.00	$0.00		$28.00
				Totals for Otis Elevator Company:	*$28.00*	*$0.00*		*$28.00*
Paramount Elevator Corp.								
Paramount Elevator Corp.	7/3/2012	6/18/2012	167688	oil and grease elevator	$220.00	$0.00		$220.00
				Totals for Paramount Elevator Corp.:	*$220.00*	*$0.00*		*$220.00*
PERMCO, Inc.								
PERMCO, Inc.	7/3/2012	6/21/2012	9766	retainer-general services	$2,455.00	$0.00		$2,455.00
PERMCO, Inc.	7/3/2012	6/21/2012	9767	Diablo Pointe Plan Check	$415.00	$0.00		$415.00
PERMCO, Inc.	7/3/2012	6/21/2012	9768	Diablo Point Construction Inspection	$1,626.77	$0.00		$1,626.77
PERMCO, Inc.	7/3/2012	6/21/2012	9769	Non-utility construction activity permit inspe	$41.50	$0.00		$41.50
PERMCO, Inc.	7/3/2012	6/21/2012	9769	Non-utility construction activity permit inspe	$41.50	$0.00		$41.50
PERMCO, Inc.	7/3/2012	6/21/2012	9770	street light AD 2011-2012	$122.00	$0.00		$122.00
PERMCO, Inc.	7/3/2012	6/21/2012	9771	OH GHAD	$467.00	$0.00		$467.00
PERMCO, Inc.	7/3/2012	6/21/2012	9772	OH GHAD	$233.50	$0.00		$233.50
				Totals for PERMCO, Inc.:	*$5,402.27*	*$0.00*		*$5,402.27*
PG&E								
PG&E	7/3/2012	6/20/2012	06/2012	service may and june	$17,008.75	$0.00		$17,008.75
PG&E	7/3/2012	6/18/2012	06/2012	traffic and irrigation may and june	$546.58	$0.00		$546.58
PG&E	7/3/2012	6/23/2012	6/2012	service May and June	$2,966.17	$0.00		$2,966.17
PG&E	7/3/2012	6/23/2012	6/2012	service may and june	$457.98	$0.00		$457.98
				Totals for PG&E:	*$20,979.48*	*$0.00*		*$20,979.48*
Riso Products of Sacramento								
Riso Products of Sacramento	7/3/2012	6/21/2012	93413	copier contract	$94.79	$0.00		$94.79
				Totals for Riso Products of Sacramento:	*$94.79*	*$0.00*		*$94.79*
Treppa Law Group								

City of Clayton
Cash Requirements Report
CC Meeting 7/3/12

Treppa Law Group	7/3/2012	5/31/2012	606	preparation and attendance of City Council Mt	$115.50	$0.00	$115.50
				Totals for Treppa Law Group:	*$115.50*	*$0.00*	*$115.50*
				GRAND TOTALS:	**$124,275.89**	**$0.00**	**$124,275.89**

Agenda Date: 7-3-12

Agenda Item: 4d

CITY OF CLAYTON
Founded 1857 .. Incorporated 1964

Approved:
Gary A. Napper City Manager/Executive Director

AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: CHIEF OF POLICE

DATE: JULY 3, 2012

SUBJECT: APPROVE THE PURCHASE OF A NEW POLICE VEHICLE TO REPLACE AN UNSERVICABLE POLICE VEHICLE

RECOMMENDATION

It is recommended the City Council, by minute motion, award a contract for the purchase of a 2011 Ford Crown Victoria Police Interceptor police vehicle in the amount of $26,057.93 from Downtown Ford Sales using the budgeted Capital Equipment Replacement Fund (CERF) for a replacement police patrol vehicle.

BACKGROUND

The City of Clayton's Police Department currently has a fleet of 7 patrol vehicles. In the past, the Police Department has replaced at least one unserviceable vehicle each year with a new police "Interceptor" vehicle which is specially designed to serve as a patrol vehicle.

On June 19, 2012, the City Council approved the City's FY 2012-2013 Budget which included funds to purchase one new patrol vehicle. The new vehicle will replace an unserviceable vehicle in the Police Department's fleet. The 12-year old unserviceable vehicle, a 2000 Ford Crown Victoria (number 1723), has accumulated approximately 70,000 miles.

DISCUSSION

The Ford Motor Company (FMC) stopped the production of its Ford Crown Victoria Police Interceptor police vehicle at the end of the 2011 production year. For over twenty years, the Ford Crown Victoria has been virtually the singular choice of police and sheriff's department's for police vehicles. Each of the three major USA auto manufactures have designed and manufactured newer police interceptor vehicles to compete for the "police vehicle market". When the newer police vehicles became available, the long term reliability and durability of these newer police vehicles was unknown. However, during the past year, several large police agencies conducted testing of the three new police vehicle choices and made the results available for review by other police agencies. As a result, virtually all police agencies have determined which newly manufactured police vehicle best fits their agency's needs and have made purchases accordingly. However, there still remain a small number of police agencies that have not yet made a final decision as to which new police vehicle is appropriate for their agencies. The Concord Police Department is one of these police agencies, who have not decided which of the newer police vehicles to purchase. As result, they have delayed purchasing any of the newer police vehicles for FY 2012-13, and have opted to purchase several of the last few remaining 2011 Ford Crown Victoria Interceptors, still available at a few select Ford dealerships. Last year, Downtown Ford Sales, located in Sacramento was the only Northern California fleet dealer who filled their vehicle inventories with the last run of 2011 Ford Crown Victoria Interceptors. They still have a limited number of 2011 Ford Crown Victoria Interceptors remaining in their inventory.

This fleet dealer offers previously-bid State-approved competitive contract prices for public agencies. Since Clayton PD has a police vehicle maintenance agreement with the City of Concord, it would be prudent for Clayton PD to also purchase one of the remaining 2011 Ford Crown Victoria Interceptors. Before making a commitment to purchase a vehicle from Downtown Ford Sales, staff contacted Diablo Ford of Pittsburg to determine if they could provide a bid for the described police vehicle. Diablo Ford indicated that they were unable to do so. As a result, staff contacted Downtown Ford Sales to determine vehicle availability and asked them to provide a State-approved contract quote for the described vehicle, as follows:

- Downtown Ford Sales (Sacramento, California)
  2011 Interceptor MSRP $30,045, Sales price, $23,990 (***$26,057.93*** including sales tax), this vehicle is still available and in stock.

Downtown Ford sales indicated that they could provide the described police vehicle at the State approved contract price, which is the same price as last year. In this way, Clayton PD has an opportunity to replace an unserviceable vehicle with a proven police vehicle, while waiting to determine which newly manufactured police vehicle Concord PD will decide to purchase for FY 2013-14.

As a result, staff recommends approving the purchase of a new 2011 Ford Crown Victoria Interceptor to replace an unserviceable police vehicle from Downtown Ford Sales.

FISCAL IMPACT

Purchase price for the 2011 Ford Crown Victoria Interceptor is ***$26,057.93***, which includes tax and document fee. This purchase price remains the same as last year's purchase price. Additional expenses will be incurred retrofitting the stock patrol vehicle to Clayton PD standards and specifications. The approved CERF budget for this purchase is a total of $37,000.

Attachment: None.

Agenda Date: 7-3-12

Agenda Item: 4e

CITY OF CLAYTON
Founded 1857 .. Incorporated 1964

STAFF REPORT

Approved:
Gary A. Napper **City Manager/Executive Director**

CONSENT ITEM

TO: **HONORABLE MAYOR AND COUNCILMEMBERS**

FROM: **Laura Hoffmeister, Asst. to the City Manager**

MEETING DATE: **July 3, 2012**

SUBJECT: **Authorization of flat fee donation of $172 from the Clayton Woman's Club (grant request for $516) for their Annual Craft Sale on November 17th and 18th, 2012.**

RECOMMENDATION

Authorize a flat fee donation of $172 from the Clayton Woman's Club (grant request for $512) for their Annual Craft Sale on November 17th and 18th, 2012 for use of the Library Community Meeting Room.

BACKGROUND

The Clayton Woman's Club is planning their annual craft sale, a fundraiser for their organization. They have requested use of the Library Community Meeting Room on Saturday November 17th and 18th, 2012. Under the current adopted fee schedule the rates for these days are $43/hr. plus a $200 refundable deposit. Currently there are no reservations for the dates requested. The event will be open to the public from 10 a.m. to 5 p.m. with additional time would for event set up and take down. Using the facility for approximately 8 hours each day the rental cost would be $688. The Clayton Woman's Club uses the proceeds to support various community endeavors.

Using the same method as last ten years approval by the Council for a grant, wherein the organization provided payment for minimum rental costs of 4 hours at the specified rate, the fee would be $172, (calculated at 4 hour minimum @$43/hr =$172; this is the non profit hourly rate in the City's currently adopted fee schedule) and thus the grant would amount to $516, twelve dollars more than last year grant of $504. This approach would adequately cover direct costs associated with the event such as energy costs, janitorial service and staff time. This is the current fee amount in the City Council adopted fee schedule updated August 2011, just after their request of last year which increased fees. Last year's fee schedule increase included adjustments to the nonprofit category by the CPI which was $1/hr; previous to this nonprofit rates had remained unchanged since 2007.

The Woman's Club will provide their own insurance (naming the City as an additional insured) and will provide the $200 refundable reservation/damage-cleanup deposit. This organization, their function and event location meets the previously approved City Council banner criteria so no action is needed for this request. They may display their event banner on the community poles for a period of two weeks prior to the event date. The banners per the policy will be removed within 48 hrs after the event is over.

FISCAL IMPACT

The reduced rental fee to $172 would cover all direct costs; this total rental fee would be $4 more than last year. The rental income difference would be $516 which would have gone to the general fund. This is slightly more ($12) than last year grant as the nonprofit rates were increased by the CPI in 2011 by the City Council.

CONCLUSION

Approve the grant requested and authorize a flat fee rental donation of $172 for the two-day event. Providing the grant would be considered a co-sponsorship by the City and allow for the organization to place their banners on the community event banner pole locations.

Attachments:

Letter dated June 6, 2012 from Clayton Valley Woman's Club

GFWC
CLAYTON VALLEY WOMAN'S CLUB
PO Box 95, Clayton, California 94517

Received
JUN 12 2012
City of Clayton cc: Laura Rita Gary

June 6, 2012

Clayton City Council
6000 Heritage Trail
Clayton, CA 94517

Dear Council Members:

The Clayton Valley Woman's Club members would like to hold our annual Holiday Boutique in the Council Chambers at the Clayton Community Library on November 16th (set-up only), 17th and 18th (event dates) as we have for the previous 12 years.

We are requesting a grant from the Clayton City Council to reduce the room use fees. Would it be possible that a flat donation be given in lieu of an hourly use fee? The fee reduction would allow a greater portion of the dollars raised to be contributed to community organizations.

We would like to put our banners at Oakhurst Blvd., down town at Oak Street, and the entry to Clayton on Clayton Rd. This would be for the 2 week period November 2nd through November 18th to advertise the Holiday Boutique.

The Clayton Valley Woman's Club supports nonprofit organizations in the Clayton/Concord Area. As we continue in our 39th year, we look forward to adding to the more than $230,000 that we have given to these organizations including the Clayton Community Library and the Clayton Historical Society.

We look forward to continuing our support of local organizations through fund raising efforts such as this Holiday Boutique. Thank you for your consideration in this matter.

Sincerely,

Kathryn Olson

Kathryn Olson
Corresponding Secretary

cc: Judy Bates

Agenda Date: 7-3-12

Agenda Item: 4f

CITY OF CLAYTON

Founded 1857.. Incorporated 1964

Approved:

Gary A. Napper, City Manager

STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: Laura Hoffmeister, Asst. to the City Manager

MEETING DATE: July 3, 2012

SUBJECT: Approval of resolution ordering the levy and collection of special taxes and setting forth the special tax amount for Community Facilities District (CFD) 2007-1 (City Wide Landscape Maintenance) on the fiscal year 2012-2013 Tax Assessment

---

RECOMMENDATION

Adoption of Resolution No. __-2012 ordering the levy and collection of special taxes and setting forth the special tax amount for Community Facilities District (CFD) 2007-1 (City Wide Public Landscape Maintenance) on the fiscal year 2012 - 2013 Tax Assessment Roll.

BACKGROUND

In June 2007 the electorate voted 82.94% approval to establish a special tax, known as Measure B, for the care and maintenance of City Wide Public Landscaping. Measure B was established for a 10-year period (through 2017).Measure B is the only funding source for the Citywide Public Landscape District-known as Community Facilities District (CFD) 2007-1.

The tax is for costs related to public roadway, trail, open space landscape maintenance, and the Clayton Fountain at the corner of Oakhurst Blvd. and Clayton Rd. These areas have 2 million square feet of landscaping and irrigation, 515 acres of open space, 2,871 street trees, and 27 miles of public trails. City parks are not maintained by this special tax but through the General Fund (except for the Grove Park Downtown which has its own separate special maintenance district funding source).

Since 1999 the City has employed only five permanent city maintenance employees who spend approximately 60% of their time on tasks in the Landscape Maintenance District. Necessity has required maintenance crews to spend more work hours maintaining District assets as landscaping matures, irrigation systems break, and vandalism or vehicle accidents that cause damage to trees and shrubs; along with increases in metered irrigation water, electricity increases which run the irrigation controllers and pumps to the fountain; professional services are used for open space weed abatement and tree trimming.

The collection of the tax is done by the County, and property owners' payments for this new District first occurred in November/December 2007. Established in the voter approved tax is an ability after the initial year, to increase the assessment by the CPI with a maximum of 3% annually. The Citizens Oversight Committee for this District, [known as the Trails and Landscape Committee (TLC)] recommended an increase based upon the CPI, which is 2.08% ($4.44 increase per residential unit - equivalent). The CPI adjustment was reflected in the City Council adopted budget, which was also reviewed and recommended by the Trails and Landscape Committee.

FISCAL IMPACT

For the 2012-13 fiscal year the levy amount is $217.86 per residential parcel, or per non residential acre or fraction thereof. For fiscal year 2012-13 there are 4,100 parcels that will be subject to the special tax. Of these 4,038 are residential and 62 are non-residential. The total amount of revenue estimated to be received from this tax for FY 2012-13 is $955,317.82. These tax revenues are placed into a Special Revenue Fund (No.210) through which all eligible expenses are tracked, paid and audited. Allowable expenses include only that for the purposes of the Landscape District Maintenance materials, supplies, equipment, utilities, labor, and administration. There is still apx. $2.5 million in desired major landscape replacements/repairs and enhancements that are not funded through this tax amount. Cost savings from water reductions during the drought along with other District costs savings are being used to undertake replanting on a pay go basis. In FY 10-11 Landscape Maintenance District savings of $260,000 were used for hardscape of median island narrow noses, Clayton fountain area replanting and other targeted tree and shrub replanting. In FY 11-12 the TLC recommended and the City Council approved $380,712 in Landscape Maintenance District funds for Clayton Road median work (Oakhurst to Mitchell Canyon), planting of the retaining wall, some trail repairs/resurfacing, additional tree trimming and computer based irrigation control. Also in FY 11-12 was approved equal cost sharing with CBCA of Daffodil Hill replanting with the Landscape Maintenance District funding being $26,800. These projects are currently in progress.

The Citizens Oversight Committee will soon begin its preparation of the 4th Annual Report covering the period FY 11-12. This report is expected to be provided to the City Council at its meeting in September/October. This report will include the highlights of the District and future direction as well as the District budget.

CONCLUSION

The City Council, by Ordinance 409, as authorized by Section 53340 of the Government Code of the State of California, has authorized the levy of a special tax to pay for costs and expenses related to Community Facilities District 2007-1. This resolution authorizes the Contra Costa County auditor to place unpaid direct bill taxes for the 2012 -2013 fiscal year on the next assessment roll.

Attachments:

- 1) Resolution No. __-2012
- 2) Summary of Exhibit A to Resolution __-2012
- 3) Annual Special Tax Levy Report
- 4) Ordinance 409
- 5) Resolution No. 06-2007
- 6) Resolution No. 07-2007
- 7) Resolution No. 17-2007
- 8) Landscape District Budget FY 12-13

RESOLUTION NO. _____-2012

A RESOLUTION ORDERING THE LEVY AND COLLECTION OF SPECIAL TAXES AND SETTING THE SPECIAL TAX AMOUNT FOR FISCAL YEAR 2012-13 FOR COMMUNITY FACILITIES DISTRICT NO. 2007-1 (CITYWIDE LANDSCAPE MAINTENANCE)

THE CITY COUNCIL
City of Clayton, California

WHEREAS, the City Council of the City of Clayton, California, (hereinafter referred to as the "legislative body"), has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of a special tax in Community Facilities District No.2007-1(hereinafter referred to as "District"), all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982"; being Chapter *2.5,* Part 1, Division 2, Title 5 of the Government Code of the State of California (the "Act"). ; and,

WHEREAS, this legislative body, by Ordinance No. 409 as authorized by Section 53340 of the Government Code of the State of California, has authorized the levy of a special tax to pay for costs and expenses related to said District, and this legislative body is desirous to establish the specific rate of the special tax to be collected for fiscal year 2012 -13; and,

WHEREAS, the special taxes are in compliance with all laws pertaining to the Act and the levy of special taxes; the special taxes are levied without regard to property valuation, and the special taxes are in compliance with the provisions of Prop 218.

NOW THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. That the above recitals are all true and correct.

SECTION 2. That the specific rate and amount of the special tax to be collected to pay for the costs and expenses for the next fiscal year (2012 -13) for the referenced

District is hereby determined and established as set forth in the attached, referenced and incorporated Exhibit "A".

SECTION 3. That the rate as set forth above does not exceed the amount as previously authorized by Ordinance of this legislative body, and is not in excess of that as previously approved by the qualified electors of the District.

SECTION 4. That the proceeds of the special tax shall be used as provided in Ordinance No. 409, including, but not limited to, the payment of, in whole or in part, the costs of the following:

A. Payment of costs and expenses of public landscape facilities;
B. Payment of District administrative costs.
C. Cost of collecting and administering the special tax

The proceeds of the special taxes shall be used as set forth above, and shall not be used for any other purpose.

SECTION 5. The special tax shall be collected in the same manner as ordinary ad valorem property taxes are collected, and shall be subject to the same penalties and same procedure and sale in cases of any delinquency for ad valorem taxes, and the Tax Collector is hereby authorized to collect the special tax and to deduct reasonable administrative costs incurred in collecting said special tax.

SECTION 6. All monies above collected shall be paid into the Community Facilities District 2007-1 fund.

SECTION 7. The Auditor of the County is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land effected in a space marked "public improvements, special tax" or by any other suitable designation, the installment of the special tax, and for the exact rate and amount of said tax, and assessor's parcel number (APN), reference is made to the attached Exhibit "A".

SECTION 8. The County Auditor shall then, at the close of the tax collection period, promptly render to this City a detailed report showing the amount and/or amounts of such special tax installments, interest, penalties and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

PASSED, APPROVED, AND ADOPTED by the City Council of Clayton, California at a regular public meeting of thereof held on July 3, 2012 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

THE CITY COUNCIL OF CLAYTON, CA

____

Howard Geller, Mayor

ATTEST:

____

Laci J. Jackson, City Clerk

Laura/cfd2007-1resofy2012-13

Summary of EXHIBIT A
to Resolution ___ -2012

CFD 2007-1 Citywide Landscape Maintenance District
Special Tax

For fiscal year 2012-2013 the assessor's parcel numbers and the special tax amounts are as set forth in the Community Facilities District No.2007-1 (Citywide Landscape Maintenance) Preliminary Billing Levy Detail Report for FY 2012-13 on file in the City Clerk's office, City Hall, 6000 Heritage Trail, Clayton, CA.

Due to the length of the report, it is summarized as follows:

In general all residential parcels, (single family, condo, and townhouse) shall have a rate for FY 12-13 of $217.86 per parcel. All non-residential parcels shall have a rate for FY 12-13 of $217.86 per acre or fraction thereof, based on parcel size as shown on the most recent County tax and parcel records.

There are a total of 4100 parcels to be levied:
There are 4038 residential levies.
There are 62 non-residential levies comprising 349 acres.

$879,718.68 est. total revenue from residential
$75,599.14 est. total revenue from non-residential
$955,317.82 est. revenue for FY 12-13

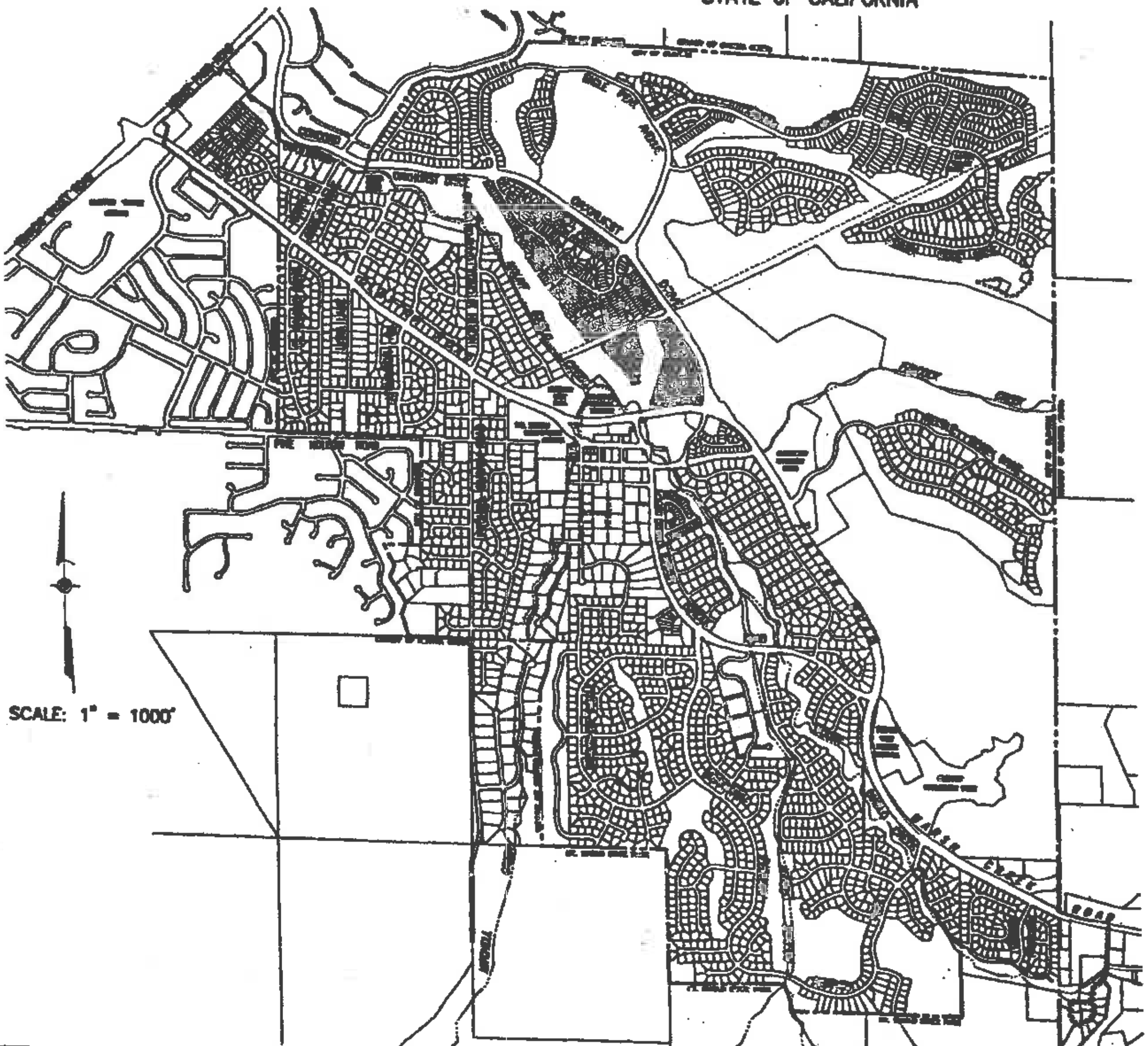
laura/Exhibit A rescfd2007-1 fy12-13

Attachment 2

PROPOSED BOUNDARIES OF

COMMUNITY FACILITIES DISTRICT NO. 2007-1
(CITYWIDE LANDSCAPE MAINTENANCE DISTRICT)

CITY OF CLAYTON, COUNTY OF CONTRA COSTA
STATE OF CALIFORNIA



CITY RECORDER'S STATEMENT:

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF CLAYTON, THIS 17th DAY OF January, 2007.

BY: Laci J. Jackson
CITY CLERK
CITY OF CLAYTON

CITY CLERK'S STATEMENT:

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING THE PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NUMBER 2007-1 IN THE CITY OF CLAYTON, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF CLAYTON AT A REGULAR MEETING THEREOF, HELD ON THE 16th DAY OF January, 2007, BY ITS RESOLUTION NO. 04-2007

BY: Laci J. Jackson
CITY CLERK
CITY OF CLAYTON

RECORDER'S CERTIFICATE:

FILED THIS 23rd DAY OF January 2007, AT THE HOUR OF 2:04 O'CLOCK P.M. IN BOOK 81 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS, AT PAGE 15, AND AS INSTRUMENT NUMBER 07-[illegible] IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA.

BY: STEPHEN L. WEIR
COUNTY RECORDER
COUNTY OF CONTRA COSTA

BY: [signature]
DEPUTY COUNTY RECORDER

LEGEND

CITY LIMIT LINE AND COMMUNITY FACILITY DISTRICT BOUNDARY

1-23-07 2:04 PM 81-15

NBS
helping communities fund tomorrow

City of Clayton

Community Facilities District No. 2007-1
Citywide Landscape Maintenance Tax

Annual Report

July 2012

Main Office
32605 Temecula Parkway, Suite 100
Temecula, CA 92592
Toll free: 800.676.7516 Fax: 951.296.1998

Regional Office
870 Market Street, Suite 1223
San Francisco, CA 94102
Toll free: 800.434.8349 Fax: 415.391.8439

Attachment 3

CITY OF CLAYTON
6000 Heritage Trail
Clayton, CA 94517
Phone - (925) 673-7300
Fax - (925) 672-4917

City Council

Howard Geller, Mayor
Joe Medrano, Vice Mayor
Julie K. Pierce, Councilmember
David Shuey, Councilmember
Hank Stratford, Councilmember

City Staff

Gary Napper, City Manager
Laura Hoffmeister, Assistant to the City Manager
Merry Pelletier, Finance Manager

Special Tax Administrator

NBS
Tim Seufert, Client Services Director
Greg Davidson, Director
Kristin Harvey, Senior Consultant

EXECUTIVE SUMMARY/SPECIAL ISSUES

General Information Summary

Maturity	2012/13 Levy (1)	Parcel Count	Delinquency Rate (2)
Fiscal Year 2016/17	$955,317.82	4,298	2.09%

(1) Includes a rounding adjustment for County tax submittal purposes.
(2) Delinquency Rate for Fiscal Year 2011/12.

Community Facilities District No. 2007-1, Citywide Landscape Maintenance Tax (the "District"), was created to finance services necessary to operate and maintain public roadway landscaping, open space and trails and Clayton Fountain.

For Fiscal Year 2012/13, all taxable parcels within this District will be levied at 100% of their respective Maximum Special Tax. The Maximum Special Tax rates for Fiscal Year 2012/13, which have been escalated by 2.0775%, are as follows:

Residential Parcels:	$217.86 per parcel
Non-residential Parcels:	$217.86 per acre or fraction thereof

The delinquency rate for the District was 2.09% for Fiscal Year 2011/12. With the City's authorization, NBS sent reminder and demand letters to delinquent property owners to encourage the immediate payment of delinquent property tax bills.

TABLE OF CONTENTS

1. 2012/13 LEVY

1.1. Special Tax Spread

All taxable parcels within the District were levied at 100% of their respective Maximum Special Tax rate for Fiscal Year 2012/13. The details of the Special Tax, spread amongst the 4,298 parcels within the District, are as follows:

Parcel Classification	Parcel Count	Maximum Rate	Total Maximum Special Tax	Total Amount Levied (3)
Residential (1)	4,038	$217.86	$879,718.68	$879,718.68
Non-Residential (2)	62	217.86	75,599.36	75,599.14
Exempt	198	0.00	0.00	0.00
Total	**4,298**		**$955,318.04**	**$955,317.82**

(1) Per the Rate and Method of Apportionment, the maximum special tax for residential parcels is calculated on a per parcel basis.
(2) Per the Rate and Method of Apportionment, the maximum special tax for non-residential parcels is calculated per acre or fraction thereof.
(3) Includes a rounding adjustment for County tax submittal purposes.

The table below shows the Fiscal Year 2011/12 Maximum Special Tax for the District:

Parcel Classification	Parcel Count	Maximum Rate	Total Maximum Special Tax
Residential (1)	4,038	$213.43	$861,830.34
Non-Residential (2)	62	213.43	74,060.84
Exempt	199	0.00	0.00
Total	**4,299**		**$935,891.18**

(1) Per the Rate and Method of Apportionment, the maximum special tax for residential parcels is calculated on a per parcel basis.
(2) Per the Rate and Method of Apportionment, the maximum special tax for non-residential parcels is calculated per acre or fraction thereof.

Please refer to section 3 of this report for details of the Special Tax Formula.

2. DELINQUENCY MANAGEMENT

2.1. Delinquency Summary

The following table shows the Fiscal Year 2011/12 delinquency rate for the District:

2011/12 Levy	2011/12 Delinquencies	2011/12 Delinquency Rate	Delinquency Management Steps Taken
$935,850.38	$19,527.95	2.09%	Reminder and Demand Letters Sent

NBS monitors the delinquency rate and reviews the delinquency situation after each payment date. With the City's authorization, NBS sent reminder and demand letters to delinquent property owners to encourage the immediate payment of delinquent property tax bills.

Please refer to section 5 of this report for a delinquency detail report for the District.

2.2. Delinquency Summary Report

The following page summarizes delinquencies for 2011/12 and prior fiscal years.

City of Clayton
Delinquency Summary Report
As of: 06/20/2012

District	Due Date	Billed Amount	Paid Amount	Delinquent Amount	Delinquent Amount %	Billed Installments	Paid Installments	Delinquent Installments	Delinquent Installments %
CFD 2007-1									
	8/1/2007 Billing:								
	12/10/2007	$430,512.48	$430,414.10	$98.38	0.02 %	4,071	4,070	1	0.02 %
	4/10/2008	430,512.48	430,315.72	196.76	0.05 %	4,071	4,069	2	0.05 %
	Subtotal:	**$861,024.96**	**$860,729.82**	**$295.14**	**0.03 %**	**8,142**	**8,139**	**3**	**0.04 %**
	8/1/2008 Billing:								
	12/10/2008	$443,649.10	$443,547.88	$101.22	0.02 %	4,078	4,077	1	0.02 %
	4/10/2009	443,649.10	443,143.00	506.10	0.11 %	4,078	4,073	5	0.12 %
	Subtotal:	**$887,298.20**	**$886,690.88**	**$607.32**	**0.07 %**	**8,156**	**8,150**	**6**	**0.07 %**
	8/1/2009 Billing:								
	12/10/2009	$447,607.48	$446,587.18	$1,020.30	0.23 %	4,102	4,092	10	0.24 %
	4/10/2010	447,607.48	446,383.12	1,224.36	0.27 %	4,102	4,090	12	0.29 %
	Subtotal:	**$895,214.96**	**$892,970.30**	**$2,244.66**	**0.25 %**	**8,204**	**8,182**	**22**	**0.27 %**
	8/1/2010 Billing:								
	12/10/2010	$455,285.26	$454,455.02	$830.24	0.18 %	4,102	4,094	8	0.20 %
	4/10/2011	455,285.26	453,832.34	1,452.92	0.32 %	4,102	4,088	14	0.34 %
	Subtotal:	**$910,570.52**	**$908,287.36**	**$2,283.16**	**0.25 %**	**8,204**	**8,182**	**22**	**0.27 %**
	8/1/2011 Billing:								
	12/10/2011	$467,925.19	$461,949.42	$5,975.77	1.28 %	4,100	4,045	55	1.34 %
	4/10/2012	467,925.19	454,373.01	13,552.18	2.90 %	4,100	3,974	126	3.07 %
	Subtotal:	**$935,850.38**	**$916,322.43**	**$19,527.95**	**2.09 %**	**8,200**	**8,019**	**181**	**2.21 %**
CFD 2007-1	**Total:**	**$4,489,959.02**	**$4,465,000.79**	**$24,958.23**	**0.56 %**	**40,906**	**40,672**	**234**	**0.57 %**
Agency Grand Total:		**$4,489,959.02**	**$4,465,000.79**	**$24,958.23**	**0.56 %**				

3. RATE AND METHOD OF APPORTIONMENT

3.1. Method of Apportionment

A Special Tax will be levied annually on each taxable parcel of land within the District and collected in the same manner as ordinary ad-valorem property taxes or in such manner as the City Council or its designee shall determine, including City-originated billing of the affected property owners.

3.2. Definitions

Taxable Parcels - Parcels of land within the boundaries of the District that are not included in the "Exempt Parcel" category listed below.

Exempt Parcels - Parcels of land owned by a public agency, right-of-way parcels, schools, hospitals, cemeteries, mortuaries, libraries, parks, mineral rights, private roads, pipelines, public parking facilities and common areas.

Residential Parcels - Taxable Parcels of land that are classified as single-family, condominium, townhouse, multi-family or rural residential parcels.

Non-residential Parcels - Taxable Parcels that are not classified as "Residential Parcels."

Special Tax - The Special Tax allowed to be levied on a property within the District, calculated pursuant to the Rate and Method of Apportionment of Special Tax.

3.3. Special Tax Formula

A. **Residential Parcels** - An annual Special Tax will be levied on all Residential Parcels, as defined above, at the per parcel tax rate shown below for each Fiscal Year 2007/2008 through 2016/2017:

   Residential Parcel Annual Special Tax Rate for Fiscal Year 2007/08: $196.77 per parcel.

B. **Non-residential Parcels** - An annual Special Tax will be levied on all Non-residential Parcels, as defined above, at the per acre rate shown below for each Fiscal Year 2007/08 through 2016/17:

   Non-residential Parcel Annual Special Tax Rate for Fiscal Year 2007/08: $196.77 per acre or fraction thereof.

3.4. Special Tax Escalator Factor

In Fiscal Years 2008/09 through 2016/17, the Special Annual Tax rate may be increased annually by the City of Clayton City Council in an amount not to exceed the full annual adjustment (April to April) in the Consumer Price Index – All Urban Consumers, San Francisco-Oakland-San Jose, CA Area (Base Period 1982-84 = 100). This escalation factor is applicable if determined by the City to be necessary due to expected or actual increases in the operational and maintenance expenses attributable to the District. Such determination shall be made by action of the City of Clayton City Council, which must occur at a regular public meeting thereof accompanied by a prior recommendation of the citizens' Trails and Landscaping Committee established by the City Council in February 2006 (City Resolution No. 08-2006).

In no event shall each annual Special Tax rate in any fiscal year increase by more than three percent (3%) over the previous year.

The Special Tax Escalation Factor for Fiscal Year 2012/13 is 2.0775%.

3.5. Duration of Special Tax Levy

The Special Tax will be levied annually for a period of ten (10) years commencing with Fiscal Year 2007/08 through and including Fiscal Year 2016/17. After the ten (10) year duration has expired the Special Tax may no longer be collected unless extended pursuant to applicable laws, except that a Special Tax that was lawfully levied in or before the final tax year and that remains delinquent may be collected in subsequent years.

3.6. Relationship to Special Tax of Community Facilities District 1997-1

The District was created to replace Community Facilities District 1997-1 as the new district to levy an annual Special Tax for Citywide Landscape Maintenance purposes for duration of 10 years. The Community Facilities District 1997-1 had a maturity date of June 30, 2007. In order to continue landscaping maintenance for the City of Clayton, the City has adopted and approved Resolution 06-2007 on February 20, 2007.

4. BACKGROUND INFORMATION

4.1. Project Description

The services to be financed by the District shall include the maintenance of:

A. **Public Roadway Landscaping** – which includes but is not limited to the following improved rights-of-way:

Atchinson Stage Road - from Pine Hollow Road to Caulfield Drive
Black Point Place - center median island
Caulfield Court - center median island
Center Street - from Oak Street to Clayton Road
Clayton Road - from the western city limits to the southern Marsh Creek Road intersection
Cul-de-sacs - landscaped areas at the end of Ahwanee Lane, Wawona Court, Tuyshtak Court, Antelope Court, Obsidian Court, Blue Oak Lane, Falcon Place, Windmill Canyon Place, Hummingbird Place, Raven Place, and Golden Eagle Place
Diablo Parkway - from Marsh Creek Road to El Portal Drive
Eagle Peak Avenue - from the east intersection with Oakhurst Drive to just west of the Ohlone Heights intersection, and including the west intersection with Oakhurst Drive
Indianhead Way - entrance area at Oakhurst Drive
Indian Wells Way - both entrance areas with Oakhurst Drive, and center medians up to Anizume Court and Jalalon Place
Jeffry Ranch Court - center median island
Keller Ridge Drive - to Golden Eagle Place intersection
Lydia Lane - from intersection of Clayton Road to Lydia Lane Park
Main Street - from Clayton Road to (old) Marsh Creek Road
Marsh Creek Road - from the northern intersection of (old) Marsh Creek Road to the eastern city limits
Oakhurst Drive - from the western city limits to Clayton Road intersection
Peacock Creek Drive - from Clayton Road to approximately the Pebble Beach Drive intersection
Pine Hollow Road - from Atchinson Stage Road to Panadero Way
Regency Drive – median entrance from Marsh Creek Road
So. Mitchell Canyon Road - from approx. Del Trigo Lane to Herriman Court intersection

B. **Open Space and Trails** – which include but are not limited to:

Publicly-owned creek-side, intra-community and open space trails located within the boundaries of the District.

C. **Clayton Fountain** – which includes but is not limited to:

Maintenance to the fountain itself, rock structure and all attendant appurtenances, including the geyser and water pump system as well as the surrounding public landscaped area located at east side of the intersection of Oakhurst Drive, Center Street and Clayton Road.

Definitions

"Maintenance" means the furnishing of services and materials for the ordinary and usual operation, maintenance and care of the public landscaping and appurtenant facilities, including repair, removal or replacement of all or part of any landscaping and appurtenant facilities providing for the life, growth, health and beauty of the landscaping, including cultivation, irrigation, trimming, spraying, fertilizing and treating for disease or injury; the removal of trimmings, rubbish, debris and other solid wastes; and the eradication of landscape pests, including but not limited to vermin and rodents, ground squirrels, gophers, moles and wild pig. "Maintenance" also includes the furnishing of water for irrigation of the public landscaping, and the supply of electricity to operate the attendant irrigation systems.

The foregoing services shall be provided through and by the City of Clayton, either with its own labor forces or by contract with third parties, or any combination thereof, as determined solely by the City of Clayton.

"Costs" means the costs and expenses directly or indirectly incurred by the City of Clayton in connection with the Maintenance described above. Allowable Costs payable from special taxes of the District also include the County's imposed costs to levy and collect the District's special taxes through the annual property tax bill, the City's shared equipment and facilities charges, City prorated overhead charges to administer and manage the District and collect the special taxes and District reserve funds for replacement and major repairs.

4.2. Resolution

The resolution approved by the City Council authorizing the levy of the special tax was not available at the time of writing this report.

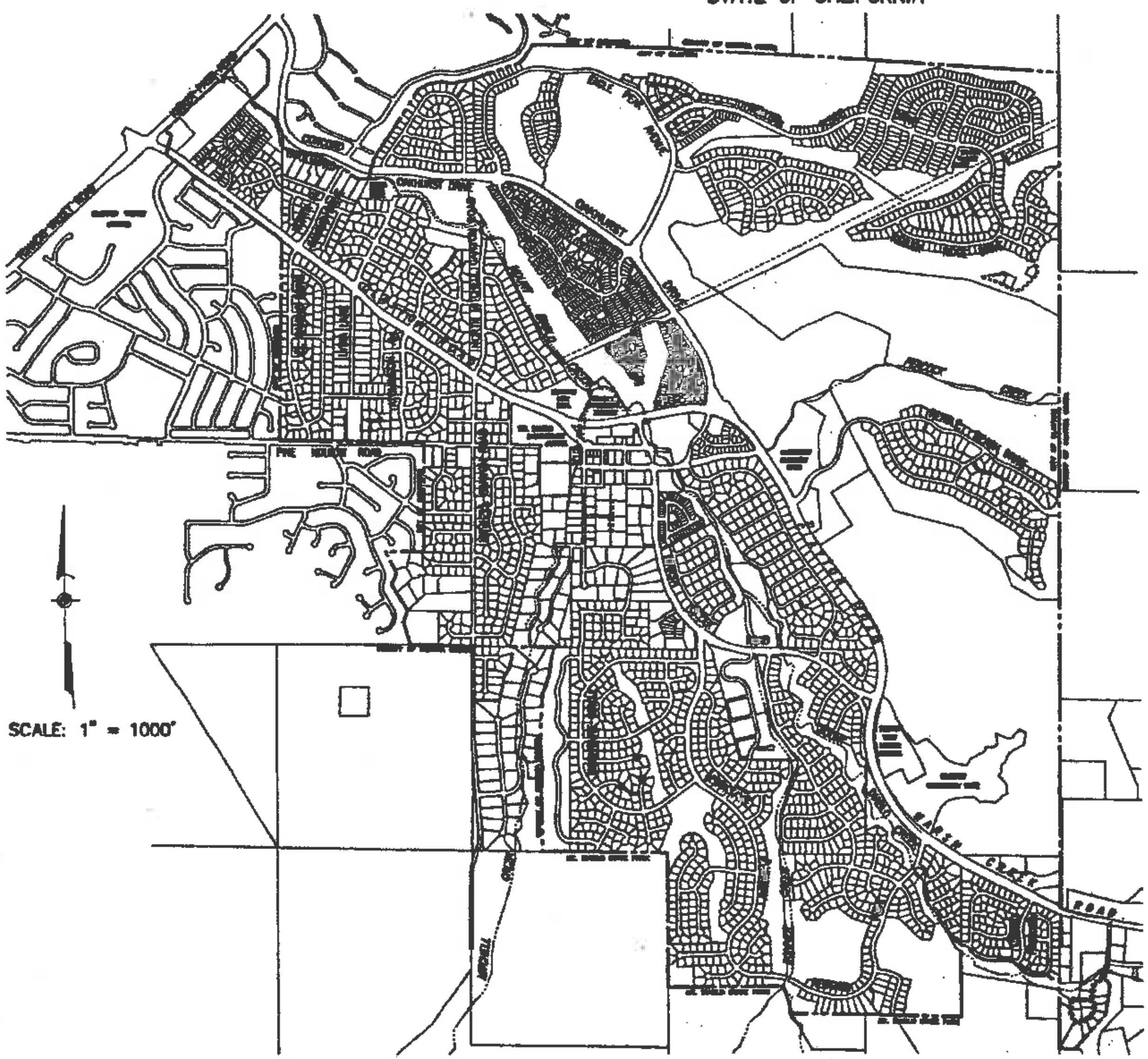
4.3. Boundary Map

The following page shows the boundaries of the District.

PROPOSED BOUNDARIES OF

COMMUNITY FACILITIES DISTRICT NO. 2007-1
(CITYWIDE LANDSCAPE MAINTENANCE DISTRICT)

CITY OF CLAYTON, COUNTY OF CONTRA COSTA
STATE OF CALIFORNIA



SCALE: 1" = 1000'

CITY RECORDER'S STATEMENT:

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF CLAYTON, THIS 4th DAY OF January, 2007.

BY: Laci J. Jackson
CITY CLERK
CITY OF CLAYTON

CITY CLERK'S STATEMENT:

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING THE PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NUMBER 2007-1 IN THE CITY OF CLAYTON, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF CLAYTON AT A REGULAR MEETING THEREOF, HELD ON THE 16th DAY OF January, 2007, BY ITS RESOLUTION NO. 04-2007

BY: Laci J. Jackson
CITY CLERK
CITY OF CLAYTON

RECORDER'S CERTIFICATE:

FILED THIS 23rd DAY OF January 2007, AT THE HOUR OF 2:04 O'CLOCK P.M. IN BOOK 87 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS, AT PAGE 15, AND AS INSTRUMENT NUMBER 07-2801 IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA.

BY: STEPHEN L. WEIR
COUNTY RECORDER
COUNTY OF CONTRA COSTA

BY: [signature]
DEPUTY COUNTY RECORDER

LEGEND

———— CITY LIMIT LINE AND COMMUNITY FACILITY DISTRICT BOUNDARY

1-23-07 . 2:04 PM 81-15

5. DELINQUENCY DETAIL

The following pages detail delinquencies for 2011/12 and prior fiscal years.

City of Clayton
CFD 2007-1 Citywide Landscaping Tax
Delinquency Detail Report
Late Charges Calculated Through 06/20/2012

Account ID	Owner	Due Date	Amount	Penalty	Interest	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
078-020-045	MAZZEI MATTHEW J 8120 MARSH CREEK RD CLAYTON, CA 94517	12/10/2011	106.71	10.67	0.00	0.00	117.38		
		04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$213.42**	**$21.34**	**$0.00**	**$0.00**	**$234.76**		
118-031-012	DOWNS DAVID F & KRISTEN K 5484 TARA DR CLAYTON, CA 94517	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		
118-063-006	HUSTON JEFFREY J & JANINE 1531 N MITCHELL CANYON RD CLAYTON, CA 94517	12/10/2011	106.71	10.67	0.00	0.00	117.38		
		04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$213.42**	**$21.34**	**$0.00**	**$0.00**	**$234.76**		
118-071-008	QUINONES GEORGINA & RODRIGUEZ RIO 5185 HANSEN DR ANTIOCH, CA 94531	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		
118-101-003	HARRISON PATRICIA M 33 MARQUETTE CT CLAYTON, CA 94517	12/10/2011	106.71	10.67	0.00	0.00	117.38		
		04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$213.42**	**$21.34**	**$0.00**	**$0.00**	**$234.76**		
118-101-017	SMITH KRISTA 42 MARQUETTE CT CLAYTON, CA 94517	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		
118-110-001	RICHARDSON DANIEL E & TRACY A 5565 MORNINGSIDE DR CLAYTON, CA 94517	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		

(1) Fees: This amount excludes Delinquency Management fees that were or will be collected in a subsequent billing.

(2) Delinquency Management Codes: RL=Reminder Sent; DL=Demand Letter Sent; SR=Tax Roll Removal Requested; SC=Tax Roll Removal Confirmed; FL=Foreclosure Letter Sent; OL=Other Letter Sent; FI=Judicial Foreclosure Initiated; CP=County Payment Plan; FH=Judicial Foreclosure on Hold/Special Case; FC=Foreclosure Complete; LIT=Litigation Guarantee; LGL=Legal Fees and Costs; O=Other Fees; SO=Tax Roll Removal County Fee; PP = Payment Plan.

(3) Miscellaneous Codes: DB=Direct Bill Sent ; BK=Declared Bankruptcy; PM=Partial Payment made, remainder delinquent.

City of Clayton
CFD 2007-1 Citywide Landscaping Tax
Delinquency Detail Report
Late Charges Calculated Through 06/20/2012

Account ID	Owner	Due Date	Amount	Penalty	Interest	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
118-164-019	THOMAS GARY & LORETTA & ERIC THOMAS 1505 OHARA CT CLAYTON, CA 94517	12/10/2009	102.03	10.20	36.73	0.00	148.96	RL	
		04/10/2010	102.03	10.20	36.73	0.00	148.96	RL	
		04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$310.77**	**$31.07**	**$73.46**	**$0.00**	**$415.30**		
118-164-025	BASAVARAJ BHARATUR & SHIVAMALA 1531 OHARA CT CLAYTON, CA 94517	12/10/2011	106.71	10.67	0.00	0.00	117.38		
		04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$213.42**	**$21.34**	**$0.00**	**$0.00**	**$234.76**		
118-164-047	HENDRICKS-BOTSFORD LYNETTE R & BOTSFORD 1537 HAVILAND PL CLAYTON, CA 94517	12/10/2011	106.71	10.67	0.00	0.00	117.38		
		04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$213.42**	**$21.34**	**$0.00**	**$0.00**	**$234.76**		
118-164-048	GWIN HALTON M & CAROLYN M 1541 HAVILAND PL CLAYTON, CA 94517	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		
118-164-085	MCDOWELL PAMELA ROBINSON 5479 TARA DR CLAYTON, CA 94517	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		
118-211-014	SINCLAIRE JUSTIN B & GEDDES-SINCLAIRE CH 5640 SOUTHBROOK DR CLAYTON, CA 94517	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		
118-212-009	HENNIS GARY DAVID & SCHROEDER JANE MARIE 1 CASEY GLEN CT CLAYTON, CA 94517	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		

(1) Fees: This amount excludes Delinquency Management fees that were or will be collected in a subsequent billing.

(2) Delinquency Management Codes: RL=Reminder Sent; DL=Demand Letter Sent; SR=Tax Roll Removal Requested; SC=Tax Roll Removal Confirmed; FL=Foreclosure Letter Sent; OL=Other Letter Sent; FI=Judicial Foreclosure Initiated; CP=County Payment Plan; FH=Judicial Foreclosure on Hold/Special Case; FC=Foreclosure Complete; LIT=Litigation Guarantee; LGL=Legal Fees and Costs; O=Other Fees; SO=Tax Roll Removal County Fee; PP = Payment Plan.

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City of Clayton
CFD 2007-1 Citywide Landscaping Tax
Delinquency Detail Report
Late Charges Calculated Through 06/20/2012

Account ID	Owner	Due Date	Amount	Penalty	Interest	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
118-222-011	HENDRICK IVAN L & CHRISALEE C PO BOX 860 CLAYTON, CA 94517	04/10/2009	101.22	10.12	54.66	0.00	166.00	RL DL	
		12/10/2009	102.03	10.20	36.73	0.00	148.96	RL DL	
		04/10/2010	102.03	10.20	36.73	0.00	148.96	RL DL	
		04/10/2011	103.78	10.38	18.68	0.00	132.84	RL DL	
		12/10/2011	106.71	10.67	0.00	0.00	117.38	DL	
		04/10/2012	106.71	10.67	0.00	0.00	117.38	DL	
		Account Subtotal:	**$622.48**	**$62.24**	**$146.80**	**$0.00**	**$831.52**		
118-230-001	SUNDERLAND WILLIAM C & DEBRA 5801 CAULFIELD DR CLAYTON, CA 94517	12/10/2011	106.71	10.67	0.00	0.00	117.38		
		04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$213.42**	**$21.34**	**$0.00**	**$0.00**	**$234.76**		
118-230-005	HOLLINGSWORTH PATRICIA L & MILLER JEFFRE 415 DIABLO CREEK PL CLAYTON, CA 94517	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		
118-230-010	SUNDERLAND WILLIAM C & DEBRA 5801 CAULFIELD DR CLAYTON, CA 94517	12/10/2011	106.71	10.67	0.00	0.00	117.38		
		04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$213.42**	**$21.34**	**$0.00**	**$0.00**	**$234.76**		
118-321-005	LEONBERGER LIDIA 1809 YOLANDA CIR CLAYTON, CA 94517	04/10/2011	103.78	10.38	18.68	0.00	132.84		
		12/10/2011	106.71	10.67	0.00	0.00	117.38		
		04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$317.20**	**$31.72**	**$18.68**	**$0.00**	**$367.60**		
118-322-027	REESE-DAUER EDWARD & LINDA 1856 YOLANDA CIR CLAYTON, CA 94517	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		

(1) Fees: This amount excludes Delinquency Management fees that were or will be collected in a subsequent billing.

(2) Delinquency Management Codes: RL=Reminder Sent; DL=Demand Letter Sent; SR=Tax Roll Removal Requested; SC=Tax Roll Removal Confirmed; FL=Foreclosure Letter Sent; OL=Other Letter Sent; FI=Judicial Foreclosure Initiated; CP=County Payment Plan; FH=Judicial Foreclosure on Hold/Special Case; FC=Foreclosure Complete; LIT=Litigation Guarantee; LGL=Legal Fees and Costs; O=Other Fees; SO=Tax Roll Removal County Fee; PP = Payment Plan.

(3) Miscellaneous Codes: DB=Direct Bill Sent ; BK=Declared Bankruptcy; PM=Partial Payment made, remainder delinquent.

City of Clayton
CFD 2007-1 Citywide Landscaping Tax
Delinquency Detail Report
Late Charges Calculated Through 06/20/2012

Account ID	Owner	Due Date	Amount	Penalty	Interest	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
118-323-009	CREMEEN ALFRED L & WENDY K 1859 YOLANDA CIR CLAYTON, CA 94517	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		
118-332-006	GARA MARK A & CYNTHIA B 1834 YOLANDA CIR CLAYTON, CA 94517	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		
118-381-001	GREEN LEAF PROPERTIES LLC 4101 DUBLIN BLVD STE F 138 DUBLIN, CA 94568	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		
118-401-010	WITTNEBEN CHARLES R & DEBORAH J 1772 INDIAN WELLS WAY CLAYTON, CA 94517	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		
118-401-017	BERGQUIST KENNETH R & PAMELA 650 QUAIL CREST DR WALNUT CREEK, CA 94598	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		
118-401-030	HART JACK W & JERY L 402 CHUPCAN PL CLAYTON, CA 94517	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		
118-402-013	NIEBUHR SANDRA 330 SACLAN TERRACE PL CLAYTON, CA 94517	12/10/2011	106.71	10.67	0.00	0.00	117.38		
		04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$213.42**	**$21.34**	**$0.00**	**$0.00**	**$234.76**		

(1) Fees: This amount excludes Delinquency Management fees that were or will be collected in a subsequent billing.

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(3) Miscellaneous Codes: DB=Direct Bill Sent ; BK=Declared Bankruptcy; PM=Partial Payment made, remainder delinquent.

City of Clayton
CFD 2007-1 Citywide Landscaping Tax
Delinquency Detail Report
Late Charges Calculated Through 06/20/2012

Account ID	Owner	Due Date	Amount	Penalty	Interest	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
118-402-023	RUBINO MARY KATHRYN 1648 CORTE DE CALLAS SAN JOSE, CA 95124	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		
118-402-059	HAGUE LILLIAN 38 JALALON PL CLAYTON, CA 94517	04/10/2011	103.78	10.38	18.68	0.00	132.84		
		12/10/2011	106.71	10.67	0.00	0.00	117.38		
		04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$317.20**	**$31.72**	**$18.68**	**$0.00**	**$367.60**		
118-410-050	SULLIVAN DONNA M 2977 MORGAN TERRITORY RD CLAYTON, CA 94517	12/10/2011	106.71	10.67	0.00	0.00	117.38		
		04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$213.42**	**$21.34**	**$0.00**	**$0.00**	**$234.76**		
118-410-063	NUNN MEREDITH F 1266 SHELL CIR CLAYTON, CA 94517	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		
118-422-003	RIGOLI DANIEL A & DIANA D 352 BLUE OAK LN CLAYTON, CA 94517	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		
118-422-004	ALVEAR MANUEL TOLENTINO & VENERANDA ALVA 354 BLUE OAK LN CLAYTON, CA 94517	12/10/2011	106.71	10.67	0.00	0.00	117.38		
		04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$213.42**	**$21.34**	**$0.00**	**$0.00**	**$234.76**		
118-442-012	VALENCIA JANET 3013 WINDMILL CANYON DR CLAYTON, CA 94517	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		

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Account ID	Owner	Due Date	Amount	Penalty	Interest	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
118-452-013	SARDI MARILYN J 203 FALCON PL CLAYTON, CA 94517	12/10/2011 04/10/2012	106.71 106.71	10.67 10.67	0.00 0.00	0.00 0.00	117.38 117.38		
		Account Subtotal:	**$213.42**	**$21.34**	**$0.00**	**$0.00**	**$234.76**		
118-452-038	JOHNSON ROXANNE D 5102 KELLER RIDGE DR CLAYTON, CA 94517	12/10/2011 04/10/2012	106.71 106.71	10.67 10.67	0.00 0.00	0.00 0.00	117.38 117.38		
		Account Subtotal:	**$213.42**	**$21.34**	**$0.00**	**$0.00**	**$234.76**		
118-460-005	KHAN FAROOQ H 608 JULPUN LOOP CLAYTON, CA 94517	12/10/2011 04/10/2012	106.71 106.71	10.67 10.67	0.00 0.00	0.00 0.00	117.38 117.38		
		Account Subtotal:	**$213.42**	**$21.34**	**$0.00**	**$0.00**	**$234.76**		
118-460-045	JENSEN MARK A & PAMELA A 803 CHERT PL CLAYTON, CA 94517	12/10/2011 04/10/2012	106.71 106.71	10.67 10.67	0.00 0.00	0.00 0.00	117.38 117.38		
		Account Subtotal:	**$213.42**	**$21.34**	**$0.00**	**$0.00**	**$234.76**		
118-460-073	HEANEY DANIEL 722 ANIZUMNE CT CLAYTON, CA 94517	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		
118-460-094	EISSNER IRYSE JEAN 911 ARROWHEAD TER CLAYTON, CA 94517	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		
118-470-026	TAYLOR DAWN 1232 BUCKEYE TER CLAYTON, CA 94517	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		
118-470-109	SCHMIDT CHARLES J & MARILYN R 456 OBSIDIAN WAY CLAYTON, CA 94517	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		

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118-490-009	ELLYN LYNNE 1036 PEBBLE BEACH DR CLAYTON, CA 94517	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		
118-500-013	ING BANK FSB c/o: FORECLOSURE DEPT 1 S ORANGE ST WILMINGTON, DE 19801	12/10/2009	102.03	10.20	36.73	0.00	148.96		
		04/10/2010	102.03	10.20	36.73	0.00	148.96		
		12/10/2010	103.78	10.38	18.68	0.00	132.84		
		04/10/2011	103.78	10.38	18.68	0.00	132.84		
		12/10/2011	106.71	10.67	0.00	0.00	117.38		
		04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$625.04**	**$62.50**	**$110.82**	**$0.00**	**$798.36**		
118-510-003	MILLIGAN ROGER C 1138 PEACOCK CREEK DR CLAYTON, CA 94517	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		
118-510-031	LALLY KENNETH & KIM 163 SILVERADO CT CLAYTON, CA 94517	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		
118-530-016	BECK SUSAN M 1431 INDIANHEAD WAY CLAYTON, CA 94517	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		
118-550-030	DAVIS ERIC M & WINNIE Y K 414 HUMMINGBIRD PL CLAYTON, CA 94517	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		
118-560-021	ENDASHIIAN LLC c/o: CVS CAREMARK CORPORA 1 CVS DR WOONSOCKET, RI 02895	04/10/2012	106.71	10.67	0.00	0.00	117.38	RL	
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		

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118-570-031	GALLAGHER DAVID B & CORINNE L 64 ANTELOPE CT CLAYTON, CA 94517	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		
118-570-045	ARTRU SANDRA E 461 OBSIDIAN WAY CLAYTON, CA 94517	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		
118-570-048	ROSALES JOSE JR & MARIA J 467 OBSIDIAN WAY CLAYTON, CA 94517	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		
118-600-039	CRIADO EDWARD F & TIFFANY M PO BOX 302 CLAYTON, CA 94517	12/10/2011	106.71	10.67	0.00	0.00	117.38		
		04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$213.42**	**$21.34**	**$0.00**	**$0.00**	**$234.76**		
118-620-027	SIMPSON SCOTT 6022 GOLDEN EAGLE WAY CLAYTON, CA 94517	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		
118-630-037	BELUSA ERIC R & MONIQUE & BELUSA MONIQUE 4425 TREAT BLVD #B CONCORD, CA 94521	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		
118-640-042	SARNA PETER C & SHERRIE 8002 KELOK WAY CLAYTON, CA 94517	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		

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118-650-011	LANFRANCHI MARK W & LAURA E 805 GRAY FOX PL CLAYTON, CA 94517	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		
118-650-020	TEMPLE JAMES E JR & MARCI 9013 ELK DR CLAYTON, CA 94517	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		
118-660-029	BURNS SHARON L 3853 STONEBRUSH DR UNIT C12 HIGHLANDS RANCH, CO 80126	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		
118-680-021	SON JENNIFER J 5210 KELLER RIDGE DR CLAYTON, CA 94517	12/10/2011	106.71	10.67	0.00	0.00	117.38		
		04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$213.42**	**$21.34**	**$0.00**	**$0.00**	**$234.76**		
118-690-007	CADEMARTORI DAVID & STEPHANIE 303 COAL MINE CT CLAYTON, CA 94517	12/10/2011	106.71	10.67	0.00	0.00	117.38		
		04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$213.42**	**$21.34**	**$0.00**	**$0.00**	**$234.76**		
118-690-028	WALKER JOHN F & KIMBERLY G 203 PROSPECTOR PL CLAYTON, CA 94517	12/10/2011	106.71	10.67	0.00	0.00	117.38		
		04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$213.42**	**$21.34**	**$0.00**	**$0.00**	**$234.76**		
118-700-003	PRITCHARD DEREK J & THERESA A 1206 BRIDLEWOOD CT CLAYTON, CA 94517	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		

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118-700-014	DAVIS CHARLES A JR 1227 BRIDLEWOOD CT CLAYTON, CA 94517	12/10/2011	106.71	10.67	0.00	0.00	117.38		
		04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$213.42**	**$21.34**	**$0.00**	**$0.00**	**$234.76**		
119-017-004	PLUTE THEODORE PO BOX 5459 SANTA BARBARA, CA 93150	12/10/2011	106.71	10.67	0.00	0.00	117.38	RL DL	
		04/10/2012	106.71	10.67	0.00	0.00	117.38	DL	
		Account Subtotal:	**$213.42**	**$21.34**	**$0.00**	**$0.00**	**$234.76**		
119-021-065	PACIFIC TELEPHONE & TELEGRAPH 1 MONTGOMERY ST #412 SAN FRANCISCO, CA 94104	12/10/2011	106.71	10.67	0.00	0.00	117.38	RL DL	
		04/10/2012	106.71	10.67	0.00	0.00	117.38	DL	
		Account Subtotal:	**$213.42**	**$21.34**	**$0.00**	**$0.00**	**$234.76**		
119-021-070	FINE MICHAEL C & SHEEHAN LISA R 6004 HIGH ST CLAYTON, CA 94517	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		
119-022-001	MATHEWS JOHN W c/o: VIOLET CHURCHILL 11507 SILVERGATE DR DUBLIN, CA 94568	12/10/2011	106.71	10.67	0.00	0.00	117.38		
		04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$213.42**	**$21.34**	**$0.00**	**$0.00**	**$234.76**		
119-022-006	MCMILLEN RICKEY L & DARLENE J 973 OAK ST CLAYTON, CA 94517	12/10/2011	106.71	10.67	0.00	0.00	117.38		
		04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$213.42**	**$21.34**	**$0.00**	**$0.00**	**$234.76**		
119-040-031	ENGLISH MARK & CORI 953 OAK ST CLAYTON, CA 94517	12/10/2011	106.71	10.67	0.00	0.00	117.38		
		04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$213.42**	**$21.34**	**$0.00**	**$0.00**	**$234.76**		

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119-102-018	HARRIS EMANUEL E & BROOKE A 910 KENSTON DR CLAYTON, CA 94517	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		
119-111-001	BOLIN JEFFREY T & POST CAROL B 975 KENSTON DR CLAYTON, CA 94517	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		
119-111-004	CULLEN JOHN J III & LYNN O 6 KENSTON CT CLAYTON, CA 94517	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		
119-111-007	LINVILLE KATHRYN 11 NEWMAN CT CLAYTON, CA 94517	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		
119-111-010	MARTINEZ ALEJANDRO & DELACERDA CECILIA 1019 KENSTON DR CLAYTON, CA 94517	12/10/2011	106.71	10.67	0.00	0.00	117.38		
		04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$213.42**	**$21.34**	**$0.00**	**$0.00**	**$234.76**		
119-113-012	STREETER GEORGE L & JEANETTE 9 ROLEN CT CLAYTON, CA 94517	12/10/2011	106.71	10.67	0.00	0.00	117.38		
		04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$213.42**	**$21.34**	**$0.00**	**$0.00**	**$234.76**		
119-113-014	DEHM DELPHINE J 2 ROLEN CT CLAYTON, CA 94517	12/10/2011	106.71	10.67	0.00	0.00	117.38		
		04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$213.42**	**$21.34**	**$0.00**	**$0.00**	**$234.76**		

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119-141-009	FINCH ROBERT WILLIAM & DIGRAZIA DONNA MA 216 MOUNTAIRE CIR CLAYTON, CA 94517	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		
119-152-012	TRIMBLE PATRICK A & WENDY F 176 MOUNTAIRE PKWY CLAYTON, CA 94517	12/10/2011	106.71	10.67	0.00	0.00	117.38		
		04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$213.42**	**$21.34**	**$0.00**	**$0.00**	**$234.76**		
119-201-004	MORANO MICHAEL J & STEPHANIE 30 MT SCOTT CT CLAYTON, CA 94517	04/10/2010	102.03	10.20	36.73	0.00	148.96	RL DL	
		04/10/2011	103.78	10.38	18.68	0.00	132.84	RL DL	
		12/10/2011	106.71	10.67	0.00	0.00	117.38	DL	
		04/10/2012	106.71	10.67	0.00	0.00	117.38	DL	
		Account Subtotal:	**$419.23**	**$41.92**	**$55.41**	**$0.00**	**$516.56**		
119-212-025	SPARKS THOMAS A & JODY 372 MT WASHINGTON WAY CLAYTON, CA 94517	04/10/2009	101.22	10.12	54.66	0.00	166.00		
		Account Subtotal:	**$101.22**	**$10.12**	**$54.66**	**$0.00**	**$166.00**		
119-231-005	FOSSAN MICHAEL A & KRISTINA D 1748 MINTWOOD DR CONCORD, CA 94521	12/10/2011	106.71	10.67	0.00	0.00	117.38		
		04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$213.42**	**$21.34**	**$0.00**	**$0.00**	**$234.76**		
119-232-021	BUTTICCI ARMAND IV 2 LONG CREEK CIR CLAYTON, CA 94517	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		

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119-232-022	MIRMOTALEBISOHI HOSSEIN 1 LONG CREEK CIR CLAYTON, CA 94517	12/10/2007	98.38	9.84	70.83	0.00	179.05	RL DL	
		04/10/2008	98.38	9.84	70.83	0.00	179.05	RL DL	
		04/10/2009	101.22	10.12	54.66	0.00	166.00	DL	
		04/10/2010	102.03	10.20	36.73	0.00	148.96	DL	
		12/10/2010	103.78	10.38	18.68	0.00	132.84	DL	
		04/10/2011	103.78	10.38	18.68	0.00	132.84	DL	
		12/10/2011	106.71	10.67	0.00	0.00	117.38	DL	
		04/10/2012	106.71	10.67	0.00	0.00	117.38	DL	
		Account Subtotal:	**$820.99**	**$82.10**	**$270.41**	**$0.00**	**$1,173.60**		
119-232-029	AYSON LAWRENCE L 4420 SUGARLAND CT CONCORD, CA 94521	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		
119-232-040	ABEL RONALD MATHEW & AILEEN J 25 MT WILSON WAY CLAYTON, CA 94517	12/10/2011	106.71	10.67	0.00	0.00	117.38		
		04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$213.42**	**$21.34**	**$0.00**	**$0.00**	**$234.76**		
119-232-043	ROUSSEAU GLORIA M 40 BANCHIO ST BAY POINT, CA 94565	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		
119-242-025	FEDERAL HM LOAN MORTGAGE CORP c/o: RECONTRUST COMPANY 1800 TAPO CANYON RD SIMI VALLEY, CA 93063	12/10/2011	106.71	10.67	0.00	0.00	117.38		
		04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$213.42**	**$21.34**	**$0.00**	**$0.00**	**$234.76**		
119-290-020	WAGNER ALLEN S 50 MOUNTAIRE PL CLAYTON, CA 94517	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		

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119-301-018	FINN CHARLES M 586 MT DELL DR CLAYTON, CA 94517	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		
119-321-010	TYRYFTER JOAN 45 PETAR CT CLAYTON, CA 94517	04/10/2009	101.22	10.12	54.66	0.00	166.00	RL DL	
		12/10/2009	102.03	10.20	36.73	0.00	148.96	RL DL	
		04/10/2010	102.03	10.20	36.73	0.00	148.96	RL DL	
		12/10/2010	103.78	10.38	18.68	0.00	132.84	RL DL	
		04/10/2011	103.78	10.38	18.68	0.00	132.84	RL DL	
		12/10/2011	106.71	10.67	0.00	0.00	117.38	DL	
		04/10/2012	106.71	10.67	0.00	0.00	117.38	DL	
		Account Subtotal:	**$726.26**	**$72.62**	**$165.48**	**$0.00**	**$964.36**		
119-322-020	ISAKSON DAVID O & ALICE J 2 MIRANGO CT CLAYTON, CA 94517	12/10/2011	106.71	10.67	0.00	0.00	117.38		
		04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$213.42**	**$21.34**	**$0.00**	**$0.00**	**$234.76**		
119-353-012	HAHN MICHAEL & KUEK-HAHN KRISTINA 91 REGENCY DR CLAYTON, CA 94517	12/10/2009	102.03	10.20	36.73	0.00	148.96	RL DL	
		04/10/2010	102.03	10.20	36.73	0.00	148.96	RL DL	
		12/10/2010	103.78	10.38	18.68	0.00	132.84	RL DL	
		04/10/2011	103.78	10.38	18.68	0.00	132.84	RL DL	
		12/10/2011	106.71	10.67	0.00	0.00	117.38	DL	
		04/10/2012	106.71	10.67	0.00	0.00	117.38	DL	
		Account Subtotal:	**$625.04**	**$62.50**	**$110.82**	**$0.00**	**$798.36**		
119-361-011	RAHIMZADEH FARZAN & HELEN 101 OAK CT CLAYTON, CA 94517	12/10/2011	106.71	10.67	0.00	0.00	117.38		
		04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$213.42**	**$21.34**	**$0.00**	**$0.00**	**$234.76**		
119-362-006	SHAD SHAHRIAR S & TAMMY L 220 ROUNDHILL PL CLAYTON, CA 94517	12/10/2011	106.71	10.67	0.00	0.00	117.38		
		04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$213.42**	**$21.34**	**$0.00**	**$0.00**	**$234.76**		

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119-381-004	AVEN MICHAEL 199 MOUNTAIRE PKWY CLAYTON, CA 94517	12/10/2011	106.71	10.67	0.00	0.00	117.38		
		04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$213.42**	**$21.34**	**$0.00**	**$0.00**	**$234.76**		
119-391-005	PICCHI ANTHONY R 154 MT VERNON DR CLAYTON, CA 94517	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		
119-392-024	HEININK KAZUYO N 9659 E ALLISON WAY SCOTTSDALE, AZ 85262	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		
119-400-003	ALARCON ROY & MELANIE C 3658 MORGAN TERRITORY RD CLAYTON, CA 94517	12/10/2011	213.43	21.34	0.00	0.00	234.77	RL DL	
		04/10/2012	213.43	21.34	0.00	0.00	234.77	DL	
		Account Subtotal:	**$426.86**	**$42.68**	**$0.00**	**$0.00**	**$469.54**		
119-412-010	LAIGN PAUL E JR & ANDREA L 206 MT WILSON PL CLAYTON, CA 94517	12/10/2011	106.71	10.67	0.00	0.00	117.38		
		04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$213.42**	**$21.34**	**$0.00**	**$0.00**	**$234.76**		
119-431-013	BENNETT THOMAS J & SHARON R 260 MOUNTAIRE PKWY CLAYTON, CA 94517	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		
119-451-003	JONES ALLEN PAUL 6117 CASTLETOWN WAY ALEXANDRIA, VA 22310	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		

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119-451-023	PICKETT WAYLON J & TOBY N 520 E MYRICK CT CLAYTON, CA 94517	04/10/2012	106.71	10.67	0.00	0.00	117.38		
	Account Subtotal:		**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		
119-464-002	SMITH BENJAMIN T & JAKEL-SMITH CINDY 707 BLOCHING CIR CLAYTON, CA 94517	04/10/2012	106.71	10.67	0.00	0.00	117.38		
	Account Subtotal:		**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		
119-464-004	ENGLUND DERRY L & SALLY A 717 BLOCHING CIR CLAYTON, CA 94517	12/10/2011	106.71	10.67	0.00	0.00	117.38		
		04/10/2012	106.71	10.67	0.00	0.00	117.38		
	Account Subtotal:		**$213.42**	**$21.34**	**$0.00**	**$0.00**	**$234.76**		
119-472-017	WIGGENHAUSER UWE 114 SAMUEL CT CLAYTON, CA 94517	12/10/2009	102.03	10.20	36.73	0.00	148.96	RL DL	
		04/10/2010	102.03	10.20	36.73	0.00	148.96	RL DL	
		12/10/2010	103.78	10.38	18.68	0.00	132.84	RL DL	
		04/10/2011	103.78	10.38	18.68	0.00	132.84	RL DL	
		12/10/2011	106.71	10.67	0.00	0.00	117.38	DL	
		04/10/2012	106.71	10.67	0.00	0.00	117.38	DL	
	Account Subtotal:		**$625.04**	**$62.50**	**$110.82**	**$0.00**	**$798.36**		
119-480-008	MINGAY BRUCE M & MARY K 7246 MARSH CREEK CIR CLAYTON, CA 94517	12/10/2011	106.71	10.67	0.00	0.00	117.38		
		04/10/2012	106.71	10.67	0.00	0.00	117.38		
	Account Subtotal:		**$213.42**	**$21.34**	**$0.00**	**$0.00**	**$234.76**		
119-490-055	LAM PRITCHARD YEE KANG & JOAN 609 MT OLIVET CT CLAYTON, CA 94517	12/10/2011	106.71	10.67	0.00	0.00	117.38		
		04/10/2012	106.71	10.67	0.00	0.00	117.38		
	Account Subtotal:		**$213.42**	**$21.34**	**$0.00**	**$0.00**	**$234.76**		

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119-510-020	KOHLER MICHAEL J & CARYL 297 MOUNTAIRE PKWY CLAYTON, CA 94517	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		
119-530-020	WELTY RANDALL E & ANN L 1146 EASLEY DR CLAYTON, CA 94517	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		
119-542-001	ESPINOZA JAVIER & LETICIA 533 HAMBURG CIR CLAYTON, CA 94517	12/10/2011	106.71	10.67	0.00	0.00	117.38		
		04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$213.42**	**$21.34**	**$0.00**	**$0.00**	**$234.76**		
119-560-008	MOORE MICHAEL & PAMELA 938 DOUGLAS CT CLAYTON, CA 94517	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		
119-583-002	VANLIEW KRISTOPHER L & REBECCA 1242 EASLEY DR CLAYTON, CA 94517	04/10/2011	103.78	10.38	18.68	0.00	132.84		
		Account Subtotal:	**$103.78**	**$10.38**	**$18.68**	**$0.00**	**$132.84**		
119-593-001	DONNELLY MICHAEL R & DENISE 541 HAMBURG CIR CLAYTON, CA 94517	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		
119-600-041	COMBS EDWARD R & CAROL A 117 LA ENCINAL CT CLAYTON, CA 94517	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		

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119-600-057	SHAHDADI RYALL & ARASH 47 EL PORTAL DR CLAYTON, CA 94517	12/10/2011	106.71	10.67	0.00	0.00	117.38		
		04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$213.42**	**$21.34**	**$0.00**	**$0.00**	**$234.76**		
119-610-023	VILLASENOR STEVEN R & PATRICIA 140 EL PORTAL PL CLAYTON, CA 94517	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		
119-610-035	MARTIN RICHARD C & MARTHA 93 EL PORTAL PL CLAYTON, CA 94517	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		
119-620-045	DICKIE DARREN & KATHLEEN 257 STRANAHAN CIR CLAYTON, CA 94517	04/10/2008	98.38	9.84	70.83	0.00	179.05	RL DL	
		12/10/2008	101.22	10.12	54.66	0.00	166.00	RL DL	
		04/10/2009	101.22	10.12	54.66	0.00	166.00	DL	
		12/10/2009	102.03	10.20	36.73	0.00	148.96	DL	
		04/10/2010	102.03	10.20	36.73	0.00	148.96	DL	
		12/10/2010	103.78	10.38	18.68	0.00	132.84	DL	
		04/10/2011	103.78	10.38	18.68	0.00	132.84	DL	
		12/10/2011	106.71	10.67	0.00	0.00	117.38	DL	
		04/10/2012	106.71	10.67	0.00	0.00	117.38	DL	
		Account Subtotal:	**$925.86**	**$92.58**	**$290.97**	**$0.00**	**$1,309.41**		
120-011-007	MAHERI ALI NAGHASH 8201 CAMINO MEDIA #APT 2 BAKERSFIELD, CA 93311	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		
120-025-009	HART RUTH A & GOLDSTEIN DAVID & BRENDA PO BOX 164 CLAYTON, CA 94517	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		

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120-031-011	BAZAN GRANT & LISA H 7 NOTTINGHAM PL CLAYTON, CA 94517	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		
120-032-004	TREMAINE RICHARD E & MARY J 20 NOTTINGHAM CIR CLAYTON, CA 94517	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		
120-052-017	HILL JEFFREY B & KERRY 1491 LYDIA LN CLAYTON, CA 94517	12/10/2009	102.03	10.20	36.73	0.00	148.96	RL DL	
		04/10/2010	102.03	10.20	36.73	0.00	148.96	RL DL	
		12/10/2010	103.78	10.38	18.68	0.00	132.84	RL DL	
		04/10/2011	103.78	10.38	18.68	0.00	132.84	RL DL	
		Account Subtotal:	**$411.62**	**$41.16**	**$110.82**	**$0.00**	**$563.60**		
120-105-008	ZIEMSKI WALTER J & KAREN K 1475 YOSEMITE CIR CLAYTON, CA 94517	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		
121-081-018	SPENCER SHAWN R & MARIBETH M 1013 MITCHELL CANYON RD CLAYTON, CA 94517	04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$106.71**	**$10.67**	**$0.00**	**$0.00**	**$117.38**		
121-082-017	CARLSON SCOTT R & KATHRYN 24 RHINE CT CLAYTON, CA 94517	12/10/2011	106.71	10.67	0.00	0.00	117.38		
		04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$213.42**	**$21.34**	**$0.00**	**$0.00**	**$234.76**		
121-082-024	SHINGLETON ARTHUR JR & ELAINE PO BOX 653 CLAYTON, CA 94517	12/10/2009	102.03	10.20	36.73	0.00	148.96	RL DL	
		04/10/2010	102.03	10.20	36.73	0.00	148.96	RL DL	
		04/10/2011	103.78	10.38	18.68	0.00	132.84	RL DL	
		Account Subtotal:	**$307.84**	**$30.78**	**$92.14**	**$0.00**	**$430.76**		

(1) Fees: This amount excludes Delinquency Management fees that were or will be collected in a subsequent billing.

(2) Delinquency Management Codes: RL=Reminder Sent; DL=Demand Letter Sent; SR=Tax Roll Removal Requested; SC=Tax Roll Removal Confirmed; FL=Foreclosure Letter Sent; OL=Other Letter Sent; FI=Judicial Foreclosure Initiated; CP=County Payment Plan; FH=Judicial Foreclosure on Hold/Special Case; FC=Foreclosure Complete; LIT=Litigation Guarantee; LGL=Legal Fees and Costs; O=Other Fees; SO=Tax Roll Removal County Fee; PP = Payment Plan.

(3) Miscellaneous Codes: DB=Direct Bill Sent ; BK=Declared Bankruptcy; PM=Partial Payment made, remainder delinquent.

City of Clayton
CFD 2007-1 Citywide Landscaping Tax
Delinquency Detail Report
Late Charges Calculated Through 06/20/2012

Account ID	Owner	Due Date	Amount	Penalty	Interest	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
121-090-012	STICE JOHN J & PATRICIA L 895 MITCHELL CANYON RD CLAYTON, CA 94517	12/10/2009	102.03	10.20	36.73	0.00	148.96	RL DL	
		04/10/2010	102.03	10.20	36.73	0.00	148.96	RL DL	
		12/10/2010	103.78	10.38	18.68	0.00	132.84	RL DL	
		04/10/2011	103.78	10.38	18.68	0.00	132.84	RL DL	
		12/10/2011	106.71	10.67	0.00	0.00	117.38	DL	
		04/10/2012	106.71	10.67	0.00	0.00	117.38	DL	
		Account Subtotal:	**$625.04**	**$62.50**	**$110.82**	**$0.00**	**$798.36**		
121-170-020	LEMINGS DONALD R & SANDRA 5770 TAMARACK WAY CLAYTON, CA 94517	12/10/2011	106.71	10.67	0.00	0.00	117.38		
		04/10/2012	106.71	10.67	0.00	0.00	117.38		
		Account Subtotal:	**$213.42**	**$21.34**	**$0.00**	**$0.00**	**$234.76**		
District Totals:	**130 Accounts**		**$24,958.23**	**$2,495.61**	**$1,759.47**	**$0.00**	**$29,213.31**		
Report Totals:	**130 Accounts**		**$24,958.23**	**$2,495.61**	**$1,759.47**	**$0.00**	**$29,213.31**		

(1) Fees: This amount excludes Delinquency Management fees that were or will be collected in a subsequent billing.

(2) Delinquency Management Codes: RL=Reminder Sent; DL=Demand Letter Sent; SR=Tax Roll Removal Requested; SC=Tax Roll Removal Confirmed; FL=Foreclosure Letter Sent; OL=Other Letter Sent; FI=Judicial Foreclosure Initiated; CP=County Payment Plan; FH=Judicial Foreclosure on Hold/Special Case; FC=Foreclosure Complete; LIT=Litigation Guarantee; LGL=Legal Fees and Costs; O=Other Fees; SO=Tax Roll Removal County Fee; PP = Payment Plan.

(3) Miscellaneous Codes: DB=Direct Bill Sent ; BK=Declared Bankruptcy; PM=Partial Payment made, remainder delinquent.

6. 2012/13 SPECIAL TAX ROLL

The following pages show the 2012/13 Special Tax Roll for the District.

6. 2012/13 SPECIAL TAX ROLL

CFD 2007-1 Citywide Landscape Maintenance District
Special Tax

For fiscal year 2012-2013 the assessor's parcel numbers and the special tax amounts are as set forth in the Community Facilities District No.2007-1 (Citywide Landscape Maintenance) Preliminary Billing Levy Detail Report for FY 2012-13 on file in the City Clerk's office, City Hall, 6000 Heritage Trail, Clayton, CA. This report is available for viewing during regular business hours, generally Monday through Friday 9am-5pm, or by calling the Clayton City Clerks office at 673-7304.

Due to the length of the report, it is summarized as follows:

In general all residential parcels, (single family, condo, and townhouse) shall have a rate for FY 12-13 of $217.86 per parcel. All non-residential parcels shall have a rate for FY 12-13 of $217.86 per acre or fraction thereof, based on parcel size as shown on the most recent County tax and parcel records.

[Note: If the actual maximum levy rate calculation per parcel in the report is slightly higher by one cent, the final levy amount is reduced to the next lowest even number (reduced by one cent) in order to divide the total levy equally in half for placement on the bi-annual tax roll as is required by the Contra Costa County tax collector's office.]

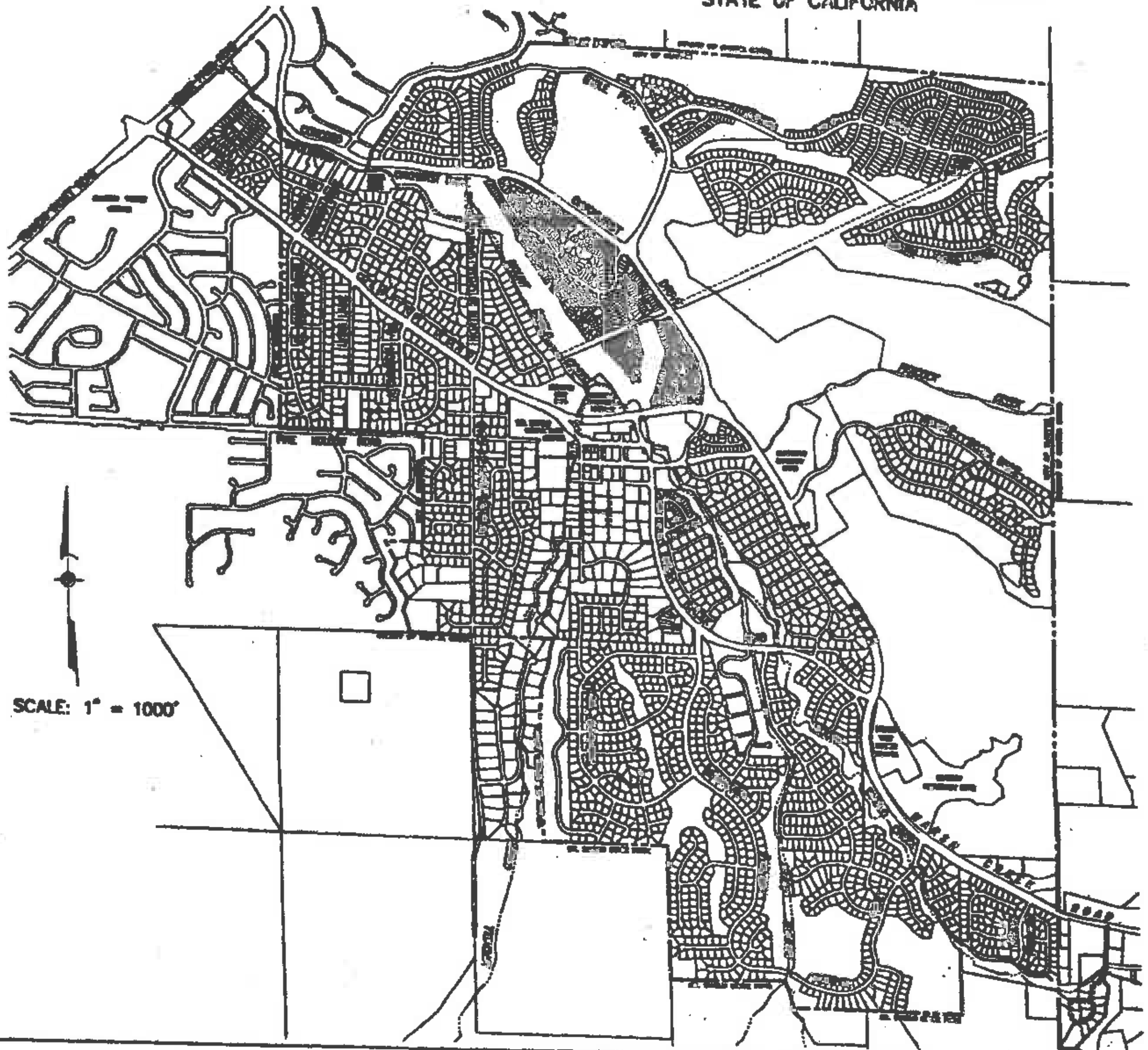
There are a total of 4100 parcels to be levied:
There are 4038 residential levies.
There are 62 non-residential levies comprising 347 acres.

$879,718.68 est. total revenue from residential
$75,599.14 est. total revenue from non-residential
$955,317.82 est. revenue for FY 12-13

PROPOSED BOUNDARIES OF

COMMUNITY FACILITIES DISTRICT NO. 2007-1
(CITYWIDE LANDSCAPE MAINTENANCE DISTRICT)

CITY OF CLAYTON, COUNTY OF CONTRA COSTA
STATE OF CALIFORNIA



CITY RECORDER'S STATEMENT:

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF CLAYTON, THIS 4th DAY OF January, 2007.

BY: Laci J. Jackson
CITY CLERK
CITY OF CLAYTON

CITY CLERK'S STATEMENT:

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING THE PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NUMBER 2007-1 IN THE CITY OF CLAYTON, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF CLAYTON AT A REGULAR MEETING THEREOF, HELD ON THE 16th DAY OF January, 2007, BY ITS RESOLUTION NO. 04-2007

BY: Laci J. Jackson
CITY CLERK
CITY OF CLAYTON

RECORDER'S CERTIFICATE:

FILED THIS 23rd DAY OF January, 2007, AT THE HOUR OF 2:27 O'CLOCK P.M. IN BOOK [illegible] OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AT PAGE 15, AND AS INSTRUMENT NUMBER 07-0[illegible] IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA.

BY: STEPHEN L. WEIR
COUNTY RECORDER
COUNTY OF CONTRA COSTA

BY: [illegible]
DEPUTY COUNTY RECORDER

LEGEND

CITY LIMIT LINE AND COMMUNITY FACILITY DISTRICT BOUNDARY

1-23-07 2:04 PM 81-15

ORDINANCE NO. 409

AN ORDINANCE LEVYING SPECIAL TAXES WITHIN COMMUNITY FACILITIES DISTRICT NO. 2007-1 (Citywide Landscape Maintenance)

THE CITY COUNCIL
City of Clayton, California

WHEREAS, on January 16, 2007, the City Council (the "Council") of the City of Clayton (the "City") adopted Resolution No. 04-2007 entitled *"A Resolution of Intention to Establish a Community Facilities District to Fund the Annual Operation and Maintenance of a Citywide Landscape Maintenance District for a Time Period of Ten Years, and to Authorize the Levy of Special Taxes Therein"* (the "Resolution of Intention") stating its intention to establish City of Clayton Community Facilities District No. 2007-1 (Citywide Landscape Maintenance) (the "CFD") pursuant to the Mello-Roos Community Facilities Act of 1962, Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing with Section 53311, of the California Government Code (the "Act"), to finance certain services (the "Services"); and

WHEREAS, notice was published as required by the Act relative to the intention of this City Council to form the CFD and to provide for the Services; and

WHEREAS, on February 20, 2007 this City Council held a noticed public hearing as required by the Act relative to the determination to proceed with the formation of the CFD and the rate and method of apportionment of the special tax to be levied within the CFD to finance the costs of the Services; and

WHEREAS, at said hearing all persons desiring to be heard on all matters pertaining to the formation of the CFD and the levy of said special taxes were heard, substantial evidence was presented and considered by this Council and a full and fair hearing was held; and

WHEREAS, subsequent to the public hearing, on February 20, 2007 this City Council adopted Resolution No. 06-2007 entitled *"A Resolution of Formation of a Community Facilities District(Citywide Landscape Maintenance District) For a Period of Ten Years, and Authorizing the Levy of a Special Tax Therein and Preliminarily Establishing an Appropriations Limit Therefor"* (the "Resolution of Formation"), and also adopted Resolution No. 07-2007 entitled *"A Resolution Calling Special Election in a Community Facilities District,"* which resolutions established the CFD, authorized the levy of a special tax with the CFD, and called an election within the CFD on the proposition of levying a special tax and establishing an appropriations limit within the CFD, respectively; and

Attachment 4

WHEREAS, the election was held on June 5, 2007 within the CFD in which the eligible registered voters approved the propositions presented by more than the two-thirds vote required by the Act, which approvals were confirmed by Resolution No. - 2007 adopted by this City Council on June 19, 2007.

NOW THEREFORE, THE CITY COUNCIL OF CLAYTON, CALIFORNIA DOES ORDAIN as follows:

Section 1. Special Tax Authorized. By the passage of this Ordinance this City Council hereby authorizes and levies special taxes within the CFD pursuant to 53328 and 53340 of the Act, at the rates and in accordance with the method of apportionment set forth in Exhibit B to the Resolution of Formation (the "Rate and Method"). The special taxes are hereby levied commencing in fiscal year 2007-08 and in each fiscal year thereafter through fiscal year 2016-17 for the payment of all costs of the Services and payment of all costs of administering the CFD.

Section 2. Collection Official. Following the approval by the City Council of a budget for the CFD for each fiscal year after 2007-08, the City Manager (or his or her designee) (the "Collection Official") is hereby authorized and directed in each fiscal year to determine the specific special tax rate and amount to be levied for the next ensuing fiscal year for each parcel of real property within the CFD, in accordance with such approved budget and in the manner and as provided in the Rate and Method of Apportionment. In the event that this City Council has not adopted a budget for the CFD by July 31 of any year, the budget for that fiscal year shall be the same as the budget for the previous fiscal year.

Section 3. Exemptions. Properties or entities of the State, federal or local governments shall be exempt from any levy of the special taxes, to the extent set forth in the Rate and Method of Apportionment. In no event shall the special taxes be levied on any parcel within the CFD in excess of the maximum tax specified in the Rate and Method of Apportionment.

Section 4. Use of Special Tax. All of the collections of the special tax shall be used as provided for in the Act, the Rate and Method of Apportionment, and in the Resolution of Formation including, but not limited to, the payment of the costs of the Services, the payment of the costs of the City in administering the CFD and the costs of collecting and administering the special tax.

Section 5. Collection Method. The special taxes of the CFD shall be collected from time to time as necessary to meet the financial obligations of the CFD on the secured real property tax roll in the same manner as ordinary *ad valorem* taxes are collected. In each fiscal year commencing in the fiscal year 2007-08, the Collection Official is authorized and directed to provide all necessary information to the auditor/tax collector of the County of Contra Costa and to otherwise take all actions necessary in order to effect proper billing and collection of the special tax, so that the special tax shall be levied and collected in sufficient amounts and at the times necessary to satisfy the financial obligations of the CFD in each fiscal year until the City shall cease to collect the special taxes and provision has been made for payment of all of the administrative costs of the CFD.

Notwithstanding the foregoing, the Collection Official may collect the special taxes by means of direct billing by the City to the property owners within the CFD if, in the judgment of the Collection Official such means of collection will reduce the administrative burden on the City in administering the CFD or is otherwise appropriate in the circumstances. In such event, the special taxes shall become delinquent if not paid when due as set forth in any such respective billing to the property owners.

Whether the special taxes are levied in the manner provided in the first or the second preceding paragraph, the special taxes shall have the same lien priority, and be subject to the same penalties and the same procedure and sale in cases of delinquency as provided for ad valorem taxes. In addition, the provisions of Section 53356.1 of the Act shall apply to delinquent special tax payments.

Section 6. Partial Invalidity. If for any reason any portion of this ordinance is found to be invalid, or if the special tax is found inapplicable to any particular parcel within the CFD, by a Court of competent jurisdiction, the balance of this ordinance and the application of the special tax to the remaining parcels within the CFD shall not be affected.

Section 7. Execution and Posting. The Mayor shall sign this Ordinance and the City Clerk, within fifteen (15) days after its passage, shall cause the same to be posted in three (3) public places as designated by Resolution of the Clayton City Council for the posting of ordinances and public notices.

* * * * * *

The foregoing Ordinance was introduced at a regular public meeting of the City Council of Clayton, California held on the 19th day of June 2007.

PASSED, ADOPTED and ORDERED posted at an adjourned regular public meeting of the City Council of Clayton, California held on 26 day of June 2007, by the following vote:

AYES:	Mayor Walcutt, Vice Mayor Manning, Councilmembers Pierce and Stratford
NOES:	None
ABSENT:	Councilmember Shuey
ABSTAIN:	None

THE CITY COUNCIL OF CLAYTON, CA

W. R. Walcutt

WILLIAM R. WALCUTT, Mayor

ATTEST:

Laci J. Jackson

Laci J. Jackson, City Clerk

APPROVED AS TO FORM:

J. Daniel Adams, City Attorney

APPROVED BY ADMINISTRATION:

Gary A. Napper, City Manager

* * * * *

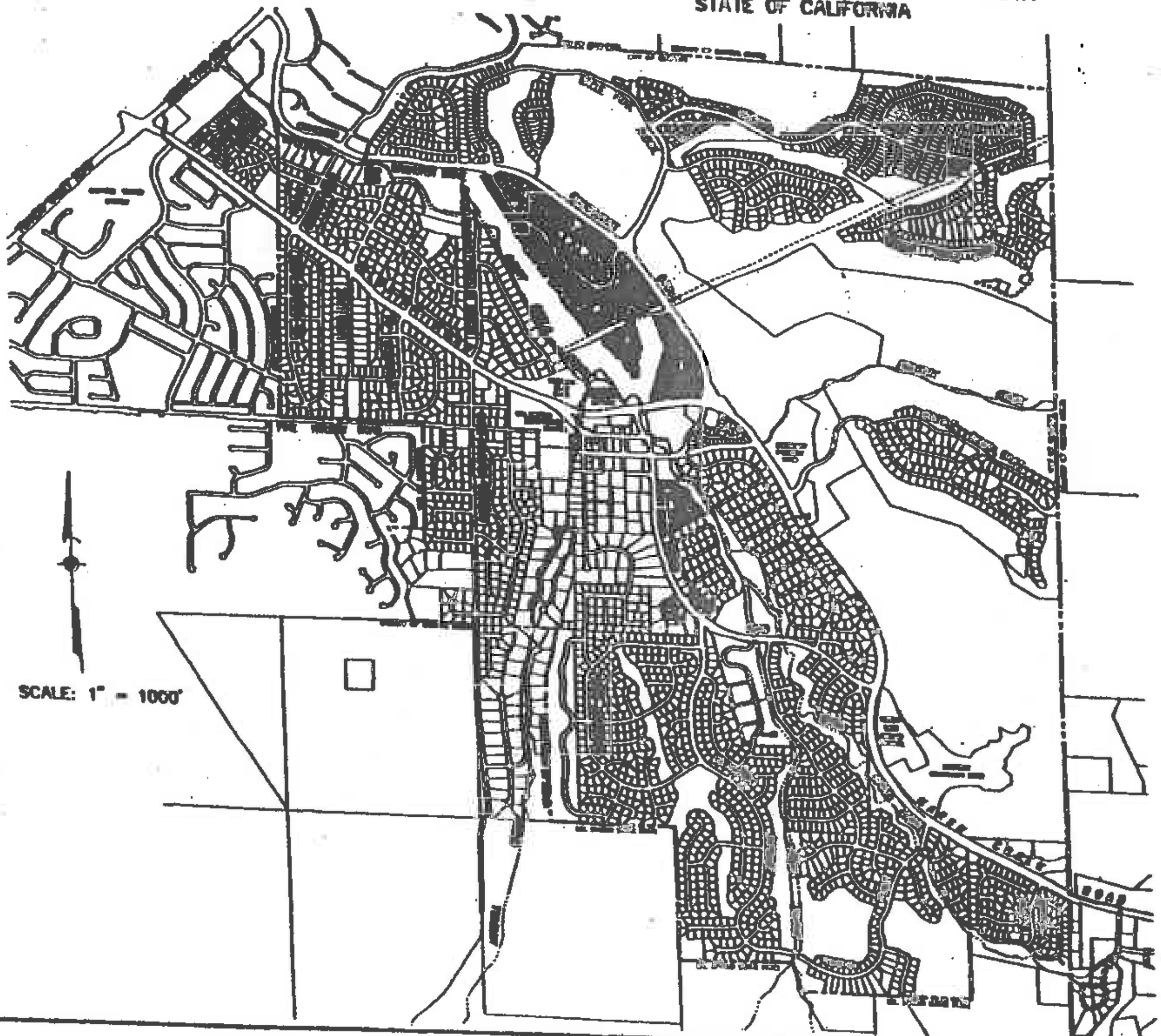
I hereby certify that the foregoing Ordinance was duly introduced at a regular public meeting of the City Council of Clayton, California held on June 19, 2007, and was duly adopted, passed, and ordered posted at an adjourned regular meeting of the City Council held on June 26, 2007.

Laci J. Jackson

Laci J. Jackson, City Clerk

BOUNDARIES OF
COMMUNITY FACILITIES DISTRICT NO. 2007-1
(CITYWIDE LANDSCAPE MAINTENANCE DISTRICT)

CITY OF CLAYTON, COUNTY OF CONTRA COSTA
STATE OF CALIFORNIA



SCALE: 1" = 1000'

CITY RECORDER'S STATEMENT:

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF CLAYTON, THIS [illegible] DAY OF January, 2007.

BY: [signature]
CITY CLERK
CITY OF CLAYTON

CITY CLERK'S STATEMENT:

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING THE PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NUMBER 2007-1 IN THE CITY OF CLAYTON, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF CLAYTON AT A REGULAR MEETING THEREOF, HELD ON THE 16th DAY OF January, 2007, BY ITS RESOLUTION NO. [illegible]

BY: [signature]
CITY CLERK
CITY OF CLAYTON

RECORDER'S CERTIFICATE:

FILED THIS 23rd DAY OF January 2007, AT THE HOUR OF 2:04 O'CLOCK P.M. IN BOOK 81 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS, AT PAGE 15, AND AS INSTRUMENT NUMBER 07-[illegible] IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA.

BY: STEPHEN L. WEIR
COUNTY RECORDER
COUNTY OF CONTRA COSTA

BY: [signature]
DEPUTY COUNTY RECORDER

LEGEND

CITY LIMIT LINE AND COMMUNITY FACILITY DISTRICT BOUNDARY

1.23.07 2:04 PM

81-15

RESOLUTION NO. 06-2007

A RESOLUTION OF FORMATION OF A COMMUNITY FACILITIES DISTRICT (CITYWIDE LANDSCAPE MAINTENANCE DISTRICT) FOR A PERIOD OF TEN YEARS, AND AUTHORIZING THE LEVY OF A SPECIAL TAX THEREIN AND PRELIMINARILY ESTABLISHING AN APPROPRIATIONS LIMIT THEREFOR

The City Council
City of Clayton, California
Community Facilities District 2007-1
(Citywide Landscape Maintenance)

WHEREAS, on 16 January 2007 this City Council adopted Resolution No. 04 - 2007 entitled *"A Resolution of Intention to Establish a Community Facilities District to Fund the Annual Operation and Maintenance of a Citywide Landscape Maintenance District for a Time Period of Ten Years, and to Authorize the Levy of Special Taxes Therein"* (the "Resolution of Intention"), stating its intention to form the City of Clayton, Community Facilities District No. 2007-1 (Citywide Landscape Maintenance) (the "CFD"), pursuant to the Mello-Roos Community Facilities Act of 1982, Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing with Section 53311, of the California Government Code (the "Act"); and

WHEREAS, the Resolution of Intention, incorporating a map of the proposed boundaries of the CFD and stating the Services (as described herein) to be provided, the estimated maximum cost of providing such Services, and the rate and method of apportionment of the special tax to be levied within the CFD to pay for the Services (as hereafter defined) with respect to the CFD, is on file with the City Clerk and the provisions thereof are incorporated herein by this reference as if fully set forth herein; and

WHEREAS, on 20 February 2007 this City Council held a duly noticed public hearing as required by the Act on the Resolution of Intention relative to the proposed formation of the CFD; and

WHEREAS, at said public hearing all interested persons desiring to be heard on all matters pertaining to the formation of the CFD, the Services to be provided therein and the levy of said special tax were heard and a full and fair hearing was held; and

WHEREAS, at said hearing evidence was presented to this Council on said matters before it, including a report by the City Manager (the "Report") as to the Services to be provided through the CFD and the costs thereof, a copy of which is on file with the City Clerk, and this City Council at the conclusion of said hearing is fully advised in the premises; and

Attachment 5

WHEREAS, written protests with respect to the formation of the CFD, the furnishing of specified types of Services and the rate and method of apportionment of the special taxes have not been filed with the City Clerk by fifty percent (50%) or more of the registered voters residing within the territory of the CFD or property owners of one-half (1/2) or more of the area of land within the CFD and not exempt from the special tax; and

WHEREAS, the special tax proposed to be levied in the CFD to pay for the proposed Services to be provided therein, as set forth in Exhibit A hereto, has not been eliminated by protest by fifty percent (50%) or more of the registered voters residing within the territory of the CFD or the owners of one-half (1/2) or more of the area of land within the CFD and not exempt from the special tax.

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

1. Recitals. The foregoing recitals are true and correct.

2. No Majority Protest. The proposed special tax to be levied within the CFD has not been precluded by majority protest pursuant to Section 53324 of the Act.

3. Prior Proceedings. All prior proceedings taken by this City Council in connection with the establishment of the CFD and the levy of the special tax have been duly considered and are hereby found and determined to be valid and in conformity with the requirements of the Act. This City Council hereby finds and determines that the CFD is in conformity with the goals and policies heretofore adopted by this City Council with respect to the formation of the CFD.

4. CFD Established. The community facilities district designated "City of Clayton, Community Facilities CFD No. 2007-1 (Citywide Landscape Maintenance)" is hereby established pursuant to the Act.

5. Boundaries Described. The boundaries of the CFD, as set forth in the map of the CFD heretofore recorded in the Contra Costa County Recorder's Office on 23 January 2007 in Book 81 at page 15 of Maps of Assessment and Community Facilities Districts, are hereby approved and incorporated herein by reference and shall be the boundaries of the CFD.

6. Services. The type of public Services proposed to be financed by the CFD and pursuant to the Act shall consist of those items listed as Services on Exhibit A attached hereto and by this reference incorporated herein (the "Services").

7. Special Taxes. Except to the extent that funds are otherwise available to the CFD to pay for the Services, a special tax sufficient to pay the costs thereof, secured by a continuing lien against all non-exempt real property in the CFD, will be levied annually within the CFD, and collected in the same manner as ordinary *ad valorem* property taxes or in such other manner as this City Council or its designee shall determine, including direct billing of the affected property owners. The proposed rate and method

of apportionment of the special tax among the parcels of real property within the CFD, in sufficient detail to allow each landowner within the proposed CFD to estimate the probable maximum amount such owner will have to pay, are described in Exhibit B attached hereto and by this reference incorporated herein.

8. Tax Collector For City. The City Manager, 6000 Heritage Trail, Clayton, California, 94517 telephone number (925) 673-7300 is the officer of the City who will be responsible for preparing annually a current roll of special tax levy obligations by assessor's parcel number and who will be responsible for estimating future special tax levies pursuant to Section 53340.2 of the Act.

9. Tax Lien. Upon recordation of a notice of special tax lien pursuant to Section 3114.5 of the California Streets and Highways Code, a continuing lien to secure each levy of the special tax shall attach to all nonexempt real property in the CFD and this lien shall continue in force and effect until the special tax obligation ceases and the lien canceled in accordance with law or until collection of the tax by the City ceases.

10. Appropriations Limit. In accordance with Section 53325.7 of the Act, the annual appropriations limit, as defined by subdivision (h) of Section 8 of Article XIII B of the California Constitution, of the CFD is hereby preliminarily established at $850,550.00 and said appropriations limit shall be submitted to the voters of the CFD as hereafter provided. The proposition establishing said annual appropriations limit shall become effective if approved by the qualified electors voting thereon and shall be adjusted in accordance with the applicable provisions of Section 53325.7 of the Act.

11. Election. Pursuant to the provisions of the Act, the proposition of the levy of the special tax and the proposition of the establishment of the appropriations limit specified above shall be submitted to the qualified electors of the CFD at an election the time, place and conditions of which election shall be as specified by a separate resolution of this Council.

12. Effective Date. This Resolution shall take effect upon its adoption.

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California at a regular public meeting thereof held this 20th day of February 2007 on the following vote:

AYES:	Mayor Walcutt, Vice Mayor Manning, Council Members Pierce, Shuey, and Stratford
NOES:	None
ABSENT:	None
ABSTAIN:	None

THE CITY COUNCIL OF CLAYTON, CA

W R Walcutt

William R. Walcutt, Mayor

ATTEST:

Laci J. Jackson

Laci J. Jackson

City Clerk

# # # #

EXHIBIT A

CITY OF CLAYTON
Community Facilities District 2007-1
(Citywide Landscape Maintenance)

DESCRIPTION OF SERVICES TO BE FINANCED BY THE CFD

The Services to be financed by the special taxes of the City of Clayton Community Facilities District 2007-1 (Citywide Landscape Maintenance) (the "CFD") shall include the Maintenance of:

A. Public Roadway Landscaping – which includes but is not limited to the following improved rights-of-way:

Atchinson Stage Road – from Pine Hollow Road to Caulfield Drive
Black Point Place – center median island.
Caulfield Court – center median island.
Center Street – from Oak Street to Clayton Road.
Clayton Road – from the western city limits to the southern Marsh Creek Road intersection.
Cul-de-sacs: landscaped areas at end of Ahwanee Lane, Wawona Court, Tuyshtak Court, Antelope Court, Obsidian Court, Blue Oak Lane, Falcon Place, Windmill Canyon Place, Hummingbird Place, Raven Place, and Golden Eagle Place.
Diablo Parkway – from Marsh Creek Road to El Portal Drive.
Eagle Peak Avenue – from the east intersection with Oakhurst Drive to just west of the Ohlone Heights intersection, and including the west intersection with Oakhurst Drive.
Indianhead Way – entrance area at Oakhurst Drive
Indian Wells Way – both entrance areas with Oakhurst Drive, and center medians up to Anizume Court and Jalalon Place.
Jeffry Ranch Court – center median island.
Keller Ridge Drive – to Golden Eagle Place intersection.
Lydia Lane – from intersection of Clayton Road to Lydia Lane Park.
Main Street – from Clayton Road to (old) Marsh Creek Road. .
Marsh Creek Road – from the northern intersection of (old) Marsh Creek Road to the eastern city limits.
Oakhurst Drive – form the western city limits to Clayton Road intersection.
Peacock Creek Drive – from Clayton Road to approximately the Pebble Beach Drive intersection.
Pine Hollow Road – from Atchinson Stage Road to Panadero Way.
Regency Drive – median entrance from Marsh Creek Road.
So. Mitchell Canyon Road – from approx. Del Trigo Lane to Herriman Court intersection.

B. Open Space and Trails – which include but are not limited to:

Publicly-owned creek-side, intra-community and open space trails located within the boundaries of the CFD.

C. <u>Clayton Fountain</u> – which includes but is not limited to:

Maintenance to the fountain itself, rock structure and all attendant appurtenances, including the geyser and water pump system as well as the surrounding public landscaped area located at east side of the intersection of Oakhurst Drive, Center Street and Clayton Road.

Definitions

"Maintenance" means the furnishing of services and materials for the ordinary and usual operation, maintenance and care of the public landscaping and appurtenant facilities, including repair, removal or replacement of all or part of any landscaping and appurtenant facilities providing for the life, growth, health and beauty of the landscaping, including cultivation, irrigation, trimming, spraying, fertilizing and treating for disease or injury; the removal of trimmings, rubbish, debris and other solid wastes; and the eradication of landscape pests, including but not limited to vermin and rodents, ground squirrels, gophers, moles and wild pigs. "Maintenance" also includes the furnishing of water for irrigation of the public landscaping, and the supply of electricity to operate the attendant irrigation systems.

The foregoing services shall be provided through and by the City of Clayton, either with its own labor forces or by contract with third parties, or any combination thereof, as determined solely by the City of Clayton.

"Costs" means the costs and expenses directly or indirectly incurred by the City in connection with the Maintenance described above. Allowable Costs payable from special taxes of the District also include the County's imposed cost to levy and collect the District's assessment through the annual property tax bill, the City's shared equipment and facilities charges, City prorated overhead charges to administer and manage the District and collect the special taxes, and District reserve funds for replacement and major repairs.

EXHIBIT B

CITY OF CLAYTON
Community Facilities District 2007-1
(Citywide Landscape Maintenance)

RATE AND METHOD OF LEVY OF SPECIAL TAX

A special tax will be levied annually on each taxable parcel of land not defined below as an "Exempt Parcel" within the Community Facilities District 2007-1 (Citywide Landscape Maintenance) (the "CFD") and collected in the same manner as ordinary ad-valorem property taxes or in such manner as the City of Clayton City Council or its designee shall determine, including City-originated billing of the affected property owners.

Definitions

Taxable Parcels: Parcels of land within the boundaries of the CFD that are not included in the "Exempt Parcel" category listed below.

Exempt Parcels: Parcels of land owned by a public agency, right-of-way parcels, schools, hospitals, cemeteries, mortuaries, libraries, parks, mineral rights, private roads, pipelines, public parking facilities and common areas.

Residential Parcels: Taxable parcels of land that are classified as either single-family, condominium, townhouse, multi-family or rural residential parcels.

Non-residential Parcels: Taxable parcels that are not classified as "Residential Parcels".

Special Tax: The special tax allowed to be levied on property within the CFD, calculated pursuant to this Rate and Method of Apportionment of Special Tax.

Special Tax Formula

A. Residential Parcels: An annual special tax will be levied on all Residential Parcels, as defined above, at the per parcel tax rate shown below for each fiscal year 2007-2008 through 2016-2017:

Residential Parcel Annual Special Tax Rate: $196.77

B. Non-residential Parcels: An annual special tax will be levied on all Non-residential Parcels at the per acre rate shown below for each fiscal year 2007-2008 through 2016-2017:

Non-residential Parcel Annual Special Tax Rate: $196.77 per acre or fraction thereof, based on parcel size as shown on the then-current County tax roll.

Duration of Special Tax Levy

The special tax will be levied annually for a period of ten (10) years commencing in fiscal year 2007-2008 through and including fiscal year 2016-2017. After the ten (10) year duration has expired the special tax may no longer be collected unless extended pursuant to applicable laws, except that a special tax that was lawfully levied in or before the final tax year and that remains delinquent may be collected in subsequent years.

Special Tax Escalator Factor

In fiscal years 2008-2009 through 2016-2017, the special tax may be increased annually by the Clayton City Council in an amount not to exceed the full annual adjustment (April to April) in the Consumer Price Index – All Urban Consumers, San Francisco-Oakland-San Jose, CA Area (Base Period 1982-84 = 100). This escalator factor is applicable if determined to be necessary due to expected increases in the operational and maintenance expenses attributable to the CFD. Such determination shall be made by action of the Clayton City Council, which must occur at a regular public meeting thereof accompanied by a prior recommendation of the citizens' Trails and Landscaping Committee established by the City Council in February 2006 (City Resolution No. 08-2006). In no event shall each annual special tax rate in any fiscal year increase by more than three percent (3%) over the previous year.

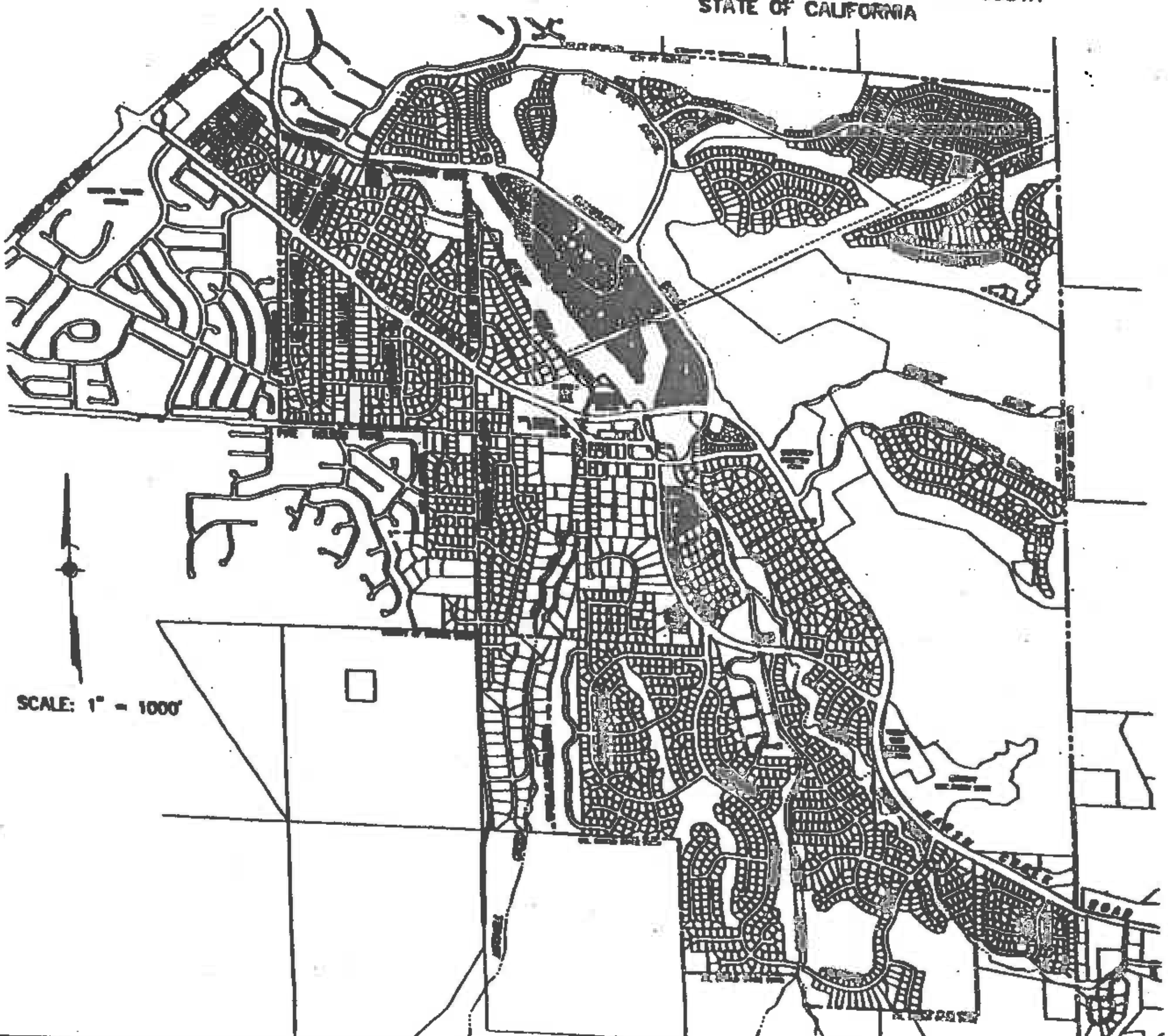
Relationship to Special Tax of Community Facilities District 1997-1

An intent of the new Community Facilities District 2007-1 is to replace the City's Community Facilities District 1997-1 that levied an annual special tax for Citywide Landscape Maintenance purposes during the last ten years and which special tax automatically expires on June 30. 2007. No further special tax can be levied by CFD 1997-1.

PROPOSED BOUNDARIES OF

COMMUNITY FACILITIES DISTRICT NO. 2007-1
(CITYWIDE LANDSCAPE MAINTENANCE DISTRICT)

CITY OF CLAYTON, COUNTY OF CONTRA COSTA
STATE OF CALIFORNIA



CITY RECORDER'S STATEMENT:

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF CLAYTON, THIS 4th DAY OF January, 2007.

BY: [signature]
CITY CLERK
CITY OF CLAYTON

CITY CLERK'S STATEMENT:

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING THE PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NUMBER 2007-1 IN THE CITY OF CLAYTON, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF CLAYTON AT A REGULAR MEETING THEREOF, HELD ON THE 16th DAY OF January, 2007, BY ITS RESOLUTION NO. 01-2007

BY: [signature]
CITY CLERK
CITY OF CLAYTON

RECORDER'S CERTIFICATE:

FILED THIS 23rd DAY OF January, 2007, AT THE HOUR OF 2:04 O'CLOCK P.M. IN BOOK 97 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS, AT PAGE 46, AND AS INSTRUMENT NUMBER 07-[illegible] IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA.

BY: STEPHEN L. WEIR
COUNTY RECORDER
COUNTY OF CONTRA COSTA

BY: [signature]
DEPUTY COUNTY RECORDER

LEGEND

——— CITY LIMIT LINE AND COMMUNITY FACILITY DISTRICT BOUNDARY

1.23.07 2:04 PM

01-15

RESOLUTION NO. 07- 2007

A RESOLUTION CALLING SPECIAL ELECTION IN A COMMUNITY FACILITIES DISTRICT

THE CITY COUNCIL
CITY OF CLAYTON, CALIFORNIA
Community Facilities District 2007-1
(Citywide Landscape Maintenance)

WHEREAS, on this date, this City Council adopted its Resolution No. 06 -2007 entitled "A Resolution of Formation of a Community Facilities District (Citywide Landscape Maintenance District) for a Period of Ten Years, and Authorizing the Levy of a Special Tax Therein and Preliminarily Establishing an Appropriations Limit Therefor" (the "Resolution of Formation"), ordering the formation of City of Clayton Community Facilities District No. 2007-1 (Citywide Landscape Maintenance) (the "CFD"), authorizing the levy of a special tax on property within the CFD and preliminarily establishing an appropriations limit for the CFD, all pursuant to the Mello-Roos Community Facilities Act of 1982, Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing with Section 53311, of the California Government Code (the "Act"); and

WHEREAS, pursuant to the provisions of the Resolution of Formation, the propositions of the levy of the special tax and the establishment of the appropriations limit shall be submitted to the qualified electors of the CFD at a special election as required by the Act; and

WHEREAS, this City Council desires that the special election be consolidated with any other election to occur in the City on June 5, 2007 and that the proposition be included on the ballot for such election which ballot is prepared by the officer charged with the duty of conducting the general and special elections for the County of Contra Costa, such official being the Registrar of Voters of the County of Contra Costa (the "Election Official"); and

WHEREAS, Section 9280 of the Elections Code of the State of California authorizes the filing of an impartial analysis and Sections 9281 to 9287 of said code authorize the filing of written arguments for or against any ballot proposition, and, if adopted by the City Council, rebuttal arguments.

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

1. Issues Submitted. Pursuant to Sections 53326 and 53325.7 of the Act, the issues of the levy of said special tax and the establishment of the appropriations limit shall be submitted to the qualified electors (as defined below) of the CFD at an election called therefor as provided below. The question to be voted upon as it shall appear on ballot shall be as follows:

Attachment 6

Shall a new Community Facilities District 2007-1 (Citywide Landscape Maintenance District) be funded to replace the expiring District for a period of ten years to operate and maintain public roadway landscaping, trails system, open space weed abatement and related costs, with an annual levy of a special tax in the initial amount of $196.77 per residential parcel and per non-residential acre or fraction thereof, and with an initial yearly appropriations limit of $850,550?

The full text of the measure to be printed in the Voter Pamphlet shall include the "Description of Services to be Financed by the CFD" and the "Rate and Method of Levy of Special Tax", attached as Exhibits "A" and "B", respectively, to the Resolution of Formation of a Community Facilities District (Resolution No. 06 -2007).

2. Qualified Electors. Pursuant to Section 53326 of the Act, the vote shall be by the registered voters of the proposed CFD, with each voter having one vote.

3. Conduct of Election. This City Council hereby calls a special election (the "Election") to consider the measure described in paragraph 1 above, which election shall be held on June 5, 2007, and conducted by the Election Official. Within three business days of the adoption of this Resolution, the City Clerk shall provide to the Election Official a copy of this Resolution, a certified map of the proposed boundaries of the CFD, and a sufficient description to allow the Election Official to determine the boundaries of the CFD.

The Election is hereby ordered consolidated with any other election to be held within the City on said date, and within the territory affected by the consolidation; the election shall be held and conducted, election officers appointed, voting precincts designated, ballots printed, polls opened and closed, ballots counted and returned, returns canvassed, results declared, and all other proceedings incidental to and connected with the election shall be regulated and done in accordance with the provisions of law regulating general and special elections in the City and State and specified herein. The precincts used at the election shall be those used for citywide municipal elections, and, where necessary, the County Clerk may adjust precinct lines to coincide with the boundaries of the City. The Board of Supervisors of the County of Contra Costa is hereby requested to order the consolidation of the Election hereby called with any other election held in the City on said date, and to permit the County Clerk and the County Election Department to render services relating to the conduct of said election, which services will be determined by the City and the County Election Department, and the Board of Supervisors of the County of Contra Costa is hereby authorized to canvass the returns of said special municipal election, and said election shall be held in all respects as if there were only one election, only one form of ballot shall be used and the returns of the election need not be canvassed by the City Council. The City Clerk is hereby authorized and directed to work with the Elections Official and other appropriate officials of the County to ensure that the applicable requirements of the Elections Code are met.

4. Ballot Materials. The City Attorney is hereby requested to prepare and to provide to Election Official the ballot material described in Section 53327 of the Act.

Impartial Analysis. The City Clerk is hereby directed to submit to the City Attorney a certified copy of the measure set forth above. The City Attorney is hereby authorized and directed to prepare an impartial analysis of the measures showing the effect of the measures on the existing law and the operation of the measures, said analysis to be submitted by the City Attorney to the Election Official for printing before the arguments for and against the measure. The analysis shall not exceed 500 words in length and shall otherwise comply in all respects with the applicable provisions of the Elections Code of the State of California. The deadline date for the submittal of the analysis and primary arguments shall be March 13, 2007.

5. Filing of Primary and Rebuttal Arguments. The deadline for filing primary arguments concerning the ballot measure is March 13, 2007. Provisions for Rebuttal Arguments have been previously adopted by the Council. Rebuttal arguments must be filed by March 23, 2007.

6. Effective Date. This Resolution shall take effect upon its adoption.

* * * * * *

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California at a regular public meeting thereof held this 20th day of February 2007 on the following vote:

AYES: Mayor Walcutt, Vice Mayor Manning, Council Members Pierce, Shuey, and Stratford

NOES: None

ABSENT: None

ABSTAIN: None

THE CITY COUNCIL OF CLAYTON, CA

W R Walcutt

William R. Walcutt, Mayor

ATTEST:

Laci J. Jackson
City Clerk

RESOLUTION NO. 17-2007

A RESOLUTION DECLARING RESULTS OF THE JUNE 5, 2007 SPECIAL ELECTION ON LOCAL BALLOT MEASURE 'B' AND DIRECTING RECORDING OF NOTICE OF SPECIAL TAX LIEN

THE CITY COUNCIL
City of Clayton, California
Community Facilities District 2007-1
(Citywide Landscape Maintenance)

WHEREAS, in proceedings heretofore conducted by this City Council pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, sections 53311, *et. seq.*, of the California Government Code (the "Act"), this City Council on February 20, 2007 adopted Resolution No. 07-2007 entitled "A Resolution Calling Special Election in the Community Facilities District", calling a special election of the qualified electors within Community Facilities District No. 2007-1 (Citywide Landscape Maintenance) of the City (the "CFD") to occur on June 5, 2007; and

WHEREAS, pursuant to the terms of said resolution, which are by this reference incorporated herein, the propositions of the levy of the special tax and the establishment of the appropriations limit was submitted to the qualified electors of the CFD at a special election as required by the Act, which special election occurred on June 5, 2007, and the City Clerk has on file a Certificate of Canvass and Statement of Results of Election from the Election Department of the County of Contra Costa; and

WHEREAS, this Council has reviewed said canvass and hereby approves it.

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

1. The issues presented at said special election were the levy of a special tax within the CFD to be levied in accordance with the formula heretofore approved by the City Council by its Resolution No. 06-2007 adopted February 20, 2007 entitled "A Resolution of Formation of a Community Facilities District (Citywide Landscape Maintenance District) For a Period of Ten Years, and Authorizing the Levy of a Special Tax Therein and Preliminarily Establishing an Appropriations Limit Therefor."

2. The issues presented at said special election were approved by the qualified electors of the CFD by more than two-thirds (2/3) of the votes cast at said special election, as evidenced by the Canvass performed by the Contra Costa County Elections Office with a copy of the official results thereof attached hereto as "Exhibit A" and incorporated herein by such reference, the original being on file with the City Clerk.

3. Pursuant to said voter approval, the CFD is hereby ordered and declared to be fully formed with the authority to levy special taxes as heretofore provided in these proceedings and in the Act.

Attachment 7

4. It is hereby found that all prior proceedings and actions taken by this City Council with respect to the CFD were valid and in conformity with the Act.

5. The City Clerk is hereby directed to execute and cause to be recorded in the office of the County Recorder of the County of Contra Costa a Notice of Special Tax Lien in the form required by the Act, said recording to occur no later than fifteen (15) days following adoption by the Council of this resolution.

******

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California at a regular public meeting thereof held the 19th day of June 2007 on the following vote:

AYES:	Mayor Walcutt, Vice Mayor Manning, Councilmembers Pierce and Stratford
NOES:	None
ABSENT:	Councilmember Shuey
ABSTAIN:	None

THE CITY COUNCIL OF CLAYTON, CA

W R Walcutt

William R. Walcutt, Mayor

ATTEST:

Laci J. Jackson

Laci J. Jackson
City Clerk

STEPHEN L. WEIR
COUNTY CLERK

CANDY LOPEZ
ASSISTANT COUNTY REGISTRAR

CONTRA COSTA COUNTY
REGISTRATION-ELECTION DEPARTMENT
524 MAIN STREET
MARTINEZ, CALIFORNIA 94553-1140
(925) 646-4166

June 12, 2007

City of Clayton
6000 Heritage Trail
Clayton, CA 94517

Attn: Lacy Jackson, City Clerk

Re: Measure B / June 5, 2007 Special Election

Dear Ms. Jackson,

[illegible] e find enclosed the **Certificate of Election** and **Certified Statement of Votes** for the Special Election held in the City of Clayton on Tuesday, June 5, 2007. Enclosed for your information is a copy of the Sample Ballot and Voters Pamphlet.

If we can be of further assistance, please do not hesitate to call.

Sincerely,

STEPHEN L. WEIR, County Clerk

Rosa M. Mena

Rosa M. Mena
Election Services Specialist

Enclosures

CERTIFICATE OF COUNTY CLERK
AS TO THE RESULT OF THE CANVASS FOR THE
CITY OF CLAYTON
MEASURE B
JUNE 5, 2007 SPECIAL ELECTION

State of California)
) ss.
County of Contra Costa)

I, STEPHEN L. WEIR, County Clerk of Contra Costa County, State of California, do hereby certify that I did canvass the returns of the votes cast at the June 5, 2007 CITY OF CLAYTON Special Election. I further certify that the statement of the votes cast, to which this certificate is attached, shows the whole number of votes cast in said County, and the whole number of votes cast for and against the measure in said County and in each respective precinct therein, and that the totals of the respective columns and the totals as shown for and against the measure are full, true and correct.

WITNESS my hand and Official Seal this 12th day of June 2007.

STEPHEN L. WEIR, County Clerk

By Rosa M. Mena
Rosa M. Mena, Deputy Clerk

SUMMARY REPT-GROUP DETAIL

CONTRA COSTA COUNTY
SPECIAL ELECTION
JUNE 5, 2007

Official Results

RUN DATE:06/11/07 01:23 PM

REPORT-EL45A 001

	TOTAL VOTES	%	Election Day	Absentee
PRECINCTS COUNTED (OF 18)	18	100.00		
REGISTERED VOTERS - TOTAL	34,604			
BALLOTS CAST - TOTAL	15,577		4,127	11,450
VOTER TURNOUT - TOTAL		45.02		

Measure B CITY OF CLAYTON
Vote for One 1
(WITH 4 OF 4 PRECINCTS COUNTED)

Yes/Si	2,445	82.94	865	1,580
No/No.	503	17.06	128	375

Measure C CITY OF LAFAYETTE
Vote for One 1
(WITH 9 OF 9 PRECINCTS COUNTED)

Yes/Si	3,641	63.51	1,078	2,563
No/No.	2,092	36.49	528	1,564

Measure D CITY OF LAFAYETTE
Vote for One 1
(WITH 9 OF 9 PRECINCTS COUNTED)

Yes/Si	3,980	71.40	1,136	2,844
No/No.	1,594	28.60	429	1,165

Measure E CITY OF ORINDA
Vote for One 1
(WITH 5 OF 5 PRECINCTS COUNTED)

Yes/Si	4,346	63.57	917	3,429
[illegible]	2,491	36.43	601	1,890

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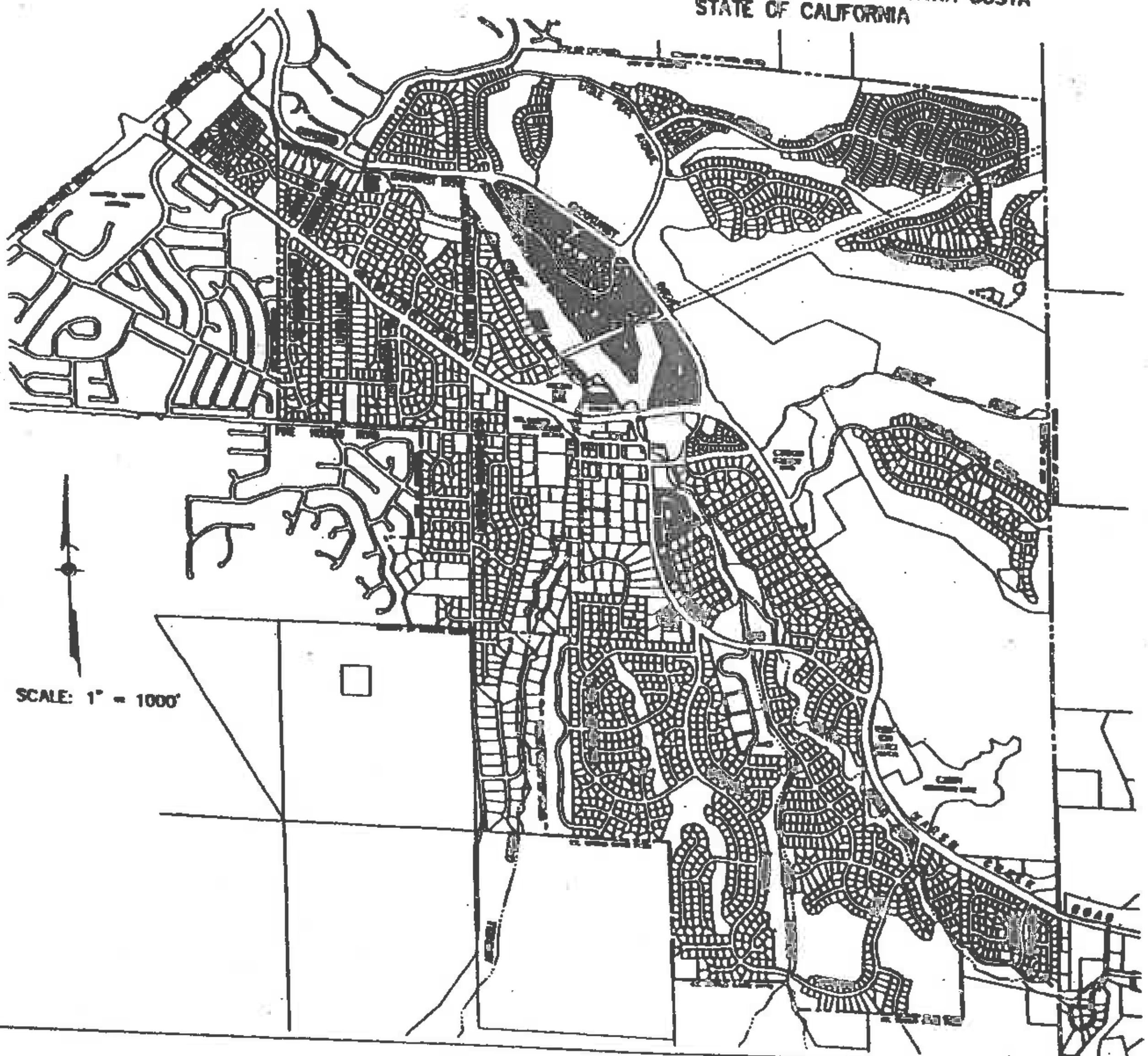
4 PRECINCTS		REGISTERED VOTERS	BALLOTS CAST	TURNOUT PERCENTAGE	Measure B CITY OF CLAYTON Yes/Si (NON)	No/No (NON)
0000001 CL 1	A	1699	478	28.13	354	123
0000001 CL 1	V	1699	236	13.89	196	40
0000002 CL 1	A	2320	641	27.63	545	96
0000002 CL 1	V	2320	293	12.63	278	15
0000003 CL 1	A	930	242	26.02	204	38
0000003 CL 1	V	930	148	15.91	133	15
0000004 CL 1	A	1961	595	30.34	477	118
0000004 CL 1	V	1961	316	16.11	258	58
GRAND TOTALS		6910	2949	42.68	2445	503
ABSENTEES		6910	1956	28.31	1580	375
VOTING PRECINCTS		6910	993	14.37	865	128

BALLOT MEASURE

Shall a new Community Facilities District 2007-1 (Citywide Landscape Maintenance District) be funded to replace the expiring District for a period of 10 years to operate and maintain public roadway landscaping, trails system, open space weed abatement and related costs, with an annual levy of a special tax in the initial amount of $196.77 per residential parcel and per non-residential acre or fraction thereof, and with an initial yearly appropriations limit of $850,550?

PROPOSED BOUNDARIES OF
COMMUNITY FACILITIES DISTRICT NO. 2007-1
(CITYWIDE LANDSCAPE MAINTENANCE DISTRICT)

CITY OF CLAYTON, COUNTY OF CONTRA COSTA
STATE OF CALIFORNIA



SCALE: 1" = 1000'

CITY RECORDER'S STATEMENT:

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF CLAYTON, THIS 4th DAY OF January, 2007.

BY: Laci J. Jackson
CITY CLERK
CITY OF CLAYTON

CITY CLERK'S STATEMENT:

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING THE PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NUMBER 2007-1 IN THE CITY OF CLAYTON, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF CLAYTON AT A REGULAR MEETING THEREOF, HELD ON THE 16th DAY OF January, 2007, BY ITS RESOLUTION NO. 04-2007

BY: Laci J. Jackson
CITY CLERK
CITY OF CLAYTON

RECORDER'S CERTIFICATE:

FILED THIS 23rd DAY OF January, 2007, AT THE HOUR OF 2:04 O'CLOCK P.M. IN BOOK 81 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS, AT PAGE 15, AND AS INSTRUMENT NUMBER 07-[illegible] IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA.

BY: STEPHEN L. WEIR
COUNTY RECORDER
COUNTY OF CONTRA COSTA

BY: [signature]
DEPUTY COUNTY RECORDER

LEGEND

CITY LIMIT LINE AND COMMUNITY FACILITY DISTRICT BOUNDARY

1-23-07 2:04 PM 81-15

City of Clayton
Landscape Mtn District CFD 2007-1 Fund 210
Proposed Budget 2012/13

Account Number	Account Name	2010-11 Actual 6/30/2011	2011-12 Adopted Budget	2011-12 Actual 5/16/2012	2011-12 Projected 6/30/2012	2012-13 Adopted Budget
7111	Salaries/Regular	192,066	162,632	149,019	162,632	162,632
7112	Temporary Help	67,947	94,150	81,196	94,150	94,150
7218	LTD Insurance	1,192	1,057	844	955	1,138
7220	PERS Retirement	39,157	35,592	27,666	35,592	36,868
7231	Workers Comp Insurance	5,627	2,679	78	2,679	9,966
7232	Unemployment Insurance	4,960	6,999	-	6,999	5,449
7233	FICA and Medicare	8,823	9,561	7,355	9,561	9,561
7246	Benefit Insurance	37,021	31,175	29,170	31,175	31,175
7311	General Supplies	33,441	40,000	28,207	40,000	43,000
7316	Landscape Replacement Material	-	20,000	-	20,000	20,000
7335	Gas & Electric Serv.	25,525	29,000	18,823	24,000	25,000
7338	Water Service	127,291	180,000	88,073	180,000	180,000
7342	Machinary/ Equip Maint.	14,607	9,000	7,471	9,000	9,500
7343	Vehicle Maintenance	8,331	8,334	12,484	12,484	12,000
7344	Vehicle Gas, Oil, and Supplies	12,140	9,000	9,181	10,000	10,500
7381	Property Tax Admin Cost	3,737	3,737	3,548	3,737	3,737
7412	Engineering Inspection	1,425	-	1,423	1,423	-
7419	Other Prof. Services	105,687	141,181	61,834	141,357	156,555
7486	CERF Charges/Depreciation	12,936	13,500	13,500	13,500	13,500
7520	Project/Program costs	277,702	330,000	27,837	476,111	-
7615	Property Taxes	2,332	2,370	2,398	2,398	2,398
8101	Transfer to General Fund	29,918	30,756	23,067	30,756	31,402
8111	Transfer to CIP Fund	-	50,000	-	50,000	-
	Total Expenses	1,011,865	1,210,723	593,172	1,358,508	858,531
4604	Clayton LMD Assessment	910,571	936,054	889,058	936,054	955,711
5601	Interest	18,712	5,000	7,656	8,000	5,000
5606	Unrealized Inv Gain/Loss	(5,000)				
	Total Revenue	924,283	941,054	896,714	944,054	960,711
	Annual Balance (Shortfall)	(87,582)	(269,669)	303,542	(414,454)	102,180
	Beginning Fund Balance	617,163	529,581	529,581	529,581	115,127
	Ending Fund Balance	529,581	259,912	833,123	115,127	217,307

6/21/20129:21 AM

City of Clayton
Landscape Mtn District CFD 2007-1 Fund 210
Proposed Budget 2012/13

Account Number	Account Name	2010-11 Actual 6/30/2011	2011-12 Adopted Budget	2011-12 Actual 5/16/2012	2011-12 Projected 6/30/2012	2012-13 Adopted Budget
7419	Wildland Resource Mgmt	-	1,600		1,600	1,600
	Environtech Enterprises	38,066	53,416	38,058	53,416	53,416
	Horborist Inspection	300				
	Waraner Brothers -Tree trimming	14,150	15,000	9,600	15,000	15,000
	Waraner Bros Svc 1 x per yr+2 x trails	31,296	35,000		35,000	35,000
	NBS Admin Fees+Del letters	3,943	3,624	3,704	3,800	3,800
	Martel Water Systems	-	1,000		1,000	1,000
	Rodent Control	5,169	7,500	4,558	7,500	7,500
	Advertising for TEMP labor/Live Scans	683	1,000	64	1,000	2,000
	Sprayer Sales Company (wwtreatment)	1,307	2,241		2,241	2,241
	Water Feature Extra + repair contingency	-	5,000		5,000	5,000
	Water Feature $650x12	8,450	7,800	5,850	7,800	7,800
	Sub Division/City Entry Signs	2,323	8,000	-	8,000	8,000
	Daffidol Hill Landscape Mtn Supplies/Water	-	-	-	-	12,830
	EBRCSA-Radio Mtn PW radio's	-	-	-	-	1,368
	Total	105,687	141,181	61,834	141,357	156,555
7311	Herbicides		16,000		16,000	16,000
	Fertilizer		7,000		7,000	7,000
	Irrigation		15,000		15,000	15,000
	Misc Supplies	33,441	2,000	28,207	2,000	5,000
		33,441	40,000	28,207	40,000	43,000

Extra to run pump for fountain
10 events (31 days @ $160=$4960.)
Art n Wine, Memorial Day, 4th of July, Halloween Parade/Ghost Walk, Veterans Day, Xmas Tree Lighting, Presidents Day, Thanksgiving, Garden Tours, Oktoberfest

Account Number	Account Name	Amount
7520	Reserve Projects	
	Trail Resurface - Bruce Lee Trail	50,000
	Trail Crack sealing/repair	10,000
	Median/Roadway Re-Landscape	263,702
	Irrigation Central Controller System	30,000
	Tree Replacement Trimming	10,000
	Jeffrey Ranch Relandscaping	2,500
	Keller Ridge Tree Replacement	16,600
	Daffidol Hill	22,500
		405,302

B. Citywide Landscape Maintenance District – Fund No. 210

In June 2007, Clayton voters approved a replacement real property special 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 5th 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 2011 to April 2012) posted at 2.1%. The District's revenue projection has been increased by that factor accordingly and is set at a total of $955,711 for FY 2012-13, an annual increase of $19,657. Adding the interest earnings of $5,000 pushes the total revenue budget to $960,711. Pursuant to its oversight charge, the citizens' TLC considered the CPI change and the District's budget at its meeting on May 21st and adopted a motion to recommend the City Council implement the 2.1% CPI annual rate adjustment.

The Landscape Maintenance District has aggressively been installing improvements to the City's roadway landscaping over the course of the past two (2) years. An accounting of the District's activities and improvements is listed below, which included appropriations from the District's reserves in May 2010 ($260,000) and more recently to fund the Clayton Road Median Project, complete the beautification of Daffodil Hill, and install plants in the terraced walls west of the CVS Pharmacy:

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 (done)	$ 70,000
e. Restore plants: Oakhurst Dr., old Marsh Creek Rd., Clayton Rd. (partial)	$ 45,000
f. Marsh Creek Circle replanting/headlight glare mitigation (done)	$ 19,400
g. Replant Jeffry Ranch Court island (not done yet)	$ 2,500
h. Clayton Road Median Re-Landscaping Project (under progress)	$263,072
i. Completion of Daffodil Hill Beautification Project (under progress)	$ 22,250
j. CVS Terrace Retaining Wall Landscaping (under progress)	$ 27,640
k. Trail Resurfacing, remainder of Bruce Lee Trail (with Street Project)	$ 50,000
l. Master Remote Computer Controller for all Irrigation Systems (not yet)	$ 30,000
m. Trail Crack-Sealing and Minor Repairs (with Street Project)	$ 10,000
n. Tree Replacement and Trimming (in progress)	$ 10,000
Total:	$656,462

The installation and commencement of these significant landscape restoration and District improvement projects illustrate 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 the public improvements sooner but conservative Clayton voters disliked the higher annual assessment and the bonded indebtedness of the District. Entering the District's 6th year of operation has allowed the accumulation of reserves to accomplish many of the same objectives, just slightly later than some might have wished.

Noteworthy expenses of the District include its annual weed abatement Citywide ($35,000 before the fire season), and a 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 left at its historical expense of $180,000 per year yet it can fluctuate wildly depending on seasonal climates and strange weather patterns. However, as landscaping improvements are installed they are accompanied by irrigation system upgrades and efficiencies in irrigation, which temper this expense allocation and cause operational savings.

Personnel services for this labor-intensive work accounts for 40% of the District's budget this year ($350,939), up 10% from last year's portion of 30% caused by increases in employee pension system rates, workers' compensation rates, and the amount of time the crews spend on District tasks. Whenever possible, tasks within the

District are assigned to temporary seasonal personnel that are less expensive labor (e.g. trimming), which shifts the permanent City Maintenance personnel (5) to activities requiring journeyman-level experiences (e.g. irrigation line and system repairs).

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 $31,402 (3.6% of annual District revenue) is transferred to the City's General Fund to pay for administration and overhead activities 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. Given the magnitude of previously-assigned landscape improvement projects and tasks noted above that remain incomplete, no monies from the District are proposed for transfer this year to the City's Capital Improvement Project Budget. This fact should not be misconstrued that no additional projects or improvement ideas for the District are forthcoming; rather, it is a tacit admission the District needs to finish previously-prioritized projects before undertaking new improvements.

With all of these actions, the District's ending fund balance on 30 June 2013 will still be a healthy $217,307, which equates to a reserve of 23% of its annual tax revenue. The reserve status is confirmation the City does not siphon "surplus" monies of the District into its General Fund but uses the special tax revenues for its intended purposes.

Agenda Date: 7-3-12

Agenda Item: 4g

CITY OF CLAYTON

Founded 1857... Incorporated 1964

Approved:

Gary A. Napper, City Manager

STAFF REPORT

TO: **HONORABLE MAYOR AND COUNCILMEMBERS**

FROM: **Laura Hoffmeister, Asst. to the City Manager**

MEETING DATE: **July 3, 2012**

SUBJECT: **Approval of resolution ordering the levy and collection of special taxes and setting forth the special tax amount for Community Facilities District (CFD) 2006-1 (Downtown "The Grove" Park Maintenance) on the fiscal year 2012-2013 Tax Assessment**

RECOMMENDATION

Adoption of Resolution No. __-2012 ordering the levy and collection of special taxes and setting forth the special tax amount for Community Facilities District (CFD) 2006-1 (Downtown "The Grove" Park Operation and Maintenance) on the fiscal year 2012--2013 Tax Assessment Roll.

BACKGROUND

In November 2006 the electorate voted 68.19% approval to establish a special tax, known as Measure O, for the care and maintenance of Downtown Park, known as "The Grove". Measure O was established for a 10 year period (through 2017).

This special tax serves as the only funding source for the Downtown Park Operation and Maintenance - known as Community Facilities District (CFD) 2006-1. To levy the tax the City placed a ballot measure on the November 2006 consolidated election and received more than the minimum vote threshold (66.66%) to enact the tax.

The tax is for costs related to costs of the operation, maintenance, repair and replacement landscaping, irrigation, hardscape, lights, public restroom, gazebo, playground, water, electricity, etc. Other City parks are <u>not</u> maintained by this special tax but through the General Fund.

The collection of the tax is done by the County, and property owners' payments first payment occurred in November/December 2007. The Grove was opened to public use in January 2008.

Established in the voter approved tax is an ability after the initial year, to increase the assessment by the CPI with a maximum of 3% annually. It is recommended and included in the proposed levy rates to apply the annual CPI increase of 2.08%. This CPI adjustment was reflected in the City Council adopted budget.

FISCAL IMPACT

For fiscal year 2012-12 fiscal year the levy amount proposed is $18.14 per residential parcel (an increase of 38 cents from last year rate of $17.72). The non-residential parcels for 2012-13 fiscal year are to be levied as follows: Downtown Core, $244.74 per ¼ acre or fraction thereof (an increase of $4.98); Other Commercial $107.30 per ¼ acre or fraction thereof (an increase of $2.19); Recreation Open Space $53.64 per ¼ acre or fraction thereof (an increase of $1.09). Multifamily Residential Care Facilities $56.38 per ¼ acre or fraction thereof (an increase of $1.15)

For fiscal year 2012-13 there apx. 4103 parcels that are subject to the special tax; of these 4043 are residential and apx. 60 are non residential. The total amount of revenue estimated to be received from this tax for FY 2012-13 is $114,164.26 (an increase of $2,349.58 over FY 11-12). These tax revenues are placed into a Special Revenue Fund (No. 211) through which all eligible expenses are tracked, paid and audited. Allowable expenses include only that for the purposes of the Downtown Park Operation and Maintenance District such as materials, supplies, equipment, utilities, labor, and administration.

CONCLUSION

The City Council, by Ordinance 401, as authorized by Section 53340 of the Government Code of the State of California, has authorized the levy of a special tax to pay for costs and expenses related to Community Facilities District 2006-1. This resolution authorizes the Contra Costa County Auditor to place the taxes for the 2012-2013 fiscal year on the next assessment roll.

Attachments:

- 1) Resolution No. ___ - 2012
- 2) Summary of Exhibit A to Reso. No __ - 2012
- 3) Annual Special Tax Levy Report
- 4) Ordinance 401
- 5) Resolution No. 23-2006
- 6) Resolution No. 24-2006
- 7) Resolution No. 19-2006
- 8) Resolution No. 59-2006
- 9) Resolution No. 13-2007
- 10) Downtown "The Grove" Park Maintenance (CFD 2006-1) Budget 2012-13

Laura/fy12-13cfd2006-1ccrpt

RESOLUTION NO. _____-2012

A RESOLUTION ORDERING THE LEVY AND COLLECTION OF SPECIAL TAXES AND SETTING THE SPECIAL TAX AMOUNT FOR FISCAL YEAR 2012-13 FOR COMMUNITY FACILITIES DISTRICT NO. 2006-1 (DOWNTOWN "Grove" PARK OPERATIONS AND MAINTENANCE)

THE CITY COUNCIL
City of Clayton, California

WHEREAS, the City Council of the City of Clayton, California, (hereinafter referred to as the "legislative body"), has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of a special tax in Community Facilities District No.2006-1(hereinafter referred to as "District"), all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982"; being Chapter *2.5,* Part 1, Division 2, Title 5 of the Government Code of the State of California (the "Act"). ; and,

WHEREAS, this legislative body, by Ordinance No. 401 as authorized by Section 53340 of the Government Code of the State of California, has authorized the levy of a special tax to pay for costs and expenses related to said District, and this legislative body is desirous to establish the specific rate of the special tax to be collected for fiscal year 2012-13; and,

WHEREAS, the special taxes are in compliance with all laws pertaining to the Act and the levy of special taxes; the special taxes are levied without regard to property valuation, and the special taxes are in compliance with the provisions of Prop 218.

NOW THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. That the above recitals are all true and correct.

SECTION 2. That the specific rate and amount of the special tax to be collected

Attachment 1

to pay for the costs and expenses for the next fiscal year (2012-2013) for the referenced District is hereby determined and established as set forth in the attached, referenced and incorporated Exhibit "A".

SECTION 3. That the rate as set forth above does not exceed the amount as previously authorized by Ordinance 401 of this legislative body, and is not in excess of that as previously approved by the qualified electors of the District.

SECTION 4. That the proceeds of the special tax shall be used as provided in Ordinance No. 401, including, but not limited to, the payment of, in whole or in part, the costs of the following:

A. Payment of costs and expenses of the operation, maintenance, repair and replacement of the downtown park facilities;
B. Payment of District administrative costs.
C. Cost of collecting and administering the special tax

The proceeds of the special taxes shall be used as set forth above, and shall not be used for any other purpose.

SECTION 5. The special tax shall be collected in the same manner as ordinary ad valorem property taxes are collected, and shall be subject to the same penalties and same procedure and sale in cases of any delinquency for ad valorem taxes, and the Tax Collector is hereby authorized to collect the special tax and to deduct reasonable administrative costs incurred in collecting said special tax.

SECTION 6. All monies above collected shall be paid into the Community Facilities District 2006-1 fund.

SECTION 7. The Auditor of the County is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land effected in a space marked "public improvements, special tax" or by any other suitable designation, the installment of the special tax, and for the exact rate and amount of said tax, and assessor's parcel number (APN), reference is made to the attached Exhibit "A".

SECTION 8. The County Auditor shall then, at the close of the tax collection period, promptly render to this City a detailed report showing the amount and/or amounts of such special tax installments, interest, penalties and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

PASSED, APPROVED, AND ADOPTED by the City Council of Clayton, California at a regular public meeting thereof held on July 3, 2012 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

THE CITY COUNCIL OF CLAYTON, CA

____
Howard Geller, Mayor

ATTEST:

____
Laci J. Jackson, City Clerk

Summary of EXHIBIT A
to Resolution ___-2012

CFD 2006-1 Downtown "The Grove" Park Maintenance District
Special Tax

For fiscal year 2012-2013 the assessor's parcel numbers and the special tax amounts are as set forth in the Community Facilities District No.2006-1 (Downtown "The Grove" Park Maintenance) Preliminary Billing Levy Detail Report for FY 2012-2013 on file in the City Clerk's office, City Hall, 6000 Heritage Trail, Clayton, CA.

Due to the length of the report, it is summarized as follows:

For FY 2012-2013 the following shall be levied:
Residential parcels, (single family, condo, and townhouse) shall have a rate of $18.14 per parcel.

Downtown Core Area shall have a rate of $244.74 per ¼ acre or fraction thereof.

Other Commercial Parcels shall have a rate of $107.30 per ¼ acre or fraction thereof.

Recreation Open Space parcels shall have a rate of $53.64 per ¼ acre or fraction thereof.

Multifamily residential parcels shall have a rate of $56.38 per ¼ acre or fraction thereof

Parcel size as shown on the most recent County tax and parcel records.

There are a total of 4103 parcels to be levied:
There are 4043 residential levies
There are 31 downtown core levies comprising 16acres (or 77 ¼ unit acres)
There are 21 other commercial levies comprising 28 (or 125 ¼ unit acres)
There are 6 recreation levies comprising 31 acres (or 125 ¼ unit acres)
There are 2 multifamily levies comprising 8 acres (or 33 ¼ unit acres)

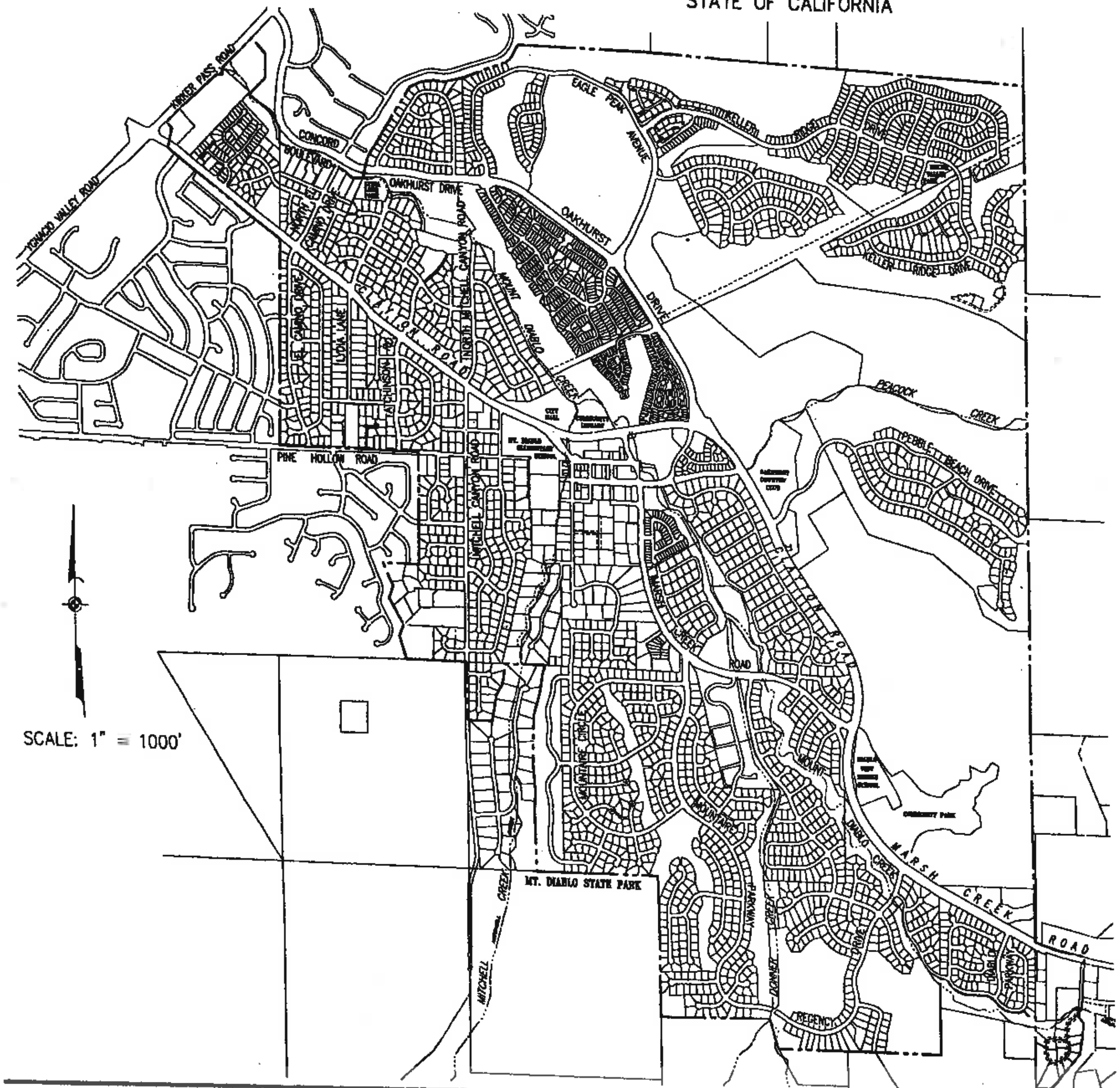
$73,340.02	***est. total revenue from residential***
$18,845.34	***est. total revenue from downtown core***
$13,412.68	***est. total revenue from other commercial***
$6,705.72	***est. total revenue from recreation and open space***
$1,860.50	***est. total revenue from multifamily***
$114,164.26	***est. revenue for FY 12-13***

laura/Exhibit A rescfd2006-1 fy12-13

PROPOSED BOUNDARIES OF

COMMUNITY FACILITIES DISTRICT NO. 2006-1 (DOWNTOWN PARK OPERATION AND MAINTENANCE DISTRICT)

CITY OF CLAYTON, COUNTY OF CONTRA COSTA
STATE OF CALIFORNIA



SCALE: 1" = 1000'

CITY RECORDER'S STATEMENT:

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF CLAYTON, THIS 28th DAY OF April 2006.

BY: Rhonda K Basore
CITY CLERK
CITY OF CLAYTON

CITY CLERK'S STATEMENT:

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING THE PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NUMBER 2006-1 IN THE CITY OF CLAYTON, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF CLAYTON AT A REGULAR MEETING THEREOF, HELD ON THE 16th DAY OF May, 2006, BY ITS RESOLUTION NO. 19-2006.

BY: Rhonda K Basore
CITY CLERK
CITY OF CLAYTON

RECORDER'S CERTIFICATE:

FILED THIS 31st DAY OF MAY 2006, AT THE HOUR OF 1:48 O'CLOCK P.M. IN BOOK 79 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS, AT PAGE 50, AND AS INSTRUMENT NUMBER 06-171762 IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA.

06-171762

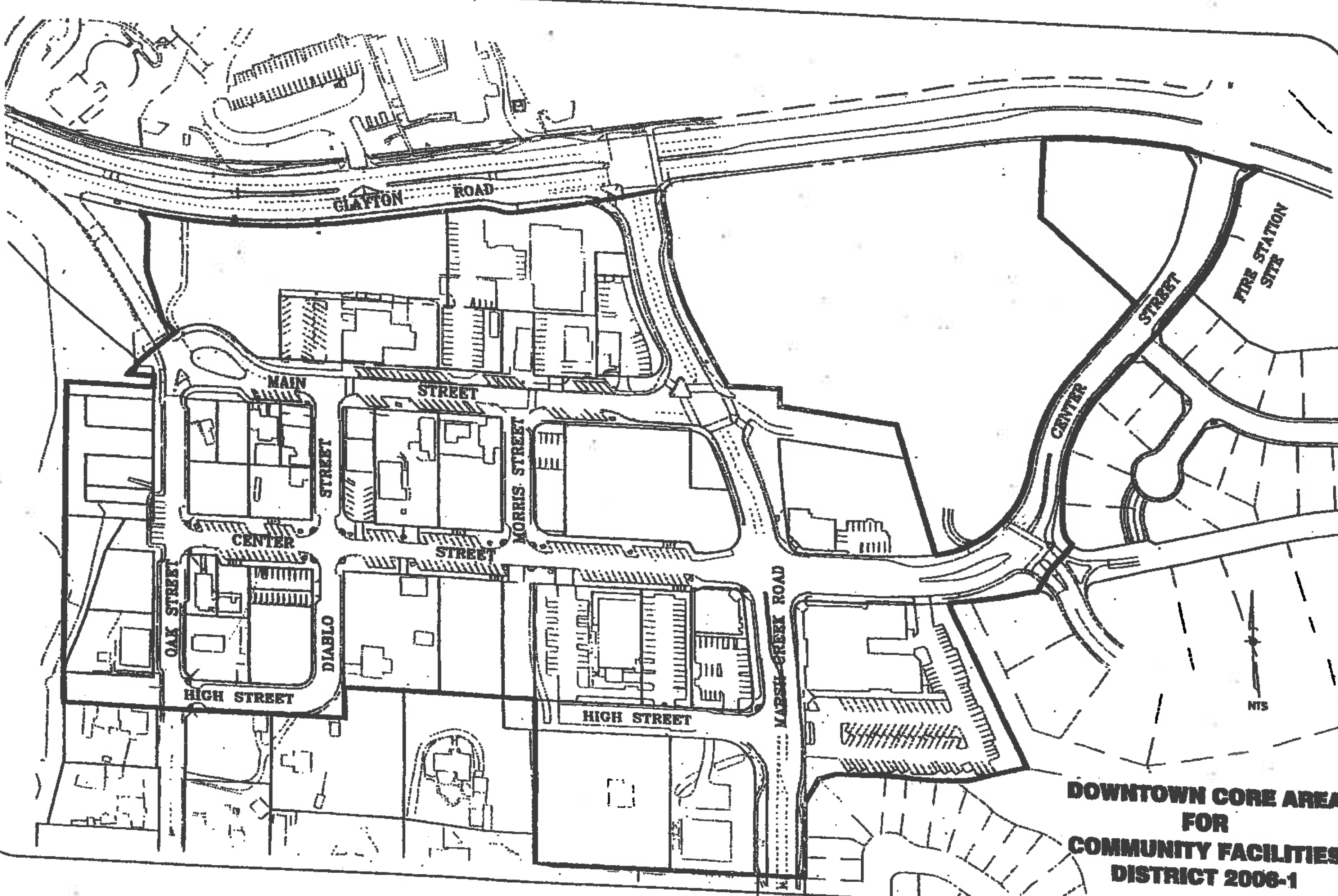
BY: Stephen L. Weir
COUNTY RECORDER
COUNTY OF CONTRA COSTA

BY: [signature]
DEPUTY COUNTY RECORDER

LEGEND

CITY LIMIT LINE AND COMMUNITY FACILITY DISTRICT BOUNDARY

5.31.06 1:48 PM 79-50



DOWNTOWN CORE AREA FOR COMMUNITY FACILITIES DISTRICT 2006-1

NBS
helping communities
fund tomorrow

City of Clayton

Community Facilities District No. 2006-1
Downtown Park Operation and Maintenance Tax

Annual Report

July 2012

Main Office
32605 Temecula Parkway, Suite 100
Temecula, CA 92592
Toll free: 800.676.7516 Fax: 951.296.1998

Regional Office
870 Market Street, Suite 1223
San Francisco, CA 94102
Toll free: 800.434.8349 Fax: 415.391.8439

Attachment 3

CITY OF CLAYTON
6000 Heritage Trail
Clayton, California 94517
Phone – (925) 673-7300
Fax – (925) 672-4917

City Council

Howard Geller, Mayor
Joe Medrano, Vice Mayor
Julie K. Pierce, Councilmember
David Shuey, Councilmember
Hank Stratford, Councilmember

City Staff

Gary Napper, City Manager
Laura Hoffmeister, Assistant to the City Manager
Merry Pelletier, Finance Manager

Special Tax Administrator

NBS
Tim Seufert, Client Services Director
Greg Davidson, Director
Kristin Harvey, Senior Consultant

EXECUTIVE SUMMARY/SPECIAL ISSUES

General Information Summary

Maturity	2012/13 Levy (1)	Parcel Count	Delinquency Rate (2)
Fiscal Year 2016/17	$114,164.26	4,299	3.57%

(1) Includes a rounding adjustment for County tax submittal purposes.
(2) Delinquency Rate for Fiscal Year 2011/12.

Community Facilities District No. 2006-1, Downtown Park Operation and Maintenance Tax (the "District") was created to finance the costs of operation, maintenance, repair and replacement of an approximate 1-acre public park (APN 119-015-005 and 006) adjacent to the western edge of (old) March Creek Road between Main and Center Streets located in Town Center Clayton.

For Fiscal Year 2012/13, all taxable parcels within this District will be levied at 100% of their respective Maximum Special Tax. The Maximum Special Tax rates for Fiscal Year 2012/13, which have been escalated by 2.0775%, are as follows:

Residential Parcels:	$18.14 per parcel
Downtown Core Parcels:	$244.74 per ¼ acre or fraction thereof
Other Commercial Parcels:	$107.30 per ¼ acre or fraction thereof
Recreational Open Space Parcels:	$53.64 per ¼ acre of fraction thereof
Multi-Family Residential Care Facilities Parcels:	$56.38 per ¼ acre of fraction thereof

The delinquency rate for the District was 3.57% for Fiscal Year 2011/12. With the City's authorization, NBS sent reminder and demand letters to delinquent property owners to encourage the immediate payment of delinquent property tax bills.

TABLE OF CONTENTS

1. 2012/13 LEVY

1.1. Special Tax Spread

All taxable parcels within the District were levied at 100% of their respective Maximum Special Tax rate for Fiscal Year 2012/13. The details of the Special Tax, spread amongst the 4,300 parcels within the District, are as follows:

Parcel Classification	Parcel Count	Maximum Rate	Total Maximum Special Tax	Total Amount Levied (3)
Residential (1)	4,043	$18.14	$73,340.02	$73,340.02
Downtown Core (2)	31	244.74	18,845.44	18,845.34
Other Commercial (2)	21	107.30	13,412.77	13,412.68
Recreational Open Space (2)	6	53.64	6,705.74	6,705.72
Multi-Family Residential Care Facilities (2)	2	56.38	1,860.51	1,860.50
Exempt	196	0.00	0.00	0.00
Total	**4,299**		**$114,164.48**	**$114,164.26**

(1) Per the Rate and Method of Apportionment, the maximum special tax for residential parcels is calculated on a per parcel basis.

(2) Per the Rate and Method of Apportionment, the maximum special tax for Downtown Core, other commercial, recreational open space and multi-family residential care facilities is calculated per ¼ acre or fraction thereof.

(3) Includes a rounding adjustment for County tax submittal purposes.

The table below shows the Fiscal Year 2011/12 Maximum Special Tax within each of the six classifications of the District:

Parcel Classification	Parcel Count	Maximum Rate	Total Maximum Special Tax
Residential (1)	4,043	$17.77	$71,844.11
Downtown Core (2)	31	239.76	18,461.93
Other Commercial (2)	21	105.11	13,139.75
Recreational Open Space (2)	6	52.55	6,569.25
Multi-Family Residential Care Facilities (2)	2	55.23	1,822.65
Exempt	196	0.00	0.00
Total	**4,299**		**$111,837.69**

(1) Per the Rate and Method of Apportionment, the maximum special tax for residential parcels is calculated on a per parcel basis.

(2) Per the Rate and Method of Apportionment, the maximum special tax for Downtown Core, other commercial, recreational open space and multi-family residential care facilities is calculated per ¼ acre or fraction thereof.

Please refer to section 3 of this report for details of the Special Tax Formula.

2. DELINQUENCY MANAGEMENT

2.1. Delinquency Summary

The following table shows the Fiscal Year 2011/12 delinquency rate for the District:

2011/12 Levy	2011/12 Delinquencies	2011/12 Delinquency Rate	Delinquency Management Steps Taken
$111,796.92	$3,988.83	3.57%	Reminder and Demand Letters Sent

NBS monitors the delinquency rate and reviews the delinquency situation after each payment date. With the City's authorization, NBS sent reminder and demand letters to delinquent property owners to encourage the immediate payment of delinquent property tax bills.

Please refer to section 5 of this report for a delinquency detail report for the District.

2.2. Delinquency Summary Report

The following page summarizes delinquencies for the 2011/12 and prior fiscal years.

City of Clayton
Delinquency Summary Report
As of: 06/20/2012

District	Due Date	Billed Amount	Paid Amount	Delinquent Amount	Delinquent Amount %	Billed Installments	Paid Installments	Delinquent Installments	Delinquent Installments %
CFD 2006-1									
	8/1/2007 Billing:								
	12/10/2007	$50,888.87	$50,880.68	$8.19	0.02 %	4,074	4,073	1	0.02 %
	4/10/2008	50,888.87	50,872.49	16.38	0.03 %	4,074	4,072	2	0.05 %
	Subtotal:	**$101,777.74**	**$101,753.17**	**$24.57**	**0.02 %**	**8,148**	**8,145**	**3**	**0.04 %**
	8/1/2008 Billing:								
	12/10/2008	$52,481.16	$52,472.73	$8.43	0.02 %	4,081	4,080	1	0.02 %
	4/10/2009	52,481.16	52,439.01	42.15	0.08 %	4,081	4,076	5	0.12 %
	Subtotal:	**$104,962.32**	**$104,911.74**	**$50.58**	**0.05 %**	**8,162**	**8,156**	**6**	**0.07 %**
	8/1/2009 Billing:								
	12/10/2009	$53,567.86	$53,482.96	$84.90	0.16 %	4,105	4,095	10	0.24 %
	4/10/2010	53,567.86	53,465.98	101.88	0.19 %	4,105	4,093	12	0.29 %
	Subtotal:	**$107,135.72**	**$106,948.94**	**$186.78**	**0.17 %**	**8,210**	**8,188**	**22**	**0.27 %**
	8/1/2010 Billing:								
	12/10/2010	$54,504.71	$54,435.59	$69.12	0.13 %	4,105	4,097	8	0.19 %
	4/10/2011	54,504.71	54,383.75	120.96	0.22 %	4,105	4,091	14	0.34 %
	Subtotal:	**$109,009.42**	**$108,819.34**	**$190.08**	**0.17 %**	**8,210**	**8,188**	**22**	**0.27 %**
	8/1/2011 Billing:								
	12/10/2011	$55,898.46	$54,454.61	$1,443.85	2.58 %	4,103	4,048	55	1.34 %
	4/10/2012	55,898.46	53,353.48	2,544.98	4.55 %	4,103	3,977	126	3.07 %
	Subtotal:	**$111,796.92**	**$107,808.09**	**$3,988.83**	**3.57 %**	**8,206**	**8,025**	**181**	**2.21 %**
CFD 2006-1	**Total:**	**$534,682.12**	**$530,241.28**	**$4,440.84**	**0.83 %**	**40,936**	**40,702**	**234**	**0.57 %**
Agency Grand Total:		**$534,682.12**	**$530,241.28**	**$4,440.84**	**0.83 %**				

3. RATE AND METHOD OF APPORTIONMENT

3.1. Method of Apportionment

A Special Tax will be levied annually on each taxable parcel of land within the District and collected in the same manner as ordinary ad valorem property taxes or in such manner as the City Council or its designee shall determine, including City-originated billing of the affected property owners.

3.2. Definitions

Taxable Parcels - Parcels of land within the boundaries of the District that are not included in the "Exempt Parcel" category listed below.

Exempt Parcels - Parcels of land owned by a public school district, and parcels of land owned by the City of Clayton or the Clayton Redevelopment Agency outside the boundaries of the defined Downtown Core area.

Residential Parcels - Taxable Parcels of land in the District that are classified in the City of Clayton General Plan as either single-family, multi-family or rural estate residential parcels.

Downtown Core Parcels - Taxable Parcels within the Downtown Core area that are not classified as "Residential Parcels."

Other Commercial Parcels - Taxable Parcels outside the boundaries of the Downtown Core area that are not classified as "Residential Parcels," "Recreational Open Space Parcels" or "Multi-Family Residential Care Facilities Parcels."

Recreational Open Space Parcels - Taxable Parcels classified as "Private Golf Course" in the City of Clayton General Plan.

Multi-Family Residential Care Facilities Parcels - Taxable Parcels having institutional or congregate care residential units within a facility with an on-site manager.

Special Tax - The Special Tax allowed to be levied on property within the District, calculated pursuant to the Rate and Method of Apportionment of Special Tax.

3.3. Special Tax Formula

A. **Residential Parcels** - An annual Special Tax will be levied on all Residential Parcels, as defined above, at the per parcel tax rate shown below for each Fiscal Year 2007/08 through 2016/17:

   Residential Parcel Annual Special Tax Rate for Fiscal Year 2007/08: $16.39 per parcel.

B. **Downtown Core Parcels** - An annual Special Tax will be levied on all non-Residential Parcels within the Downtown Core area, as defined above, at the per ¼ acre or fraction thereof, parcel rate shown below for each Fiscal Year 2007/08 through 2016/17:

   Downtown Core Parcel Annual Special Tax Rate for Fiscal Year 2007/08: $221.05 per ¼ acre or fraction thereof parcel size as shown on the County tax roll.

C. **Other Commercial Parcels -** An annual Special Tax will be levied on all non-Residential Parcels outside the Downtown Core area, as defined above, at the per ¼ acre or fraction thereof parcel rate shown below for each Fiscal Year 2007/08 through 2016/07:

Other Commercial Parcel Annual Special Tax Rate for Fiscal Year 2007/08: $96.92 per ¼ acre or fraction thereof parcel size as shown on the County tax roll.

D. **Recreational Open Space Parcels -** An annual Special Tax will be levied on all Private Golf Course Parcels, as defined above, at the per ¼ acre or fraction thereof parcel rate shown below for each Fiscal Year 2007/08 through 2016/17:

Recreational Open Space Parcel Annual Special Tax Rate for Fiscal Year 2007/08: $48.46 per ¼ acre or fraction thereof parcel size as shown on the County tax roll.

E. **Multi-Family Residential Care Facilities Parcels -** An annual Special Tax will be levied on all Multi-Family Residential Care Facilities Parcels, as defined above, at the per ¼ acre or fraction thereof parcel rate shown below for each Fiscal Year 2007/08 through 2016/17:

Multi-Family Residential Care Facilities Parcel Annual Special Tax Rate for Fiscal Year 2007/08: $50.92 per ¼ acre or fraction thereof parcel size as shown on the County tax roll.

3.4. Special Tax Escalator Factor

In Fiscal Years 2008/09 through 2016/17, each annual Special Tax rate may be increased annually by the City of Clayton City Council in an amount not to exceed the full annual adjustment (April to April) in the Consumer Price Index – All Urban Consumers, San Francisco-Oakland-San Jose, CA Area (Base Period 1982-84 =100). This escalation factor is applicable if determined by the City to be necessary due to expected or actual increases in the operational, maintenance, repair and replacement expenses attributable to the District. In no event shall each annual Special Tax rate in any fiscal year increase by more than three percent (3%) over the previous year.

The Special Tax Escalation Factor for Fiscal Year 2012/13 is 2.0775%.

3.5. Duration of Special Tax Levy

The Special Tax will be levied annually for a period of ten (10) years commencing with Fiscal Year 2007/08 through and including Fiscal Year 2016/17. After the ten (10) year duration has expired the Special Tax may no longer be levied or collected unless extended pursuant to applicable laws, except that a Special Tax that was lawfully levied in or before the final tax year and that remains delinquent may be collected in subsequent years.

4. BACKGROUND INFORMATION

4.1. Project Description

The services that are proposed to be financed by the District shall include the attributable costs of operation, maintenance, repair and replacement of:

<u>Downtown Park</u> – which includes, but is not limited to:

> Costs of operation, maintenance, repair and replacement of an approximate 1-acre public park (APN 119-015-005, 006) abutting the western edge of (old) Marsh Creek Road between Main and Center Streets located in Town Center Clayton.

<u>Definitions</u>

"**Costs of Operation, Maintenance, Repair and Replacement"** of the foregoing public park improvements means the furnishing of services and materials for the ordinary and usual operation, maintenance and care of a downtown public park with its appurtenant facilities, public restroom, gazebo, playground equipment and improvements, including repair, removal or replacement of all or part of any landscaping or turf or appurtenant facilities providing for the life, growth, health and beauty of the landscaping, including cultivation, irrigation, trimming, pruning, spraying, fertilizing and treating for disease or injury; the removal of trimmings, rubbish, debris, litter and other solid wastes; and the eradication of landscape pests, including but not limited to vermin and rodents, ground squirrels, gophers, and moles.

"Maintenance" also means the furnishing of water for public health purposes and irrigation of the park turf, trees and landscaping, and the supply of the electricity to operate the attendant irrigation systems, park lights and electrical outlets. In addition, allowable expenses include the County's cost to levy and collect the District's assessment through the annual property tax bill, the City's shared equipment and facilities charges, City prorated overhead charges to administer and manage the District, and District reserve funds for capital replacements, vandalism and major repairs.

The foregoing services shall be provided through and by the City, either with its own labor forces or by contract with third parties, or any combination thereof, as determined solely by the City.

4.2. Resolutions

The resolution approved by the City Council authorizing the levy of the special tax was not available at the time of writing this report.

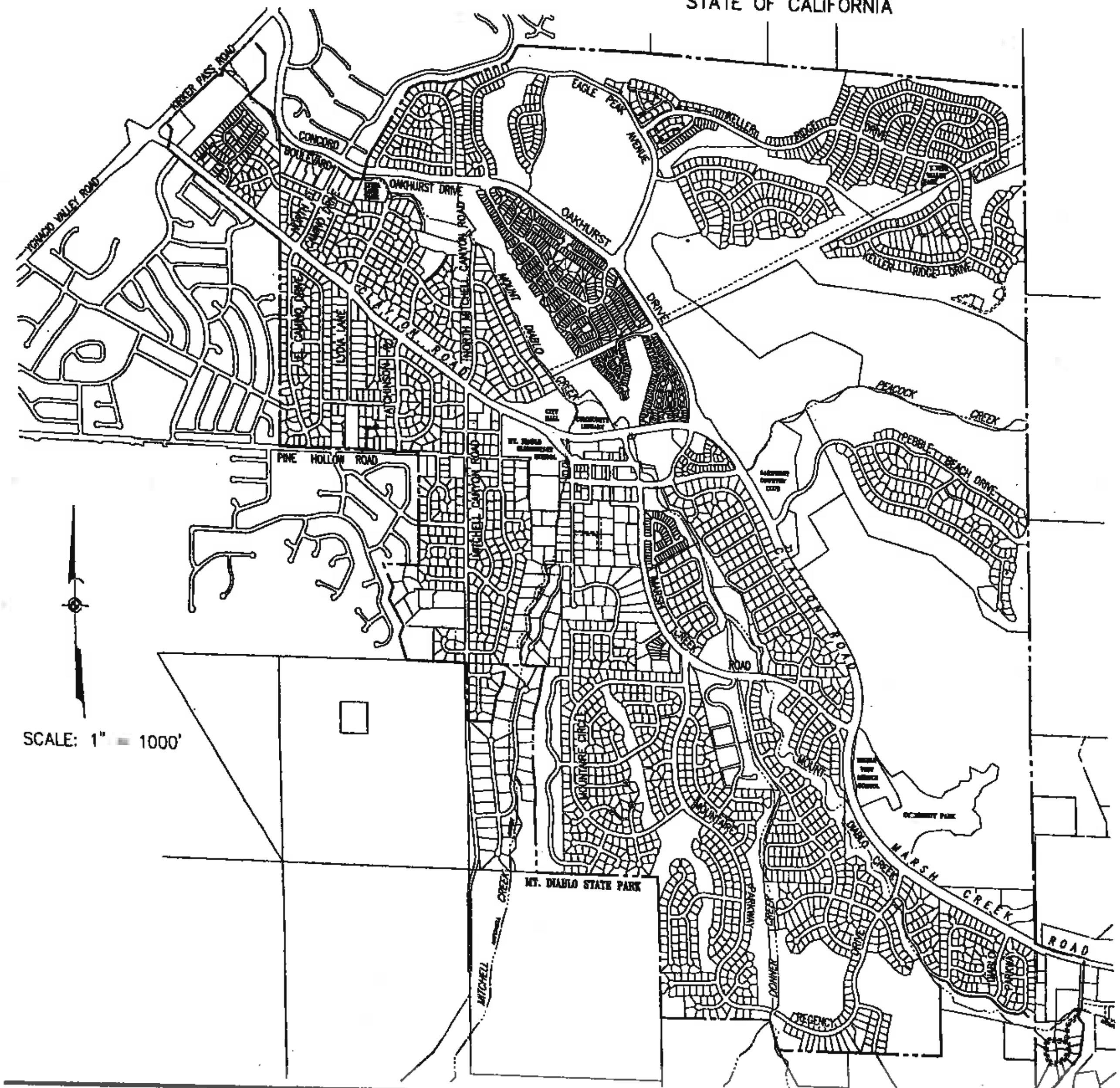
4.3. Boundary Map

The following pages show the boundaries of the District.

PROPOSED BOUNDARIES OF

COMMUNITY FACILITIES DISTRICT NO. 2006-1 (DOWNTOWN PARK OPERATION AND MAINTENANCE DISTRICT)

CITY OF CLAYTON, COUNTY OF CONTRA COSTA
STATE OF CALIFORNIA



CITY RECORDER'S STATEMENT:

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF CLAYTON, THIS 28th DAY OF April, 2006.

BY: Rhonda K Basore
CITY CLERK
CITY OF CLAYTON

CITY CLERK'S STATEMENT:

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING THE PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NUMBER 2006-1 IN THE CITY OF CLAYTON, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF CLAYTON AT A REGULAR MEETING THEREOF, HELD ON THE 16th DAY OF May, 2006, BY ITS RESOLUTION NO. 19-2006.

BY: Rhonda K Basore
CITY CLERK
CITY OF CLAYTON

RECORDER'S CERTIFICATE:

FILED THIS 31st DAY OF MAY 2006, AT THE HOUR OF 1:48 ~~O'CLOCK~~ P.M. IN BOOK 79 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS, AT PAGE 50, AND AS INSTRUMENT NUMBER 06-171762 IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA.

06-171762

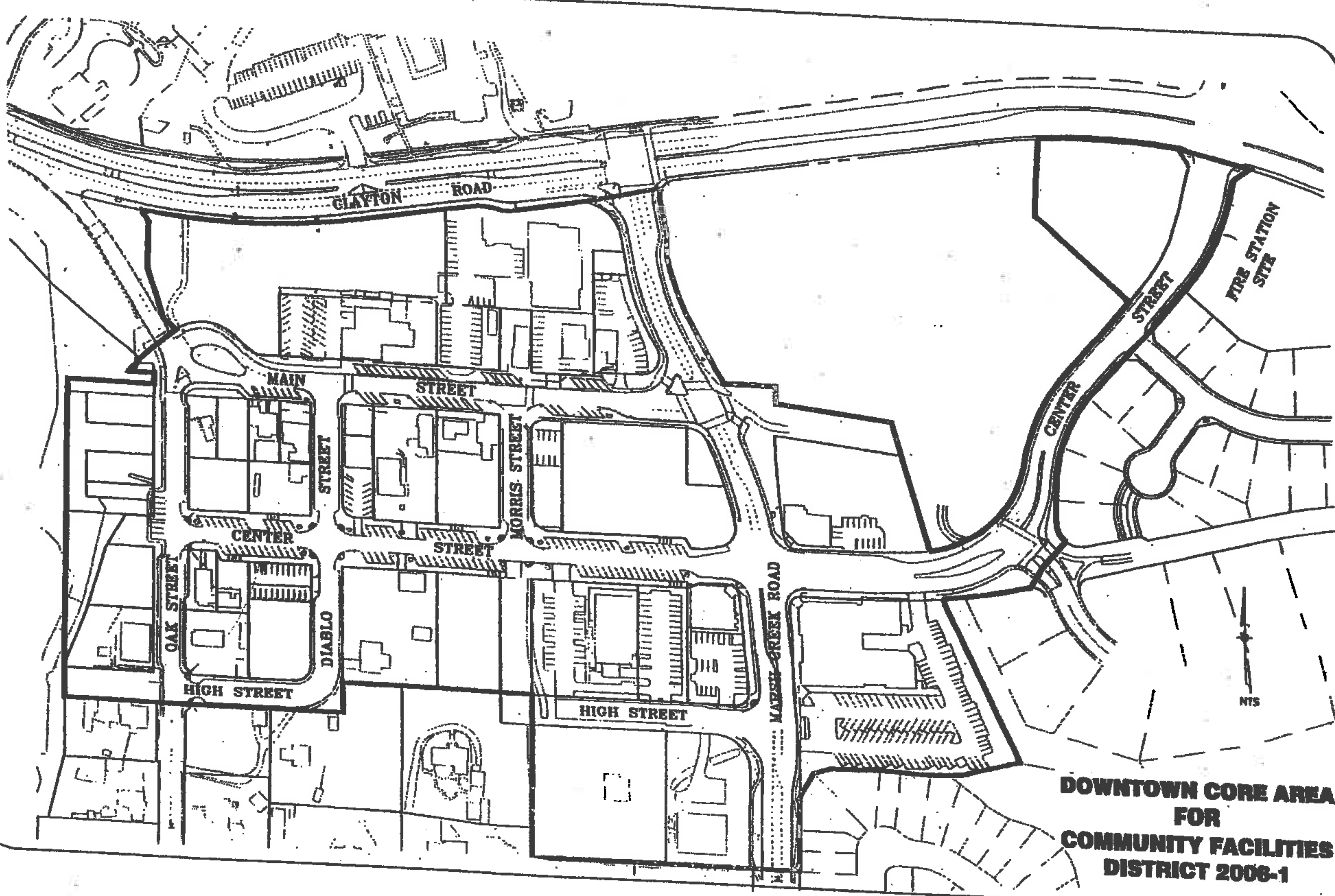
BY: Stephen L. Weir
COUNTY RECORDER
COUNTY OF CONTRA COSTA

BY: [signature]
DEPUTY COUNTY RECORDER

LEGEND

CITY LIMIT LINE AND COMMUNITY FACILITY DISTRICT BOUNDARY

5.31.06 1:48 PM 79-50


CLAYTON ROAD
MAIN STREET
CENTER STREET
MORRIS STREET
OAK STREET
DIABLO
HIGH STREET
HIGH STREET
MARSH CREEK ROAD
CENTER STREET
FIRE STATION SITE
NTS
DOWNTOWN CORE AREA
FOR
COMMUNITY FACILITIES
DISTRICT 2006-1

5. DELINQUENCY DETAIL

The following pages detail delinquencies for the 2011/12 and prior fiscal years.

City of Clayton

CFD 2006-1 Downtown Park Tax

Delinquency Detail Report

Late Charges Calculated Through 06/20/2012

Account ID	Owner	Due Date	Amount	Penalty	Interest	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
078-020-045	MAZZEI MATTHEW J 8120 MARSH CREEK RD CLAYTON, CA 94517	12/10/2011	8.88	0.89	0.00	0.00	9.77		
		04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$17.76**	**$1.78**	**$0.00**	**$0.00**	**$19.54**		
118-031-012	DOWNS DAVID F & KRISTEN K 5484 TARA DR CLAYTON, CA 94517	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		
118-063-006	HUSTON JEFFREY J & JANINE 1531 N MITCHELL CANYON RD CLAYTON, CA 94517	12/10/2011	8.88	0.89	0.00	0.00	9.77		
		04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$17.76**	**$1.78**	**$0.00**	**$0.00**	**$19.54**		
118-071-008	QUINONES GEORGINA & RODRIGUEZ RIO 5185 HANSEN DR ANTIOCH, CA 94531	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		
118-101-003	HARRISON PATRICIA M 33 MARQUETTE CT CLAYTON, CA 94517	12/10/2011	8.88	0.89	0.00	0.00	9.77		
		04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$17.76**	**$1.78**	**$0.00**	**$0.00**	**$19.54**		
118-101-017	SMITH KRISTA 42 MARQUETTE CT CLAYTON, CA 94517	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		
118-110-001	RICHARDSON DANIEL E & TRACY A 5565 MORNINGSIDE DR CLAYTON, CA 94517	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		

(1) Fees: This amount excludes Delinquency Management fees that were or will be collected in a subsequent billing.

(2) Delinquency Management Codes: RL=Reminder Sent; DL=Demand Letter Sent; SR=Tax Roll Removal Requested; SC=Tax Roll Removal Confirmed; FL=Foreclosure Letter Sent; OL=Other Letter Sent; FI=Judicial Foreclosure Initiated; CP=County Payment Plan; FH=Judicial Foreclosure on Hold/Special Case; FC=Foreclosure Complete; LIT=Litigation Guarantee; LGL=Legal Fees and Costs; O=Other Fees; SO=Tax Roll Removal County Fee; PP = Payment Plan.

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City of Clayton
CFD 2006-1 Downtown Park Tax
Delinquency Detail Report
Late Charges Calculated Through 06/20/2012

Account ID	Owner	Due Date	Amount	Penalty	Interest	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
118-164-019	THOMAS GARY & LORETTA & ERIC THOMAS 1505 OHARA CT CLAYTON, CA 94517	12/10/2009	8.49	0.85	3.06	0.00	12.40	RL	
		04/10/2010	8.49	0.85	3.06	0.00	12.40	RL	
		04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$25.86**	**$2.59**	**$6.12**	**$0.00**	**$34.57**		
118-164-025	BASAVARAJ BHARATUR & SHIVAMALA 1531 OHARA CT CLAYTON, CA 94517	12/10/2011	8.88	0.89	0.00	0.00	9.77		
		04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$17.76**	**$1.78**	**$0.00**	**$0.00**	**$19.54**		
118-164-047	HENDRICKS-BOTSFORD LYNETTE R & BOTSFORD 1537 HAVILAND PL CLAYTON, CA 94517	12/10/2011	8.88	0.89	0.00	0.00	9.77		
		04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$17.76**	**$1.78**	**$0.00**	**$0.00**	**$19.54**		
118-164-048	GWIN HALTON M & CAROLYN M 1541 HAVILAND PL CLAYTON, CA 94517	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		
118-164-085	MCDOWELL PAMELA ROBINSON 5479 TARA DR CLAYTON, CA 94517	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		
118-211-014	SINCLAIRE JUSTIN B & GEDDES-SINCLAIRE CH 5640 SOUTHBROOK DR CLAYTON, CA 94517	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		
118-212-009	HENNIS GARY DAVID & SCHROEDER JANE MARIE 1 CASEY GLEN CT CLAYTON, CA 94517	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		

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City of Clayton
CFD 2006-1 Downtown Park Tax
Delinquency Detail Report
Late Charges Calculated Through 06/20/2012

Account ID	Owner	Due Date	Amount	Penalty	Interest	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
118-222-011	HENDRICK IVAN L & CHRISALEE C PO BOX 860 CLAYTON, CA 94517	04/10/2009	8.43	0.84	4.55	0.00	13.82	RL DL	
		12/10/2009	8.49	0.85	3.06	0.00	12.40	RL DL	
		04/10/2010	8.49	0.85	3.06	0.00	12.40	RL DL	
		04/10/2011	8.64	0.86	1.56	0.00	11.06	RL DL	
		12/10/2011	8.88	0.89	0.00	0.00	9.77	DL	
		04/10/2012	8.88	0.89	0.00	0.00	9.77	DL	
		Account Subtotal:	**$51.81**	**$5.18**	**$12.23**	**$0.00**	**$69.22**		
118-230-001	SUNDERLAND WILLIAM C & DEBRA 5801 CAULFIELD DR CLAYTON, CA 94517	12/10/2011	8.88	0.89	0.00	0.00	9.77		
		04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$17.76**	**$1.78**	**$0.00**	**$0.00**	**$19.54**		
118-230-005	HOLLINGSWORTH PATRICIA L & MILLER JEFFRE 415 DIABLO CREEK PL CLAYTON, CA 94517	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		
118-230-010	SUNDERLAND WILLIAM C & DEBRA 5801 CAULFIELD DR CLAYTON, CA 94517	12/10/2011	8.88	0.89	0.00	0.00	9.77		
		04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$17.76**	**$1.78**	**$0.00**	**$0.00**	**$19.54**		
118-321-005	LEONBERGER LIDIA 1809 YOLANDA CIR CLAYTON, CA 94517	04/10/2011	8.64	0.86	1.56	0.00	11.06		
		12/10/2011	8.88	0.89	0.00	0.00	9.77		
		04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$26.40**	**$2.64**	**$1.56**	**$0.00**	**$30.60**		
118-322-027	REESE-DAUER EDWARD & LINDA 1856 YOLANDA CIR CLAYTON, CA 94517	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		

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City of Clayton
CFD 2006-1 Downtown Park Tax
Delinquency Detail Report
Late Charges Calculated Through 06/20/2012

Account ID	Owner	Due Date	Amount	Penalty	Interest	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
118-323-009	CREMEEN ALFRED L & WENDY K 1859 YOLANDA CIR CLAYTON, CA 94517	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		
118-332-006	GARA MARK A & CYNTHIA B 1834 YOLANDA CIR CLAYTON, CA 94517	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		
118-381-001	GREEN LEAF PROPERTIES LLC 4101 DUBLIN BLVD STE F 138 DUBLIN, CA 94568	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		
118-401-010	WITTNEBEN CHARLES R & DEBORAH J 1772 INDIAN WELLS WAY CLAYTON, CA 94517	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		
118-401-017	BERGQUIST KENNETH R & PAMELA 650 QUAIL CREST DR WALNUT CREEK, CA 94598	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		
118-401-030	HART JACK W & JERY L 402 CHUPCAN PL CLAYTON, CA 94517	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		
118-402-013	NIEBUHR SANDRA 330 SACLAN TERRACE PL CLAYTON, CA 94517	12/10/2011	8.88	0.89	0.00	0.00	9.77		
		04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$17.76**	**$1.78**	**$0.00**	**$0.00**	**$19.54**		

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City of Clayton
CFD 2006-1 Downtown Park Tax
Delinquency Detail Report
Late Charges Calculated Through 06/20/2012

Account ID	Owner	Due Date	Amount	Penalty	Interest	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
118-402-023	RUBINO MARY KATHRYN 1648 CORTE DE CALLAS SAN JOSE, CA 95124	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		
118-402-059	HAGUE LILLIAN 38 JALALON PL CLAYTON, CA 94517	04/10/2011	8.64	0.86	1.56	0.00	11.06		
		12/10/2011	8.88	0.89	0.00	0.00	9.77		
		04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$26.40**	**$2.64**	**$1.56**	**$0.00**	**$30.60**		
118-410-050	SULLIVAN DONNA M 2977 MORGAN TERRITORY RD CLAYTON, CA 94517	12/10/2011	8.88	0.89	0.00	0.00	9.77		
		04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$17.76**	**$1.78**	**$0.00**	**$0.00**	**$19.54**		
118-410-063	NUNN MEREDITH F 1266 SHELL CIR CLAYTON, CA 94517	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		
118-422-003	RIGOLI DANIEL A & DIANA D 352 BLUE OAK LN CLAYTON, CA 94517	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		
118-422-004	ALVEAR MANUEL TOLENTINO & VENERANDA ALVA 354 BLUE OAK LN CLAYTON, CA 94517	12/10/2011	8.88	0.89	0.00	0.00	9.77		
		04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$17.76**	**$1.78**	**$0.00**	**$0.00**	**$19.54**		
118-442-012	VALENCIA JANET 3013 WINDMILL CANYON DR CLAYTON, CA 94517	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		

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City of Clayton
CFD 2006-1 Downtown Park Tax
Delinquency Detail Report
Late Charges Calculated Through 06/20/2012

Account ID	Owner	Due Date	Amount	Penalty	Interest	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
118-452-013	SARDI MARILYN J 203 FALCON PL CLAYTON, CA 94517	12/10/2011	8.88	0.89	0.00	0.00	9.77		
		04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$17.76**	**$1.78**	**$0.00**	**$0.00**	**$19.54**		
118-452-038	JOHNSON ROXANNE D 5102 KELLER RIDGE DR CLAYTON, CA 94517	12/10/2011	8.88	0.89	0.00	0.00	9.77		
		04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$17.76**	**$1.78**	**$0.00**	**$0.00**	**$19.54**		
118-460-005	KHAN FAROOQ H 608 JULPUN LOOP CLAYTON, CA 94517	12/10/2011	8.88	0.89	0.00	0.00	9.77		
		04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$17.76**	**$1.78**	**$0.00**	**$0.00**	**$19.54**		
118-460-045	JENSEN MARK A & PAMELA A 803 CHERT PL CLAYTON, CA 94517	12/10/2011	8.88	0.89	0.00	0.00	9.77		
		04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$17.76**	**$1.78**	**$0.00**	**$0.00**	**$19.54**		
118-460-073	HEANEY DANIEL 722 ANIZUMNE CT CLAYTON, CA 94517	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		
118-460-094	EISSNER IRYSE JEAN 911 ARROWHEAD TER CLAYTON, CA 94517	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		
118-470-026	TAYLOR DAWN 1232 BUCKEYE TER CLAYTON, CA 94517	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		
118-470-109	SCHMIDT CHARLES J & MARILYN R 456 OBSIDIAN WAY CLAYTON, CA 94517	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		

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118-490-009	ELLYN LYNNE 1036 PEBBLE BEACH DR CLAYTON, CA 94517	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		
118-500-013	ING BANK FSB c/o: FORECLOSURE DEPT 1 S ORANGE ST WILMINGTON, DE 19801	12/10/2009	8.49	0.85	3.06	0.00	12.40		
		04/10/2010	8.49	0.85	3.06	0.00	12.40		
		12/10/2010	8.64	0.86	1.56	0.00	11.06		
		04/10/2011	8.64	0.86	1.56	0.00	11.06		
		12/10/2011	8.88	0.89	0.00	0.00	9.77		
		04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$52.02**	**$5.20**	**$9.24**	**$0.00**	**$66.46**		
118-510-003	MILLIGAN ROGER C 1138 PEACOCK CREEK DR CLAYTON, CA 94517	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		
118-510-031	LALLY KENNETH & KIM 163 SILVERADO CT CLAYTON, CA 94517	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		
118-530-016	BECK SUSAN M 1431 INDIANHEAD WAY CLAYTON, CA 94517	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		
118-550-030	DAVIS ERIC M & WINNIE Y K 414 HUMMINGBIRD PL CLAYTON, CA 94517	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		
118-560-021	ENDASHIIAN LLC c/o: CVS CAREMARK CORPORA 1 CVS DR WOONSOCKET, RI 02895	04/10/2012	479.53	47.95	0.00	0.00	527.48	RL	
		Account Subtotal:	**$479.53**	**$47.95**	**$0.00**	**$0.00**	**$527.48**		

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118-570-031	GALLAGHER DAVID B & CORINNE L 64 ANTELOPE CT CLAYTON, CA 94517	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		
118-570-045	ARTRU SANDRA E 461 OBSIDIAN WAY CLAYTON, CA 94517	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		
118-570-048	ROSALES JOSE JR & MARIA J 467 OBSIDIAN WAY CLAYTON, CA 94517	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		
118-600-039	CRIADO EDWARD F & TIFFANY M PO BOX 302 CLAYTON, CA 94517	12/10/2011	8.88	0.89	0.00	0.00	9.77		
		04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$17.76**	**$1.78**	**$0.00**	**$0.00**	**$19.54**		
118-620-027	SIMPSON SCOTT 6022 GOLDEN EAGLE WAY CLAYTON, CA 94517	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		
118-630-037	BELUSA ERIC R & MONIQUE & BELUSA MONIQUE 4425 TREAT BLVD #E CONCORD, CA 94521	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		
118-640-042	SARNA PETER C & SHERRIE 8002 KELOK WAY CLAYTON, CA 94517	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		

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118-650-011	LANFRANCHI MARK W & LAURA E 805 GRAY FOX PL CLAYTON, CA 94517	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		
118-650-020	TEMPLE JAMES E JR & MARCI 9013 ELK DR CLAYTON, CA 94517	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		
118-660-029	BURNS SHARON L 3853 STONEBRUSH DR UNIT C12 HIGHLANDS RANCH, CO 80126	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		
118-680-021	SON JENNIFER J 5210 KELLER RIDGE DR CLAYTON, CA 94517	12/10/2011	8.88	0.89	0.00	0.00	9.77		
		04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$17.76**	**$1.78**	**$0.00**	**$0.00**	**$19.54**		
118-690-007	CADEMARTORI DAVID & STEPHANIE 303 COAL MINE CT CLAYTON, CA 94517	12/10/2011	8.88	0.89	0.00	0.00	9.77		
		04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$17.76**	**$1.78**	**$0.00**	**$0.00**	**$19.54**		
118-690-028	WALKER JOHN F & KIMBERLY G 203 PROSPECTOR PL CLAYTON, CA 94517	12/10/2011	8.88	0.89	0.00	0.00	9.77		
		04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$17.76**	**$1.78**	**$0.00**	**$0.00**	**$19.54**		
118-700-003	PRITCHARD DEREK J & THERESA A 1206 BRIDLEWOOD CT CLAYTON, CA 94517	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		

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118-700-014	DAVIS CHARLES A JR 1227 BRIDLEWOOD CT CLAYTON, CA 94517	12/10/2011	8.88	0.89	0.00	0.00	9.77		
		04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$17.76**	**$1.78**	**$0.00**	**$0.00**	**$19.54**		
119-017-004	PLUTE THEODORE PO BOX 5459 SANTA BARBARA, CA 93150	12/10/2011	359.65	35.97	0.00	0.00	395.62	RL DL	
		04/10/2012	359.65	35.97	0.00	0.00	395.62	DL	
		Account Subtotal:	**$719.30**	**$71.94**	**$0.00**	**$0.00**	**$791.24**		
119-021-065	PACIFIC TELEPHONE & TELEGRAPH 1 MONTGOMERY ST #412 SAN FRANCISCO, CA 94104	12/10/2011	359.65	35.97	0.00	0.00	395.62	RL DL	
		04/10/2012	359.65	35.97	0.00	0.00	395.62	DL	
		Account Subtotal:	**$719.30**	**$71.94**	**$0.00**	**$0.00**	**$791.24**		
119-021-070	FINE MICHAEL C & SHEEHAN LISA R 6004 HIGH ST CLAYTON, CA 94517	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		
119-022-001	MATHEWS JOHN W c/o: VIOLET CHURCHILL 11507 SILVERGATE DR DUBLIN, CA 94568	12/10/2011	8.88	0.89	0.00	0.00	9.77		
		04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$17.76**	**$1.78**	**$0.00**	**$0.00**	**$19.54**		
119-022-006	MCMILLEN RICKEY L & DARLENE J 973 OAK ST CLAYTON, CA 94517	12/10/2011	8.88	0.89	0.00	0.00	9.77		
		04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$17.76**	**$1.78**	**$0.00**	**$0.00**	**$19.54**		
119-040-031	ENGLISH MARK & CORI 953 OAK ST CLAYTON, CA 94517	12/10/2011	8.88	0.89	0.00	0.00	9.77		
		04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$17.76**	**$1.78**	**$0.00**	**$0.00**	**$19.54**		

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119-102-018	HARRIS EMANUEL E & BROOKE A 910 KENSTON DR CLAYTON, CA 94517	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		
119-111-001	BOLIN JEFFREY T & POST CAROL B 975 KENSTON DR CLAYTON, CA 94517	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		
119-111-004	CULLEN JOHN J III & LYNN O 6 KENSTON CT CLAYTON, CA 94517	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		
119-111-007	LINVILLE KATHRYN 11 NEWMAN CT CLAYTON, CA 94517	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		
119-111-010	MARTINEZ ALEJANDRO & DELACERDA CECILIA 1019 KENSTON DR CLAYTON, CA 94517	12/10/2011	8.88	0.89	0.00	0.00	9.77		
		04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$17.76**	**$1.78**	**$0.00**	**$0.00**	**$19.54**		
119-113-012	STREETER GEORGE L & JEANETTE 9 ROLEN CT CLAYTON, CA 94517	12/10/2011	8.88	0.89	0.00	0.00	9.77		
		04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$17.76**	**$1.78**	**$0.00**	**$0.00**	**$19.54**		
119-113-014	DEHM DELPHINE J 2 ROLEN CT CLAYTON, CA 94517	12/10/2011	8.88	0.89	0.00	0.00	9.77		
		04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$17.76**	**$1.78**	**$0.00**	**$0.00**	**$19.54**		

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119-141-009	FINCH ROBERT WILLIAM & DIGRAZIA DONNA MA 216 MOUNTAIRE CIR CLAYTON, CA 94517	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		
119-152-012	TRIMBLE PATRICK A & WENDY F 176 MOUNTAIRE PKWY CLAYTON, CA 94517	12/10/2011	8.88	0.89	0.00	0.00	9.77		
		04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$17.76**	**$1.78**	**$0.00**	**$0.00**	**$19.54**		
119-201-004	MORANO MICHAEL J & STEPHANIE 30 MT SCOTT CT CLAYTON, CA 94517	04/10/2010	8.49	0.85	3.06	0.00	12.40	RL DL	
		04/10/2011	8.64	0.86	1.56	0.00	11.06	RL DL	
		12/10/2011	8.88	0.89	0.00	0.00	9.77	DL	
		04/10/2012	8.88	0.89	0.00	0.00	9.77	DL	
		Account Subtotal:	**$34.89**	**$3.49**	**$4.62**	**$0.00**	**$43.00**		
119-212-025	SPARKS THOMAS A & JODY 372 MT WASHINGTON WAY CLAYTON, CA 94517	04/10/2009	8.43	0.84	4.55	0.00	13.82		
		Account Subtotal:	**$8.43**	**$0.84**	**$4.55**	**$0.00**	**$13.82**		
119-231-005	FOSSAN MICHAEL A & KRISTINA D 1748 MINTWOOD DR CONCORD, CA 94521	12/10/2011	8.88	0.89	0.00	0.00	9.77		
		04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$17.76**	**$1.78**	**$0.00**	**$0.00**	**$19.54**		
119-232-021	BUTTICCI ARMAND IV 2 LONG CREEK CIR CLAYTON, CA 94517	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		

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119-232-022	MIRMOTALEBISOHI HOSSEIN 1 LONG CREEK CIR CLAYTON, CA 94517	12/10/2007	8.19	0.82	5.90	0.00	14.91	RL DL	
		04/10/2008	8.19	0.82	5.90	0.00	14.91	RL DL	
		04/10/2009	8.43	0.84	4.55	0.00	13.82	DL	
		04/10/2010	8.49	0.85	3.06	0.00	12.40	DL	
		12/10/2010	8.64	0.86	1.56	0.00	11.06	DL	
		04/10/2011	8.64	0.86	1.56	0.00	11.06	DL	
		12/10/2011	8.88	0.89	0.00	0.00	9.77	DL	
		04/10/2012	8.88	0.89	0.00	0.00	9.77	DL	
		Account Subtotal:	**$68.34**	**$6.83**	**$22.53**	**$0.00**	**$97.70**		
119-232-029	AYSON LAWRENCE L 4420 SUGARLAND CT CONCORD, CA 94521	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		
119-232-040	ABEL RONALD MATHEW & AILEEN J 25 MT WILSON WAY CLAYTON, CA 94517	12/10/2011	8.88	0.89	0.00	0.00	9.77		
		04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$17.76**	**$1.78**	**$0.00**	**$0.00**	**$19.54**		
119-232-043	ROUSSEAU GLORIA M 40 BANCHIO ST BAY POINT, CA 94565	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		
119-242-025	FEDERAL HM LOAN MORTGAGE CORP c/o: RECONTRUST COMPANY 1800 TAPO CANYON RD SIMI VALLEY, CA 93063	12/10/2011	8.88	0.89	0.00	0.00	9.77		
		04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$17.76**	**$1.78**	**$0.00**	**$0.00**	**$19.54**		
119-290-020	WAGNER ALLEN S 50 MOUNTAIRE PL CLAYTON, CA 94517	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		

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119-301-018	FINN CHARLES M 586 MT DELL DR CLAYTON, CA 94517	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		
119-321-010	TYRYFTER JOAN 45 PETAR CT CLAYTON, CA 94517	04/10/2009	8.43	0.84	4.55	0.00	13.82	RL DL	
		12/10/2009	8.49	0.85	3.06	0.00	12.40	RL DL	
		04/10/2010	8.49	0.85	3.06	0.00	12.40	RL DL	
		12/10/2010	8.64	0.86	1.56	0.00	11.06	RL DL	
		04/10/2011	8.64	0.86	1.56	0.00	11.06	RL DL	
		12/10/2011	8.88	0.89	0.00	0.00	9.77	DL	
		04/10/2012	8.88	0.89	0.00	0.00	9.77	DL	
		Account Subtotal:	**$60.45**	**$6.04**	**$13.79**	**$0.00**	**$80.28**		
119-322-020	ISAKSON DAVID O & ALICE J 2 MIRANGO CT CLAYTON, CA 94517	12/10/2011	8.88	0.89	0.00	0.00	9.77		
		04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$17.76**	**$1.78**	**$0.00**	**$0.00**	**$19.54**		
119-353-012	HAHN MICHAEL & KUEK-HAHN KRISTINA 91 REGENCY DR CLAYTON, CA 94517	12/10/2009	8.49	0.85	3.06	0.00	12.40	RL DL	
		04/10/2010	8.49	0.85	3.06	0.00	12.40	RL DL	
		12/10/2010	8.64	0.86	1.56	0.00	11.06	RL DL	
		04/10/2011	8.64	0.86	1.56	0.00	11.06	RL DL	
		12/10/2011	8.88	0.89	0.00	0.00	9.77	DL	
		04/10/2012	8.88	0.89	0.00	0.00	9.77	DL	
		Account Subtotal:	**$52.02**	**$5.20**	**$9.24**	**$0.00**	**$66.46**		
119-361-011	RAHIMZADEH FARZAN & HELEN 101 OAK CT CLAYTON, CA 94517	12/10/2011	8.88	0.89	0.00	0.00	9.77		
		04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$17.76**	**$1.78**	**$0.00**	**$0.00**	**$19.54**		
119-362-006	SHAD SHAHRIAR S & TAMMY L 220 ROUNDHILL PL CLAYTON, CA 94517	12/10/2011	8.88	0.89	0.00	0.00	9.77		
		04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$17.76**	**$1.78**	**$0.00**	**$0.00**	**$19.54**		

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(2) Delinquency Management Codes: RL=Reminder Sent; DL=Demand Letter Sent; SR=Tax Roll Removal Requested; SC=Tax Roll Removal Confirmed; FL=Foreclosure Letter Sent; OL=Other Letter Sent; FI=Judicial Foreclosure Initiated; CP=County Payment Plan; FH=Judicial Foreclosure on Hold/Special Case; FC=Foreclosure Complete; LIT=Litigation Guarantee; LGL=Legal Fees and Costs; O=Other Fees; SO=Tax Roll Removal County Fee; PP = Payment Plan.

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City of Clayton
CFD 2006-1 Downtown Park Tax
Delinquency Detail Report
Late Charges Calculated Through 06/20/2012

Account ID	Owner	Due Date	Amount	Penalty	Interest	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
119-381-004	AVEN MICHAEL 199 MOUNTAIRE PKWY CLAYTON, CA 94517	12/10/2011	8.88	0.89	0.00	0.00	9.77		
		04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$17.76**	**$1.78**	**$0.00**	**$0.00**	**$19.54**		
119-391-005	PICCHI ANTHONY R 154 MT VERNON DR CLAYTON, CA 94517	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		
119-392-024	HEININK KAZUYO N 9659 E ALLISON WAY SCOTTSDALE, AZ 85262	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		
119-400-003	ALARCON ROY & MELANIE C 3658 MORGAN TERRITORY RD CLAYTON, CA 94517	12/10/2011	262.79	26.28	0.00	0.00	289.07	RL DL	
		04/10/2012	262.79	26.28	0.00	0.00	289.07	DL	
		Account Subtotal:	**$525.58**	**$52.56**	**$0.00**	**$0.00**	**$578.14**		
119-412-010	LAIGN PAUL E JR & ANDREA L 206 MT WILSON PL CLAYTON, CA 94517	12/10/2011	8.88	0.89	0.00	0.00	9.77		
		04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$17.76**	**$1.78**	**$0.00**	**$0.00**	**$19.54**		
119-431-013	BENNETT THOMAS J & SHARON R 260 MOUNTAIRE PKWY CLAYTON, CA 94517	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		
119-451-003	JONES ALLEN PAUL 6117 CASTLETOWN WAY ALEXANDRIA, VA 22310	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		

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City of Clayton
CFD 2006-1 Downtown Park Tax
Delinquency Detail Report
Late Charges Calculated Through 06/20/2012

Account ID	Owner	Due Date	Amount	Penalty	Interest	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
119-451-023	PICKETT WAYLON J & TOBY N 520 E MYRICK CT CLAYTON, CA 94517	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		
119-464-002	SMITH BENJAMIN T & JAKEL-SMITH CINDY 707 BLOCHING CIR CLAYTON, CA 94517	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		
119-464-004	ENGLUND DERRY L & SALLY A 717 BLOCHING CIR CLAYTON, CA 94517	12/10/2011	8.88	0.89	0.00	0.00	9.77		
		04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$17.76**	**$1.78**	**$0.00**	**$0.00**	**$19.54**		
119-472-017	WIGGENHAUSER UWE 114 SAMUEL CT CLAYTON, CA 94517	12/10/2009	8.49	0.85	3.06	0.00	12.40	RL DL	
		04/10/2010	8.49	0.85	3.06	0.00	12.40	RL DL	
		12/10/2010	8.64	0.86	1.56	0.00	11.06	RL DL	
		04/10/2011	8.64	0.86	1.56	0.00	11.06	RL DL	
		12/10/2011	8.88	0.89	0.00	0.00	9.77	DL	
		04/10/2012	8.88	0.89	0.00	0.00	9.77	DL	
		Account Subtotal:	**$52.02**	**$5.20**	**$9.24**	**$0.00**	**$66.46**		
119-480-008	MINGAY BRUCE M & MARY K 7246 MARSH CREEK CIR CLAYTON, CA 94517	12/10/2011	8.88	0.89	0.00	0.00	9.77		
		04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$17.76**	**$1.78**	**$0.00**	**$0.00**	**$19.54**		
119-490-055	LAM PRITCHARD YEE KANG & JOAN 609 MT OLIVET CT CLAYTON, CA 94517	12/10/2011	8.88	0.89	0.00	0.00	9.77		
		04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$17.76**	**$1.78**	**$0.00**	**$0.00**	**$19.54**		

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City of Clayton
CFD 2006-1 Downtown Park Tax
Delinquency Detail Report
Late Charges Calculated Through 06/20/2012

Account ID	Owner	Due Date	Amount	Penalty	Interest	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
119-510-020	KOHLER MICHAEL J & CARYL 297 MOUNTAIRE PKWY CLAYTON, CA 94517	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		
119-530-020	WELTY RANDALL E & ANN L 1146 EASLEY DR CLAYTON, CA 94517	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		
119-542-001	ESPINOZA JAVIER & LETICIA 533 HAMBURG CIR CLAYTON, CA 94517	12/10/2011	8.88	0.89	0.00	0.00	9.77		
		04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$17.76**	**$1.78**	**$0.00**	**$0.00**	**$19.54**		
119-560-008	MOORE MICHAEL & PAMELA 938 DOUGLAS CT CLAYTON, CA 94517	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		
119-583-002	VANLIEW KRISTOPHER L & REBECCA 1242 EASLEY DR CLAYTON, CA 94517	04/10/2011	8.64	0.86	1.56	0.00	11.06		
		Account Subtotal:	**$8.64**	**$0.86**	**$1.56**	**$0.00**	**$11.06**		
119-593-001	DONNELLY MICHAEL R & DENISE 541 HAMBURG CIR CLAYTON, CA 94517	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		
119-600-041	COMBS EDWARD R & CAROL A 117 LA ENCINAL CT CLAYTON, CA 94517	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		

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City of Clayton
CFD 2006-1 Downtown Park Tax
Delinquency Detail Report
Late Charges Calculated Through 06/20/2012

Account ID	Owner	Due Date	Amount	Penalty	Interest	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
119-600-057	SHAHDADI RYALL & ARASH 47 EL PORTAL DR CLAYTON, CA 94517	12/10/2011	8.88	0.89	0.00	0.00	9.77		
		04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$17.76**	**$1.78**	**$0.00**	**$0.00**	**$19.54**		
119-610-023	VILLASENOR STEVEN R & PATRICIA 140 EL PORTAL PL CLAYTON, CA 94517	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		
119-610-035	MARTIN RICHARD C & MARTHA 93 EL PORTAL PL CLAYTON, CA 94517	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		
119-620-045	DICKIE DARREN & KATHLEEN 257 STRANAHAN CIR CLAYTON, CA 94517	04/10/2008	8.19	0.82	5.90	0.00	14.91	RL DL	
		12/10/2008	8.43	0.84	4.55	0.00	13.82	RL DL	
		04/10/2009	8.43	0.84	4.55	0.00	13.82	DL	
		12/10/2009	8.49	0.85	3.06	0.00	12.40	DL	
		04/10/2010	8.49	0.85	3.06	0.00	12.40	DL	
		12/10/2010	8.64	0.86	1.56	0.00	11.06	DL	
		04/10/2011	8.64	0.86	1.56	0.00	11.06	DL	
		12/10/2011	8.88	0.89	0.00	0.00	9.77	DL	
		04/10/2012	8.88	0.89	0.00	0.00	9.77	DL	
		Account Subtotal:	**$77.07**	**$7.70**	**$24.24**	**$0.00**	**$109.01**		
120-011-007	MAHERI ALI NAGHASH 8201 CAMINO MEDIA #APT 2 BAKERSFIELD, CA 93311	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		
120-025-009	HART RUTH A & GOLDSTEIN DAVID & BRENDA PO BOX 164 CLAYTON, CA 94517	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		

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City of Clayton
CFD 2006-1 Downtown Park Tax
Delinquency Detail Report
Late Charges Calculated Through 06/20/2012

Account ID	Owner	Due Date	Amount	Penalty	Interest	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
120-031-011	BAZAN GRANT & LISA H 7 NOTTINGHAM PL CLAYTON, CA 94517	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		
120-032-004	TREMAINE RICHARD E & MARY J 20 NOTTINGHAM CIR CLAYTON, CA 94517	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		
120-052-017	HILL JEFFREY B & KERRY 1491 LYDIA LN CLAYTON, CA 94517	12/10/2009	8.49	0.85	3.06	0.00	12.40	RL DL	
		04/10/2010	8.49	0.85	3.06	0.00	12.40	RL DL	
		12/10/2010	8.64	0.86	1.56	0.00	11.06	RL DL	
		04/10/2011	8.64	0.86	1.56	0.00	11.06	RL DL	
		Account Subtotal:	**$34.26**	**$3.42**	**$9.24**	**$0.00**	**$46.92**		
120-105-008	ZIEMSKI WALTER J & KAREN K 1475 YOSEMITE CIR CLAYTON, CA 94517	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		
121-081-018	SPENCER SHAWN R & MARIBETH M 1013 MITCHELL CANYON RD CLAYTON, CA 94517	04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$8.88**	**$0.89**	**$0.00**	**$0.00**	**$9.77**		
121-082-017	CARLSON SCOTT R & KATHRYN 24 RHINE CT CLAYTON, CA 94517	12/10/2011	8.88	0.89	0.00	0.00	9.77		
		04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$17.76**	**$1.78**	**$0.00**	**$0.00**	**$19.54**		
121-082-024	SHINGLETON ARTHUR JR & ELAINE PO BOX 653 CLAYTON, CA 94517	12/10/2009	8.49	0.85	3.06	0.00	12.40	RL DL	
		04/10/2010	8.49	0.85	3.06	0.00	12.40	RL DL	
		04/10/2011	8.64	0.86	1.56	0.00	11.06	RL DL	
		Account Subtotal:	**$25.62**	**$2.56**	**$7.68**	**$0.00**	**$35.86**		

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City of Clayton
CFD 2006-1 Downtown Park Tax
Delinquency Detail Report
Late Charges Calculated Through 06/20/2012

Account ID	Owner	Due Date	Amount	Penalty	Interest	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
121-090-012	STICE JOHN J & PATRICIA L 895 MITCHELL CANYON RD CLAYTON, CA 94517	12/10/2009	8.49	0.85	3.06	0.00	12.40	RL DL	
		04/10/2010	8.49	0.85	3.06	0.00	12.40	RL DL	
		12/10/2010	8.64	0.86	1.56	0.00	11.06	RL DL	
		04/10/2011	8.64	0.86	1.56	0.00	11.06	RL DL	
		12/10/2011	8.88	0.89	0.00	0.00	9.77	DL	
		04/10/2012	8.88	0.89	0.00	0.00	9.77	DL	
		Account Subtotal:	**$52.02**	**$5.20**	**$9.24**	**$0.00**	**$66.46**		
121-170-020	LEMINGS DONALD R & SANDRA 5770 TAMARACK WAY CLAYTON, CA 94517	12/10/2011	8.88	0.89	0.00	0.00	9.77		
		04/10/2012	8.88	0.89	0.00	0.00	9.77		
		Account Subtotal:	**$17.76**	**$1.78**	**$0.00**	**$0.00**	**$19.54**		
District Totals:	**130 Accounts**		**$4,440.84**	**$444.37**	**$146.64**	**$0.00**	**$5,031.85**		
Report Totals:	**130 Accounts**		**$4,440.84**	**$444.37**	**$146.64**	**$0.00**	**$5,031.85**		

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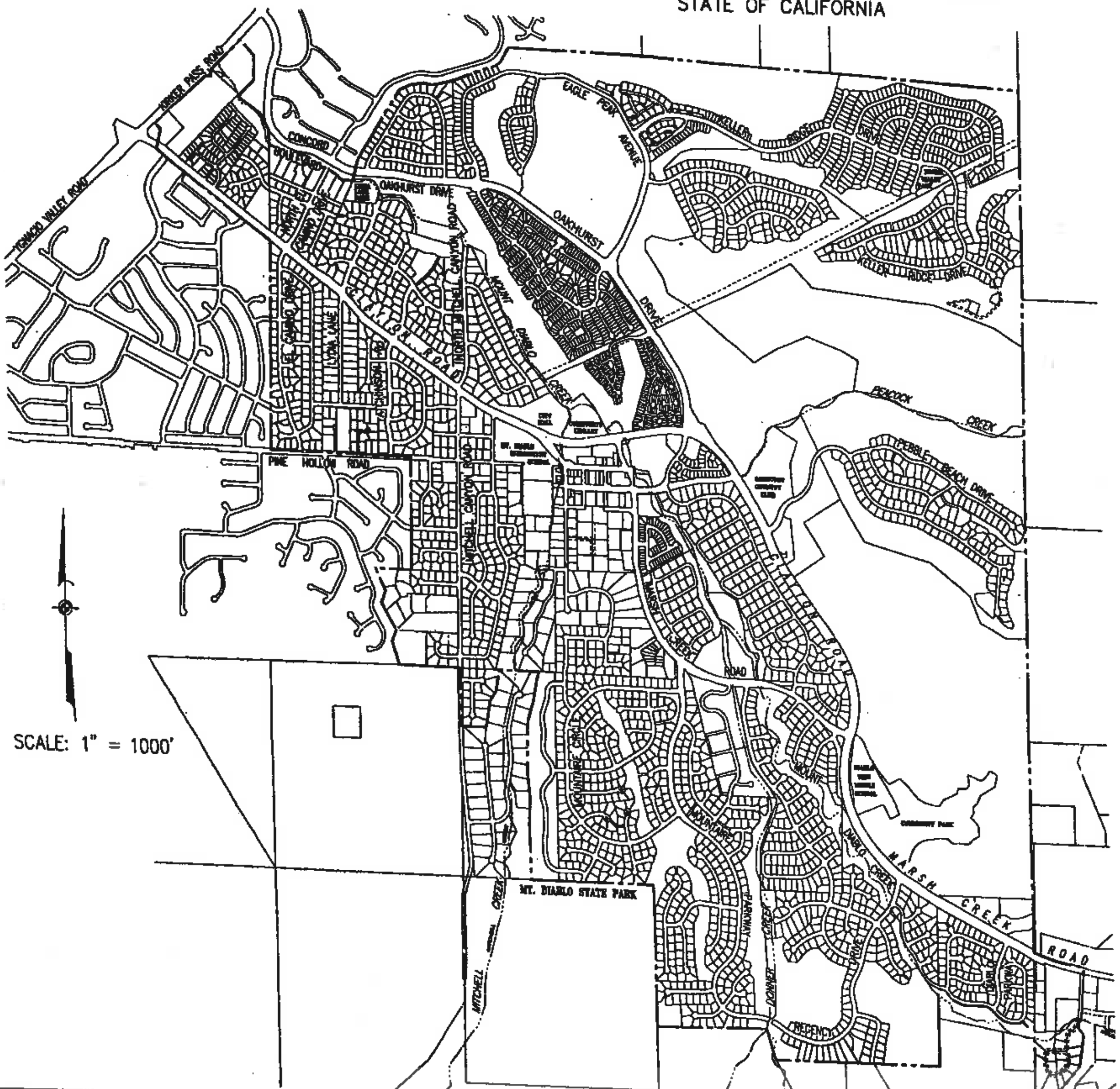
6. 2012/13 SPECIAL TAX ROLL

The following pages show the 2012/13 Special Tax Roll for the District.

PROPOSED B... NDARIES OF

COMMUNITY FACILITIES DISTRICT NO. 2006-1
(DOWNTOWN PARK OPERATION AND MAINTENANCE DISTRICT)

CITY OF CLAYTON, COUNTY OF CONTRA COSTA
STATE OF CALIFORNIA



SCALE: 1" = 1000'

CITY RECORDER'S STATEMENT:

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF CLAYTON, THIS 28th DAY OF April, 2006.

BY: Rhonda K Basore
CITY CLERK
CITY OF CLAYTON

CITY CLERK'S STATEMENT:

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING THE PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NUMBER 2006-1 IN THE CITY OF CLAYTON, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF CLAYTON AT A REGULAR MEETING THEREOF, HELD ON THE 16th DAY OF May, 2006, BY ITS RESOLUTION NO. 19-2006.

BY: Rhonda K Basore
CITY CLERK
CITY OF CLAYTON

RECORDER'S CERTIFICATE:

FILED THIS 31st DAY OF May 2006, AT THE HOUR OF 1:48 ~~O'CLOCK~~ P.M. IN BOOK 79 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS, AT PAGE 50, AND AS INSTRUMENT NUMBER 06-171762 IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA.

06-171762

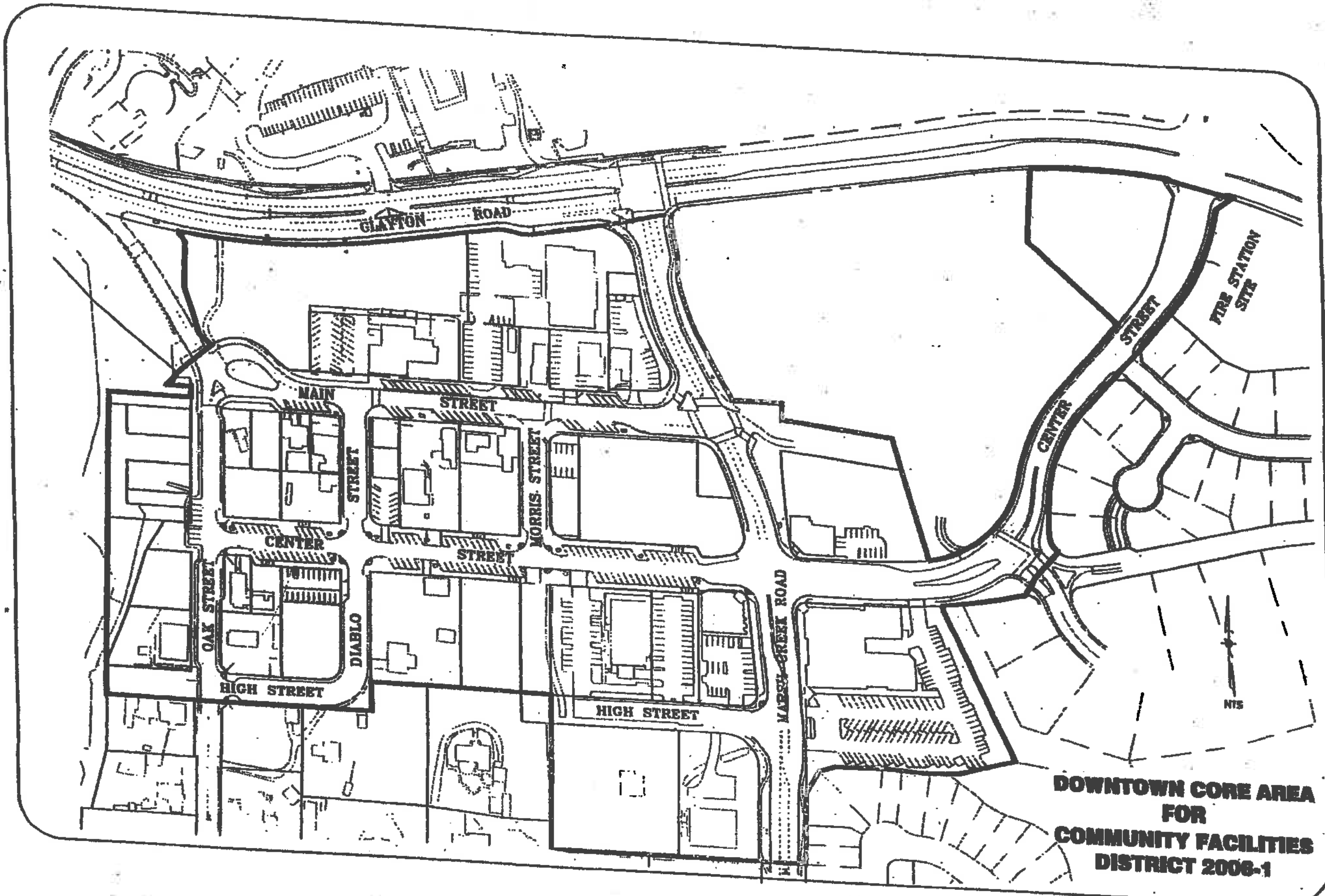
BY: Stephen L. Weir
COUNTY RECORDER
COUNTY OF CONTRA COSTA

BY: [signature]
DEPUTY COUNTY RECORDER

LEGEND

CITY LIMIT LINE AND COMMUNITY FACILITY DISTRICT BOUNDARY

5.31.06 1:48 PM 79-50



DOWNTOWN CORE AREA
FOR
COMMUNITY FACILITIES
DISTRICT 2006-1

6. 2012/13 SPECIAL TAX ROLL

CFD 2006-1 Downtown " The Grove" Park Maintenance District
Special Tax

For fiscal year 2012-2013 the assessor's parcel numbers and the special tax amounts are as set forth in the Community Facilities District No.2006-1 (Downtown "The Grove" Park Maintenance) Preliminary Billing Levy Detail Report for FY 2012-2013 on file in the City Clerk's office, City Hall, 6000 Heritage Trail, Clayton, CA. This report is available for viewing during regular business hours, generally Monday through Friday 9am-5pm, or by calling the Clayton City Clerks office at 673-7304.

Due to the length of the report, it is summarized as follows:

For FY 2012-2013 the following shall be levied:
Residential parcels, (single family, condo, and townhouse) shall have a rate of $18.14 per parcel.

Downtown Core Area shall have a rate of $44.74 per ¼ acre or fraction thereof.

Other Commercial Parcels shall have a rate of $107.30 per ¼ acre or fraction thereof.

Recreation Open Space parcels shall have a rate of $53.64 per ¼ acre or fraction thereof.

Multifamily residential parcels shall have a rate of $56.38 per ¼ acre or fraction thereof

Parcel size as shown on the most recent County tax and parcel records.

There are a total of 4103 parcels to be levied:
There are 4043 residential levies
There are 31 downtown core levies comprising 16acres (or 77 ¼ unit acres)
There are 21 other commercial levies comprising 28 (or 125 ¼ unit acres)
There are 6 recreation levies comprising 31 acres (or 125 ¼ unit acres)
There are 2 multifamily levies comprising 8 acres (or 33 ¼ unit acres)

$73,340.02 est. total revenue from residential
$18,845.34 est. total revenue from downtown core
$13,412.68 est. total revenue from other commercial
$6,705.72 est. total revenue from recreation and open space
$1,860.50 est. total revenue from multifamily
$114,164.26 est. revenue for FY 12-13

laura/Exhibit A rescfd2006-1 fy12-13

ORDINANCE NO. 401

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLAYTON LEVYING SPECIAL TAXES WITHIN COMMUNITY FACILITIES DISTRICT NO. 2006-1 (Downtown Park Operation and Maintenance District)

THE CITY COUNCIL
City of Clayton, California

WHEREAS, on May 16, 2006, the City Council (the "Council") of the City of Clayton (the "City") adopted City Resolution No. 19-2006 entitled *"A Resolution of Intention to Establish a Community Facilities District to fund the Annual Operation and Maintenance of a Downtown Park for the time period of Ten Years, and to Authorize the Levy of Special Taxes Therein"* (the "Resolution of Intention") stating its intent to establish City of Clayton Community Facilities District No. 2006-1 (Downtown Park Operation and Maintenance District) (the "CFD") pursuant to the Mello-Roos Community Facilities Act of 1982, Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing with Section 53311, of the California Government Code (the "Act"), to finance certain services (the "Services"); and

WHEREAS, notice was duly published as required by the Act relative to the intention of this Council to form the CFD and to provide for the Services; and

WHEREAS, this Council held a noticed public hearing on June 20, 2006 as required by Act relative to the determination to proceed with the formation of the CFD and the rate and method of apportionment of the special tax to be levied within the CFD to finance the costs of the Services; and

WHEREAS, at said public hearing all persons desiring to be heard on all matters pertaining to the formation of the CFD and the levy of said special taxes were heard, substantial evidence was presented and considered by this Council and a full and fair hearing was held: and

WHEREAS, subsequent to said public hearing, on June 20, 2006 this Council adopted City Resolution No. 23-2006 entitled *"A Resolution of Formation of a Community Facilities District, Authorizing the Levy of a Special Tax Therein and Preliminarily Establishing an Appropriations Limit Therefor"* (the "Resolution of Formation"), and further adopted City Resolution No. 24-2006 entitled *"A Resolution Calling a Special Election in a Community Facilities District,"* which resolutions established the CFD, authorized the levy of a special tax with the CFD, and called an election within the CFD on the propositions of levying a special tax and establishing an appropriations limit within the CFD, respectively: and

WHEREAS, the November 7, 2006 election was held within the CFD in which the eligible registered voters approved the propositions presented by more than the two-thirds vote required by the Act, which approval was confirmed by City Resolution No. 59-2006 of this Council.

Attachment 4

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF CLAYTON DOES ORDAIN as follows:

Section 1. Special Tax Authorized. By the passage of this Ordinance this Council hereby authorizes and levies special taxes within the CFD pursuant to 53328 and 53340 of the Act, at the rates and in accordance with the method of apportionment set forth in Exhibit B to the Resolution of Formation (the "Rate and Method"). The special taxes are hereby levied commencing in fiscal year 2007-08 and in each fiscal year thereafter through fiscal year 2016-17 for the payment of all costs of the Services and payment of all costs of administering the CFD.

Section 2. Collection Official. Following the approval by the Council of a budget for the CFD for each fiscal year after 2007-08, the City Manager (or his or her designee) (the "Collection Official") is hereby authorized and directed in each fiscal year to determine the specific special tax rate and amount to be levied for the next ensuing fiscal year for each parcel of real property within the CFD, in accordance with such approved budget and in the manner and as provided in the Rate and Method of Apportionment. In the event that this Council has not adopted a budget for the CFD by July 31 of any year, the budget for that fiscal year shall be the same as the budget for the previous fiscal year.

Section 3. Exemptions. Properties or entities of the State, federal or local governments shall be exempt from any levy of the special taxes, as are certain other properties, to the extent set forth in the Rate and Method of Apportionment. In no event shall the special taxes be levied on any parcel within the CFD in excess of the maximum tax specified in the Rate and Method of Apportionment.

Section 4. Use of Special Tax. All of the collections of the special tax shall be used as provided for in the Act, the Rate and Method of Apportionment, and in the Resolution of Formation including, but not limited to, the payment of the costs of the Services, the payment of the costs of the City in administering the CFD and the costs of collecting and administering the special tax.

Section 5. Collection Method. The special taxes of the CFD shall be collected from time to time as necessary to meet the financial obligations of the CFD on the secured real property tax roll in the same manner as ordinary *ad valorem* taxes are collected. In each fiscal year commencing in the fiscal year 2007-08, the Collection Official is authorized and directed to provide all necessary information to the auditor/tax collector of the County of Contra Costa and to otherwise take all actions necessary in order to effect proper billing and collection of the special tax. so that the special tax shall be levied and collected in sufficient amounts and at the times necessary to satisfy the financial obligations of the CFD in each fiscal year until the City shall cease to collect the special taxes and provision has been made for payment of all of the administrative costs of the CFD.

Notwithstanding the foregoing, the Collection Official may collect the special taxes by means of direct billing by the City to the property owners within the CFD if, in the judgment of the Collection Official such means of collection will reduce the administrative burden on the City in administering the CFD or is otherwise appropriate in the circumstances. In such event, the special taxes shall become delinquent if not paid when due as set forth in any such respective billing to the property owners.

Whether the special taxes are levied in the manner provided in the first or the second preceding paragraph, the special taxes shall have the same lien priority, and be subject to the same penalties and the same procedure and sale in cases of delinquency as provided for ad valorem taxes. In addition, the provisions of Section 53356.1 of the Act shall apply to delinquent special tax payments.

Section 6. Partial Invalidity. If for any reason any portion of this ordinance is found to be invalid, or if the special tax is found inapplicable to any particular parcel within the CFD, by a Court of competent jurisdiction, the balance of this ordinance and the application of the special tax to the remaining parcels within the CFD shall not be affected.

Section 7. Execution and Posting. The Mayor shall sign this Ordinance and the City Clerk, within fifteen (15) days after its passage, shall cause the same to be posted in three (3) public places as designated by Resolution of the Clayton City Council for the posting of ordinances and public notices.

* * * * * *

The foregoing Ordinance was introduced at a regular public meeting of the City Council of the City of Clayton held on December 19, 2006.

PASSED, ADOPTED and ORDERED posted at a regular public meeting of the City Council of the City of Clayton, California held on January 2, 2007, by the following vote:

AYES: Mayor Walcutt, Vice Mayor Manning, Councilmembers Pierce, Shuey, and Stratford

NOES: None

ABSENT: None

ABSTAIN: None

THE CITY COUNCIL OF CLAYTON, CA

W R Walcutt

WILLIAM R. WALCUTT, Mayor

ATTEST:

Laci J. Jackson, City Clerk

APPROVED AS TO FORM:

J. Daniel Adams, City Attorney

APPROVED BY ADMINISTRATION:

Gary A. Napper, City Manager

I hereby certify that the foregoing Ordinance was duly introduced at a regular meeting of the City Council of the City of Clayton held on December 19, 2006, and was duly adopted, passed, and ordered posted at a regular meeting of the City Council held on January 2, 2007.

Laci J. Jackson

Laci J. Jackson, City Clerk

RESOLUTION NO. 23-2006

A RESOLUTION OF FORMATION OF A COMMUNITY FACILITIES DISTRICT, AUTHORIZING THE LEVY OF A SPECIAL TAX THEREIN AND PRELIMINARILY ESTABLISHING AN APPROPRIATIONS LIMIT THEREFOR

City of Clayton, California
Community Facilities District 2006-1
(Downtown Park Operation and Maintenance District)

WHEREAS, on May 16, 2006, this Council adopted Resolution No. 19-2006 entitled "A Resolution of Intention to Establish a Community Facilities District to Fund the Annual Operation and Maintenance of a Downtown Park for a Time Period of Ten Years, and to Authorize the Levy of Special Taxes Therein" (the "Resolution of Intention"), stating its intention to form the City of Clayton Community Facilities District No. 2006-1 (Downtown Park Operation and Maintenance District) (the "CFD"), pursuant to the Mello-Roos Community Facilities Act of 1982, Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing with Section 53311, of the California Government Code (the "Act"); and

WHEREAS, the Resolution of Intention, incorporating a map of the proposed boundaries of the CFD and stating the Services (as described herein) to be provided, the estimated maximum cost of providing such Services, and the rate and method of apportionment of the special tax to be levied within the CFD to pay for the Services (as hereafter defined) with respect to the CFD, are each on file with the City Clerk and the provisions thereof are incorporated herein by this reference as if fully set forth herein; and

WHEREAS, on June 20, 2006, this City Council held a noticed public hearing as required by the Act and the Resolution of Intention relative to the proposed formation of the CFD; and

WHEREAS, at said hearing all interested persons desiring to be heard on all matters pertaining to the formation of the CFD, the Services to be provided therein and the levy of said special tax were heard and a full and fair hearing was held; and

WHEREAS, at said hearing evidence was presented to this Council on said matters before it, including a report by the City Manager (the "Report") as to the Services to be provided through the CFD and the costs thereof, a copy of which is on file with the City Clerk, and this Council at the conclusion of said hearing is fully advised in the premises; and

WHEREAS, written protests with respect to the formation of the CFD, the furnishing of specified types of Services and the rate and method of apportionment of the special taxes have not been filed with the City Clerk of the City by fifty percent (50%) or more of the registered voters residing within the territory of the CFD or property owners of one-half (1/2) or more of the area of land within the CFD and not exempt from the special tax; and

WHEREAS, the special tax proposed to be levied in the CFD to pay for the proposed Services to be provided therein, as set forth in Exhibit A hereto, has not been eliminated by protest by fifty percent (50%) or more of the registered voters residing within the territory of the CFD or the owners of one-half (1/2) or more of the area of land within the CFD and not exempt from the special tax.

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

1. Recitals. The foregoing recitals are true and correct.

2. No Majority Protest. The proposed special tax to be levied within the CFD has not been precluded by majority protest pursuant to Section 53324 of the Act.

3. Prior Proceedings. All prior proceedings taken by this Council in connection with the establishment of the CFD and the levy of the special tax have been duly considered and are hereby found and determined to be valid and in conformity with the requirements of the Act. This Council hereby finds and determines that the CFD is in conformity with the goals and policies heretofore adopted by this Council with respect to the formation of the CFD.

4. CFD Established. The community facilities district designated "City of Clayton Community Facilities CFD No. 2006-1 (Downtown Park Operation and Maintenance District)" is hereby established pursuant to the Act.

5. Boundaries Described. The boundaries of the CFD, as set forth in the map of the CFD heretofore recorded in the Contra Costa County Recorder's Office on May 31, 2006 in Book 79 at page 50 of Maps of Assessment and Community Facilities Districts, are hereby approved and incorporated herein by reference and shall be the boundaries of the CFD.

6. Services. The type of public Services proposed to be financed by the CFD and pursuant to the Act shall consist of those items listed as Services on Exhibit A attached hereto and by this reference incorporated herein (the "Services").

7. Special Taxes. Except to the extent that funds are otherwise available to the CFD to pay for the Services, a special tax sufficient to pay the costs thereof, secured by a continuing lien against all non-exempt real property in the CFD, will be levied annually within the CFD, and collected in the same manner as ordinary *ad valorem* property taxes or in such other manner as this Council or its designee shall determine, including direct billing of the affected property owners. The proposed rate and method of apportionment of the special tax among the parcels of real property within the CFD, in sufficient detail to allow each landowner within the proposed CFD to estimate the probable maximum amount such owner will have to pay, are described in Exhibit B attached hereto and by this reference incorporated herein.

8. Tax Collector City. The City Manager, 6000 Heritage Trail, Clayton, California, 94517 telephone number (925) 673-7300 is the officer of the City who will be responsible for preparing annually a current roll of special tax levy obligations by assessor's parcel number and who will be responsible for estimating future special tax levies pursuant to Section 53340.2 of the Act.

9. Tax Lien. Upon recordation of a notice of special tax lien pursuant to Section 3114.5 of the California Streets and Highways Code, a continuing lien to secure each

levy of the special tax shall attach to all nonexempt real property in the CFD and this lien shall continue in force and effect until the special tax obligation ceases and the lien canceled in accordance with law or until collection of the tax by the City ceases.

10. Appropriations Limit. In accordance with Section 53325.7 of the Act, the annual appropriations limit, as defined by subdivision (h) of Section 8 of Article XIII B of the California Constitution, of the CFD is hereby preliminarily established at $100,600.00 and said appropriations limit shall be submitted to the voters of the CFD as hereafter provided. The proposition establishing said annual appropriations limit shall become effective if approved by the qualified electors voting thereon and shall be adjusted in accordance with the applicable provisions of Section 53325.7 of the Act.

11. Election. Pursuant to the provisions of the Act, the proposition of the levy of the special tax and the proposition of the establishment of the appropriations limit specified above shall be submitted to the qualified electors of the CFD at an election the time, place and conditions of which election shall be as specified by a separate resolution of this Council.

12. Effective Date. This Resolution shall take effect upon its adoption.

* * * * * *

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California at a regular public meeting thereof held the 20th day of June 2006, on the following vote:

AYES: Councilmember Laurence, Manning, Pierce, Vice Mayor Walcutt and Mayor Shuey.

NOES: None.

ABSENT: None.

ABSTAIN: None.

THE CITY COUNCIL OF CLAYTON, CA

David T. Shuey

DAVID T. SHUEY, MAYOR

ATTEST:

Rhonda K Basore

Rhonda K. Basore, City Clerk

EXHIBIT A

CITY OF CLAYTON
Community Facilities District 2006-1
(Downtown Park Operation and Maintenance District)

DESCRIPTION OF SERVICES TO BE FINANCED BY THE CFD

The Services that are proposed to be financed by the City of Clayton Community Facilities District 2006-1 (Downtown Park Operation and Maintenance District) (the "CFD") shall include the attributable costs of operation, maintenance, repair and replacement of:

A. Downtown Park – which includes but is not limited to:

Costs of operation, maintenance, repair and replacement of an approximate 1-acre public park (APN 119-015-005,006) abutting the western edge of (old) Marsh Creek Road between Main and Center Streets located in Town Center Clayton.

Definition

"Costs of Operation, Maintenance, Repair and Replacement" of the foregoing public park improvements means the furnishing of services and materials for the ordinary and usual operation, maintenance and care of a downtown public park with its appurtenant facilities, public restroom, gazebo, playground equipment and improvements, including repair, removal or replacement of all or part of any landscaping or turf or appurtenant facilities providing for the life, growth, health and beauty of the landscaping, including cultivation, irrigation, trimming, pruning, spraying, fertilizing and treating for disease or injury; the removal of trimmings, rubbish, debris, litter and other solid wastes; and the eradication of landscape pests, including but not limited to vermin and rodents, ground squirrels, gophers, and moles.

"Maintenance" also means the furnishing of water for public health purposes and irrigation of the park turf, trees and landscaping, and the supply of electricity to operate the attendant irrigation systems, park lights and electrical outlets. In addition, allowable expenses include the County's cost to levy and collect the District's assessment through the annual property tax bill, the City's shared equipment and facilities charges, City prorated overhead charges to administer and manage the District, and District reserve funds for capital replacements, vandalism and major repairs.

The foregoing services shall be provided through and by the City of Clayton, either with its own labor forces or by contract with third parties, or any combination thereof, as determined solely by the City of Clayton.

EXHIBIT B

CITY OF CLAYTON
Community Facilities District 2006-1
(Downtown Park Operation and Maintenance District)

RATE AND METHOD OF LEVY OF SPECIAL TAX

A special tax will be levied annually on each taxable parcel of land not defined below as an "Exempt Parcel" within the Community Facilities District 2006-1 (Downtown Park Operation and Maintenance District) (the "CFD") and collected in the same manner as ordinary ad-valorem property taxes or in such manner as the City of Clayton City Council or its designee shall determine, including City-originated billing of the affected property owners.

Definitions

Taxable Parcels:	Parcels of land within the boundaries of the CFD that are not included in the "Exempt Parcel" category listed below.
Exempt Parcels:	Parcels of land owned by a public school district, and parcels of land owned by the City of Clayton or the Clayton Redevelopment Agency outside the boundaries of the defined Downtown Core area (see map, Attachment 1 of Exhibit B).
Residential Parcels:	Taxable Parcels of land in the District that are classified in the City of Clayton General Plan as either single-family, multi-family or rural estate residential parcels.
Downtown Core Parcels:	Taxable Parcels within the Downtown Core area that are not classified as "Residential Parcels".
Other Commercial Parcels:	Taxable Parcels outside the boundaries of the Downtown Core area that are not classified as "Residential Parcels", "Recreational Open Space Parcels" or "Multi-Family Residential Care Facilities".
Recreational Open Space Parcels:	Taxable Parcels classified as "Private Golf Course" in the City of Clayton General Plan.
Multi-Family Residential Care Facilities Parcels:	Taxable Parcels having institutional or congregate care residential units within a facility with an on-site manager.
Special Tax:	The special tax allowed to be levied on property within the CFD, calculated pursuant to this Rate and Method of Apportionment of Special Tax.

Special Tax Formula

A. Residential Parcels:

An annual special tax will be levied on all Residential Parcels, as defined above, at the per parcel tax rate shown below for each fiscal year 2007-2008 through 2016-2017:

Residential Parcel Annual Special Tax Rate: $16.39 per parcel.

B. Downtown Core Parcels:

An annual special tax will be levied on all non-Residential Parcels within the Downtown Core area (see map, Attachment 1), at the per ¼-acre or fraction thereof parcel rate shown below for each fiscal year 2007-2008 through 2016-2017:

Downtown Core Parcel Annual Special Tax Rate: $221.05 per ¼-acre or fraction thereof parcel size as shown on the County tax roll.

C. Other Commercial Parcels:

An annual special tax will be levied on all non-Residential Parcels outside the Downtown Core area, as defined above, at the per ¼-acre or fraction thereof parcel rate shown below for each fiscal year 2007-2008 through 2016-2017:

Other Commercial Parcel Annual Special Tax Rate: $96.92 per ¼-acre or fraction thereof parcel size as shown on the County tax roll.

D. Recreational Open Space Parcels:

An annual special tax will be levied on all Private Golf Course Parcels, as defined above, at the per ¼-acre or fraction thereof parcel rate shown below for each fiscal year 2007-2008 through 2016-2017:

Recreational Open Space Parcel Annual Special Tax Rate: $48.46 per ¼-acre or fraction thereof parcel size as shown on the County tax roll.

E. Multi-Family Residential Care Facilities Parcels:

An annual special tax will be levied on all Multi-Family Residential Care Facilities Parcels, as defined above, at the per ¼-acre or fraction thereof parcel rate shown below for each fiscal year 2007-2008 through 2016-2017:

Multi-Family Residential Care Facilities Parcel Annual Special Tax Rate: $50.92 per ¼-acre or fraction thereof parcel size as shown on the County tax roll.

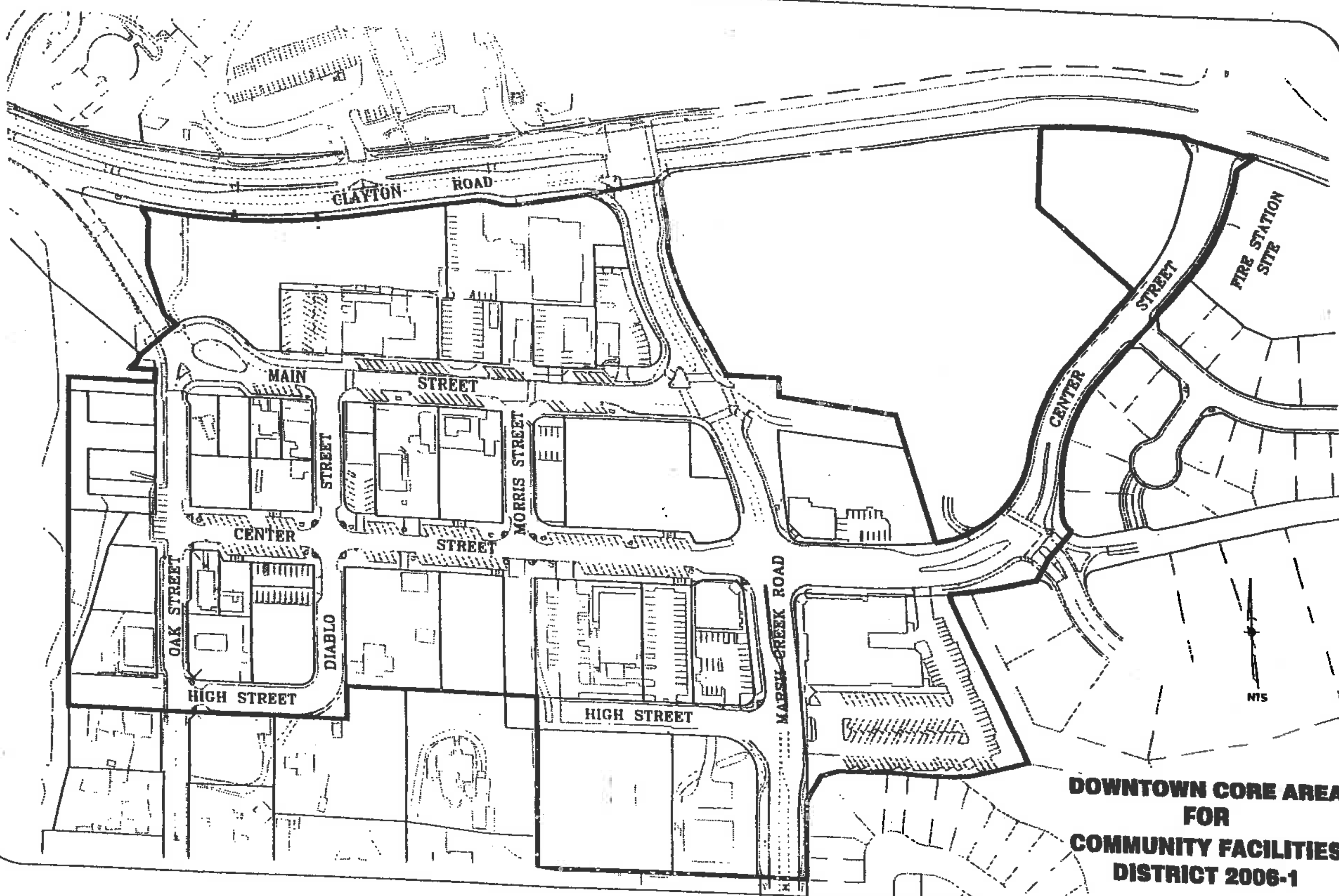
Duration of Special Tax Levy

The special tax will be levied annually for a period of ten (10) years commencing in fiscal year 2007-2008 (July - June) through and including fiscal year 2016-2017. After the ten (10) year duration has expired the special tax may no longer be levied or collected unless extended pursuant to applicable laws, except that a special tax that was lawfully levied in or before the final tax year and that remains delinquent may be collected in subsequent years.

Special Tax Escalator Factor

In fiscal years 2008-2009 through 2016-2017, each special annual tax rate may be increased annually by the Clayton City Council in an amount not to exceed the most recent full annual adjustment (April to April) in the Consumer Price Index – All Urban Consumers, San Francisco-Oakland-San Jose, CA Area (Base Period 1982-84 = 100). This escalator factor is applicable if determined by the City to be necessary due to expected or actual increases in the operational, maintenance, repair and replacement expenses funded by the CFD. In no event shall each annual special tax rate in any fiscal year increase by more than three percent (3%) over the previous year.

Attachment 1: Map of Downtown Core area [1 pg.]



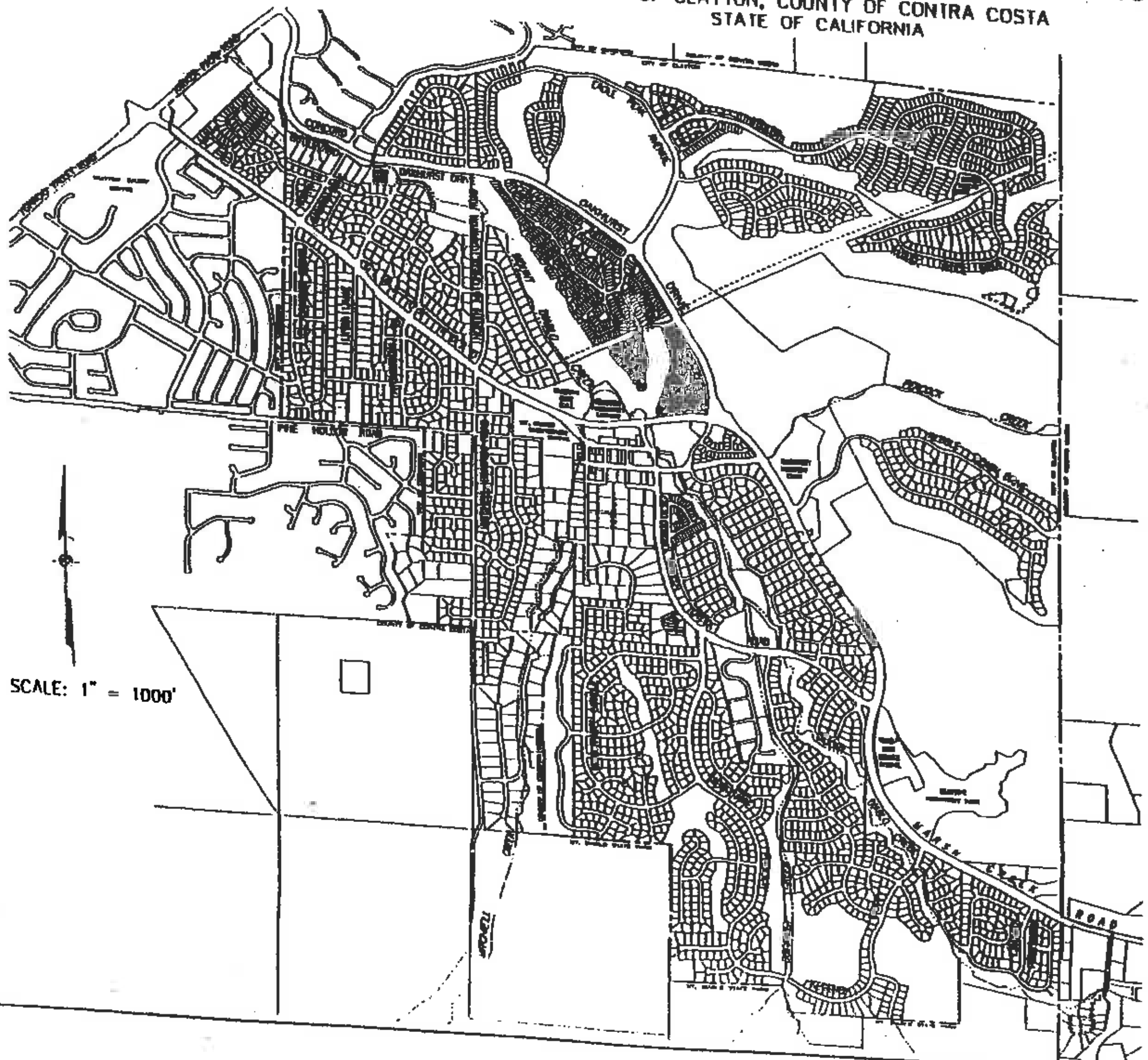
DOWNTOWN CORE AREA FOR COMMUNITY FACILITIES DISTRICT 2006-1

EXHIBIT C

EXH C

PROPOSED BOUNDARIES OF
COMMUNITY FACILITIES DISTRICT NO. 2006-1
(DOWNTOWN PARK OPERATION AND MAINTENANCE DISTRICT)

CITY OF CLAYTON, COUNTY OF CONTRA COSTA
STATE OF CALIFORNIA



CITY RECORDER'S STATEMENT:

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF CLAYTON, THIS _____ DAY OF __________, 2006.

BY:______________________

CITY CLERK
CITY OF CLAYTON

CITY CLERK'S STATEMENT:

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING THE PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NUMBER 2006-1 IN THE CITY OF CLAYTON, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF CLAYTON AT A REGULAR MEETING THEREOF, HELD ON THE _____ DAY OF _________, 2006, BY ITS RESOLUTION NO.________

BY:______________________

CITY CLERK
CITY OF CLAYTON

RECORDER'S CERTIFICATE:

FILED THIS _____ DAY OF ____________ 2006, AT THE HOUR OF ___ O'CLOCK ___M. IN BOOK ______ OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS, AT PAGE _____, AND AS INSTRUMENT NUMBER ________ IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA.

BY:______________________

COUNTY RECORDER
COUNTY OF CONTRA COSTA

BY:______________________

DEPUTY COUNTY RECORDER

LEGEND

— — — — CITY LIMIT LINE AND COMMUNITY FACILITY DISTRICT BOUNDARY

RESOLUTION NO. 24-2006

A RESOLUTION CALLING A SPECIAL ELECTION IN A COMMUNITY FACILITIES DISTRICT

CITY OF CLAYTON
Community Facilities District 2006-1
(Downtown Park Operation and Maintenance District)

WHEREAS, on this date, this Council adopted its Resolution No. 23-2006 entitled "A Resolution of Formation of a Community Facilities District, Authorizing the Levy of Special Taxes Therein and Preliminarily Establishing an Appropriations Limit Therefor" (the "Resolution of Formation"), ordering the formation of the City of Clayton Community Facilities District No. 2006-1 (Downtown Park Operation and Maintenance District) (the "CFD"), authorizing the levy of a special tax on real property within the CFD and preliminarily establishing an appropriations limit for the CFD, all pursuant to the Mello-Roos Community Facilities Act of 1982, Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing with Section 53311, of the California Government Code (the "Act"); and

WHEREAS, pursuant to the provisions of the Resolution of Formation, the propositions of the levy of the special tax and the establishment of the appropriations limit shall be submitted to the qualified electors of the CFD at a special election as required by the Act; and

WHEREAS, this Council desires that the special election be consolidated with the statewide general election to occur on November 7, 2006 and that the proposition be included on the ballot for the statewide general election which ballot is prepared by the officer charged with the duty of conducting the statewide general election for the County of Contra Costa, such official being the Registrar of Voters of the County of Contra Costa (the "Election Official"); and

WHEREAS, Section 9280 of the Elections Code of the State of California authorizes the filing of an impartial analysis and Sections 9281 to 9287 of said code authorize the filing of written arguments for or against any ballot proposition, and, if adopted by the City Council, rebuttal arguments.

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

1. Issue Submitted. Pursuant to Sections 53326 and 53325.7 of the Act, the issue of the levy of said special tax and the establishment of the appropriations limit shall be submitted to the qualified electors (as defined below) of the CFD at an election called therefor as provided below. The question to be voted upon as it shall appear on the ballot shall be as follows:

> *Shall the Downtown Park's annual operation and maintenance expenses be funded for a period of 10 years by the formation of a citywide Community Facilities District with an initial appropriations limit of $100,600 and an annual levy of special taxes?*

The full text of the measure to be printed in the Voter Pamphlet shall include the "Description of Services to Be Financed by the CFD" and the "Rate and Method of Levy of Special Tax", attached as Exhibits "A" and "B"; respectively, to the Resolution of Formation of a Community Facilities District (Resolution No. 23-2006).

2. Qualified Electors. Pursuant to Section 53326 of the Act, the vote shall be by the registered voters of the proposed CFD, with each voter having one vote.

3. Conduct of Election. This Council hereby calls a special election (the "Election") to consider the measure described in paragraph 1 above, which election shall be held in the next general election on November 7, 2006, and conducted by the Election Official. Within three business days of the adoption of this Resolution, the City Clerk shall provide to the Election Official a copy of this Resolution, a certified map of the proposed boundaries of the CFD, and a sufficient description to allow the Election Official to determine the boundaries of the CFD.

The Election is hereby ordered consolidated with the statewide general election to be held within the City on said date, and within the territory affected by the consolidation, the election shall be held and conducted, election officers appointed, voting precincts designated, ballots printed, polls opened and closed, ballots counted and returned, returns canvassed, results declared, and all other proceedings incidental to and connected with the election shall be regulated and done in accordance with the provisions of law regulating the statewide general election and specified herein. The precincts used at the consolidated election shall be those used for the statewide general election, and, where necessary, the County Clerk may adjust precinct lines to coincide with the boundaries of the City. The Board of Supervisors of the County of Contra Costa is hereby requested to order the consolidation of the Election hereby called with said statewide general election, and to permit the County Clerk and the County Election Department to render services relating to the conduct of said election, which services will be determined by the City and the County Election Department, and the Board of Supervisors of the County of Contra Costa is hereby authorized to canvass the returns of said special municipal election, and said election shall be held in all respects as if there were only one election, only one form of ballot shall be used and the returns of the election need not be canvassed by the City Council. The City Clerk is hereby authorized and directed to work with the Elections Official and other appropriate officials of the County to ensure that the applicable requirements of the Elections Code are met.

4. Ballot Materials. The City Attorney is hereby requested to prepare and to provide to Election Official the ballot material described in Section 53327 of the Act.

(a) Impartial Analysis. The City Clerk is hereby directed to submit to the City Attorney a certified copy of the measure set forth above. The City Attorney is hereby authorized and directed to prepare an impartial analysis of the measures showing the effect of the measures on the existing law and the operation of the measures, said analysis to be submitted by the City Attorney to the Election Official for printing before the arguments for and against the measure. The analysis shall not exceed 500 words in length and shall otherwise comply in all respects with the applicable provisions of the Elections Code of the State of California. The deadline date for the submittal of the analysis and primary arguments shall be August 14, 2006.

5. Filing of Primary and Rebuttal Arguments. The deadline for filing primary arguments concerning the ballot measure is August 14, 2006. Provisions for Rebuttal arguments have been previously adopted by the Council. Rebuttal arguments must be filed by August 21, 2006.

6. Effective Date. This Resolution shall take effect upon its adoption.

* * * * * *

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California at a regular public meeting thereof held the 20th day of June 2006 on the following vote:

AYES: Councilmember Laurence, Manning, Pierce, Vice Mayor Walcutt and Mayor Shuey.

NOES: None.

ABSENT: None.

ABSTAIN: None.

THE CITY COUNCIL OF CLAYTON, CA

David T. Shuey

DAVID T. SHUEY, MAYOR

ATTEST:

Rhonda K Basore

Rhonda K. Basore, City Clerk

RESOLUTION NO. 19-2006

A RESOLUTION OF INTENTION TO ESTABLISH A COMMUNITY FACILITIES DISTRICT TO FUND THE ANNUAL OPERATION AND MAINTENANCE OF A DOWNTOWN PARK FOR A TIME PERIOD OF TEN YEARS, AND TO AUTHORIZE THE LEVY OF SPECIAL TAXES THEREIN

The City Council
City of Clayton, California
Community Facilities District 2006-1
(Downtown Park Operation and Maintenance District)

WHEREAS, under the Mello-Roos Community Facilities Act of 1982, as amended (the "Act") Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing at Section 53311, of the California Government Code (the "Act"), this City Council may be the legislative body for the proposed community facilities district and is empowered with the authority to establish the community facilities district; and

WHEREAS, this City Council now desires to proceed with the establishment of a community facilities district in order to finance the costs of operation, maintenance, repair and replacement services at an approximate 1-acre public park (APN 119-015-005,006) located in the Clayton Town Center (the "Services");

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

1. Recitals. The City Council does hereby find and affirm the above noted Recitals are true and correct facts and information relative to the proceedings at hand.

2. Authority. This Council proposes to conduct proceedings to establish a community facilities district pursuant to the Act.

3. Name of CFD. The name proposed for the community facilities district is City of Clayton Community Facilities District No. 2006-1 (Downtown Park Operation and Maintenance District) (the "CFD").

4. Boundaries Described. The proposed boundaries of the CFD are as shown on the map of it (Exhibit C) on file with the City Clerk, dated 28 April 2006, which boundaries are hereby preliminarily approved and to which map reference is hereby made for further particulars. The City Clerk is hereby directed to record, or cause to be recorded, said map of the boundaries of the CFD in the office of the County Recorder of the County of Contra Costa (the County) within fifteen days of the date of adoption of this Resolution, but in any event at least fifteen days prior to the public hearing specified in paragraph 10 below. The boundaries of the CFD shall also include any parcels subsequently annexed to the City and the CFD.

5. Services. The types of public services proposed to be financed by the CFD and pursuant to the Act shall consist of all or a portion of those items listed on Exhibit A hereto and hereby incorporated herein.

6. Special Tax. Except to the extent that funds are otherwise available to the CFD to pay for the Services, a special tax (the "Special Tax") sufficient to pay the costs thereof, secured by recordation of a continuing lien against all non-exempt real property in the CFD, will be levied annually within the CFD, and collected in the same manner as ordinary *ad valorem* property taxes or in such other manner as this City Council or its designee shall determine, including direct billing of the affected property owners. The proposed rate and method of apportionment of the Special Tax among the parcels of real property within the CFD in sufficient detail to allow each landowner within the proposed CAD to estimate the maximum amount such owner will have to pay, are described in Exhibit B attached hereto and hereby incorporated herein.

This Council hereby finds that the provisions of Section 53313.6, 53313.7 and 53313.9 of the Act (relating to adjustments to *ad valorem* property taxes and schools financed by a community services district) are inapplicable to the proposed CFD.

7. Exempt Property. Except as may otherwise be provided by law or by the rate and method of apportionment of the Special Tax for the CFD specified in Exhibit B, all lands owned by any public entity, including the United States, the State of California, the County and/or the City or any departments or political subdivisions thereof, shall be omitted from the levy of the Special Tax to be made to cover the costs and expenses of the Services and the CFD. In the event that a portion of the property within the CFD shall become for any reason exempt, wholly or in part, from the levy of the Special Tax, this City Council will, on behalf of the CFD, increase the levy to the extent necessary upon the remaining property within the CFD which is not exempt in order to yield the required amounts to pay for the Services of the CFD, if any, subject to the provisions of the rate and method of apportionment of the Special Tax.

8. Voting Procedure. The levy of the Special Tax shall be subject to the approval of the qualified electors of the CFD in the next general election held in November 2006. The proposed voting procedure shall be by registered voters within the proposed CFD, with each voter having one vote.

9. CFD Report. The City Manager of the City as the officer having charge and control of the Services in and for the CFD, or his designee, is hereby directed to study said proposed Services and to make, or cause to be made, and file with the City Clerk a report in writing, (the "CFD Report") presenting the following:

(a) A description of the Services by type which will be required to adequately meet the needs of the CFD.

(b) An estimate of the fair and reasonable cost of the Services including incidental expenses in connection therewith.

The CFD Report shall be made a part of the record of the public hearing specified below.

10. Public Hearing. Tuesday, June 20, 2006, at 7:00 p.m., or as soon as possible thereafter, in the Community Library Meeting Room, 6125 Clayton Road, Clayton, California, be, and the same are hereby appointed and fixed as the time and place when and where this Council, as legislative body for the CFD, will conduct a public hearing on the establishment of the CFD and consider and finally determine whether the public interest, convenience and necessity require the formation of the CFD and the levy of the Special Tax.

11. Notice of Hearing. The City Clerk is hereby directed to cause notice of the public hearing to be given by publication one time in the *Contra Costa Times*, a newspaper circulated in the area of the CFD. The publication shall be completed al least seven days before the date herein set for the hearing. The notice shall be substantially in the form specified in Section 53322 of the Act, with the form summarizing the provisions hereof hereby specifically approved.

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California at a regular public meeting thereof held this 16th day of May 2006 on the following vote:

AYES: Councilmember Laurence, Manning, Pierce, Vice Mayor Walcutt and Mayor Shuey.

NOES: None.

ABSENT: None.

ABSTAIN: None.

THE CITY COUNCIL OF CLAYTON, CA

David T. Shuey

David T. Shuey, Mayor

ATTEST:

Rhonda K Basore

Rhonda K. Basore
City Clerk

I hereby certify that Resolution No. 19-2006 was duly and regularly passed by the City Council of the City Of Clayton at a regular meeting held on May 16, 2006

Rhonda K Basore

Rhonda K. Basore, City Clerk

Exhibit A — Description of Services to be Financed by CFD
Exhibit B — Rate and Method of Levy of Special Tax
Exhibit C - Map of CFD 2006-1

EXHIBIT A

CITY OF CLAYTON
Community Facilities District 2006-1
(Downtown Park Operation and Maintenance District)

DESCRIPTION OF SERVICES TO BE FINANCED BY THE CFD

The Services that are proposed to be financed by the City of Clayton Community Facilities District 2006-1 (Downtown Park Operation and Maintenance District) (the "CFD") shall include the attributable costs of operation, maintenance, repair and replacement of:

A. Downtown Park - which includes but is not limited to:

Costs of operation, maintenance, repair and replacement of an approximate 1-acre public park (APN 119-015-005,006) abutting the western edge of (old) Marsh Creek Road between Main and Center Streets located in Town Center Clayton.

Definition

"Costs of Operation, Maintenance, Repair and Replacement" of the foregoing public park improvements means the furnishing of services and materials for the ordinary and usual operation, maintenance and care of a downtown public park with its appurtenant facilities, public restroom, gazebo, playground equipment and improvements, including repair, removal or replacement of all or part of any landscaping or turf or appurtenant facilities providing for the life, growth, health and beauty of the landscaping, including cultivation, irrigation, trimming, pruning, spraying, fertilizing and treating for disease or injury; the removal of trimmings, rubbish, debris, litter and other solid wastes; and the eradication of landscape pests, including but not limited to vermin and rodents, ground squirrels, gophers, and moles.

"Maintenance" also means the furnishing of water for public health purposes and irrigation of the park turf, trees and landscaping, and the supply of electricity to operate the attendant irrigation systems, park lights and electrical outlets. In addition, allowable expenses include the County's cost to levy and collect the District's assessment through the annual property tax bill, the City's shared equipment and facilities charges, City prorated overhead charges to administer and manage the District, and District reserve funds for capital replacements, vandalism and major repairs.

The foregoing services shall be provided through and by the City of Clayton, either with its own labor forces or by contract with third parties, or any combination thereof, as determined solely by the City of Clayton.

EXHIBIT B

CITY OF CLAYTON
Community Facilities District 2006-1
(Downtown Park Operation and Maintenance District)

RATE AND METHOD OF LEVY OF SPECIAL TAX

A special tax will be levied annually on each taxable parcel of land not defined below as an "Exempt Parcel" within the Community Facilities District 2006-1 (Downtown Park Operation and Maintenance District) (the "CFD") and collected in the same manner as ordinary ad-valorem property taxes or in such manner as the City of Clayton City Council or its designee shall determine, including City-originated billing of the affected property owners.

Definitions

Taxable Parcels:	Parcels of land within the boundaries of the CFD that are not included in the "Exempt Parcel" category listed below.
Exempt Parcels:	Parcels of land owned by a public school district, and parcels of land owned by the City of Clayton or the Clayton Redevelopment Agency outside the boundaries of the defined Downtown Core area (see map, Attachment 1 of Exhibit B).
Residential Parcels:	Taxable Parcels of land in the District that are classified in the City of Clayton General Plan as either single-family, multi-family or rural estate residential parcels.
Downtown Core Parcels:	Taxable Parcels within the Downtown Core area that are not classified as "Residential Parcels".
Other Commercial Parcels:	Taxable Parcels outside the boundaries of the Downtown Core area that are not classified as "Residential Parcels", "Recreational Open Space Parcels" or "Multi-Family Residential Care Facilities".
Recreational Open Space Parcels:	Taxable Parcels classified as "Private Golf Course" in the City of Clayton General Plan.
Multi-Family Residential Care Facilities Parcels:	Taxable Parcels having institutional or congregate care residential units within a facility with an on-site manager.
Special Tax:	The special tax allowed to be levied on property within the CFD, calculated pursuant to this Rate and Method of Apportionment of Special Tax.

Special Tax Formula

A. Residential Parcels: An annual special tax will be levied on all Residential Parcels, as defined above, at the per parcel tax rate shown below for each fiscal year 2007-2008 through 2016-2017:

Residential Parcel Annual Special Tax Rate: $16.39 per parcel.

B. Downtown Core Parcels: An annual special tax will be levied on all non-Residential Parcels within the Downtown Core area (see map, Attachment 1), at the per ¼-acre or fraction thereof parcel rate shown below for each fiscal year 2007-2008 through 2016-2017:

Downtown Core Parcel Annual Special Tax Rate: $221.05 per ¼-acre or fraction thereof parcel size as shown on the County tax roll.

C. Other Commercial Parcels: An annual special tax will be levied on all non-Residential Parcels outside the Downtown Core area, as defined above, at the per ¼-acre or fraction thereof parcel rate shown below for each fiscal year 2007-2008 through 2016-2017:

Other Commercial Parcel Annual Special Tax Rate: $96.92 per ¼-acre or fraction thereof parcel size as shown on the County tax roll.

D. Recreational Open Space Parcels: An annual special tax will be levied on all Private Golf Course Parcels, as defined above, at the per ¼-acre or fraction thereof parcel rate shown below for each fiscal year 2007-2008 through 2016-2017:

Recreational Open Space Parcel Annual Special Tax Rate: $48.46 per ¼-acre or fraction thereof parcel size as shown on the County tax roll.

E. Multi-Family Residential Care Facilities Parcels: An annual special tax will be levied on all Multi-Family Residential Care Facilities Parcels, as defined above, at the per ¼-acre or fraction thereof parcel rate shown below for each fiscal year 2007-2008 through 2016-2017:

Multi-Family Residential Care Facilities Parcel Annual Special Tax Rate: $50.92 per ¼-acre or fraction thereof parcel size as shown on the County tax roll.

Duration of Special Tax Levy

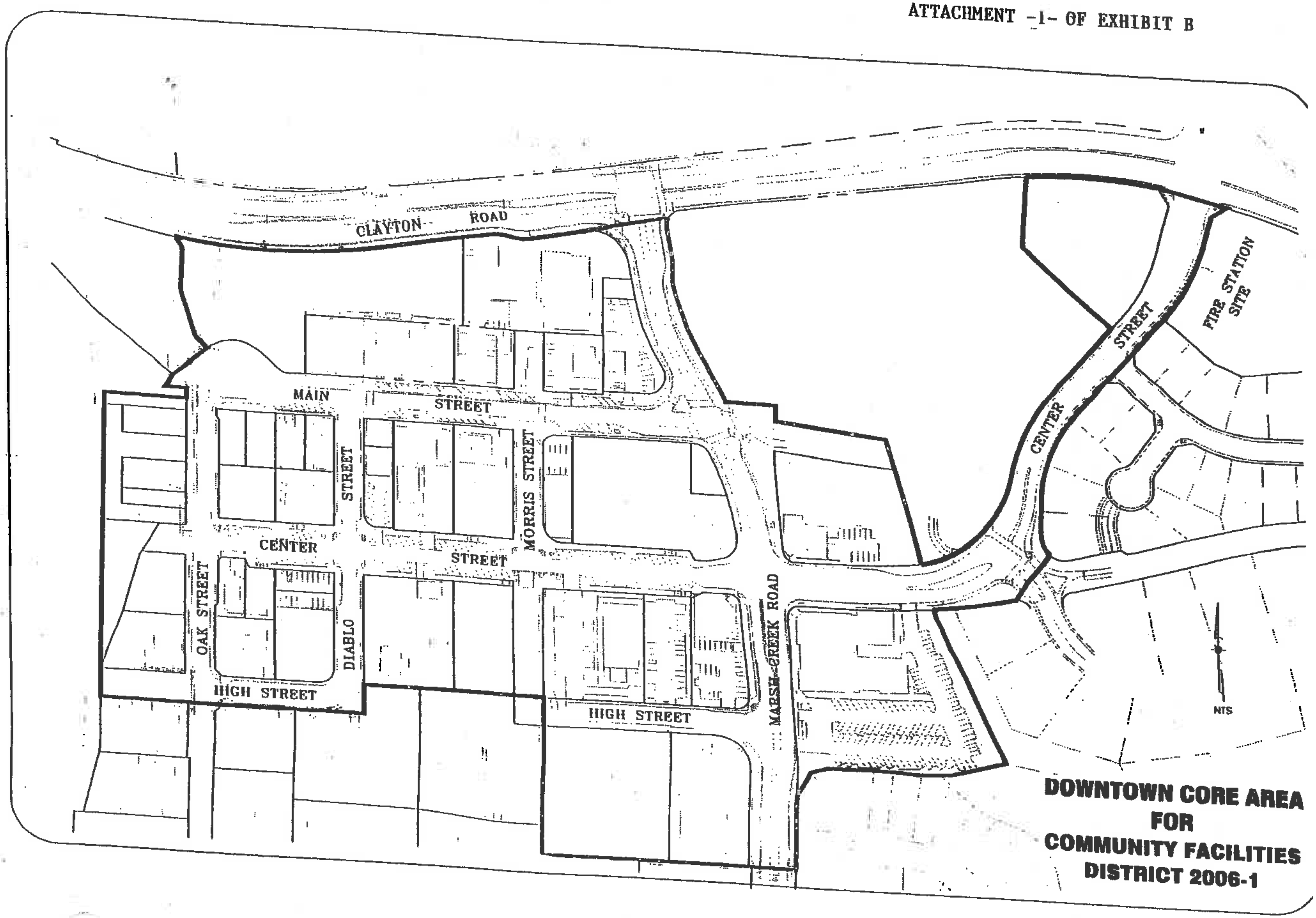
The special tax will be levied annually for a period of ten (10) years commencing in fiscal year 2007-2008 (July - June) through and including fiscal year 2016-2017. After the ten (10) year duration has expired the special tax may no longer be levied or collected unless extended pursuant to applicable laws, except that a special tax that was lawfully levied in or before the final tax year and that remains delinquent may be collected in subsequent years.

Special Tax Escalator Factor

In fiscal years 2008-2009 through 2016-2017, each special annual tax rate may be increased annually by the Clayton City Council in an amount not to exceed the most recent full annual adjustment (April to April) in the Consumer Price Index – All Urban Consumers, San Francisco-Oakland-San Jose, CA Area (Base Period 1982-84 = 100). This escalator factor is applicable if determined by the City to be necessary due to expected or actual increases in the operational, maintenance, repair and replacement expenses funded by the CFD. In no event shall each annual special tax rate in any fiscal year increase by more than three percent (3%) over the previous year.

Attachment 1: Map of Downtown Core area [1 pg.]

ATTACHMENT -1- OF EXHIBIT B

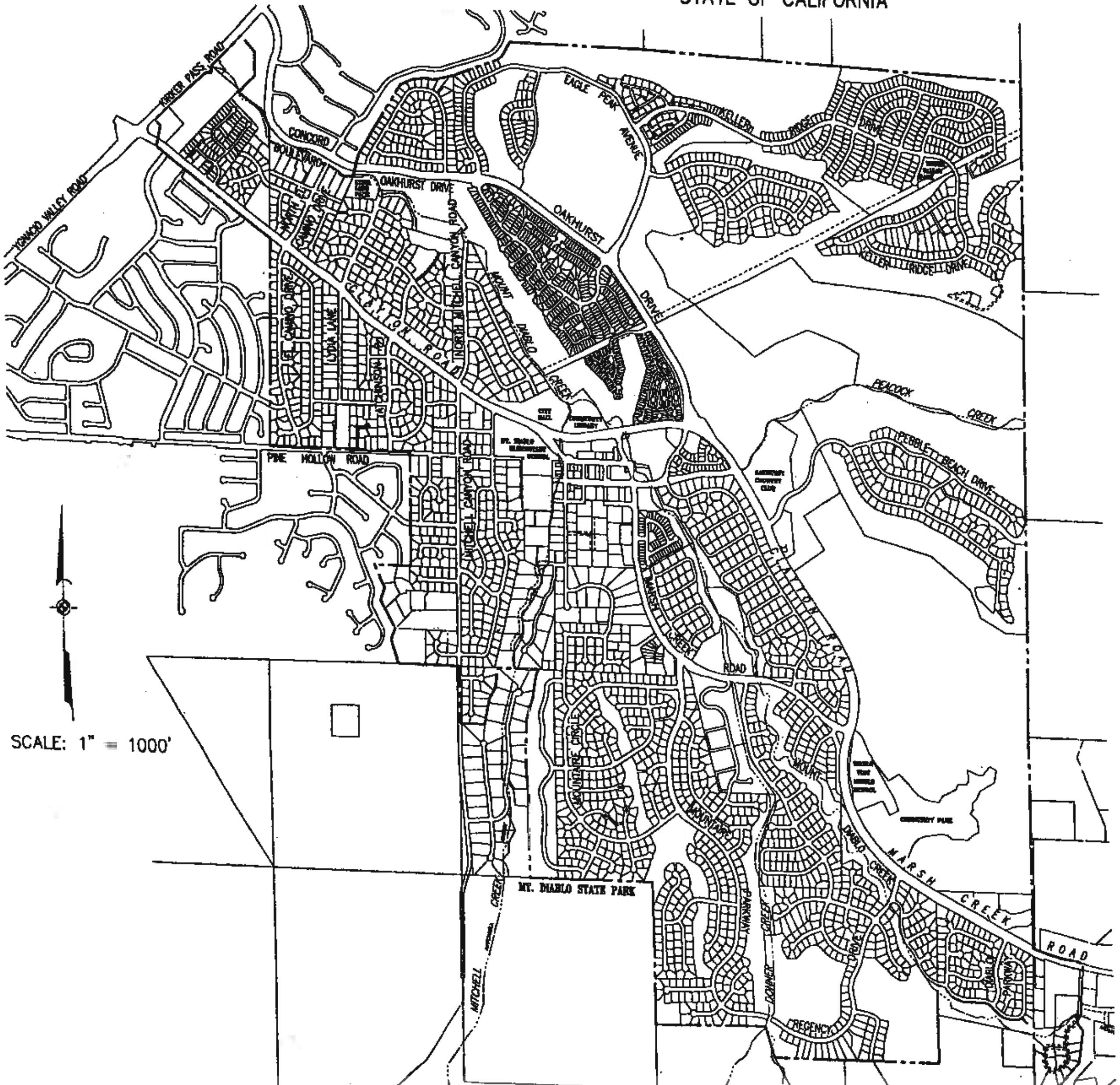


DOWNTOWN CORE AREA FOR COMMUNITY FACILITIES DISTRICT 2006-1

PROPOSED BOUNDARIES OF

COMMUNITY FACILITIES DISTRICT NO. 2006-1
(DOWNTOWN PARK OPERATION AND MAINTENANCE DISTRICT)

CITY OF CLAYTON, COUNTY OF CONTRA COSTA
STATE OF CALIFORNIA



SCALE: 1" = 1000'

CITY RECORDER'S STATEMENT:

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF CLAYTON, THIS 28th DAY OF April, 2006.

BY: Rhonda K Basore

CITY CLERK
CITY OF CLAYTON

CITY CLERK'S STATEMENT:

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING THE PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NUMBER 2006-1 IN THE CITY OF CLAYTON, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF CLAYTON AT A REGULAR MEETING THEREOF, HELD ON THE 16th DAY OF May, 2006, BY ITS RESOLUTION NO. 19-2006.

BY: Rhonda K Basore

CITY CLERK
CITY OF CLAYTON

RECORDER'S CERTIFICATE:

FILED THIS 31st DAY OF MAY 2006, AT THE HOUR OF 1:48 ~~O'CLOCK~~ P.M. IN BOOK 79 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS, AT PAGE 50, AND AS INSTRUMENT NUMBER 06-171762 IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA.

06-171762

BY: Stephen L. Weir

COUNTY RECORDER
COUNTY OF CONTRA COSTA

BY: [illegible signature]

DEPUTY COUNTY RECORDER

LEGEND

——- - —— CITY LIMIT LINE AND COMMUNITY FACILITY DISTRICT BOUNDARY

5.31.06 1:48 PM 79-50

RESOLUTION NO. 59-2006

A RESOLUTION DECLARING RESULTS OF CANVASS OF RETURNS IN THE 2006 GENERAL MUNICIPAL ELECTION, DECLARING THE PERSONS ELECTED TO THE CITY COUNCIL OF THE CITY OF CLAYTON AND THE RESULTS OF THE VOTE ON LOCAL BALLOT MEASURE "O", DOWNTOWN PARK OPERATIONS AND MAINTENANCE DISTRICT SPECIAL TAX (CFD 2006-1)

THE CITY COUNCIL
City of Clayton, California

WHEREAS, a duly noticed general municipal election was held in the City of Clayton on November 7, 2006 for the purpose of voting for candidates for two (2) full-term offices of Council Member on the City Council of the City of Clayton and voter consideration of one (1) local ballot measure, Measure "O", a special tax to fund the annual operations and maintenance of the proposed Downtown Park for a period of ten (10) years; and

WHEREAS, following the canvass of returns by the Contra Costa County Clerk and receipt of his report by the City Clerk, the City Council met in a regular public meeting on December 5, 2006 and canvassed the returns of the election pursuant to and accordance with applicable provisions of the California Elections Code; and

WHEREAS, the City Council finds that the number of votes cast in the City of Clayton at the general municipal election was and is 5153, an 72.54% turnout; and

WHEREAS, the City Council finds that there were fourteen precincts in the City of Clayton established for holding the November 2006 general municipal election; and

WHEREAS, the City Council finds that the names of the persons voted for and the number of votes given said persons in the general municipal election at each of the above noted precincts and by absentee ballot as candidates for the offices of Council Member on the Clayton City Council and the total votes cast for each candidate, are as set forth in the computer printout from the Contra Costa County Election Department, attached hereto as "Exhibit A" and incorporated herein by such reference; and

WHEREAS, the City Council further finds that all of the votes in consideration of local ballot Measure "O" submitted to the Clayton voters in the general municipal election are also set forth in the computer printout from the Contra Costa County Election Department, attached hereto as "Exhibit A" and incorporated herein by such reference.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Clayton, California that the following candidates (listed alphabetically) for the two offices of Council Member of the City Council of the City of Clayton received the highest number of votes and are therefore declared to be the two (2) Council Members duly elected to serve on the

Attachment 8

Clayton City Council until the results of the November 2010 General Municipal election are canvassed and accepted:

David T. Shuey
Ross "Hank" Stratford

BE IT FURTHER RESOLVED by the City Council that local Ballot Measure "O", the formation of a Community Facilities District and the levy of a special tax therein (Community Facilities District No. 2006-1, Downtown Park Operation and Maintenance District) did garner the requisite two-thirds voter approval and therefore Measure "O" did pass.

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California at a regular public meeting thereof held on the 5th day of December 2006 by the following vote:

AYES:	Mayor Shuey, Vice Mayor Walcutt, Councilmembers Laurence, Manning and Pierce
NOES:	None
ABSTAIN:	None
ABSENT:	None

THE CITY COUNCIL OF CLAYTON, CA

David Shuey

David T. Shuey, Mayor

ATTEST:

Laci J. Jackson

Laci J. Jackson, City Clerk

DISTRICT CANVASS

CONTRA COSTA COUNTY
2006 GENERAL ELECTION
NOVEMBER 7, 2006

Official Results

PRINTED 12/04/06, 07:38 AM

PAGE

14 PRECINCTS	REGISTERED VOTERS	BALLOTS CAST	TURNOUT PERCENTAGE	0-City of Clayton Park Funding Special Tax-2/3: Yes/Si	No/No
0081 0000081 CL081 54	880	291	33.07	169	106
0082 0000082 CL082 54	847	342	40.38	239	80
0083 0000083 CL083 54	954	380	39.83	296	78
0084 0000084 CL084 54	869	315	36.25	231	75
0085 0000085 CL085 54	1141	449	39.35	313	117
0086 0000086 CL086 54	1295	407	31.43	314	73
0087 0000087 CL087 54	1051	389	37.01	271	107
0543 0009069 CL9069 55 M	13	7	53.85	3	2
0544 0009070 CL9070 56 M	54	39	72.22	26	11
0545 0009071 CL9071 57 M	0	0		0	0
0803 8065 AB 54	0	2534		1652	815
0804 8066 AB 55	0	0		0	0
0805 8067 AB 56	0	0		0	0
0806 8068 AB 57	0	0		0	0
GRAND TOTALS	7104	5153	72.54	3514	1464

68.19%
YES

RESOLUTION NO. 13-2007

A RESOLUTION DESIGNATING THE NAME OF "THE GROVE" FOR THE DOWNTOWN PARK LOCATED BETWEEN MAIN STREET, old MARSH CREEK ROAD and CENTER STREET

THE CITY COUNCIL
City of Clayton, California

WHEREAS, the City of Clayton has begun construction of a new un-named public park bordered by Main Street, old Marsh Creek Road, and Center Street, which is expected to be completed by the end of 2007; and

WHEREAS, the area at the intersection of old Marsh Creek Road, Main Street, and Center Street will be further improved to be a complement to the adjacent Black Diamond Plaza and a focal point in the historic downtown Clayton; and

WHEREAS, the Clayton City Council previously adopted a Park Naming Policy; and

WHEREAS, the Community Services Commission on February 8, 2007 considered names using their recommended Park Naming Policy and had split recommendations of the following names: Downtown Park; Joel Clayton Park; and Grove Park; and

WHEREAS, the City Council did consider the Community Services recommendations, and other names consistent with the Park Naming Policy during its regular meeting of April 17, 2007.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Clayton California, that the new downtown park located between Main Street, old Marsh Creek Road, and Center Streets shall be named " The Grove" and further resolves that this name meets the criteria of the City's Park Naming Policy as a historical site basis, as it was the location of historic eucalyptus grove community gathering place.

Attachment 9

PASSED, APPROVED and ADOPTED by the City Council of Clayton California at a regular meeting thereof held on the 17th day of April 2007, by the following vote:

AYES: Mayor Walcutt, Vice Mayor Manning, Councilmembers Pierce and Stratford

NOES: None

ABSENT: Councilmember Shuey

ABSTAIN: None

THE CITY COUNCIL OF CLAYTON, CA

W R Walcutt

William R. Walcutt, Mayor

ATTEST:

Laci J. Jackson

Laci J. Jackson, City Clerk

****

I hereby certify that the foregoing resolution was duly and regularly passed by the City Council of Clayton California at a regular meeting thereof held on April 17, 2007.

Laci J. Jackson

Laci J. Jackson, City Clerk

Laura/park name reso

City of Clayton
Grove Park CFD 2006-1 Fund 211
Proposed Budget 2012-13

Account Number	Account Name	2010-11 Actual 6/30/2011	2011-12 Adopted Budget	2011-12 Actual 5/23/2012	2011-12 Projected 6/30/2012	2012-13 Adopted Budget
7111	Salaries/Regular	14,981	29,177	19,187	23,276	27,943
7112	Temporary Help	8,770	16,813	6,361	10,771	16,813
7218	LTD Insurance	88	190	150	177	196
7220	PERS Retirement	2,910	6,384	4,818	5,713	6,114
7231	Workers Comp Insurance	1,007	202	-	202	1,200
7232	Unemployment Insurance	986	974	-	974	974
7233	FICA and Medicare	1,186	1,709	708	1,104	1,691
7246	Benefit Insurance	2,755	5,590	3,565	4,106	5,590
7310	Supplies & Equipment	3,293	4,900	3,624	3,800	4,800
7331	Rentals/Leases	-	500	416	416	500
7335	Gas & Electric Serv.	1,030	1,200	954	1,200	1,200
7338	Water Service	3,124	4,000	1,779	3,500	4,000
7342	Machinary/ Equip Maint.	1,726	500	-	-	500
7343	Vehicle Maintenance	-	1,000	-	1,000	1,000
7344	Vehicle Gas, Oil, and Supplies	-	1,500	-	1,500	1,500
7381	Property Tax Admin Cost	3,739	3,900	3,551	3,900	3,900
7417	Janitorial Services	12,972	12,900	8,878	11,100	12,900
7419	Other Prof. Services	3,263	4,897	4,879	5,976	4,787
7420	Other Outside Services	3,942	3,800	3,704	3,800	3,800
7485	Capital Equipment	2,964	-	6,274	6,274	-
7486	CERF Charges/Depreciation	2,700	2,700	2,700	2,700	2,700
7615	Property Taxes	415	415	427	427	436
8101	Transfer to General Fund	23,816	6,267	4,700	6,267	6,399
	Asset Replacement	-	18,000	-	18,000	18,000
	Reserve Fund	-	5,000	-	5,000	5,000
	Total Expenses	95,666	132,518	76,676	121,183	131,942

4613	Downtown Park Assessment	109,009	112,062	106,207	111,797	114,145
5601	Interest	4,993	3,000	2,434	3,000	2,000
5606	Unrealized Inv Gain/Loss	(1,697)	-	-	-	-
5790	Misc Revenue	10,000	10,000	10,000	10,000	10,000
	Total Revenue	122,305	125,062	118,641	124,797	126,145
	Annual Balance (Shortfall)	26,639	(7,456)	41,965	3,614	(5,797)
	Unreserved Fund Balance	98,796	102,434	98,796	102,434	83,049
	Asset Replacement Reserve	67,858	85,858	67,858	85,858	103,858
	Unallocated Reserve Fund	20,000	25,000	20,000	25,000	30,000
	Total Fund Balance	213,292	205,836	228,619	216,907	211,109

City of Clayton
Grove Park CFD 2006-1 Fund 211
Proposed Budget 2012-13

Account Number	Account Name	2010-11 Actual 6/30/2011	2011-12 Adopted Budget	2011-12 Actual 5/23/2012	2011-12 Projected 6/30/2012	2012-13 Adopted Budget
7331	Equipment Rental		500	416	416	500
7310	Garden Equipment		1,000	-	-	1,000
	Other Supplies		2,900	3,624	3,800	3,800
	Total		4,900	3,624	3,800	4,800
7417	Janitorial	12,000	12,000	10,000	12,000	12,000
	Supplies	972	900	(1,122)	(900)	900
	Total	12,972	12,900	8,878	11,100	12,900
7419	Sprayer Sales Co (wwater treatment)	-	297	-	297	297
	Miracle Play Systems		-	3,677	3,677	-
	PMT Pest Control	592.00	2,260	-	-	2,260
	Martel Water Services		440	-	-	440
	Contract services	750.00	350	-	-	-
	Waraner Bros	-	1,550	750	1,550	1,550
	East Bay Brass-Plaque E Hoyer	-	-	452	452	-
	EBRCSA-Radio Mtn PW radio's	-	-	-	-	240
			4,897	4,879	5,976	4,787
		3,263				
7420	NBS	3,942	3,800	3,704	3,800	3,800

C. <u>The Grove Park – Fund No. 211</u>

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 constitutes the 6th year operation of its special funding existence. The Downtown Park real property assessment will yield $114,145 in the coming year (with the recommended allowable CPI (April-April) tax rate adjustment of 2.1%). In addition, the restricted fund receives a generous $10,000 per year revenue "donation" for ten years from the land owners (Endashiian, 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 $216,907 at the end of FY 11-12 with equity projected of $211,109 at the close of this fiscal year. Of that amount, $103,858 sits in the Asset Replacement Reserve approved in the adoption of Measure O, $83,049 in unreserved Fund Balance, and $30,000 in unallocated Reserve funds. These reserves have started to be tapped, and will continue to play critical roles in the District's remaining years as play equipment warranties expired and park features require replacement due to significant public use and misuse.

Last year, maintenance and operation of The Grove incurred $121,183 in expenses offset by revenues totaling $124,797. Therefore, this restricted Fund operated in an <u>annual surplus</u> of $3,614. As the Park matures and its public attraction 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 repeat 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 during the summer and holidays. 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 provides the irrigation and non-potable water needs of The Grove Park, which saves considerable taxpayers' monies compared to the metered water prices of Contra Costa Water District.

These one-time and higher City Maintenance expenses result in a projected operational plan of $131,942 that sips through a small straw on the reserves of $5,797. Last year's budget also anticipated a negative draw of $7,456 on reserves that did not materialize. Stripping away the Annual Reserve and Asset Replacement deposits of $23,000, The Grove Park pragmatically operates within its annual tax revenues by approximately $5,200 (4.5%). The District's reserves remain sufficient beyond its normal yearly operation.

Agenda Date: 7-3-12

Agenda Item: 4h

CITY OF CLAYTON
Founded 1857 Incorporated 1964

Approved:
Gary A. Napper City Manager/Executive Director

AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: CITY MANAGER

DATE: 03 JULY 2012

SUBJECT: APPROVAL OF 1-YEAR COLLECTIVE BARGAINING AGREEMENT CLAYTON UNDESIGNATED MISCELLANEOUS CITY EMPLOYEES GROUP

RECOMMENDATION

It is recommended the City Council adopt the attached Resolution authorizing and approving Addendum No. 4 as the 1-year Agreement with the Clayton Undesignated Miscellaneous City Employees Group concerning certain terms and conditions of their employment and compensation with the City of Clayton.

BACKGROUND

In December 2006 the City of Clayton approved a 3-year Agreement with the Clayton Undesignated Miscellaneous City Employees Group, retroactive to 01 July 2006. This action was pursuant to California state laws that require a public employer and each of its organized or undesignated collective bargaining units to meet and confer or consult (respectively) over terms and conditions of employment and compensation (ref. *Government Code Section 3500*, et. seq.). That 3-year Agreement expired 30 June 2009.

For each of the last three (3) years the City Council adopted one year Addenda to the underlying Memorandum of Agreement (MOA) with this Group while enacting new concessions and extending continued terms and conditions of employment with the Miscellaneous City Employees. A portion of the terms enacted each of the last three (3) years included <u>annual</u> labor concessions amounting to a 4.3% reduction in pay in the form of 11 unpaid furlough days ($52,105), no employee merit advancements ($11,482), no cost-of-living increases (no COLAs), and employees absorbing rate increases in employee health insurance premiums. In addition, two years ago this Group was among the first in the state to agree on the establishment of a Tier II retirement system for all new employees hired after 30 June 2010. This Tier II Plan rolled back the CalPERS pension formula to 2% at age 60 (the lowest CalPERS pension plan offered), in contrast to the current employees' plan of 2% at age 55 (the second lowest CalPERS pension plan offered).

Addendum No. 3 expired on 30 June 2012 and it was necessary under the law to confer with this collective bargaining group and attempt to achieve a replacement agreement governing compensation and terms of public employment for this Group in FY 2012-13.

MEET AND CONSULT DISCUSSIONS

Shortly after the City's proposed budget for FY 2012-13 became publicly available, City employees in this Group met without the City Manager and discussed its expiring contract terms in the wake of the known financial position of the City's budget. The Group clearly understood the fiscal challenges of the City, the impacts in the mandated loss of its redevelopment agency, fixed cost increases, and the $199,725 budget gap in the General Fund. Employees in this bargaining group were also fully aware of their labor concessions over last 3 years of City Budget difficulties wherein employees personally shouldered much of the financial burden to close the budget gaps. Members of this Group also recognize and appreciated the City Council last year sharing a portion of its FY 2010-11 budget proceeds (of $136,029) with each permanent employee in the form of a one-time non-CalPERSable taxable return of $2,500.

For relativity, the San Francisco – Bay Area Consumer Price Index (CPI) rose by 2.08% during the latest full 12-month period of April 2011 to April 2012.

SUMMATION OF NEW AGREEMENT

The City and this Group are painfully aware these chronic and protracted difficult times require status quo actions of both the employer and the employee into next fiscal year. Consequently, the parties have agreed on the essential terms for FY 2012-13 as follows:

1. No cost-of-living (COLA) salary adjustments or increases for employees of this Group for the 4th straight year in a row ($27,944 "savings" to the City this year);

2. Salary advancements for merit performance or other exemplary service are again suspended during this one year time period ($11,572 "savings" this year);

3. Employees of this Unit will incur eleven (11) unpaid Work Furlough Days during the coming fiscal year ($57,768 "savings" to the City this year);

4. Medical and dental insurance premium rate actual increases up to 9.5% and 7.0%, respectively, during the coming fiscal year (in January 2012) will be paid by the City ($5,938 cost for ½ fiscal year) through 30 June 2013; and

5. All other terms and conditions contained in the expired base Memorandum of Agreement (MOA) and the three previous Addenda not in conflict with Addendum No. 4 will remain in full force and effect through 30 June 2012.

The fifteen (15) employees covered by this Agreement include all City Management employees, Public Works employees, City Hall employees and civilian Police Department employees.

By agreeing to these employment status quo and previous concessions, members of this Group hope these financial considerations are recognized as significantly assisting the City in its effort to manage a drawn-out fiscal challenge not of its own doing while retaining current services to its community.

FISCAL IMPACT

Overall, the 1-year Agreement represents a 4-year direct salary loss of approximately 4.3% to the collective members of this Group ($214,083) plus the absence of any cost-of-living adjustments over the same 4 year period (6.76% CPI bump, or $86,263). In other terminology, through labor concessions employees of this Group will have "saved" the City approximately $300,346 alone in work furlough (unpaid) reductions and no COLA increases. Previous take-home pay reductions were incurred as each employee absorbed the insurance premium rate increases. Two (2) employees in this Group, previously eligible for merit salary step advancements, have further suffered additional compensation delays of 5% in recognition of their meritorious performance.

The City's expectant expense of $5,938 to pay for the insurance rate increases in medical and dental care premiums (commencing January 2012) will hopefully be covered by the organization's trend of under-expending coupled with anticipated revenues exceeding conservative estimates. Any dollar expenses beyond the 9.5% rate increase for medical or the 7% increase in dental premiums caused by a particular employee's choice of medical plan or enrolled subscription will be paid by the employee. The City's General Fund will not be the sole source of this financial impact as some members of this Group also charge out labor time to special and enterprise funds of the City (e.g. Maintenance Landscape District and The Grove Park District).

The one-year savings to the City for these employee concessions amount to at least $97,284 (including CalPERS retirement plan contributions). Further unknown savings to the City occur as each new employee hired on or after 01 July 2010 is now enrolled in the bottom CalPERS pension system available to non-public safety employees, one of the first rollback actions in Contra Costa County.

Attachments: 1. Resolution approving the 1-Year Addendum No. 4 [2 pp.]
2. Agreement with Group [3 pp.]

RESOLUTION NO. - 2012

A RESOLUTION APPROVING A ONE (1) –YEAR ADDENDUM TO THE BASE MEMORANDUM OF AGREEMENT AND SUBSEQUENT ADDENDA WITH THE CLAYTON UNDESIGNATED MISCELLANEOUS CITY EMPLOYEES GROUP EFFECTIVE THE FISCAL YEAR 2012-2013

THE CITY COUNCIL
City of Clayton, California

WHEREAS, authorized representatives of the City of Clayton and the Clayton Undesignated Miscellaneous City Employees Group have met and consulted in good faith regarding certain matters including, but not limited to, wages, hours, and terms and conditions of employment with the City, pursuant to *California Government Code* Section 3500, et. seq.; and

WHEREAS, the parties to the aforementioned negotiations have set forth a one (1) year Addendum No. 4 to replace the expired 1-year Addendum No. 3 that encompasses the full and complete agreements reached between the parties as a result of said good faith negotiations; and

WHEREAS, the proposed Addendum No. 4 to the expired base Memorandum of Agreement and its past Addenda, contained and described in its entirety as "Exhibit 1" and incorporated herein by reference to this Resolution, was presented to the members of the Miscellaneous City Employees Group on 20 June 2012 and the Group has since represented to the City Manager of its ratification and their approval, witnessed by the signature of their authorized Group representative; and

WHEREAS, the City Manager, as the City Council's designated labor negotiator, does herein recommend approval of the proposed Addendum No. 4 to this Group's base Agreement and past Addenda, as outlined in its entirety in "Exhibit 1".

NOW, THEREFORE, BE IT RESOLVED that the City Council of Clayton, California does hereby accept and approve the attached Addendum No. 4 ("Exhibit 1") to the base Memorandum of Agreement and past Addenda between the City and the Clayton Undesignated Miscellaneous City Employees Group during the term hereof, effective the Fiscal Year 2012-2013, and does hereby authorize and instruct the City Manager to implement the agreed-upon terms and conditions accordingly.

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California at a regular public meeting thereof held on the 3rd day of July 2012 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

THE CITY COUNCIL OF CLAYTON, CA

____
Howard Geller, Mayor

ATTEST:

____
Laci J. Jackson, City Clerk

EXHIBIT 1

ADDENDUM NO. 4

This Addendum No. 4 is a modification to that 3-year Memorandum of Agreement (MOA) entered into by and between the City of Clayton ("City") and the Undesignated Miscellaneous City Employees Group, previously approved and authorized by the Clayton City Council at a regular public meeting thereof held the 5th day of December 2006, and as amended in subsequent years by City Council adoption of Addenda Nos. 1-3. Addendum No. 4 has been negotiated in good faith between the two named parties, pursuant to the Section 3500, et. seq. of the *California Government Code*, and intends to and does hereby modify only the following employment terms and conditions sections of the underlying MOA and as thereafter modified by Addenda Nos. 1-3, as herein contained below:

ARTICLE 12: TERM OF AGREEMENT

Addendum No. 4 is retroactively effective on 01 July 2012 and continues up to and through 30 June 2013.

ARTICLE 5: COMPENSATION

Section 5.1. Wages

During the Term of this extension, salary advancement for merit or exemplary service by an eligible employee is hereby suspended and no individual shall receive a salary step increase during this Term.

Employees eligible for merit step advancement yet prohibited from receipt thereof do not have their salary review (anniversary) date altered or deferred by this freeze on merit increases. At such time as the City restores merit increase advancements by subsequent agreement, any employee deemed eligible for a merit step increase during this Term shall automatically advance to the next merit salary step that would have been earned had the merit increase freeze not been in effect, effective the day the suspension is lifted; provided, however, no retroactive merit pay is due the eligible employee for hours worked in the missed merit salary range.

Employees of this Unit shall not receive a cost-of-living adjustment (COLA) during this Term.

ARTICLE 6: MEDICAL, DENTAL, LIFE/ACCIDENTAL DEATH/DISMEMBERMENT INSURANCE

Section 6.1 City Contribution to Premiums

Effective 01 January 2013 and ending through 30 June 2013, the current monthly City-paid premium contribution caps for combined medical, dental, life/accidental death/dismemberment insurance through the City shall be increased by the following amounts, as subscribed by and enrolled in by employees of this Group:

1. The City's monthly premium contribution cap shall be increased by the actual dental premium rate dollar increase up to and including a seven percent (7%) rate increase for each enrolled subscription category (i.e., Employee Only; Employee + One Dependent; or Employee + Family coverage) with the Delta Dental Health Care Employees/Employers Dental Trust. Actual dental premium rate dollar increases above 7% shall be paid solely by the enrolled employee; and

2. The City's monthly premium contribution cap shall be increased by the actual medical premium rate dollar increase up to and including a nine and one-half percent (9.5%) rate increase for each enrolled Health Plan and subscription category (i.e., Employee Only; Employee + One Dependent; or Employee + Family coverage) with the CalPERS Public Employees' Medical and Hospital Care Act (PEMHCA). Actual medical premium rate dollar increases above 9.5% shall be paid solely by the enrolled employee.

Said City premium cap contribution shall not and does not increase the following non-enrollment plan categories:

No Enrollment/Unused Benefit (enrollments after 30 June 2010):	\$ -0-
No Enrollment/Unused Benefit (existing eligible employees):	\$ 250.00/mo.

(Provided proof of similar medical and dental coverage is available to the employee, is placed and maintained via another qualified third party insurance provider. Ref. Section 6.2).

ARTICLE 8: HOLIDAYS AND LEAVES

Section 8.7 Work Furlough Days

Eleven (11) work furlough days, defined as City Hall operations closed for the entire regular work day and employees of this Group are off work and unpaid for each day, shall occur during the term of this Agreement. The actual eleven unpaid Work Furlough Days will be determined by and between this Group and the City Manager in advance regarding which work days are subject to furlough. In the event of unresolved disagreement over the designated furlough days, the City Manager's decision shall be final with no right of appeal.

All other and existing terms and conditions of the underlying Memorandum of Agreement and associated Addenda Nos. 1-3 by and between the parties remain in full force and effect through 30 June 2013, to the extent such are not in conflict with the terms of Addendum No. 4 above. In the event such a conflict arises, Addendum No. 4's terms and conditions shall and do hereby prevail in effect and implementation.

IN WITNESS THEREOF, this Addendum No. 4 is entered into this 27th day of June 2012, pursuant to the provisions of *California Government Code* Section 3500, et. seq., for presentation to and recommendation for approval by the City Council of the City of Clayton, CA.

CLAYTON UNDESIGNATED MISCELLANEOUS CITY EMPLOYEES (GROUP)
By:

____________________________ Date: June 26, 2012
Unit Representative

CITY OF CLAYTON LABOR NEGOTIATOR
By:

____________________________ Date: 26 JUNE 2012
Gary A. Napper, City Manager

# # # # #

Agenda Date: 7-3-12

Agenda Item: 4i

CITY OF CLAYTON

Founded 1857 . . Incorporated 1964

Approved:

Gary A. Napper
City Manager/Executive Director

STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: Laura Hoffmeister, Asst. to the City Manager

MEETING DATE: July 3, 2012

SUBJECT: Approval of Resolution authorizing the levy for fiscal year 2012-13 for Community Facility District No. 1990-2R (Clayton Station)

RECOMMENDATION

Adoption of Resolution No. __-12 Placing Special Tax for Community Facilities District 1990-2R (Clayton Station) on the fiscal year 2012-2013 Tax Assessment Roll.

BACKGROUND

In November 1990 the City established the district and levy in accordance with a lack of majority protest determination ballot process as required by state law. The approval of this district established this special tax for repayment of $1.46 million in bonds that were for the construction of public improvements and facilities for the Clayton Station Shopping Center. These improvements included: street improvements and a new traffic signal at Clayton Road and Washington Street; widening, turn pockets and closures, a bus stop and lane realignments on Kirker Pass Road; relocation of various public utilities in the public right of way; land cost, and financing thereof and landscaping installation of dedicated right of way; improvements made at the Mt. Diablo Creek re-channelization; the funding of the CFD's pro-rata share of arterial street improvements in the City of Clayton and surrounding communities; incidental expenses related to the facilities above as authorized by the Mello-Ross Community Facilities Act of 1982.

At the end of 1999 the bonds were refinanced to obtain lower interest rate to the current 5.9% from the previous 8.125%. These costs savings were in turn passed on to the Assessment District and the ratepayers of the district. The bonds are expected to be paid off in FY 2015/2016. The district includes four of the five parcels that make up the Clayton Station Shopping Center development. (Safeway is not included as its portion was paid at the time it purchased its parcel, or excluded by the developer as part their site purchase, prior to the final formation of the district). The collection of the tax is done by the County. The assessments are in compliance with the provisions of Proposition 218, and are fixed by the bond issuance and therefore cannot be altered.

FISCAL IMPACT

There is no fiscal cost to the City. The parcels property owners within the assessment district pay for all costs of bond repayment and minor administrative costs related to its collection by the county and management by the City.

CONCLUSION:

The City Council, by Ordinance 281, as authorized by Section 53340 of the Government Code of the State of California, authorized the levy of a special tax to pay for costs and expenses related to Community Facilities District 1990-2 (Clayton Station). This resolution sets the fees for fiscal year 2012-2013 and authorizes the Contra Costa County auditor to place these taxes on the next assessment roll on which the taxes will become due.

Attachments:

- Resolution __-12
- Exhibit A to Resolution __-12 (preliminary billing levy)
- Annual Special Tax Levy Report (July 2012; CFD 1990-2R; Clayton Station)
- Ordinance 281
- Exhibit A to Ordinance 281

RESOLUTION NO. ___-2012

A RESOLUTION LEVYING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2012-13 FOR COMMUNITY FACILITIES DISTRICT 1990-2R (Clayton Station)

THE CITY COUNCIL
City of Clayton, California

WHEREAS, the City Council of the City of Clayton, California, (hereinafter referred to as the "legislative body"), previously initiated proceedings, held a public hearing, conducted and election and received a favorable vote from the qualified electors relating to the levy of a special tax in a community facilities district, all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982"; being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California. This Community Facilities District shall hereinafter be referred to as "District"; and,

WHEREAS, the legislative body, by Ordinance as authorized by Section 53340 of the Government Code of the State of California, has authorized the levy of a special tax to pay for costs and expenses related to said Community Facilities Districts, and this legislative body is desirous to establish the specific rate of the special tax to be collected for the next fiscal year; and,

WHEREAS, the assessments are in compliance with all laws pertaining to the levy of special taxes, and the assessments are levied without regard to property valuation, and the assessments are in compliance with the provisions of Proposition 218.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. That the above recitals are all true and correct.

SECTION 2: That the specific rate and amount of the special tax to be collected to pay for the costs and expenses for the next fiscal year (2012-2013) for the referenced District is hereby determined and established as set forth in the attached, referenced and incorporated Exhibit "A".

SECTION 3. That the rate as set forth above does not exceed the amount as previously authorized by Ordinance of the legislative body, and is not in excess of that as previously approved by the qualified electors of the District.

SECTION 4. That the proceeds of the special tax shall be used to pay, in whole or part, the costs of the following:

A. Payment of principal and interest on any outstanding authorized bonded indebtedness;

B. Necessary replenishment of bond reserve funds or other reserve funds;

Attachment 1

C. Repayment of costs and expenses of authorized public facilities;

D. Repayment of advances and loans, if appropriate; and

E. Payment of District administrative costs.

The proceeds of the special taxes shall be used as set forth above, and shall not be used for any other purpose.

SECTION 5. The special tax shall be collected in the same manner as ordinary ad valorem property taxes are collected, and shall be subject to the same penalties and same procedure and sale in cases of any delinquency for ad valorem taxes, and the Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any said special tax.

SECTION 6. All monies above shall be paid into the Community Facilities District fund, including any bond fund and reserve fund.

SECTION 7. The Auditor of the County is hereby directed to enter in the next County assessment role on which taxes will become due, opposite each lot or parcel of land effected in a space marked "public improvements, special tax" or by other suitable designation, the installment of the special tax, and for the exact rate and amount of said tax, reference is made to the attached Exhibit "A".

SECTION 8. The County Auditor shall then, at the close of the tax collection period, promptly render to this Agency a detailed report showing the amount and/or amounts of such special tax installments, interest, penalties and percentages retained for the expense of making any such collection.

PASSED, APPROVED and ADOPTED by the City Council of the City of Clayton at a regular meeting of said Council held on July 3, 2012 by the following vote:

AYES:

NOES:

ABSENT:

THE CITY COUNCIL OF CLAYTON, CA

____

Howard Geller, Mayor

ATTEST:

____

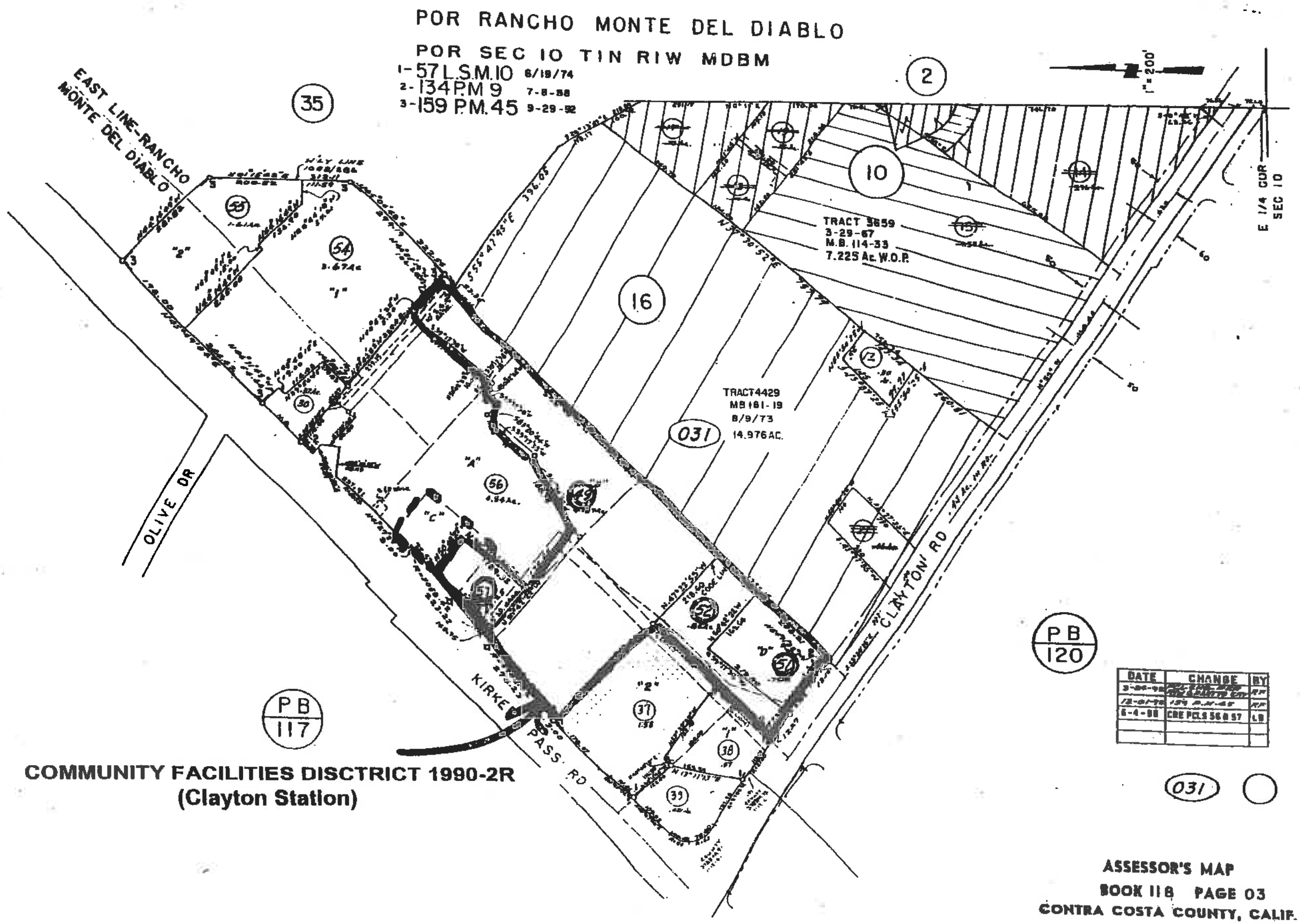
Laci J. Jackson, City Clerk

EXHIBIT A

City of Clayton
Community Facilities District 1990-2R
Clayton Station
Fiscal Year 2012/13 Special Tax Roll

APN	Situs Address	Levy
118-031-049	KIRKER PASS RD	$106,916.94
118-031-051	5441-5443 CLAYTON RD	17,051.40
118-031-052	5437 CLAYTON RD	19,023.36
118-031-057	1536 KIRKER PASS RD	7,274.86
Totals:	**4 Parcels**	**$150,266.56**

Attachment 2a



DATE	CHANGE	BY
3-04-9[illegible]	[illegible]	[illegible]
12-01-[illegible]	159 P.M. 45	[illegible]
6-4-98	CRE PCLS 56 & 57	LB

ASSESSOR'S MAP
BOOK 118 PAGE 03
CONTRA COSTA COUNTY, CALIF.

COMMUNITY FACILITIES DISCTRICT 1990-2R
(Clayton Station)

Attachment 2b

NBS
helping communities fund tomorrow

City of Clayton

Community Facilities District No. 1990-2R
Clayton Station

Annual Report

July 2012

Main Office
32605 Temecula Parkway, Suite 100
Temecula, CA 92592
Toll free: 800.676.7516 Fax: 951.296.1998

Regional Office
870 Market Street, Suite 1223
San Francisco, CA 94102
Toll free: 800.434.8349 Fax: 415.391.8439

Attachment 3

CITY OF CLAYTON
6000 Heritage Trail
Clayton, CA 94517
Phone - (925) 673-7300
Fax - (925) 672-4917

City Staff

Gary Napper, City Manager
Merry Pelletier, Finance Manager

Bond Counsel

James L. Copeland
15203
Sidley, Austin, Brown & Wood
San Francisco, California
(415) 772-1200

Paying Agent

Myrna Presto-Choroski
US Bank Trust
San Francisco, California
(415) 273-4556

Underwriter

Richard Kiss
Piper Jaffray Inc.
San Francisco, California
(415) 984-5170

Special Tax Administrator

NBS
Tim Seufert, Client Services Director
Greg Davidson, Director
Kristin Harvey, Senior Consultant

EXECUTIVE SUMMARY/SPECIAL ISSUES

General Information Summary

Maturity Date	2012/13 Levy	Parcel Count	Delinquency Rate(1)	Assessed Value(2)	Outstanding Principal	Value to Outstanding Principal Ratio(3)
9/2/2015	$150,266.56	4	0.00%	$9,231,787.00	$347,000.00	26.60:1

(1) Delinquency Rate for Fiscal Year 2011/12.
(2) The Assessed value for all active parcels within the District as of January 1, 2012.
(3) Assessed value as of January 1, 2012 of all active parcels, divided by the outstanding principal for the District after the Fiscal Year 2011/12 debt service has been paid.

The City of Clayton borrowed $1,269,000 from City National Bank, which is evidenced by a Note which shall constitute a "refunding bond" under the act, which shall be issued by the City in the form of a Note. The Loan and the Note are authorized to be entered into and issued by the City for this Community Facilities District under and subject to the terms of the Act, the Resolution, the Loan Agreement and other applicable laws of the state. For purposes of this report the words Loan and Bond are used interchangeably.

All taxable parcels within the District were levied a Special Tax of 80.75% of their respective Maximum Special Tax Rate for Fiscal Year 2012/13.

NBS monitors the delinquency rate and reviews the delinquency situation after each payment date. The District currently has no delinquencies.

TABLE OF CONTENTS

1. FUND ANALYSIS

1.1. Fund Balances

Fund balances were not available at the time of writing this report.

1.2. Redemption Account

On or before the second day of each March and each September, the Paying Agent is to deposit in the Redemption Account the amount of money equal to the aggregate amount of interest due on all outstanding Bonds on such dates. On or before the second day of each September, the Paying Agent is to deposit in the Redemption Account the amount of money equal to the aggregate amount of principal due on all outstanding Bonds on such dates. Additional funds to be used for optional redemption of Bonds are to be maintained in the Redemption Account until the respective bond call date. All money in the Redemption Account is used by the Paying Agent to pay the interest on the Bonds as it becomes due, plus the principal of and redemption premiums, if any, as they become due.

1.3. Expense Account

On or before the second day of each March and the second day of each September, the Fiscal Agent shall deposit in the Expense Account the amount required by the City for the payment of budgeted expenses related to administration of the District.

Estimated total administrative expenses for the Fiscal Year 2012/13 are $17,793.58.

1.4. Special Tax Fund

The Special Taxes and other amounts constituting Gross Taxes collected by the District shall be transferred (exclusive of Prepaid Special Taxes Received which shall be deposited into the Prepayment Account of the Special Tax Fund), no later than 10 days after receipt thereof, to the Fiscal Agent and shall be held in trust in the Special Tax Fund for the benefit of the Owners of the Bonds and shall, exclusive of the Prepaid Special Taxes, be transferred from the Special Tax Fund in the following order of priority:

A. The Administrative Expense Fund;
B. The Bond Fund Interest Account;
C. The Bond Fund Principal Account;
D. The Bond Fund Sinking Fund Redemption Account;

A Special Tax Account is held by the City and consists of the Special Taxes received from the tax bill receipts provided to the City from Contra Costa County.

1.5. Acquisition and Construction Fund Analysis

The Acquisition and Construction Fund is created upon formation of the District. All bond proceeds not associated with the financing and administrative costs of the bond issuance are deposited in this Fund to pay for improvements to be constructed and/or acquired. Once the project has been completed, any remaining balance in the Fund must be treated in accordance with the Bond Indenture.

Some of the requirements of the Act are handled at the formation (bond issuance) of the District and others are handled through annual reports. This section of the report intends to comply with Section 53411 of the California Government Code that states:

"The Chief Fiscal Officer of the issuing local agency shall file a report with its governing body no later than January 1, 2002, and at least once a year thereafter. The annual report shall contain all of the following:

(a) The amount of funds collected and expended.

(b) The status of any project required or authorized to be funded as identified in subdivision (a) of Section 53410."

All money in the original Acquisition and Construction Fund was used for payment of the acquisition and construction of the authorized facilities of the District.

2. 2012/13 LEVY

2.1. Special Tax Spread

All taxable parcels within the District were levied at 80.75% of their respective Maximum Special Tax for Fiscal Year 2012/13. The following table provides the breakdown of the Special Tax Levy for the District.

Total Amount Levied	Maximum Special Tax	Percentage of Maximum
$150,266.56	$186,086.00	80.75%

2.2. Annual Levy Components

Pursuant to the California Government Code, administrative expenses are identified by consultation with City staff to ensure that the District is self-supporting and is not being subsidized by the City's General Fund.

NBS assists the City with identifying and recovering the following general costs:

- Agency administrative costs. This includes the value of City staff time spent on the administration of the District, calculated by using a fully-loaded salary rate that includes benefits and overhead costs. Any City expenses that have been incurred, such as copying and mailing expenses, are also recovered as part of this calculation.
- Trustee or Paying Agent costs. Includes the total of Trustee/Paying Agent charges to the City for the annual processing of payments to the bondholders, as well as registration and transfer functions that have been performed.
- County Auditor-Controller collection fees. Fees charged by the County Auditor-Controller to place the Special Tax installments on the tax roll each year are identified and recovered.
- SEC-required disclosure costs. Administrative costs related to compliance with the Securities and Exchange Commission's requirements for continuing disclosure and dissemination of material events occurring within the District.
- Administration costs. Also fully recoverable are the costs incurred by NBS, as the administrator, in the year-round administration of the District, which includes the preparation of the annual levy, ongoing reporting to the City, and the tracking of activity within the District such as Special Tax Prepayments, installment payments and parcel changes.
- Delinquency Management charges. The cost of any delinquency management actions taken on behalf of parcels with delinquencies, including the mailing of reminder, demand and/or foreclosure letters, and the work associated with the initiation of judicial foreclosure as required by the bond covenants.
- Manual adjustments. If special circumstances are discovered, credits and/or charges are made as necessary to the annual Special Tax Installment amount for the specific parcels affected by the situation.
- NBS analyzes the fund balances each year. Interest earnings and/or surplus funds that exist may be applied to the annual levy as a credit to reduce each parcel's annual installment. These balances must also be closely monitored to prevent violations of IRS arbitrage regulations.

2.3. Levy Summary

The following page summarizes the components that make up the 2012/13 Levy for the District. Information from the 2011/12 Levy is also included for comparison purposes.

City of Clayton

Community Facilities District 1990-2R

Final Budget for Fiscal Year 2012/13

Category/Item	FY 2012/13	FY 2011/12	Increase / (Decrease)
Principal and Interest	$132,473.00	$124,255.00	$8,218.00
Admin. Expenses	17,793.58	17,638.04	155.54
Miscellaneous	(0.02)	(0.02)	-
Grand Total:	**$150,266.56**	**$141,893.02**	**$8,373.54**
Total Accounts:	**4**	**4**	**0**

The Grand Total may be reduced by county collection fees if the county retains such fees from the apportionment of funds .

3. DELINQUENCY MANAGEMENT

3.1. Delinquency Summary

The following table shows the Fiscal Year 2011/12 delinquency rate for the District:

2011/12 Levy	2011/12 Delinquencies	2011/12 Delinquency Rate	Delinquency Management Steps Taken
$141,893.02	$0.00	0.00%	No action necessary

NBS monitors the delinquency rate and reviews the delinquency situation after each payment date. The District has no delinquencies and is not required to take delinquency management actions.

3.2. Foreclosure Covenant

The City has covenanted that it will initiate judicial foreclosure against parcels with Special Tax Delinquencies. In today's environment of higher delinquency rates and greater bondholder scrutiny of City activities, any non-compliance with foreclosure covenants may expose the City to bondholder lawsuits.

NBS assists the City by providing a comprehensive delinquency management program including discussion of the issuer's foreclosure covenant, providing delinquency information from the County's redemption tapes, and coordinating with the Agency on the necessary steps required to implement a delinquency management policy. Once a policy is established, City compliance is easier to document and complaints from affected parcel owners can be minimized by showing the City's even-handed, unbiased covenant enforcement.

The foreclosure covenant is defined as follows:

The City has covenanted that it will review the public records of the county relating to the collection of the Special Tax annually on or before June 1 in order to determine the delinquencies within the District. If the Special Tax delinquency rate is greater than 5%, the City shall commence judicial foreclosure proceedings within 30 days. In addition, the City has covenanted to commence judicial foreclosure proceedings against any property owner with a combined delinquency of $25,000 or more.

3.3. Teeter Plan Participation & County Revenue Apportionment Schedule

The District participates in the Contra Costa County Teeter Plan. Details of the apportionment of funds from the County to the City are provided below.

County Revenue Apportionment Schedule

Date	Percentage Apportioned
12/15	55%
4/15	40%
6/25	5%

3.4. Delinquency Summary Report

The following pages summarize delinquencies for the 2011/12 and prior fiscal years.

City of Clayton
Delinquency Summary Report
As of: 06/20/2012

District	Due Date	Billed Amount	Paid Amount	Delinquent Amount	Delinquent Amount %	Billed Installments	Paid Installments	Delinquent Installments	Delinquent Installments %
CFD 1990-2R									
	8/1/1999 Billing:								
	12/10/1999	$73,597.02	$73,597.02	$0.00	0.00 %	4	4	0	0.00 %
	4/10/2000	73,597.02	73,597.02	0.00	0.00 %	4	4	0	0.00 %
	Subtotal:	**$147,194.04**	**$147,194.04**	**$0.00**	**0.00 %**	**8**	**8**	**0**	**0.00 %**
	8/1/2000 Billing:								
	12/10/2000	$65,372.00	$65,372.00	$0.00	0.00 %	4	4	0	0.00 %
	4/10/2001	65,372.00	65,372.00	0.00	0.00 %	4	4	0	0.00 %
	Subtotal:	**$130,744.00**	**$130,744.00**	**$0.00**	**0.00 %**	**8**	**8**	**0**	**0.00 %**
	8/1/2001 Billing:								
	12/10/2001	$66,339.01	$66,339.01	$0.00	0.00 %	4	4	0	0.00 %
	4/10/2002	66,339.01	66,339.01	0.00	0.00 %	4	4	0	0.00 %
	Subtotal:	**$132,678.02**	**$132,678.02**	**$0.00**	**0.00 %**	**8**	**8**	**0**	**0.00 %**
	8/1/2002 Billing:								
	12/10/2002	$65,458.48	$65,458.48	$0.00	0.00 %	4	4	0	0.00 %
	4/10/2003	65,458.48	65,458.48	0.00	0.00 %	4	4	0	0.00 %
	Subtotal:	**$130,916.96**	**$130,916.96**	**$0.00**	**0.00 %**	**8**	**8**	**0**	**0.00 %**
	8/1/2003 Billing:								
	12/10/2003	$65,964.44	$65,964.44	$0.00	0.00 %	4	4	0	0.00 %
	4/10/2004	65,964.44	65,964.44	0.00	0.00 %	4	4	0	0.00 %
	Subtotal:	**$131,928.88**	**$131,928.88**	**$0.00**	**0.00 %**	**8**	**8**	**0**	**0.00 %**
	8/1/2004 Billing:								
	12/10/2004	$67,662.81	$67,662.81	$0.00	0.00 %	4	4	0	0.00 %
	4/10/2005	67,662.81	67,662.81	0.00	0.00 %	4	4	0	0.00 %
	Subtotal:	**$135,325.62**	**$135,325.62**	**$0.00**	**0.00 %**	**8**	**8**	**0**	**0.00 %**
	8/1/2005 Billing:								
	12/10/2005	$68,009.67	$68,009.67	$0.00	0.00 %	4	4	0	0.00 %
	4/10/2006	68,009.67	68,009.67	0.00	0.00 %	4	4	0	0.00 %
	Subtotal:	**$136,019.34**	**$136,019.34**	**$0.00**	**0.00 %**	**8**	**8**	**0**	**0.00 %**

City of Clayton

Delinquency Summary Report

As of: 06/20/2012

District	Due Date	Billed Amount	Paid Amount	Delinquent Amount	Delinquent Amount %	Billed Installments	Paid Installments	Delinquent Installments	Delinquent Installments %
	8/1/2006 Billing:								
	12/10/2006	$67,643.37	$67,643.37	$0.00	0.00 %	4	4	0	0.00 %
	4/10/2007	67,643.37	67,643.37	0.00	0.00 %	4	4	0	0.00 %
	Subtotal:	**$135,286.74**	**$135,286.74**	**$0.00**	**0.00 %**	**8**	**8**	**0**	**0.00 %**
	8/1/2007 Billing:								
	12/10/2007	$67,785.06	$67,785.06	$0.00	0.00 %	4	4	0	0.00 %
	4/10/2008	67,785.06	67,785.06	0.00	0.00 %	4	4	0	0.00 %
	Subtotal:	**$135,570.12**	**$135,570.12**	**$0.00**	**0.00 %**	**8**	**8**	**0**	**0.00 %**
	8/1/2008 Billing:								
	12/10/2008	$67,590.85	$67,590.85	$0.00	0.00 %	4	4	0	0.00 %
	4/10/2009	67,590.85	67,590.85	0.00	0.00 %	4	4	0	0.00 %
	Subtotal:	**$135,181.70**	**$135,181.70**	**$0.00**	**0.00 %**	**8**	**8**	**0**	**0.00 %**
	8/1/2009 Billing:								
	12/10/2009	$71,751.55	$71,751.55	$0.00	0.00 %	4	4	0	0.00 %
	4/10/2010	71,751.55	71,751.55	0.00	0.00 %	4	4	0	0.00 %
	Subtotal:	**$143,503.10**	**$143,503.10**	**$0.00**	**0.00 %**	**8**	**8**	**0**	**0.00 %**
	8/1/2010 Billing:								
	12/10/2010	$70,615.14	$70,615.14	$0.00	0.00 %	4	4	0	0.00 %
	4/10/2011	70,615.14	70,615.14	0.00	0.00 %	4	4	0	0.00 %
	Subtotal:	**$141,230.28**	**$141,230.28**	**$0.00**	**0.00 %**	**8**	**8**	**0**	**0.00 %**
	8/1/2011 Billing:								
	12/10/2011	$70,946.51	$70,946.51	$0.00	0.00 %	4	4	0	0.00 %
	4/10/2012	70,946.51	70,946.51	0.00	0.00 %	4	4	0	0.00 %
	Subtotal:	**$141,893.02**	**$141,893.02**	**$0.00**	**0.00 %**	**8**	**8**	**0**	**0.00 %**
CFD 1990-2R	**Total:**	**$1,777,471.82**	**$1,777,471.82**	**$0.00**	**0.00 %**	**104**	**104**	**0**	**0.00 %**
Agency Grand Total:		**$1,777,471.82**	**$1,777,471.82**	**$0.00**	**0.00 %**				

4. DEBT SERVICE SCHEDULE

The following page shows the debt service payments for the District.

City of Clayton

CFD 1990-2R - Community Facilities District 1990-2R

Current Debt Service Schedule

Bonds Dated: 12/22/1999

Bonds Issued: $1,269,000.00

Payment Date	CUSIP	Interest Rate	Balance	Principal	Interest	Payment Total	Annual Total	Call Prem.	Status
03/02/2000		5.9000%	$1,269,000.00	$0.00	$14,558.25	$14,558.25	$0.00	0.0000%	Paid
09/02/2000		5.9000	1,269,000.00	52,000.00	37,435.50	89,435.50	103,993.75	0.0000	Paid
03/02/2001		5.9000	1,217,000.00	0.00	35,901.50	35,901.50	0.00	0.0000	Paid
09/02/2001		5.9000	1,217,000.00	53,000.00	35,901.50	88,901.50	124,803.00	0.0000	Paid
03/02/2002		5.9000	1,164,000.00	0.00	34,338.00	34,338.00	0.00	0.0000	Paid
09/02/2002		5.9000	1,164,000.00	53,000.00	34,338.00	87,338.00	121,676.00	0.0000	Paid
03/02/2003		5.9000	1,111,000.00	0.00	32,774.50	32,774.50	0.00	0.0000	Paid
09/02/2003		5.9000	1,111,000.00	57,000.00	32,774.50	89,774.50	122,549.00	0.0000	Paid
03/02/2004		5.9000	1,054,000.00	0.00	31,093.00	31,093.00	0.00	0.0000	Paid
09/02/2004		5.9000	1,054,000.00	61,000.00	31,093.00	92,093.00	123,186.00	0.0000	Paid
03/02/2005		5.9000	993,000.00	0.00	29,293.50	29,293.50	0.00	0.0000	Paid
09/02/2005		5.9000	993,000.00	66,000.00	29,293.50	95,293.50	124,587.00	0.0000	Paid
03/02/2006		5.9000	927,000.00	0.00	27,346.50	27,346.50	0.00	0.0000	Paid
09/02/2006		5.9000	927,000.00	70,000.00	27,346.50	97,346.50	124,693.00	0.0000	Paid
03/02/2007		5.9000	857,000.00	0.00	25,281.50	25,281.50	0.00	0.0000	Paid
09/02/2007		5.9000	857,000.00	73,000.00	25,281.50	98,281.50	123,563.00	0.0000	Paid
03/02/2008		5.9000	784,000.00	0.00	23,128.00	23,128.00	0.00	0.0000	Paid
09/02/2008		5.9000	784,000.00	77,000.00	23,128.00	100,128.00	123,256.00	0.0000	Paid
03/02/2009		5.9000	707,000.00	0.00	20,856.50	20,856.50	0.00	0.0000	Paid
09/02/2009		5.9000	707,000.00	81,000.00	20,856.50	101,856.50	122,713.00	0.0000	Paid
03/02/2010		5.9000	626,000.00	0.00	18,467.00	18,467.00	0.00	0.0000	Paid
09/02/2010		5.9000	626,000.00	89,000.00	18,467.00	107,467.00	125,934.00	0.0000	Paid
03/02/2011		5.9000	537,000.00	0.00	15,841.50	15,841.50	0.00	0.0000	Paid
09/02/2011		5.9000	537,000.00	92,000.00	15,841.50	107,841.50	123,683.00	0.0000	Paid
03/02/2012		5.9000	445,000.00	0.00	13,127.50	13,127.50	0.00	0.0000	Paid
09/02/2012		5.9000	445,000.00	98,000.00	13,127.50	111,127.50	124,255.00	0.0000	Unpaid
03/02/2013		5.9000	347,000.00	0.00	10,236.50	10,236.50	0.00	0.0000	Unpaid
09/02/2013		5.9000	347,000.00	112,000.00	10,236.50	122,236.50	132,473.00	0.0000	Unpaid
03/02/2014		5.9000	235,000.00	0.00	6,932.50	6,932.50	0.00	0.0000	Unpaid
09/02/2014		5.9000	235,000.00	114,000.00	6,932.50	120,932.50	127,865.00	0.0000	Unpaid
03/02/2015		5.9000	121,000.00	0.00	3,569.50	3,569.50	0.00	0.0000	Unpaid
09/02/2015		5.9000	121,000.00	121,000.00	3,569.50	124,569.50	128,139.00	0.0000	Unpaid
Grand Total:				**$1,269,000.00**	**$708,368.75**	**$1,977,368.75**	**$1,977,368.75**		

5. RATE AND METHOD OF APPORTIONMENT

5.1. Maximum Annual Special Tax Rate

The Maximum Annual Special Tax Rate for each parcel is based on the relevant square footage of the building as shown in the following table. The Notice of Special Tax lien was amended on August 19, 1994 and is in effect for Fiscal Year 1995/96 and each fiscal year thereafter.

Assessor Parcel Number	Leasable Square Feet	Maximum Special Tax	Percent of Total
118-031-049	47,028	$132,403.00	71.15%
118-031-051	7,500	21,116.00	11.35%
118-031-052	8,367	23,558.00	12.66%
118-031-057	3,200	9,009.00	4.84%
Totals:	**66,095**	**$186,086.00**	**100.00%**

If one hundred ten percent (110%) of the maximum annual debt service on the bonds issued by the District is less than the Special Tax, then, commencing in the fiscal year following the issuance of the bonds, the Special Tax shall be reduced to such lesser amount, and the amount thereof apportioned to each parcel shall be reduced *pro rata*.

5.2. Method of Apportionment

The Special Tax shall be apportioned each year up to the Maximum Rates as shown above. The Special Tax apportionment is based upon the square footage as built, or as planned in the case of an undeveloped parcel. If the Special Tax Requirement is less than the total Maximum Special Tax Total, the Special Tax shall be reduced on a *pro rata* basis.

5.3. Termination of the Special Tax

The Special Tax shall be levied as long as needed to make payments on the refunding debt, scheduled to continue until September 2, 2015.

6. BACKGROUND INFORMATION

6.1. Project Description

The District was formed to provide funding for certain improvements including:

- Street improvements and a new traffic signal at Clayton Road and Washington Street.
- Widening, turn pockets, closures, a bus stop and lane realignments on Kirker Pass Road.
- Relocation of various public utilities in the public right of way.
- Land cost, and financing thereof, and landscaping of dedicated right of ways.
- Improvements made at the Mt. Diablo creek re-channelization.
- The funding of the District's pro rata share of arterial street improvements in the City and surrounding communities.
- Incidental expenses related to the facilities listed above as authorized by the Mello-Roos Community Facilities Act of 1982.

All construction improvements have been completed.

6.2. Resolution

The resolution approved by the City Council authorizing the levy of the special tax was not available at the time of writing this report.

6.3. Boundary Map

The following page shows the boundaries of the District.

PROPOSED BOUNDARY OF

COMMUNITY FACILITIES DISTRICT NO. 1990-2

CITY OF CLAYTON
COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA

MAJORS ENGINEERING, INC.
SAN RAMON, CALIFORNIA

JUNE, 1990

FILED IN THE OFFICE OF THE CITY CLERK THIS ___ DAY OF ____ 1990

____
[illegible] SCOTT, CITY CLERK
CITY OF CLAYTON

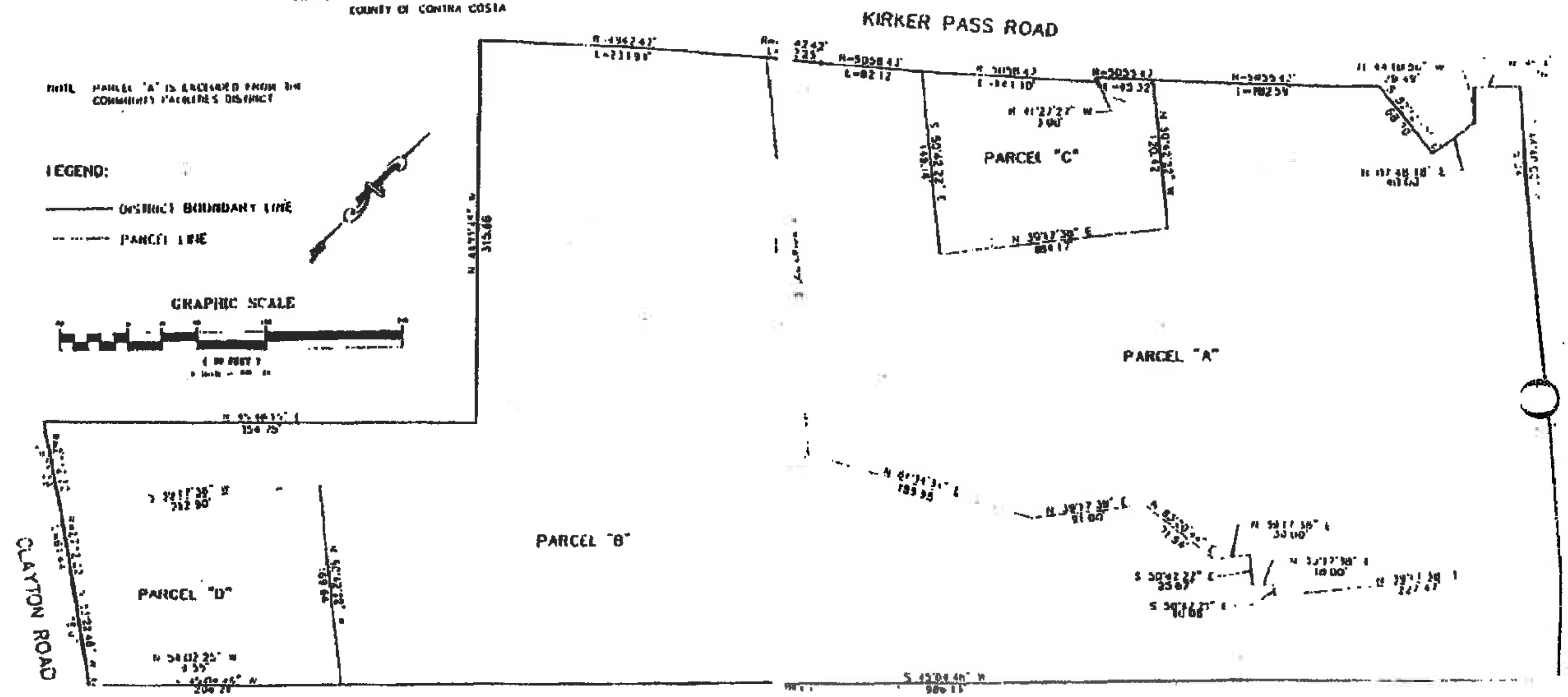
I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING PROPOSED BOUNDARIES OF CLAYTON STATION COMMUNITY FACILITIES DISTRICT, CITY OF CLAYTON, CONTRA COSTA COUNTY, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF CLAYTON AT A REGULAR MEETING THEREOF HELD ON THE ___ DAY OF ____, 1990 BY ITS RESOLUTION NO. ___.

____
[illegible] SCOTT, CITY CLERK
CITY OF CLAYTON

FILED THIS ___ DAY OF ____ 1990, AT THE HOUR OF ___ O'CLOCK __M IN BOOK ___ OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AT PAGE ___ IN THE OFFICE OF THE COUNTY RECORDER IN THE COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA.

____
STEPHEN L. WEIR, COUNTY RECORDER
COUNTY OF CONTRA COSTA

NOTE: PARCEL "A" IS EXCLUDED FROM THE COMMUNITY FACILITIES DISTRICT



7. DELINQUENCY DETAIL

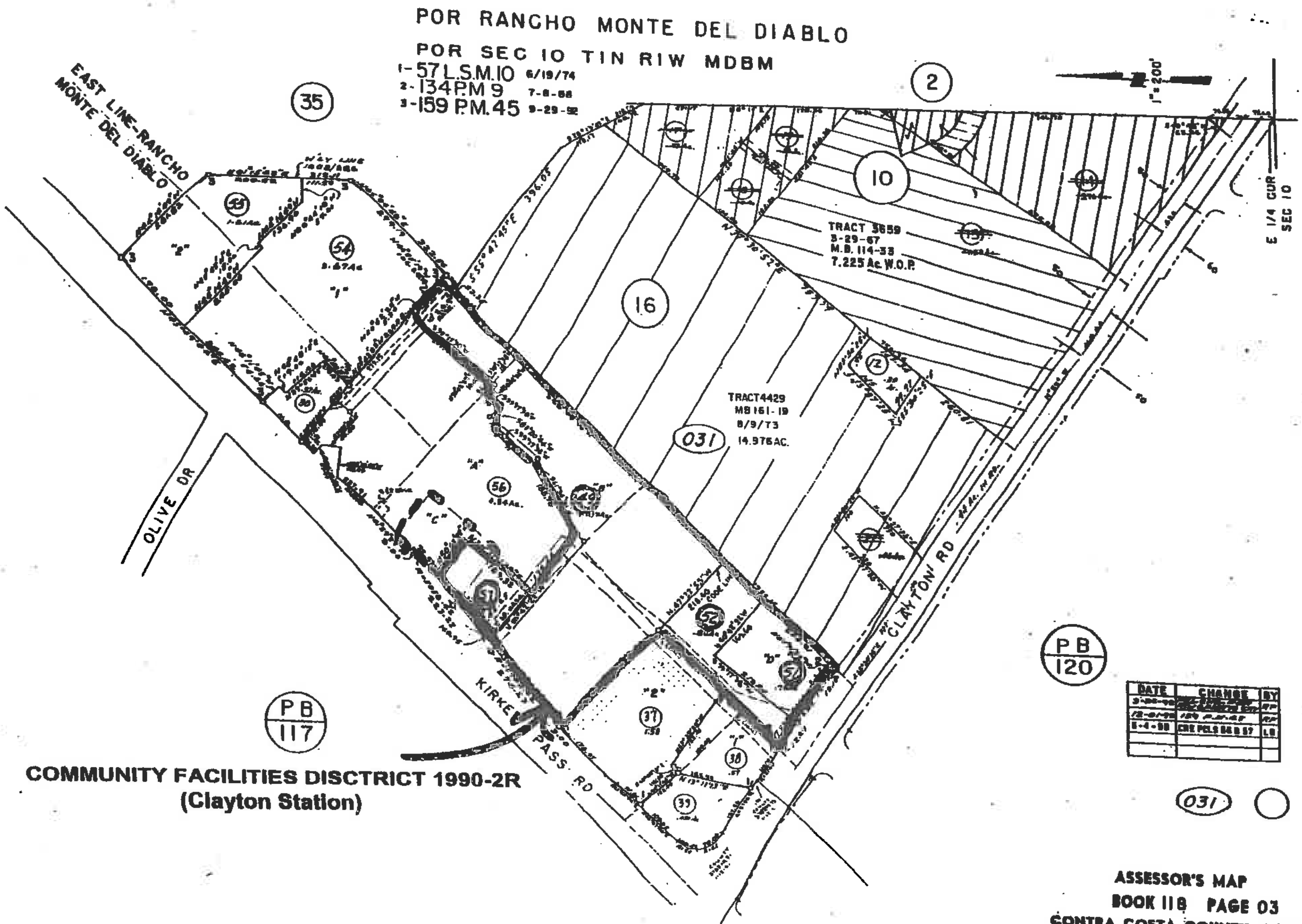
There are no delinquencies to report for the District.

8. 2012/13 SPECIAL TAX ROLL

The following page provides the 2012/13 Special Tax Roll for the District.

City of Clayton
Community Facilities District 1990-2R
Clayton Station
Fiscal Year 2012/13 Special Tax Roll

APN	Situs Address	Levy
118-031-049	KIRKER PASS RD	$106,916.94
118-031-051	5441-5443 CLAYTON RD	17,051.40
118-031-052	5437 CLAYTON RD	19,023.36
118-031-057	1536 KIRKER PASS RD	7,274.86
Totals:	**4 Parcels**	**$150,266.56**



COMMUNITY FACILITIES DISCTRICT 1990-2R
(Clayton Station)

ASSESSOR'S MAP
BOOK 118 PAGE 03
CONTRA COSTA COUNTY, CALIF.

ORDINANCE NO. 281

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLAYTON AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 1990-2 (CLAYTON STATION)

WHEREAS, on September 18, 1990, the City Council of the City of Clayton, State of California (the "Council"), adopted its Resolution No. 94-90 (the "Resolution of Intention to Establish the District") stating its intention to form Community Facilities District No. 1990-2 of the City of Clayton (the "District") pursuant to Chapter 2.5 of Part 1 of Division 2 of Title 5 (commencing with Section 53311) of the California Government Code, commonly known as the "Mello-Roos Community Facilities Act of 1982" (the "Act"); and

WHEREAS, on September 18, 1990, the Council also adopted Resolution No. 95-90 (the "Resolution of Intention to Incur Bonded Indebtedness") stating its intention to incur bonded indebtedness in an amount not to exceed $1,500,000 within the District for the purpose of financing the costs of certain facilities specified in the Resolution of Intention to Establish the District (the "Facilities"); and

WHEREAS, notice was published as required by law relative to the intention of this Council to form the proposed District and to incur bonded indebtedness in an amount not to exceed $1,500,000 within the District; and

WHEREAS, on October 30,1990, this Council convened noticed public hearings as required by law, (1) to determine whether it

3194005/17

Attachment 4

should proceed with the formation of the District and authorize the rate, method of apportionment, and manner of collection of a special tax to be levied within the District for the purpose of paying for the Facilities, including the payment of interest on and principal of and other periodic costs on the bonds proposed to be issued to finance the Facilities, and the repayment of funds advanced to the District, and the annual administration expenses of the City and the District in determining, apportioning, levying and collecting such special tax and all incidental expenses authorized under the Act, and (2) on the proposal to incur the bonded indebtedness; and

WHEREAS, at said hearings all persons desiring to be heard on all matters pertaining to the formation of the District, the levy of the special tax, the proposed issuance of the bonded indebtedness, and all other matters set forth in the Resolution of Intention to Establish the District and the Resolution of Intention to Incur Bonded Indebtedness, were heard and considered and full and fair hearings were held thereon; and

WHEREAS, this Council, subsequent to said hearings, adopted Resolution No. 107-90 (the "Resolution of Formation") which established the District, determined the validity of prior proceedings relative to the formation of the District and the incurring of bonded indebtedness, authorized the levy of a special tax within the District and called an election for November 1, 1990, on the propositions of levying a special tax and establishing an appropriations limit within the District; and

WHEREAS, this Council, subsequent to said hearings, adopted Resolution No. 108-90 (the "Resolution to Incur Bonded Indebtedness") which determined the necessity of incurring bonded indebtedness in an amount not to exceed $1,500,000 and called an election within the District for November 1, 1990, on the proposition of incurring bonded indebtedness; and

WHEREAS, on November 1, 1990, in accordance with the Resolution of Formation and the Resolution to Incur Bonded Indebtedness, a consolidated election was held within the District in which the qualified electors approved by more than a two-thirds vote the propositions of incurring the bonded indebtedness, levying a special tax, and establishing an appropriations limit within the District;

NOW, THEREFORE, the City Council of the City of Clayton, DOES ORDAIN as follows:

Section 1. The above recitals are all true and correct and this Council so finds and determines.

Section 2. By the passage of this Ordinance, this Council authorizes the levy of a special tax pursuant to the rate and method of apportionment set forth in Exhibit "A" attached hereto and incorporated by reference herein, being the rate and method of apportionment specified in the Resolution of Formation.

Section 3. This Council is hereby further authorized each year by resolution adopted within the time period, if any, provided in the Act, to determine the specific special tax rate and amount to be levied for the next fiscal year, except that the special tax rate to be levied shall not exceed that set forth in Exhibit "A" hereto, but the special tax may be levied at a lower rate.

Section 4. Properties or entities of the state, federal or other local governments shall, except as otherwise provided in Sections 53317.3 and 53317.5 of the Act, be exempt from the special tax. No other properties or entities are exempt from the special tax unless the properties or entities are expressly exempted in the Resolution of Formation (and Exhibit "A" hereto), or in a resolution of consideration to levy a new special tax or special taxes or to alter the rate or method of apportionment or an existing special tax as provided in Section 53334 of the Act.

Section 5. All of the collections of the special tax shall be used as provided for in the Act and the Resolution of Formation. The special tax shall be levied only so long as needed for its purpose as described in the Resolution of Formation and the Resolution to Incur Bonded Indebtedness.

Section 6. The special tax shall be collected in the same manner as ordinary ad valorem property taxes are collected and shall be subject to the same penalties and the same procedure, sale, and lien priority in case of delinquency as is provided for ad valorem taxes, as such procedure may be modified by law from time to time.

Section 7. This Ordinance shall become effective thirty (30) days from and after its passage.

Section 8. Within fifteen (15) days after the passage of this Ordinance the City Clerk is hereby ordered and directed to certify to the passage of this Ordinance and, because there is no newspaper of general circulation published and circulated in the City, to cause the same to be posted in the following three public places in the City:

City Hall, 1007 Oak Street

Endeavor Hall, Oak at Center Street

Ohms Board located on Diablo Street near U.S. Post Office

* * * * *

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Clayton held on Nov. 6, 1990.

Passed, adopted and ordered posted at a regular meeting of the City Council of the City of Clayton held on Dec. 4, 1990, by the following vote:

AYES: Councilmembers: Laurence, Musto, Walcutt, Vice Mayor Manning, Mayor Kendall.

NOTES: None

ABSENT: None

R C Kendall

Mayor

ATTEST:

Ruth A. Scott

City Clerk

3194005/17

I hereby certify that the foregoing Ordinance was duly introduced at a regular meeting of the City Council of the City of Clayton held on Nov. 6, 1990, and was duly adopted, passed and ordered posted at a regular meeting of the City Council held on Dec. 4, 1990.

Ruth A. Scott
City Clerk

3194005/17

EXHIBIT A

RATE, METHOD OF APPORTIONMENT AND
MANNER OF COLLECTION OF SPECIAL TAX

The Special Tax rate for the District is established at $186,086 per fiscal year. The apportionment of such amount to each parcel in the District is based on the square footage of buildings currently occupying each respective parcel or, in the instance where there is no building currently occupying the parcel, the maximum authorized square footage of buildings to be constructed thereon.

Notwithstanding any subsequent changes to the parcels, or the size of the buildings thereon, the dollar amount of the Special Tax apportioned to each parcel shall remain as set forth herein.

The Maximum Special Tax shall be apportioned as follows:

Parcel Number/ Identification*	Amount	Building Square Feet	Percent of Total
B	$155,961	55,395	83.81%
C	21,116	7,500	11.35%
D	9,009	3,200	4.84%

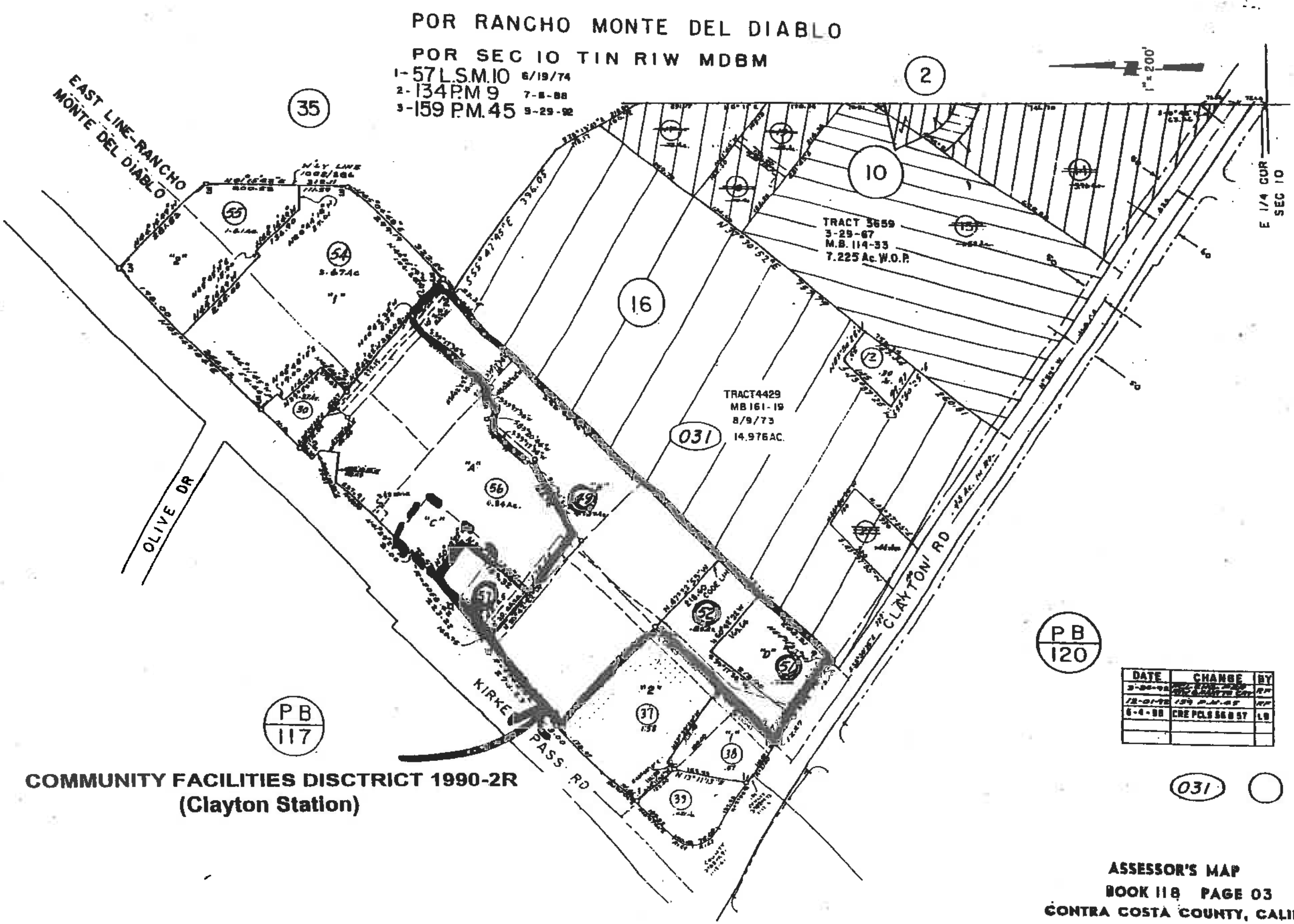
If one hundred ten percent (110%) of the maximum annual debt service on the bonds issued by the District is less than the Special Tax, then, commencing in the fiscal year following the issuance of the bonds, the Special Tax shall be reduced to such lesser amount, and the amount thereof apportioned to each parcel shall be reduced pro-rata.

The special tax will be collected in the same manner and at the same time as ad valorem property taxes.

---

* Reference is made to the map of the District, entitled "Proposed Boundaries of Community Facilities District No. 1990-2 of the City of Clayton, Contra Costa County, State of California," on file with the City Clerk, and recorded in the office of the County Recorder of Contra Costa County in Book 42 of Maps of Assessment and Community Facilities Districts at Page 15.

Attachment 5



COMMUNITY FACILITIES DISCTRICT 1990-2R
(Clayton Station)

CITY OF CLAYTON
Founded 1857 ... Incorporated 1964

Agenda Date: 7-3-12

Agenda Item: 4a

Approved:

Gary A. Napper
City Manager

AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: CITY MANAGER

DATE: 03 JULY 2012

SUBJECT: APPROVAL OF 3 MONTHS' TIME EXTENSION COLLECTIVE BARGAINING AGREEMENTS, CLAYTON POLICE OFFICERS ASSOCIATION (CPOA)

RECOMMENDATION

It is recommended the City Council, by minute motion, approve Addendum No. 4 with the Clayton Police Officers Association (CPOA) to extend the date of expiration to 30 September 2012 concerning the 2008 base Memorandum of Understanding (MOU) and Addenda Nos. 1-3 regarding certain terms and conditions of employment and compensation with the City of Clayton.

BACKGROUND

On 03 August 2010 the City entered into a 1-year MOU with the Clayton Police Officers Association (CPOA) concerning terms of employment and compensation for the ten (10) sworn members of our local law enforcement unit. This action was in accord with California state laws that require a public employer and each of its organized or undesignated collective bargaining units to meet and confer over terms and conditions of employment and compensation (ref. *Government Code Section 3500*, et. seq.). That 1-year Addendum No. 3 to the underlying MOU expired on 30 June 2012.

Typically, public employment collective bargaining units wait for detail of a city's budget status for ensuing fiscal year before fashioning and indicating willingness to commence the required negotiation process. As Clayton's budget circumstances were not available until June 1st, neither the City nor the CPOA had taken prior opportunity to generate prospective items for discussion with the other party.

Therefore, so as not to allow the elapsing conditions of public employment expire and generate chaos as to local law enforcement operations and employment starting 01 July 2012, the City and the CPOA have each agreed to continue the existing terms for an additional three (3) months. This time extension will offer time for both parties to assemble individually and together to obtain mutual agreement on successor employment conditions. Retroactive application of any successor terms and conditions is a matter as well for the negotiation table.

FISCAL IMPACT

Continuation of the existing terms and conditions of public employment between the City and the CPOA provides the desired stability for local law enforcement operations during the next three (3) month time period while the parties conduct the due diligence of required collective bargaining. Although it is true the City will experience some increased expenses for employment of this Unit starting 01 July 2012 (e.g. employer CalPERS and workers' compensation rates have risen), the sworn employees covered by this MOU and its Addenda will also operate under labor concessions contained in the current agreements (e.g. no holiday premium pay, merit increases or cost-of-living adjustments).

Exhibits: A. Addendum No. 4 with POA Unit [2 pp.]

EXHIBIT A

ADDENDUM NO. 4

This Addendum No. 4 is a three (3) month time extension with one modification to that 1-year underlying Memorandum of Understanding (MOU) entered into by and between the City of Clayton ("City") and the Clayton Police Officers Association ("CPOA"), previously approved and authorized by the Clayton City Council at a regular public meeting thereof held on the 1st day of July 2008, and as further amended by Addenda Nos. 1-3 adopted by the City Council.

WHEREAS, by California Government Code section 3500, et seq., the City is required by law to negotiate in good faith with recognized collective bargaining units and groups of the City organization concerning certain public employment matters including, but not limited to, wages, hours, benefits, and other terms and conditions of employment with the City; and

WHEREAS, the Clayton Police Officers Association (CPOA) is a recognized public employee collective bargaining unit within the City public agency; and

WHEREAS, by City Resolution No. 29-2011 the Clayton City Council did adopt, at a regular public meeting thereof on 19 July 2011, Addendum No. 3 by and between the City and the CPOA that modified or restated specific employment terms and conditions for the CPOA for a one (1) year term; and

WHEREAS, all terms and conditions of public employment between the City and the CPOA will expire on 30 June 2012; and

WHEREAS, neither the City nor the CPOA have yet met together as required by California Government Code section 3500, et seq., to discuss or negotiate in good faith matters involving the continuation or modification of terms and conditions of public employment for the CPOA, and it is unlikely such discussions will commence or be completed before the expiration of said public employment terms and conditions for the CPOA with the City on 01 July 2012; and

WHEREAS, each party to the underlying MOU and Addenda desires to meet in good faith and are willing to so within the next three (3) month time period to negotiate and hopefully arrive at acceptable successor terms and conditions of public employment between the City and the CPOA on or before 30 September 2012.

NOW, THEREFORE, BE IT RESOLVED by and between the City of Clayton and the Clayton Police Officers Association as follows:

1. <u>ARTICLE 20: TERM</u>
   Addendum No. 4 is retroactively effective on 01 July 2012 and continues through 30 September 2012, at which time it ends effective midnight on 30 September 2012.

2. All other and existing terms and conditions of the underlying MOU and Addenda Nos. 1-3 by and between the parties remain in full force and effect through 30 September 2012 to the extent each are not in conflict with Addendum No. 4 provisions recited above. In the event such a conflict arises, Addendum No. 4 does and shall prevail in effect and implementation.

IN WITNESS THEREOF, this Addendum No. 4 is entered into this 27TH day of June 2012 pursuant to the provisions of California Government Code section 3500, et seq., for presentation and recommendation for approval by the City Council of Clayton, CA at its regular public meeting thereof to be held on 03 July 2012.

CLAYTON POLICE OFFICERS ASSOCIATION (CPOA)
By:

______________________ Date: 6/27/12

Allen White, CPOA President

CITY OF CLAYTON, CA (CITY)
By:

______________________ Date: 27 JUNE 2012

Gary A. Napper, City Manager

# # # # #

Agenda Date: 7-3-12

Agenda Item: 4K

Approved:

Gary A. Napper
City Manager

CITY OF CLAYTON
Founded 1857 . . Incorporated 1964

STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: Laura Hoffmeister, Asst. to the City Manager

MEETING DATE: July 3, 2012

SUBJECT: Approval of Resolution authorizing the levy for fiscal year 2012-13 for Community Facility District No. 1990-1R, 2007 Special Tax Revenue Refunding Bonds (Middle School)

RECOMMENDATION

Adoption of Resolution No. __-12 Placing Special Tax for Community Facilities District 1990-1R (Middle School) on the fiscal year 2012-2013 Tax Assessment Roll.

BACKGROUND

In June 1990 the City established the district and levy in accordance with a lack of majority protest determination ballot process as required by state law. The approval of this district established this special tax for repayment of $6.5 million in bonds that were for a portion of the construction of the Middle School, and of the Community Park. The district includes all of the Oakhurst developments. The collection of the tax is done by the County. The assessment and method of the levy is in compliance with the provisions of Proposition 218, and are fixed by the bond issuance and therefore cannot be altered.

In 1990 the original bond issuance had an interest rate of 8.6%. In November 1997 the bonds were refinanced to obtain a lower interest rate to 5.9%, and savings passed along to the District ratepayers. In May 2007 the bonds were again refinanced to obtain even a lower interest rate of 4.1% average. The costs savings are passed along to the Assessment District ratepayers. The bond duration did not change and is expected to be repaid by the year 2022-23. The proposed rates for FY 12-13 actually have now been reduced by apx. $100 annually prior to the refinancing.

FISCAL IMPACT

There is no fiscal cost to the City. The parcels property owners within the assessment district pay for all costs of bond repayment and minor administrative costs related to its collection by the county and management by the City. The reduced interest rate savings achieved with the May 2007 refinancing are passed along to the rate payers over the remaining life of the bond. The savings vary by size of parcel however generally result in $300 to $500 in total savings from 2007-08 through 2022-23. For FY 12-13 Because different lots have different levies the actual levy decrease for FY 12-13 varies from is $10- $23, with an average of $15.40 lower than last year.

CONCLUSION

The City Council, by Ordinance 274, as authorized by Section 53340 of the Government Code of the State of California, authorized the levy of a special tax to pay for costs and expenses related to Community Facilities District 1990-1R (Middle School). This resolution sets the fees for fiscal year 2012-2013 and authorizes the Contra Costa County auditor to place these taxes on the next assessment roll on which the taxes will become due.

Attachments:

- Resolution __-12
- Exhibit A to Resolution __-12(assessment levy detail)
- Annual Special Tax Levy Report (FY 09/10; CFD 1990-1R, 2007 Special Tax Refunding Bonds; Middle School)
- Ordinance 274
- Exhibits to Ordinance 274

RESOLUTION NO. ___-2012

A RESOLUTION LEVYING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2012-2013 FOR COMMUNITY FACILITIES DISTRICT 1990-1R 2007 SPECIAL TAX REVENUE REFUNDING BONDS (Middle School)

THE CITY COUNCIL
City of Clayton, California

WHEREAS, the City Council of the City of Clayton, California, (hereinafter referred to as the "legislative body"), has previously initiated proceedings, held a public hearing, conducted and election and received a favorable vote from the qualified electors relating to the levy of a special tax in a community facilities district, all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982"; being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California. This Community Facilities District shall hereinafter be referred to as "District"; and,

WHEREAS, the legislative body, by Ordinance as authorized by Section 53340 if the Government Code of the State of California, has authorized the levy of a special tax to pay for costs and expenses related to said Community Facilities Districts, and this legislative body is desirous to establish the specific rate of the special tax to be collected for the next fiscal year; and,

WHEREAS, the assessments are in compliance with all laws pertaining to the levy of special taxes, and the assessments are levied without regard to property valuation, and the assessments are in compliance with the provisions of Proposition 218.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. That the above recitals are all true and correct.

SECTION 2: That the specific rate and amount of the special tax to be collected to pay for the costs and expenses for the next fiscal year (2012-2013) for the referenced District is hereby determined and established as set forth in the attached, referenced and incorporated Exhibit "A".

SECTION 3. That the rate as set forth above does not exceed the amount as previously authorized by Ordinance of the legislative body, and is not in excess of that as previously approved by the qualified electors of the District.

SECTION 4. That the proceeds of the special tax shall be used to pay, in whole or part, the costs of the following:

A. Payment of principal and interest on any outstanding authorized bonded indebtedness;

B. Necessary replenishment of bond reserve funds or other reserve funds;

Attachment 1

C. Repayment of costs and expenses of authorized public facilities;

D. Repayment of advances and loans, if appropriate; and

E. Payment of District administrative costs.

The proceeds of the special taxes shall be used as set forth above, and shall not be used for any other purpose.

SECTION 5. The special tax shall be collected in the same manner as ordinary ad valorem property taxes are collected, and shall be subject to the same penalties and same procedure and sale in cases of any delinquency for ad valorem taxes, and the Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any said special tax.

SECTION 6. All monies above shall be paid into the Community Facilities District fund, including any bond fund and reserve fund.

SECTION 7. The Auditor of the County is hereby directed to enter in the next County assessment role on which taxes will become due, opposite each lot or parcel of land effected in a space marked "public improvements, special tax" or by other suitable designation, the installment of the special tax, and for the exact rate and amount of said tax, reference is made to the attached Exhibit "A".

SECTION 8. The County Auditor shall then, at the close of the tax collection period, promptly render to this Agency a detailed report showing the amount and/or amounts of such special tax installments, interest, penalties and percentages retained for the expense of making any such collection.

PASSED, APPROVED and ADOPTED by the City Council of the City of Clayton at a regular meeting of said Council held on July 3, 2012 by the following vote:

AYES:

NOES:

ABSENT:

THE CITY COUNCIL OF CLAYTON, CA

____
Howard Geller, Mayor

ATTEST:

____
Laci J. Jackson, City Clerk

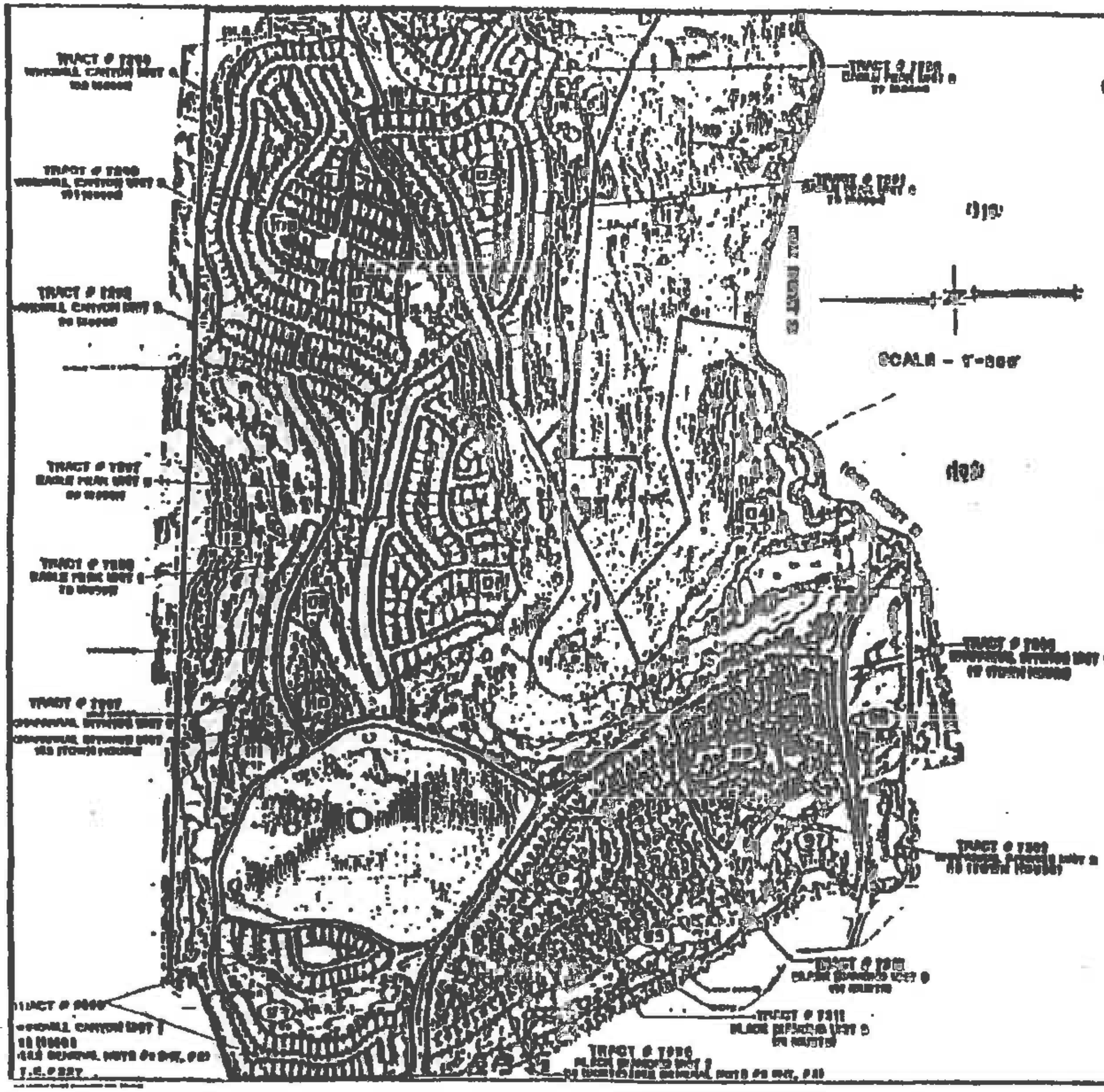
EXHIBIT A
to Resolution ___-2012

CFD 2001990-1R (Middle School)

For fiscal year 2012-2013 the following pages provide the 2012/13 Special Tax Roll for the Community Facilities District 1990-1R (commonly known as Middle School)

laura/Exhibit A rescfd mid school fy12-13

Attachment 2

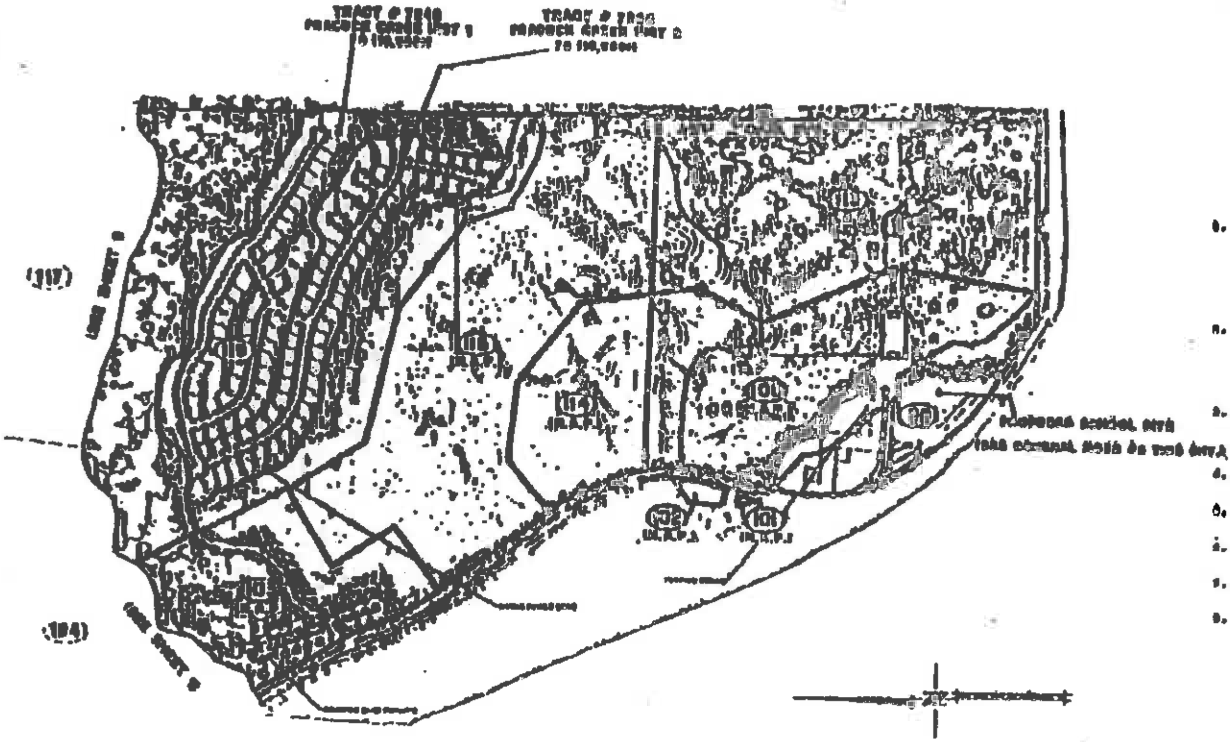


PROPOSED BOUNDARIES OF

COMMUNITY FACILITIES DISTRICT NO. 1990-1

OF THE CITY OF CLAYTON,
CONTRA COSTA COUNTY
STATE OF CALIFORNIA

MAY 1990
TETRAD ENGINEERING
PACHECO, CA.



PROPOSED BOUNDARIES OF

COMMUNITY FACILITIES DISTRICT NO. 1990-1

OF THE CITY OF CLAYTON,
CONTRA COSTA COUNTY
STATE OF CALIFORNIA

MAY 1990
TETRAD ENGINEERING
PACHECO, CA.

City of Clayton
Community Facilities District 1990-1R
Clayton Middle School
Fiscal Year 2012/13 Special Tax Roll

APN	Situs Address	Levy
118-382-015	1828 EAGLE PEAK AVE	$312.14
118-382-016	1824 EAGLE PEAK AVE	312.14
118-382-017	1820 EAGLE PEAK AVE	312.14
118-382-018	1816 EAGLE PEAK AVE	312.14
118-382-019	1812 EAGLE PEAK AVE	312.14
118-382-020	1808 EAGLE PEAK AVE	312.14
118-382-021	1804 EAGLE PEAK AVE	312.14
118-382-022	1800 EAGLE PEAK AVE	312.14
118-391-018	136 JOSCOLO VW	312.14
118-391-024	160 JOSCOLO VW	312.14
118-392-001	1816 OHLONE HEIGHTS	312.14
118-392-002	1820 OHLONE HEIGHTS	312.14
118-392-003	1824 OHLONE HEIGHTS	312.14
118-392-004	1828 OHLONE HTS	312.14
118-392-005	1832 OHLONE HEIGHTS	312.14
118-392-006	1836 OHLONE HEIGHTS	312.14
118-392-007	1840 OHLONE HEIGHTS	312.14
118-392-012	129 JOSCOLO VW	312.14
118-392-014	135 JOSCOLO VW	312.14
118-392-015	139 JOSCOLO VW	312.14
118-392-016	145 JOSCOLO VW	312.14
118-401-001	1790 INDIAN WELLS WAY	268.28
118-401-002	1788 INDIAN WELLS WAY	268.28
118-401-003	1786 INDIAN WELLS WAY	268.28
118-401-004	1784 INDIAN WELLS WAY	268.28
118-401-005	1782 INDIAN WELLS WAY	268.28
118-401-006	1780 INDIAN WELLS WAY	268.28
118-401-007	1778 INDIAN WELLS WAY	268.28
118-401-008	1776 INDIAN WELLS WAY	268.28
118-401-009	1774 INDIAN WELLS WAY	268.28
118-401-010	1772 INDIAN WELLS WAY	268.28
118-401-019	40 TULE CT	268.28
118-401-029	400 CHUPCAN PL	268.28
118-401-030	402 CHUPCAN PL	268.28
118-401-031	404 CHUPCAN PL	268.28
118-401-032	406 CHUPCAN PL	268.28
118-401-033	408 CHUPCAN PL	268.28
118-401-034	410 CHUPCAN PL	268.28
118-401-035	417 CHUPCAN PL	268.28
118-401-036	415 CHUPCAN PL	268.28
118-401-037	411 CHUPCAN PL	268.28

City of Clayton
Community Facilities District 1990-1R
Clayton Middle School
Fiscal Year 2012/13 Special Tax Roll

APN	Situs Address	Levy
118-401-038	409 CHUPCAN PL	268.28
118-401-039	407 CHUPCAN PL	268.28
118-401-040	405 CHUPCAN PL	268.28
118-401-041	403 CHUPCAN PL	268.28
118-401-042	401 CHUPCAN PL	268.28
118-402-001	1735 INDIAN WELLS WAY	268.28
118-402-002	1737 INDIAN WELLS WAY	268.28
118-402-003	1739 INDIAN WELLS WAY	268.28
118-402-004	1741 INDIAN WELLS WAY	268.28
118-402-005	1743 INDIAN WELLS WAY	268.28
118-402-006	1745 INDIAN WELLS WAY	268.28
118-402-007	1747 INDIAN WELLS WAY	268.28
118-402-008	1749 INDIAN WELLS WAY	268.28
118-402-009	310 SACLAN TERRACE PL	268.28
118-402-010	320 SACLAN TERRACE PL	268.28
118-402-011	326 SACLAN TERRACE PL	268.28
118-402-012	328 SACLAN TERRACE PL	268.28
118-402-013	330 SACLAN TERRACE PL	268.28
118-402-014	332 SACLAN TERRACE PL	268.28
118-402-015	334 SACLAN TERRACE PL	268.28
118-402-016	336 SACLAN TERRACE PL	268.28
118-402-017	338 SACLAN TERRACE PL	268.28
118-402-018	340 SACLAN TERRACE PL	268.28
118-402-019	341 SACLAN TERRACE PL	268.28
118-402-020	339 SACLAN TERRACE PL	268.28
118-402-021	337 SACLAN TERRACE PL	268.28
118-402-022	335 SACLAN TERRACE PL	268.28
118-402-023	333 SACLAN TERRACE PL	268.28
118-402-024	331 SACLAN TERRACE PL	268.28
118-402-025	329 SACLAN TERRACE PL	268.28
118-402-026	327 SACLAN TERRACE PL	268.28
118-402-027	325 SACLAN TERRACE PL	268.28
118-402-028	323 SACLAN TERRACE PL	268.28
118-402-029	321 SACLAN TERRACE PL	268.28
118-410-001	1399 SHELL LN	217.84
118-410-002	1397 SHELL LN	217.84
118-410-003	1389 SHELL LN	217.84
118-410-004	1387 SHELL LN	217.84
118-410-005	1385 SHELL LN	217.84
118-410-006	1383 SHELL LN	217.84
118-410-007	1381 SHELL LN	217.84

City of Clayton
Community Facilities District 1990-1R
Clayton Middle School
Fiscal Year 2012/13 Special Tax Roll

APN	Situs Address	Levy
118-410-008	1379 SHELL LN	217.84
118-410-009	1377 SHELL LN	217.84
118-410-010	1375 SHELL LN	217.84
118-410-011	1373 SHELL LN	217.84
118-410-012	1371 SHELL LN	217.84
118-410-013	1369 SHELL LN	217.84
118-410-014	1367 SHELL LN	217.84
118-410-015	1365 SHELL LN	217.84
118-410-016	1363 SHELL LN	217.84
118-410-017	1361 SHELL LN	217.84
118-410-018	1359 SHELL LN	217.84
118-410-019	1357 SHELL LN	217.84
118-410-020	1355 SHELL LN	217.84
118-410-021	1353 SHELL LN	217.84
118-410-022	1351 SHELL LN	217.84
118-410-023	1349 SHELL LN	217.84
118-410-024	1347 SHELL LN	217.84
118-410-025	1345 SHELL LN	217.84
118-410-026	1343 SHELL LN	217.84
118-410-027	1341 SHELL LN	217.84
118-410-028	1339 SHELL LN	217.84
118-410-029	1337 SHELL LN	217.84
118-410-030	1335 SHELL LN	217.84
118-410-031	1333 SHELL LN	217.84
118-410-032	1331 SHELL LN	217.84
118-410-033	1329 SHELL LN	217.84
118-410-034	1327 SHELL LN	217.84
118-410-035	1199 SHELL LN	217.84
118-410-037	1195 SHELL LN	217.84
118-410-038	1193 SHELL LN	217.84
118-410-039	1191 SHELL LN	217.84
118-410-040	1189 SHELL LN	217.84
118-410-041	1187 SHELL LN	217.84
118-410-042	1185 SHELL LN	217.84
118-410-043	1183 SHELL LN	217.84
118-410-044	1181 SHELL LN	217.84
118-410-045	1179 SHELL LN	217.84
118-410-046	1177 SHELL LN	217.84
118-410-047	1175 SHELL LN	217.84
118-410-048	1173 SHELL LN	217.84
118-410-049	1171 SHELL LN	217.84

City of Clayton
Community Facilities District 1990-1R
Clayton Middle School
Fiscal Year 2012/13 Special Tax Roll

APN	Situs Address	Levy
118-410-050	1169 SHELL LN	217.84
118-410-051	1167 SHELL LN	217.84
118-410-052	1267 SHELL CIR	217.84
118-410-053	1265 SHELL CIR	217.84
118-410-054	1263 SHELL CIR	217.84
118-410-055	1261 SHELL CIR	217.84
118-410-056	1259 SHELL CIR	217.84
118-410-057	1254 SHELL CIR	217.84
118-410-058	1256 SHELL CIR	217.84
118-410-059	1258 SHELL CIR	217.84
118-410-060	1260 SHELL CIR	217.84
118-410-061	1262 SHELL CIR	217.84
118-410-062	1264 SHELL CIR	217.84
118-410-063	1266 SHELL CIR	217.84
118-410-064	1268 SHELL CIR	217.84
118-410-065	1270 SHELL CIR	217.84
118-410-066	1272 SHELL CIR	217.84
118-410-067	1274 SHELL CIR	217.84
118-410-068	1276 SHELL CIR	217.84
118-410-069	1278 SHELL CIR	217.84
118-410-070	1280 SHELL CIR	217.84
118-410-071	1282 SHELL CIR	217.84
118-410-072	1284 SHELL CIR	217.84
118-410-073	1286 SHELL CIR	217.84
118-410-074	1288 SHELL CIR	217.84
118-410-075	1290 SHELL CIR	217.84
118-410-076	1292 SHELL CIR	217.84
118-410-077	1294 SHELL CIR	217.84
118-410-078	1296 SHELL CIR	217.84
118-410-079	1298 SHELL CIR	217.84
118-410-080	1269 SHELL CIR	217.84
118-410-081	1271 SHELL CIR	217.84
118-410-082	1273 SHELL CIR	217.84
118-410-083	1275 SHELL CIR	217.84
118-410-084	1332 SHELL LN	217.84
118-410-085	1330 SHELL LN	217.84
118-410-086	1328 SHELL LN	217.84
118-410-087	1326 SHELL LN	217.84
118-410-088	1340 SHELL LN	217.84
118-410-089	1338 SHELL LN	217.84
118-410-090	1336 SHELL LN	217.84

City of Clayton
Community Facilities District 1990-1R
Clayton Middle School
Fiscal Year 2012/13 Special Tax Roll

APN	Situs Address	Levy
118-410-091	1334 SHELL LN	217.84
118-410-092	1277 SHELL CIR	217.84
118-410-093	1279 SHELL CIR	217.84
118-410-094	1281 SHELL CIR	217.84
118-410-095	1283 SHELL CIR	217.84
118-410-096	1285 SHELL CIR	217.84
118-410-097	1287 SHELL CIR	217.84
118-410-098	1289 SHELL CIR	217.84
118-410-099	1291 SHELL CIR	217.84
118-410-100	1293 SHELL CIR	217.84
118-410-101	1295 SHELL CIR	217.84
118-410-102	1297 SHELL CIR	217.84
118-410-103	1299 SHELL CIR	217.84
118-410-104	1368 SHELL LN	217.84
118-410-105	1370 SHELL LN	217.84
118-410-106	1372 SHELL LN	217.84
118-410-107	1374 SHELL LN	217.84
118-410-108	1376 SHELL LN	217.84
118-410-109	1378 SHELL LN	217.84
118-410-110	1380 SHELL LN	217.84
118-410-111	1382 SHELL LN	217.84
118-410-112	1388 SHELL LN	217.84
118-410-113	1390 SHELL LN	217.84
118-410-114	1392 SHELL LN	217.84
118-410-115	1394 SHELL LN	217.84
118-410-116	1396 SHELL LN	217.84
118-410-117	1398 SHELL LN	217.84
118-410-120	1197 SHELL LN	217.84
118-421-001	304 AHWANEE LN	466.38
118-421-002	308 AHWANEE LN	466.38
118-421-003	312 AHWANEE LN	466.38
118-422-001	451 OBSIDIAN WAY	466.38
118-422-002	350 BLUE OAK LN	466.38
118-422-003	352 BLUE OAK LN	466.38
118-422-004	354 BLUE OAK LN	466.38
118-422-005	356 BLUE OAK LN	466.38
118-422-006	358 BLUE OAK LN	466.38
118-422-007	360 BLUE OAK LN	466.38
118-423-001	361 BLUE OAK LN	466.38
118-423-002	3057 MIWOK WAY	466.38
118-423-003	3055 MIWOK WAY	466.38

City of Clayton
Community Facilities District 1990-1R
Clayton Middle School
Fiscal Year 2012/13 Special Tax Roll

APN	Situs Address	Levy
118-423-004	3053 MIWOK WAY	466.38
118-423-005	3051 MIWOK WAY	466.38
118-423-006	3049 MIWOK WAY	466.38
118-423-007	3047 MIWOK WAY	466.38
118-423-008	3045 MIWOK WAY	466.38
118-423-009	3043 MIWOK WAY	466.38
118-423-010	3041 MIWOK WAY	466.38
118-423-011	3039 MIWOK WAY	466.38
118-423-012	3037 MIWOK WAY	466.38
118-423-013	3035 MIWOK WAY	466.38
118-423-014	3033 MIWOK WAY	466.38
118-423-015	3031 MIWOK WAY	466.38
118-424-001	359 BLUE OAK LN	466.38
118-424-002	357 BLUE OAK LN	466.38
118-424-003	355 BLUE OAK LN	466.38
118-424-004	353 BLUE OAK LN	466.38
118-424-005	351 BLUE OAK LN	466.38
118-424-006	409 WAWONA LN	466.38
118-424-007	407 WAWONA LN	466.38
118-424-008	405 WAWONA LN	466.38
118-424-009	403 WAWONA LN	466.38
118-424-010	401 WAWONA LN	466.38
118-424-011	3034 MIWOK WAY	466.38
118-424-012	3038 MIWOK WAY	466.38
118-424-013	3040 MIWOK WAY	466.38
118-424-014	3042 MIWOK WAY	466.38
118-424-015	3046 MIWOK WAY	466.38
118-424-016	3048 MIWOK WAY	466.38
118-424-017	3050 MIWOK WAY	466.38
118-424-018	3052 MIWOK WAY	466.38
118-424-019	3054 MIWOK WAY	466.38
118-431-001	316 AHWANEE CT	466.38
118-431-002	320 AHWANEE CT	466.38
118-431-003	324 AHWANEE CT	466.38
118-431-004	328 AHWANEE CT	466.38
118-431-005	332 AHWANEE CT	466.38
118-432-002	333 AHWANEE LN	466.38
118-432-003	329 AHWANEE LN	466.38
118-432-004	325 AHWANEE LN	466.38
118-432-005	321 AHWANEE CT	466.38
118-432-006	317 AHWANEE CT	466.38

City of Clayton
Community Facilities District 1990-1R
Clayton Middle School
Fiscal Year 2012/13 Special Tax Roll

APN	Situs Address	Levy
118-432-007	400 WAWONA LN	466.38
118-432-008	402 WAWONA LN	466.38
118-432-009	404 WAWONA LN	466.38
118-432-010	406 WAWONA LN	466.38
118-432-011	408 WAWONA LN	466.38
118-432-012	410 WAWONA LN	466.38
118-432-013	412 WAWONA LN	466.38
118-432-014	414 WAWONA LN	466.38
118-432-015	416 WAWONA CT	466.38
118-432-016	418 WAWONA LN	466.38
118-432-017	420 WAWONA CT	466.38
118-432-019	337 AHWANEE CT	466.38
118-432-020	422 WAWONA LN	466.38
118-433-002	419 WAWONA LN	466.38
118-433-003	417 WAWONA CT	466.38
118-433-004	421 WAWONA CT	466.38
118-441-001	5101 KELLER RIDGE DR	312.14
118-441-002	5103 KELLER RIDGE DR	312.14
118-441-003	5105 KELLER RIDGE DR	312.14
118-441-004	5107 KELLER RIDGE DR	312.14
118-441-005	5109 KELLER RIDGE DR	312.14
118-441-007	5113 KELLER RIDGE DR	312.14
118-441-008	5115 KELLER RIDGE DR	312.14
118-441-009	5117 KELLER RIDGE DR	312.14
118-441-010	5119 KELLER RIDGE DR	312.14
118-441-011	5121 KELLER RIDGE DR	312.14
118-441-012	5123 KELLER RIDGE DR	312.14
118-441-013	5125 KELLER RIDGE DR	312.14
118-441-014	5127 KELLER RIDGE DR	312.14
118-441-015	5129 KELLER RIDGE DR	312.14
118-441-016	5131 KELLER RIDGE DR	312.14
118-441-017	101 CROW PL	312.14
118-441-018	103 CROW PL	312.14
118-441-019	105 CROW PL	312.14
118-441-020	107 CROW PL	312.14
118-441-021	109 CROW PL	312.14
118-441-022	111 CROW PL	312.14
118-441-023	113 CROW PL	312.14
118-441-024	115 CROW PL	312.14
118-441-025	117 CROW PL	312.14
118-441-026	119 CROW PL	312.14

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APN	Situs Address	Levy
118-442-001	118 CROW PL	312.14
118-442-002	116 CROW PL	312.14
118-442-003	114 CROW PL	312.14
118-442-004	112 CROW PL	312.14
118-442-005	110 CROW PL	312.14
118-442-006	108 CROW PL	312.14
118-442-007	106 CROW PL	312.14
118-442-008	104 CROW PL	312.14
118-442-009	102 CROW PL	312.14
118-442-010	3009 WINDMILL CANYON DR	312.14
118-442-011	3011 WINDMILL CANYON DR	312.14
118-442-012	3013 WINDMILL CANYON DR	312.14
118-442-013	3015 WINDMILL CANYON DR	312.14
118-442-014	3017 WINDMILL CANYON DR	312.14
118-442-015	3019 WINDMILL CANYON DR	312.14
118-442-016	3021 WINDMILL CANYON DR	312.14
118-442-017	3023 WINDMILL CANYON DR	312.14
118-443-001	3022 WINDMILL CANYON DR	312.14
118-443-002	3020 WINDMILL CANYON DR	312.14
118-443-003	3018 WINDMILL CANYON DR	312.14
118-443-004	3016 WINDMILL CANYON DR	312.14
118-443-005	3014 WINDMILL CANYON DR	312.14
118-443-006	3012 WINDMILL CANYON DR	312.14
118-443-007	3010 WINDMILL CANYON DR	312.14
118-451-001	301 WINDMILL CANYON PL	312.14
118-451-002	303 WINDMILL CANYON PL	312.14
118-451-003	305 WINDMILL CANYON PL	312.14
118-451-004	307 WINDMILL CANYON PL	312.14
118-451-005	309 WINDMILL CANYON PL	312.14
118-451-006	311 WINDMILL CANYON PL	312.14
118-451-007	313 WINDMILL CANYON PL	312.14
118-451-008	315 WINDMILL CANYON PL	312.14
118-451-009	317 WINDMILL CANYON PL	312.14
118-451-010	319 WINDMILL CANYON PL	312.14
118-451-011	321 WINDMILL CANYON PL	312.14
118-452-001	322 WINDMILL CANYON PL	312.14
118-452-002	320 WINDMILL CANYON PL	312.14
118-452-003	318 WINDMILL CANYON PL	312.14
118-452-004	316 WINDMILL CANYON PL	312.14
118-452-005	314 WINDMILL CANYON PL	312.14
118-452-006	312 WINDMILL CANYON PL	312.14

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APN	Situs Address	Levy
118-452-007	310 WINDMILL CANYON PL	312.14
118-452-008	308 WINDMILL CANYON PL	312.14
118-452-009	306 WINDMILL CANYON PL	312.14
118-452-010	304 WINDMILL CANYON PL	312.14
118-452-011	302 WINDMILL CANYON PL	312.14
118-452-012	201 FALCON PL	312.14
118-452-013	203 FALCON PL	312.14
118-452-014	205 FALCON PL	312.14
118-452-015	207 FALCON PL	312.14
118-452-016	209 FALCON PL	312.14
118-452-017	211 FALCON PL	312.14
118-452-018	213 FALCON PL	312.14
118-452-019	215 FALCON PL	312.14
118-452-020	216 FALCON PL	312.14
118-452-021	214 FALCON PL	312.14
118-452-022	212 FALCON PL	312.14
118-452-023	210 FALCON PL	312.14
118-452-024	208 FALCON PL	312.14
118-452-025	206 FALCON PL	312.14
118-452-026	204 FALCON PL	312.14
118-452-027	202 FALCON PL	312.14
118-452-028	5126 KELLER RIDGE DR	312.14
118-452-029	5122 KELLER RIDGE DR	312.14
118-452-030	5120 KELLER RIDGE DR	312.14
118-452-031	5118 KELLER RIDGE DR	312.14
118-452-032	5116 KELLER RIDGE DR	312.14
118-452-033	5114 KELLER RIDGE DR	312.14
118-452-034	5112 KELLER RIDGE DR	312.14
118-452-035	5110 KELLER RIDGE DR	312.14
118-452-036	5108 KELLER RIDGE DR	312.14
118-452-037	5106 KELLER RIDGE DR	312.14
118-452-038	5102 KELLER RIDGE DR	312.14
118-460-001	600 JULPUN LOOP	268.28
118-460-002	602 JULPUN LOOP	268.28
118-460-003	604 JULPUN LOOP	268.28
118-460-004	606 JULPUN LOOP	268.28
118-460-005	608 JULPUN LOOP	268.28
118-460-006	610 JULPUN LOOP	268.28
118-460-007	612 JULPUN LOOP	268.28
118-460-008	614 JULPUN LOOP	268.28
118-460-009	616 JULPUN LOOP	268.28

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APN	Situs Address	Levy
118-460-010	618 JULPUN LOOP	268.28
118-460-011	620 JULPUN LOOP	268.28
118-460-012	622 JULPUN LOOP	268.28
118-460-013	615 JULPUN LOOP	268.28
118-460-014	609 JULPUN LOOP	268.28
118-460-015	605 JULPUN LOOP	268.28
118-460-016	601 JULPUN LOOP	268.28
118-460-017	637 JULPUN LOOP	268.28
118-460-018	633 JULPUN LOOP	268.28
118-460-019	629 JULPUN LOOP	268.28
118-460-020	625 JULPUN LOOP	268.28
118-460-021	624 JULPUN LOOP	268.28
118-460-022	626 JULPUN LOOP	268.28
118-460-023	628 JULPUN LOOP	268.28
118-460-024	630 JULPUN LOOP	268.28
118-460-025	632 JULPUN LOOP	268.28
118-460-026	634 JULPUN LOOP	268.28
118-460-027	636 JULPUN LOOP	268.28
118-460-028	638 JULPUN LOOP	268.28
118-460-029	800 CHERT PL	268.28
118-460-030	802 CHERT PL	268.28
118-460-031	804 CHERT PL	268.28
118-460-032	806 CHERT PL	268.28
118-460-033	808 CHERT PL	268.28
118-460-034	810 CHERT PL	268.28
118-460-035	812 CHERT PL	268.28
118-460-036	814 CHERT PL	268.28
118-460-037	819 CHERT PL	268.28
118-460-038	817 CHERT PL	268.28
118-460-039	815 CHERT PL	268.28
118-460-040	813 CHERT PL	268.28
118-460-041	811 CHERT PL	268.28
118-460-042	809 CHERT PL	268.28
118-460-043	807 CHERT PL	268.28
118-460-044	805 CHERT PL	268.28
118-460-045	803 CHERT PL	268.28
118-460-046	801 CHERT PL	268.28
118-460-047	51 KARKIN PL	268.28
118-460-048	53 KARKIN PL	268.28
118-460-049	55 KARKIN PL	268.28
118-460-050	57 KARKIN PL	268.28

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APN	Situs Address	Levy
118-460-051	56 KARKIN PL	268.28
118-460-052	54 KARKIN PL	268.28
118-460-053	52 KARKIN PL	268.28
118-460-054	1733 INDIAN WELLS WAY	268.28
118-460-055	501 SUISUN CT	268.28
118-460-056	503 SUISUN CT	268.28
118-460-057	505 SUISUN CT	268.28
118-460-058	507 SUISUN CT	268.28
118-460-059	509 SUISUN CT	268.28
118-460-060	511 SUISUN CT	268.28
118-460-061	510 SUISUN CT	268.28
118-460-062	508 SUISUN CT	268.28
118-460-063	506 SUISUN CT	268.28
118-460-064	504 SUISUN CT	268.28
118-460-065	502 SUISUN CT	268.28
118-460-066	1731 INDIAN WELLS WAY	268.28
118-460-067	1729 INDIAN WELLS WAY	268.28
118-460-068	1727 INDIAN WELLS WAY	268.28
118-460-069	1725 INDIAN WELLS WAY	268.28
118-460-070	1723 INDIAN WELLS WAY	268.28
118-460-071	1721 INDIAN WELLS WAY	268.28
118-460-072	1719 INDIAN WELLS WAY	268.28
118-460-073	722 ANIZUMNE CT	268.28
118-460-074	720 ANIZUMNE CT	268.28
118-460-075	718 ANIZUMNE CT	268.28
118-460-076	716 ANIZUMNE CT	268.28
118-460-077	714 ANIZUMNE CT	268.28
118-460-078	712 ANIZUMNE CT	268.28
118-460-079	710 ANIZUMNE CT	268.28
118-460-080	708 ANIZUMNE CT	268.28
118-460-081	706 ANIZUMNE CT	268.28
118-460-082	704 ANIZUMNE CT	268.28
118-460-083	702 ANIZUMNE CT	268.28
118-460-084	700 ANIZUMNE CT	268.28
118-460-085	1717 INDIAN WELLS WAY	268.28
118-460-086	1715 INDIAN WELLS WAY	268.28
118-460-087	1713 INDIAN WELLS WAY	268.28
118-460-088	1711 INDIAN WELLS WAY	268.28
118-460-089	901 ARROWHEAD TER	268.28
118-460-090	903 ARROWHEAD TER	268.28
118-460-091	905 ARROWHEAD TER	268.28

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APN	Situs Address	Levy
118-460-092	907 ARROWHEAD TER	268.28
118-460-093	909 ARROWHEAD TER	268.28
118-460-094	911 ARROWHEAD TER	268.28
118-460-095	913 ARROWHEAD TER	268.28
118-460-096	915 ARROWHEAD TER	268.28
118-460-097	917 ARROWHEAD TER	268.28
118-460-098	919 ARROWHEAD TER	268.28
118-460-099	921 ARROWHEAD TER	268.28
118-460-100	923 ARROWHEAD TER	268.28
118-460-101	925 ARROWHEAD TER	268.28
118-460-102	927 ARROWHEAD TER	268.28
118-460-103	929 ARROWHEAD TER	268.28
118-460-105	926 ARROWHEAD TER	268.28
118-460-106	924 ARROWHEAD TER	268.28
118-460-107	922 ARROWHEAD TER	268.28
118-460-108	920 ARROWHEAD TER	268.28
118-460-109	918 ARROWHEAD TER	268.28
118-460-110	916 ARROWHEAD TER	268.28
118-460-111	914 ARROWHEAD TER	268.28
118-460-112	912 ARROWHEAD CIR	268.28
118-460-113	910 ARROWHEAD TER	268.28
118-460-114	908 ARROWHEAD TER	268.28
118-460-115	906 ARROWHEAD TER	268.28
118-460-116	904 ARROWHEAD TER	268.28
118-460-117	902 ARROWHEAD TER	268.28
118-460-118	900 ARROWHEAD TER	268.28
118-460-121	931 ARROWHEAD TER	268.28
118-470-003	1207 BUCKEYE TER	268.28
118-470-004	1205 BUCKEYE TER	268.28
118-470-005	1203 BUCKEYE TER	268.28
118-470-006	1201 BUCKEYE TER	268.28
118-470-007	1211 BUCKEYE TER	268.28
118-470-008	1209 BUCKEYE TER	268.28
118-470-009	1213 BUCKEYE TER	268.28
118-470-010	1215 BUCKEYE TER	268.28
118-470-011	1217 BUCKEYE TER	268.28
118-470-012	1221 BUCKEYE TER	268.28
118-470-013	1223 BUCKEYE TER	268.28
118-470-014	1225 BUCKEYE TER	268.28
118-470-015	1227 BUCKEYE TER	268.28
118-470-016	1231 BUCKEYE TER	268.28

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APN	Situs Address	Levy
118-470-017	1233 BUCKEYE TER	268.28
118-470-018	1235 BUCKEYE TER	268.28
118-470-019	1237 BUCKEYE TER	268.28
118-470-020	1239 BUCKEYE TER	268.28
118-470-021	1241 BUCKEYE TER	268.28
118-470-022	1240 BUCKEYE TER	268.28
118-470-023	1238 BUCKEYE TER	268.28
118-470-024	1236 BUCKEYE TER	268.28
118-470-025	1234 BUCKEYE TER	268.28
118-470-026	1232 BUCKEYE TER	268.28
118-470-027	1230 BUCKEYE TER	268.28
118-470-028	1228 BUCKEYE TER	268.28
118-470-029	1226 BUCKEYE TER	268.28
118-470-030	1220 BUCKEYE TER	268.28
118-470-031	1218 BUCKEYE TER	268.28
118-470-032	1216 BUCKEYE TER	268.28
118-470-033	1214 BUCKEYE TER	268.28
118-470-034	1212 BUCKEYE TER	268.28
118-470-035	1200 BUCKEYE TER	268.28
118-470-036	1151 MOCCASIN CT	268.28
118-470-037	1153 MOCCASIN CT	268.28
118-470-038	1155 MOCCASIN CT	268.28
118-470-039	1159 MOCCASIN CT	268.28
118-470-040	1161 MOCCASIN CT	268.28
118-470-041	1163 MOCCASIN CT	268.28
118-470-042	1165 MOCCASIN CT	268.28
118-470-043	1169 MOCCASIN CT	268.28
118-470-044	1171 MOCCASIN CT	268.28
118-470-045	1173 MOCCASIN CT	268.28
118-470-046	1175 MOCCASIN CT	268.28
118-470-047	1174 MOCCASIN CT	268.28
118-470-048	1172 MOCCASIN CT	268.28
118-470-049	1170 MOCCASIN CT	268.28
118-470-050	1168 MOCCASIN CT	268.28
118-470-051	1166 MOCCASIN CT	268.28
118-470-052	1164 MOCCASIN CT	268.28
118-470-053	1160 MOCCASIN CT	268.28
118-470-054	1158 MOCCASIN CT	268.28
118-470-055	1156 MOCCASIN CT	268.28
118-470-056	1154 MOCCASIN CT	268.28
118-470-057	1152 MOCCASIN CT	268.28

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APN	Situs Address	Levy
118-470-063	1001 FEATHER CIR	268.28
118-470-064	1003 FEATHER CIR	268.28
118-470-065	1005 FEATHER CIR	268.28
118-470-066	1007 FEATHER CIR	268.28
118-470-067	1009 FEATHER CIR	268.28
118-470-068	1011 FEATHER CIR	268.28
118-470-069	1015 FEATHER CIR	268.28
118-470-070	1017 FEATHER CIR	268.28
118-470-071	1019 FEATHER CIR	268.28
118-470-072	1021 FEATHER CIR	268.28
118-470-076	1029 FEATHER CIR	268.28
118-470-079	1035 FEATHER CIR	268.28
118-470-080	1037 FEATHER CIR	268.28
118-470-081	1039 FEATHER CIR	268.28
118-470-082	1041 FEATHER CIR	268.28
118-470-083	1043 FEATHER CIR	268.28
118-470-084	1045 FEATHER CIR	268.28
118-470-085	1047 FEATHER CIR	268.28
118-470-086	1049 FEATHER CIR	268.28
118-470-087	1051 FEATHER CIR	268.28
118-470-088	1053 FEATHER CIR	268.28
118-470-089	1055 FEATHER CIR	268.28
118-470-090	1059 FEATHER CIR	268.28
118-470-091	1061 FEATHER CIR	268.28
118-470-092	1063 FEATHER CIR	268.28
118-470-093	1065 FEATHER CIR	268.28
118-470-094	1067 FEATHER CIR	268.28
118-470-095	1069 FEATHER CIR	268.28
118-470-096	1071 FEATHER CIR	268.28
118-470-097	1073 FEATHER CIR	268.28
118-470-098	1075 FEATHER CIR	268.28
118-470-099	1077 FEATHER CIR	268.28
118-470-100	1079 FEATHER CIR	268.28
118-470-101	1074 FEATHER CIR	268.28
118-470-102	1072 FEATHER CIR	268.28
118-470-103	1070 FEATHER CIR	268.28
118-470-104	1066 FEATHER CIR	268.28
118-470-105	1054 FEATHER CIR	268.28
118-470-106	1052 FEATHER CIR	268.28
118-470-107	1050 FEATHER CIR	268.28
118-470-108	1048 FEATHER CIR	268.28

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APN	Situs Address	Levy
118-470-109	1038 FEATHER CIR	268.28
118-470-110	1034 FEATHER CIR	268.28
118-470-111	1032 FEATHER CIR	268.28
118-470-112	1028 FEATHER CIR	268.28
118-470-113	1016 FEATHER CIR	268.28
118-470-114	1014 FEATHER CIR	268.28
118-470-115	1012 FEATHER CIR	268.28
118-470-118	1023 FEATHER CIR	268.28
118-470-119	1025 FEATHER CIR	268.28
118-470-120	1027 FEATHER CIR	268.28
118-470-121	1031 FEATHER CIR	268.28
118-470-122	1033 FEATHER CIR	268.28
118-480-001	100 FOREST HILL DR	542.78
118-480-002	102 FOREST HILL DR	542.78
118-480-003	104 FOREST HILL DR	542.78
118-480-004	106 FOREST HILL DR	542.78
118-480-005	108 FOREST HILL DR	542.78
118-480-006	110 FOREST HILL DR	542.78
118-480-007	112 FOREST HILL DR	542.78
118-480-008	114 FOREST HILL DR	542.78
118-480-009	116 FOREST HILL DR	542.78
118-480-010	118 FOREST HILL DR	542.78
118-480-011	120 FOREST HILL DR	542.78
118-480-012	121 FOREST HILL DR	542.78
118-480-013	119 FOREST HILL DR	542.78
118-480-014	117 FOREST HILL DR	542.78
118-480-015	115 FOREST HILL DR	542.78
118-480-016	113 FOREST HILL DR	542.78
118-480-017	111 FOREST HILL DR	542.78
118-480-018	109 FOREST HILL DR	542.78
118-480-019	105 FOREST HILL DR	542.78
118-480-020	103 FOREST HILL DR	542.78
118-480-023	1008 PEBBLE BEACH DR	542.78
118-480-024	1010 PEBBLE BEACH DR	542.78
118-480-025	1012 PEBBLE BEACH DR	542.78
118-480-026	1014 PEBBLE BEACH DR	542.78
118-480-027	1016 PEBBLE BEACH DR	542.78
118-480-028	1018 PEBBLE BEACH DR	542.78
118-480-029	1020 PEBBLE BEACH DR	542.78
118-480-030	1022 PEBBLE BEACH DR	542.78
118-480-031	1024 PEBBLE BEACH DR	542.78

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APN	Situs Address	Levy
118-480-034	1033 PEBBLE BEACH DR	542.78
118-480-035	1031 PEBBLE BEACH DR	542.78
118-480-036	1029 PEBBLE BEACH DR	542.78
118-480-037	1027 PEBBLE BEACH DR	542.78
118-480-038	1025 PEBBLE BEACH DR	542.78
118-480-039	1023 PEBBLE BEACH DR	542.78
118-480-040	1021 PEBBLE BEACH DR	542.78
118-480-041	1011 PEBBLE BEACH DR	542.78
118-480-042	1009 PEBBLE BEACH DR	542.78
118-480-043	1007 PEBBLE BEACH DR	542.78
118-480-044	1005 PEBBLE BEACH DR	542.78
118-480-045	1003 PEBBLE BEACH DR	542.78
118-480-046	101 FOREST HILL DR	542.78
118-480-047	1006 PEBBLE BEACH DR	542.78
118-480-048	1028 PEBBLE BEACH DR	1,085.54
118-490-001	132 INVERNESS WAY	542.78
118-490-003	138 INVERNESS WAY	542.78
118-490-005	140 INVERNESS WAY	542.78
118-490-006	142 INVERNESS WAY	542.78
118-490-007	1032 PEBBLE BEACH DR	542.78
118-490-008	1034 PEBBLE BEACH DR	542.78
118-490-009	1036 PEBBLE BEACH DR	542.78
118-490-010	1038 PEBBLE BEACH DR	542.78
118-490-011	1040 PEBBLE BEACH DR	542.78
118-490-012	1042 PEBBLE BEACH DR	542.78
118-490-013	1044 PEBBLE BEACH DR	542.78
118-490-014	1046 PEBBLE BEACH DR	542.78
118-490-015	1048 PEBBLE BEACH DR	542.78
118-490-016	1050 PEBBLE BEACH DR	542.78
118-490-017	1052 PEBBLE BEACH DR	542.78
118-490-018	1054 PEBBLE BEACH DR	542.78
118-490-019	1056 PEBBLE BEACH DR	542.78
118-490-020	1055 PEBBLE BEACH DR	542.78
118-490-021	1053 PEBBLE BEACH DR	542.78
118-490-022	1051 PEBBLE BEACH DR	542.78
118-490-023	1049 PEBBLE BEACH DR	542.78
118-490-024	1047 PEBBLE BEACH DR	542.78
118-490-025	1045 PEBBLE BEACH DR	542.78
118-490-027	134 INVERNESS WAY	542.78
118-490-028	136 INVERNESS WAY	542.78
118-500-001	1100 PEACOCK CREEK DR	542.78

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APN	Situs Address	Levy
118-500-002	1102 PEACOCK CREEK DR	542.78
118-500-005	1108 PEACOCK CREEK DR	542.78
118-500-006	1110 PEACOCK CREEK DR	542.78
118-500-007	1112 PEACOCK CREEK DR	542.78
118-500-008	1114 PEACOCK CREEK DR	542.78
118-500-009	1116 PEACOCK CREEK DR	542.78
118-500-010	1118 PEACOCK CREEK DR	542.78
118-500-011	1120 PEACOCK CREEK DR	542.78
118-500-012	1122 PEACOCK CREEK DR	542.78
118-500-013	1124 PEACOCK CREEK DR	542.78
118-500-014	1126 PEACOCK CREEK DR	542.78
118-500-015	1128 PEACOCK CREEK DR	542.78
118-500-016	1130 PEACOCK CREEK DR	542.78
118-500-017	1132 PEACOCK CREEK DR	542.78
118-500-018	1133 PEACOCK CREEK DR	542.78
118-500-019	1131 PEACOCK CREEK DR	542.78
118-500-020	1129 PEACOCK CREEK DR	542.78
118-500-021	1127 PEACOCK CREEK DR	542.78
118-500-022	1125 PEACOCK CREEK DR	542.78
118-500-023	1123 PEACOCK CREEK DR	542.78
118-500-024	1121 PEACOCK CREEK DR	542.78
118-500-025	1117 PEACOCK CREEK DR	542.78
118-500-026	1115 PEACOCK CREEK DR	542.78
118-500-027	1111 PEACOCK CREEK DR	542.78
118-500-028	1109 PEACOCK CREEK DR	542.78
118-500-029	1107 PEACOCK CREEK DR	542.78
118-500-030	1105 PEACOCK CREEK DR	542.78
118-500-031	1103 PEACOCK CREEK DR	542.78
118-500-032	1104 PEACOCK CREEK DR	542.78
118-500-033	1106 PEACOCK CREEK DR	542.78
118-510-001	1134 PEACOCK CREEK DR	542.78
118-510-002	1136 PEACOCK CREEK DR	542.78
118-510-003	1138 PEACOCK CREEK DR	542.78
118-510-004	1140 PEACOCK CREEK DR	542.78
118-510-005	1142 PEACOCK CREEK DR	542.78
118-510-006	1144 PEACOCK CREEK DR	542.78
118-510-007	1146 PEACOCK CREEK DR	542.78
118-510-008	1148 PEACOCK CREEK DR	542.78
118-510-009	1150 PEACOCK CREEK DR	542.78
118-510-010	1152 PEACOCK CREEK DR	542.78
118-510-011	170 BRANDYWINE PL	542.78

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APN	Situs Address	Levy
118-510-012	172 BRANDYWINE PL	542.78
118-510-013	174 BRANDYWINE PL	542.78
118-510-015	185 BRANDYWINE PL	542.78
118-510-016	183 BRANDYWINE PL	542.78
118-510-017	181 BRANDYWINE PL	542.78
118-510-018	179 BRANDYWINE PL	542.78
118-510-019	177 BRANDYWINE PL	542.78
118-510-020	175 BRANDYWINE PL	542.78
118-510-021	173 BRANDYWINE PL	542.78
118-510-022	1160 TORREY PINES PL	542.78
118-510-023	1162 TORREY PINES PL	542.78
118-510-024	1163 TORREY PINES PL	542.78
118-510-025	1161 TORREY PINES PL	542.78
118-510-026	1155 PEACOCK CREEK DR	542.78
118-510-027	1151 PEACOCK CREEK DR	542.78
118-510-028	164 SILVERADO CT	542.78
118-510-029	166 SILVERADO CT	542.78
118-510-030	165 SILVERADO CT	542.78
118-510-031	163 SILVERADO CT	542.78
118-510-032	1149 PEACOCK CREEK DR	542.78
118-510-033	1147 PEACOCK CREEK DR	542.78
118-510-034	1145 PEACOCK CREEK DR	542.78
118-510-035	154 LONE PINE CT	542.78
118-510-036	156 LONE PINE CT	542.78
118-510-037	155 LONE PINE CT	542.78
118-510-038	153 LONE PINE CT	542.78
118-510-039	151 LONE PINE CT	542.78
118-510-040	1139 PEACOCK CREEK DR	542.78
118-510-041	1137 PEACOCK CREEK DR	542.78
118-510-042	1135 PEACOCK CREEK DR	542.78
118-530-001	1401 INDIANHEAD WAY	217.84
118-530-002	1403 INDIANHEAD WAY	217.84
118-530-003	1405 INDIANHEAD WAY	217.84
118-530-004	1407 INDIANHEAD WAY	217.84
118-530-005	1409 INDIANHEAD WAY	217.84
118-530-006	1411 INDIANHEAD WAY	217.84
118-530-007	1413 INDIANHEAD WAY	217.84
118-530-008	1415 INDIANHEAD WAY	217.84
118-530-009	1417 INDIANHEAD WAY	217.84
118-530-010	1419 INDIANHEAD WAY	217.84
118-530-011	1421 INDIANHEAD WAY	217.84

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APN	Situs Address	Levy
118-530-012	1423 INDIANHEAD WAY	217.84
118-530-013	1425 INDIANHEAD WAY	217.84
118-530-014	1427 INDIANHEAD WAY	217.84
118-530-015	1429 INDIANHEAD WAY	217.84
118-530-016	1431 INDIANHEAD WAY	217.84
118-530-017	1433 INDIANHEAD CIR	217.84
118-530-018	1435 INDIANHEAD CIR	217.84
118-530-019	1437 INDIANHEAD CIR	217.84
118-530-020	1439 INDIANHEAD CIR	217.84
118-530-021	1441 INDIANHEAD CIR	217.84
118-530-022	1443 INDIANHEAD CIR	217.84
118-530-023	1445 INDIANHEAD CIR	217.84
118-530-024	1447 INDIANHEAD CIR	217.84
118-530-025	1449 INDIANHEAD CIR	217.84
118-530-026	1451 INDIANHEAD CIR	217.84
118-530-027	1453 INDIANHEAD CIR	217.84
118-530-028	1455 INDIANHEAD CIR	217.84
118-530-029	1457 INDIANHEAD CIR	217.84
118-530-030	1459 INDIANHEAD CIR	217.84
118-530-031	1461 INDIANHEAD CIR	217.84
118-530-033	1465 INDIANHEAD CIR	217.84
118-530-034	1467 INDIANHEAD CIR	217.84
118-530-035	1469 INDIANHEAD CIR	217.84
118-530-036	1471 INDIANHEAD CIR	217.84
118-530-037	1473 INDIANHEAD CIR	217.84
118-530-038	1475 INDIANHEAD CIR	217.84
118-530-039	1477 INDIANHEAD CIR	217.84
118-530-040	1479 INDIANHEAD CIR	217.84
118-530-041	1481 INDIANHEAD CIR	217.84
118-530-042	1483 INDIANHEAD CIR	217.84
118-530-043	1485 INDIANHEAD CIR	217.84
118-530-044	1487 INDIANHEAD CIR	217.84
118-530-045	1489 INDIANHEAD CIR	217.84
118-530-046	1491 INDIANHEAD CIR	217.84
118-530-047	1466 INDIANHEAD CIR	217.84
118-530-048	1464 INDIANHEAD CIR	217.84
118-530-049	1462 INDIANHEAD CIR	217.84
118-530-050	1460 INDIANHEAD CIR	217.84
118-530-051	1458 INDIANHEAD CIR	217.84
118-530-052	1456 INDIANHEAD CIR	217.84
118-530-056	1463 INDIANHEAD CIR	217.84

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APN	Situs Address	Levy
118-540-001	4001 HUMMINGBIRD WAY	312.14
118-540-002	4003 HUMMINGBIRD WAY	312.14
118-540-003	4005 HUMMINGBIRD WAY	312.14
118-540-004	4007 HUMMINGBIRD WAY	312.14
118-540-005	4009 HUMMINGBIRD WAY	312.14
118-540-006	4011 HUMMINGBIRD WAY	312.14
118-540-007	4013 HUMMINGBIRD WAY	312.14
118-540-008	4015 HUMMINGBIRD WAY	312.14
118-540-009	4017 HUMMINGBIRD WAY	312.14
118-540-010	4019 HUMMINGBIRD WAY	312.14
118-540-011	4021 HUMMINGBIRD WAY	312.14
118-540-012	4022 HUMMINGBIRD WAY	312.14
118-540-013	4018 HUMMINGBIRD WAY	312.14
118-540-014	4014 HUMMINGBIRD WAY	312.14
118-540-015	4010 HUMMINGBIRD WAY	312.14
118-540-016	4008 HUMMINGBIRD WAY	312.14
118-540-017	4006 HUMMINGBIRD WAY	312.14
118-540-018	4004 HUMMINGBIRD WAY	312.14
118-540-019	4002 HUMMINGBIRD WAY	312.14
118-540-020	5001 RAVEN WAY	312.14
118-540-021	5003 RAVEN WAY	312.14
118-540-022	5005 RAVEN WAY	312.14
118-540-023	5007 RAVEN WAY	312.14
118-540-024	5009 RAVEN WAY	312.14
118-540-025	5011 RAVEN WAY	312.14
118-540-026	4024 HUMMINGBIRD WAY	312.14
118-540-027	5013 RAVEN WAY	312.14
118-540-028	5015 RAVEN WAY	312.14
118-540-029	5017 RAVEN WAY	312.14
118-540-030	5019 RAVEN WAY	312.14
118-540-031	3038 WINDMILL CANYON DR	312.14
118-540-032	3036 WINDMILL CANYON DR	312.14
118-540-033	3034 WINDMILL CANYON DR	312.14
118-540-034	3032 WINDMILL CANYON DR	312.14
118-540-035	3030 WINDMILL CANYON DR	312.14
118-540-036	3028 WINDMILL CANYON DR	312.14
118-540-037	3026 WINDMILL CANYON DR	312.14
118-540-038	3024 WINDMILL CANYON DR	312.14
118-540-039	3025 WINDMILL CANYON DR	312.14
118-540-040	3027 WINDMILL CANYON DR	312.14
118-540-041	3029 WINDMILL CANYON DR	312.14

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APN	Situs Address	Levy
118-540-042	3031 WINDMILL CANYON DR	312.14
118-540-043	3033 WINDMILL CANYON DR	312.14
118-540-044	3035 WINDMILL CANYON DR	312.14
118-540-045	3037 WINDMILL CANYON DR	312.14
118-540-046	3039 WINDMILL CANYON DR	312.14
118-540-047	3041 WINDMILL CANYON DR	312.14
118-540-048	3043 WINDMILL CANYON DR	312.14
118-540-049	3045 WINDMILL CANYON DR	312.14
118-540-050	3047 WINDMILL CANYON DR	312.14
118-540-051	3049 WINDMILL CANYON DR	312.14
118-540-052	3051 WINDMILL CANYON DR	312.14
118-540-053	3053 WINDMILL CANYON DR	312.14
118-540-054	5022 RAVEN WAY	312.14
118-540-055	5020 RAVEN WAY	312.14
118-540-056	5018 RAVEN WAY	312.14
118-540-057	5016 RAVEN WAY	312.14
118-540-058	5014 RAVEN WAY	312.14
118-540-059	5012 RAVEN WAY	312.14
118-540-060	5010 RAVEN WAY	312.14
118-540-061	5008 RAVEN WAY	312.14
118-540-062	5006 RAVEN WAY	312.14
118-540-063	5004 RAVEN WAY	312.14
118-540-064	5002 RAVEN WAY	312.14
118-540-065	5000 RAVEN WAY	312.14
118-550-002	610 GOLDEN EAGLE PL	312.14
118-550-003	608 GOLDEN EAGLE PL	312.14
118-550-004	606 GOLDEN EAGLE PL	312.14
118-550-005	604 GOLDEN EAGLE PL	312.14
118-550-006	602 GOLDEN EAGLE PL	312.14
118-550-007	501 RAVEN PL	312.14
118-550-008	503 RAVEN PL	312.14
118-550-009	505 RAVEN PL	312.14
118-550-010	507 RAVEN PL	312.14
118-550-011	509 RAVEN PL	312.14
118-550-012	511 RAVEN PL	312.14
118-550-013	513 RAVEN PL	312.14
118-550-014	514 RAVEN PL	312.14
118-550-015	512 RAVEN PL	312.14
118-550-016	510 RAVEN PL	312.14
118-550-017	508 RAVEN PL	312.14
118-550-018	506 RAVEN PL	312.14

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APN	Situs Address	Levy
118-550-019	504 RAVEN PL	312.14
118-550-020	502 RAVEN PL	312.14
118-550-021	401 HUMMINGBIRD PL	312.14
118-550-022	403 HUMMINGBIRD PL	312.14
118-550-023	405 HUMMINGBIRD PL	312.14
118-550-024	407 HUMMINGBIRD PL	312.14
118-550-025	409 HUMMINGBIRD PL	312.14
118-550-026	411 HUMMINGBIRD PL	312.14
118-550-027	413 HUMMINGBIRD PL	312.14
118-550-028	418 HUMMINGBIRD PL	312.14
118-550-029	416 HUMMINGBIRD PL	312.14
118-550-030	414 HUMMINGBIRD PL	312.14
118-550-031	412 HUMMINGBIRD PL	312.14
118-550-032	410 HUMMINGBIRD PL	312.14
118-550-033	408 HUMMINGBIRD PL	312.14
118-550-034	406 HUMMINGBIRD PL	312.14
118-550-035	404 HUMMINGBIRD PL	312.14
118-550-036	402 HUMMINGBIRD PL	312.14
118-550-038	612 GOLDEN EAGLE PL	312.14
118-570-001	363 BLUE OAK LN	466.38
118-570-002	365 BLUE OAK LN	466.38
118-570-003	367 BLUE OAK LN	466.38
118-570-004	369 BLUE OAK LN	466.38
118-570-005	371 BLUE OAK LN	466.38
118-570-006	373 BLUE OAK LN	466.38
118-570-007	375 BLUE OAK LN	466.38
118-570-008	377 BLUE OAK LN	466.38
118-570-009	379 BLUE OAK LN	466.38
118-570-010	381 BLUE OAK LN	466.38
118-570-012	385 BLUE OAK LN	466.38
118-570-013	387 BLUE OAK LN	466.38
118-570-014	389 BLUE OAK LN	466.38
118-570-015	391 BLUE OAK LN	466.38
118-570-016	390 BLUE OAK LN	466.38
118-570-017	388 BLUE OAK LN	466.38
118-570-018	81 WILDCAT WAY	466.38
118-570-019	83 WILDCAT WAY	466.38
118-570-020	85 WILDCAT WAY	466.38
118-570-021	477 OBSIDIAN WAY	466.38
118-570-022	479 OBSIDIAN WAY	466.38
118-570-023	478 OBSIDIAN WAY	466.38

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APN	Situs Address	Levy
118-570-024	476 OBSIDIAN WAY	466.38
118-570-025	474 OBSIDIAN WAY	466.38
118-570-026	470 OBSIDIAN WAY	466.38
118-570-027	468 OBSIDIAN WAY	466.38
118-570-028	63 ANTELOPE CT	466.38
118-570-029	65 ANTELOPE CT	466.38
118-570-030	66 ANTELOPE CT	466.38
118-570-031	64 ANTELOPE CT	466.38
118-570-032	62 ANTELOPE CT	466.38
118-570-033	60 ANTELOPE CT	466.38
118-570-034	458 OBSIDIAN WAY	466.38
118-570-035	456 OBSIDIAN WAY	466.38
118-570-038	56 TUYSHTAK CT	466.38
118-570-039	54 TUYSHTAK CT	466.38
118-570-040	52 TUYSHTAK CT	466.38
118-570-041	453 OBSIDIAN WAY	466.38
118-570-042	455 OBSIDIAN WAY	466.38
118-570-043	457 OBSIDIAN WAY	466.38
118-570-044	459 OBSIDIAN WAY	466.38
118-570-045	461 OBSIDIAN WAY	466.38
118-570-046	463 OBSIDIAN WAY	466.38
118-570-047	465 OBSIDIAN WAY	466.38
118-570-048	467 OBSIDIAN WAY	466.38
118-570-049	469 OBSIDIAN WAY	466.38
118-570-050	471 OBSIDIAN WAY	466.38
118-570-051	473 OBSIDIAN WAY	466.38
118-570-052	84 WILDCAT WAY	466.38
118-570-053	380 BLUE OAK LN	466.38
118-570-054	376 BLUE OAK LN	466.38
118-570-055	374 BLUE OAK LN	466.38
118-570-056	372 BLUE OAK LN	466.38
118-570-057	370 BLUE OAK LN	466.38
118-570-058	368 BLUE OAK LN	466.38
118-570-059	366 BLUE OAK LN	466.38
118-570-060	362 BLUE OAK LN	466.38
118-570-061	383 BLUE OAK LN	466.38
118-570-062	53 TUYSHTAK CT	466.38
118-570-063	55 TUYSHTAK CT	466.38
118-580-001	200 CONDOR WAY	268.28
118-580-002	202 CONDOR WAY	268.28
118-580-003	204 CONDOR WAY	268.28

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APN	Situs Address	Levy
118-580-004	206 CONDOR WAY	268.28
118-580-005	208 CONDOR WAY	268.28
118-580-006	210 CONDOR WAY	268.28
118-580-007	212 CONDOR WAY	268.28
118-580-008	214 CONDOR WAY	268.28
118-580-009	216 CONDOR WAY	268.28
118-580-010	218 CONDOR WAY	268.28
118-580-011	220 CONDOR WAY	268.28
118-580-012	222 CONDOR WAY	268.28
118-580-013	224 CONDOR WAY	268.28
118-580-014	226 CONDOR WAY	268.28
118-580-015	5000 KELLER RIDGE DR	268.28
118-580-016	5002 KELLER RIDGE DR	268.28
118-580-017	5004 KELLER RIDGE DR	268.28
118-580-018	5006 KELLER RIDGE DR	268.28
118-580-019	5008 KELLER RIDGE DR	268.28
118-580-020	5010 KELLER RIDGE DR	268.28
118-580-021	5012 KELLER RIDGE DR	268.28
118-580-022	5037 KELLER RIDGE DR	268.28
118-580-023	5035 KELLER RIDGE DR	268.28
118-580-024	5033 KELLER RIDGE DR	268.28
118-580-025	5031 KELLER RIDGE DR	268.28
118-580-026	5029 KELLER RIDGE DR	268.28
118-580-027	5027 KELLER RIDGE DR	268.28
118-580-028	5025 KELLER RIDGE DR	268.28
118-580-029	5023 KELLER RIDGE DR	268.28
118-580-030	5021 KELLER RIDGE DR	268.28
118-580-031	5019 KELLER RIDGE DR	268.28
118-580-032	5017 KELLER RIDGE DR	268.28
118-580-033	5015 KELLER RIDGE DR	268.28
118-580-034	5013 KELLER RIDGE DR	268.28
118-580-035	5011 KELLER RIDGE DR	268.28
118-590-004	4705 KELLER RIDGE DR	217.84
118-590-005	4707 KELLER RIDGE DR	217.84
118-590-006	4703 KELLER RIDGE DR	217.84
118-590-007	4701 KELLER RIDGE DR	217.84
118-590-009	4605 KELLER RIDGE DR	217.84
118-590-010	4607 KELLER RIDGE DR	217.84
118-590-011	4603 KELLER RIDGE DR	217.84
118-590-012	4601 KELLER RIDGE DR	217.84
118-590-015	4507 KELLER RIDGE DR	217.84

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APN	Situs Address	Levy
118-590-016	4505 KELLER RIDGE DR	217.84
118-590-017	4501 KELLER RIDGE DR	217.84
118-590-018	4503 KELLER RIDGE DR	217.84
118-590-022	4905 KELLER RIDGE DR	217.84
118-590-023	4907 KELLER RIDGE DR	217.84
118-590-024	4903 KELLER RIDGE DR	217.84
118-590-025	4901 KELLER RIDGE DR	217.84
118-590-027	4805 KELLER RIDGE DR	217.84
118-590-028	4807 KELLER RIDGE DR	217.84
118-590-029	4803 KELLER RIDGE DR	217.84
118-590-030	4801 KELLER RIDGE DR	217.84
118-600-001	905 CONDOR PL	217.84
118-600-002	907 CONDOR PL	217.84
118-600-003	903 CONDOR PL	217.84
118-600-004	901 CONDOR PL	217.84
118-600-006	807 CONDOR PL	217.84
118-600-007	805 CONDOR PL	217.84
118-600-008	801 CONDOR PL	217.84
118-600-009	803 CONDOR PL	217.84
118-600-011	705 CONDOR PL	217.84
118-600-012	707 CONDOR PL	217.84
118-600-013	703 CONDOR PL	217.84
118-600-014	701 CONDOR PL	217.84
118-600-016	607 CONDOR PL	217.84
118-600-017	605 CONDOR PL	217.84
118-600-018	601 CONDOR PL	217.84
118-600-019	603 CONDOR PL	217.84
118-600-021	505 CONDOR PL	217.84
118-600-022	507 CONDOR PL	217.84
118-600-023	503 CONDOR PL	217.84
118-600-024	501 CONDOR PL	217.84
118-600-026	405 CONDOR PL	217.84
118-600-027	407 CONDOR PL	217.84
118-600-028	403 CONDOR PL	217.84
118-600-029	401 CONDOR PL	217.84
118-600-031	307 CONDOR PL	217.84
118-600-032	305 CONDOR PL	217.84
118-600-033	301 CONDOR PL	217.84
118-600-034	303 CONDOR PL	217.84
118-600-036	207 CONDOR PL	217.84
118-600-037	205 CONDOR PL	217.84

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APN	Situs Address	Levy
118-600-038	201 CONDOR PL	217.84
118-600-039	203 CONDOR PL	217.84
118-610-001	1947 EAGLE PEAK AVE	217.84
118-610-002	1945 EAGLE PEAK AVE	217.84
118-610-003	1941 EAGLE PEAK AVE	217.84
118-610-004	1943 EAGLE PEAK AVE	217.84
118-610-006	1925 EAGLE PEAK AVE	217.84
118-610-007	1927 EAGLE PEAK AVE	217.84
118-610-008	1923 EAGLE PEAK AVE	217.84
118-610-009	1921 EAGLE PEAK AVE	217.84
118-610-012	3905 COYOTE CIR	217.84
118-610-013	3907 COYOTE CIR	217.84
118-610-014	3903 COYOTE CIR	217.84
118-610-015	3901 COYOTE CIR	217.84
118-610-020	3805 COYOTE CIR	217.84
118-610-021	3807 COYOTE CIR	217.84
118-610-022	3803 COYOTE CIR	217.84
118-610-023	3801 COYOTE CIR	217.84
118-610-024	3707 COYOTE CIR	217.84
118-610-025	3705 COYOTE CIR	217.84
118-610-026	3701 COYOTE CIR	217.84
118-610-027	3703 COYOTE CIR	217.84
118-610-028	3605 COYOTE CIR	217.84
118-610-029	3607 COYOTE CIR	217.84
118-610-030	3603 COYOTE CIR	217.84
118-610-031	3601 COYOTE CIR	217.84
118-620-001	6001 GOLDEN EAGLE WAY	312.14
118-620-002	6003 GOLDEN EAGLE WAY	312.14
118-620-003	6005 GOLDEN EAGLE WAY	312.14
118-620-004	6007 GOLDEN EAGLE WAY	312.14
118-620-005	6009 GOLDEN EAGLE WAY	312.14
118-620-006	6011 GOLDEN EAGLE WAY	312.14
118-620-007	6013 GOLDEN EAGLE WAY	312.14
118-620-008	3089 WINDMILL CANYON DR	312.14
118-620-009	3091 WINDMILL CANYON DR	312.14
118-620-010	3093 WINDMILL CANYON DR	312.14
118-620-011	3095 WINDMILL CANYON DR	312.14
118-620-012	3097 WINDMILL CANYON DR	312.14
118-620-013	3099 WINDMILL CANYON DR	312.14
118-620-014	3101 WINDMILL CANYON DR	312.14
118-620-015	3103 WINDMILL CANYON DR	312.14

City of Clayton
Community Facilities District 1990-1R
Clayton Middle School
Fiscal Year 2012/13 Special Tax Roll

APN	Situs Address	Levy
118-620-016	3105 WINDMILL CANYON DR	312.14
118-620-017	3107 WINDMILL CANYON DR	312.14
118-620-018	3109 WINDMILL CANYON DR	312.14
118-620-019	3111 WINDMILL CANYON DR	312.14
118-620-020	6036 GOLDEN EAGLE WAY	312.14
118-620-021	6034 GOLDEN EAGLE WAY	312.14
118-620-022	6032 GOLDEN EAGLE WAY	312.14
118-620-023	6030 GOLDEN EAGLE WAY	312.14
118-620-024	6028 GOLDEN EAGLE WAY	312.14
118-620-025	6026 GOLDEN EAGLE WAY	312.14
118-620-026	6024 GOLDEN EAGLE WAY	312.14
118-620-027	6022 GOLDEN EAGLE WAY	312.14
118-620-028	6018 GOLDEN EAGLE WAY	312.14
118-620-029	7001 MOLLUK WAY	312.14
118-620-030	7003 MOLLUK WAY	312.14
118-620-031	7005 MOLLUK WAY	312.14
118-620-032	7007 MOLLUK WAY	312.14
118-620-033	7009 MOLLUK WAY	312.14
118-620-034	7011 MOLLUK WAY	312.14
118-620-035	7015 MOLLUK WAY	312.14
118-620-036	7019 MOLLUK WAY	312.14
118-620-037	7021 MOLLUK WAY	312.14
118-620-038	7023 MOLLUK WAY	312.14
118-620-039	7025 MOLLUK WAY	312.14
118-620-040	7027 MOLLUK WAY	312.14
118-620-041	7028 MOLLUK WAY	312.14
118-620-042	7026 MOLLUK WAY	312.14
118-620-043	7024 MOLLUK WAY	312.14
118-620-044	7022 MOLLUK WAY	312.14
118-620-045	7020 MOLLUK WAY	312.14
118-620-046	7018 MOLLUK WAY	312.14
118-620-047	7016 MOLLUK WAY	312.14
118-620-048	7014 MOLLUK WAY	312.14
118-620-049	7012 MOLLUK WAY	312.14
118-620-050	7010 MOLLUK WAY	312.14
118-620-051	7008 MOLLUK WAY	312.14
118-620-052	7006 MOLLUK WAY	312.14
118-620-053	7004 MOLLUK WAY	312.14
118-620-054	7002 MOLLUK WAY	312.14
118-620-055	7000 MOLLUK WAY	312.14
118-620-056	5151 KELLER RIDGE DR	312.14

City of Clayton
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Clayton Middle School
Fiscal Year 2012/13 Special Tax Roll

APN	Situs Address	Levy
118-620-057	5153 KELLER RIDGE DR	312.14
118-620-058	5155 KELLER RIDGE DR	312.14
118-620-059	5157 KELLER RIDGE DR	312.14
118-620-060	5159 KELLER RIDGE DR	312.14
118-620-061	5161 KELLER RIDGE DR	312.14
118-620-062	5163 KELLER RIDGE DR	312.14
118-630-001	6015 GOLDEN EAGLE WAY	312.14
118-630-002	6017 GOLDEN EAGLE WAY	312.14
118-630-003	6019 GOLDEN EAGLE WAY	312.14
118-630-004	6021 GOLDEN EAGLE WAY	312.14
118-630-005	6023 GOLDEN EAGLE WAY	312.14
118-630-006	6025 GOLDEN EAGLE WAY	312.14
118-630-007	6027 GOLDEN EAGLE WAY	312.14
118-630-008	6031 GOLDEN EAGLE WAY	312.14
118-630-009	3072 WINDMILL CANYON DR	312.14
118-630-010	3070 WINDMILL CANYON DR	312.14
118-630-011	3068 WINDMILL CANYON DR	312.14
118-630-012	3066 WINDMILL CANYON DR	312.14
118-630-013	3064 WINDMILL CANYON DR	312.14
118-630-014	3062 WINDMILL CANYON DR	312.14
118-630-015	3060 WINDMILL CANYON DR	312.14
118-630-016	3058 WINDMILL CANYON DR	312.14
118-630-017	3056 WINDMILL CANYON DR	312.14
118-630-018	3054 WINDMILL CANYON DR	312.14
118-630-019	3055 WINDMILL CANYON DR	312.14
118-630-020	3057 WINDMILL CANYON DR	312.14
118-630-021	3059 WINDMILL CANYON DR	312.14
118-630-022	3061 WINDMILL CANYON DR	312.14
118-630-023	3063 WINDMILL CANYON DR	312.14
118-630-024	3065 WINDMILL CANYON DR	312.14
118-630-025	3067 WINDMILL CANYON DR	312.14
118-630-026	3069 WINDMILL CANYON DR	312.14
118-630-027	3071 WINDMILL CANYON DR	312.14
118-630-028	3073 WINDMILL CANYON DR	312.14
118-630-029	3075 WINDMILL CANYON DR	312.14
118-630-030	3077 WINDMILL CANYON DR	312.14
118-630-031	3079 WINDMILL CANYON DR	312.14
118-630-032	3081 WINDMILL CANYON DR	312.14
118-630-033	3083 WINDMILL CANYON DR	312.14
118-630-034	3085 WINDMILL CANYON DR	312.14
118-630-035	3087 WINDMILL CANYON DR	312.14

City of Clayton
Community Facilities District 1990-1R
Clayton Middle School
Fiscal Year 2012/13 Special Tax Roll

APN	Situs Address	Levy
118-630-036	3090 WINDMILL CANYON DR	312.14
118-630-037	3088 WINDMILL CANYON DR	312.14
118-630-038	3084 WINDMILL CANYON DR	312.14
118-630-039	3080 WINDMILL CANYON DR	312.14
118-630-040	3078 WINDMILL CANYON DR	312.14
118-640-001	5171 KELLER RIDGE DR	466.38
118-640-002	5173 KELLER RIDGE DR	466.38
118-640-003	5175 KELLER RIDGE DR	466.38
118-640-004	5177 KELLER RIDGE DR	466.38
118-640-005	5179 KELLER RIDGE DR	466.38
118-640-006	5181 KELLER RIDGE DR	466.38
118-640-007	5183 KELLER RIDGE DR	466.38
118-640-008	5185 KELLER RIDGE DR	466.38
118-640-009	5187 KELLER RIDGE DR	466.38
118-640-010	5189 KELLER RIDGE DR	466.38
118-640-011	705 ACORN DR	466.38
118-640-012	707 ACORN DR	466.38
118-640-014	711 ACORN DR	466.38
118-640-015	713 ACORN DR	466.38
118-640-016	715 ACORN DR	466.38
118-640-017	717 ACORN DR	466.38
118-640-018	719 ACORN DR	466.38
118-640-019	721 ACORN DR	466.38
118-640-020	716 ACORN DR	466.38
118-640-022	901 DEER PL	466.38
118-640-024	905 DEER PL	466.38
118-640-025	904 DEER PL	466.38
118-640-026	902 DEER PL	466.38
118-640-027	5188 KELLER RIDGE DR	466.38
118-640-028	5186 KELLER RIDGE DR	466.38
118-640-029	5184 KELLER RIDGE DR	466.38
118-640-030	8001 KELOK WAY	466.38
118-640-031	8003 KELOK WAY	466.38
118-640-032	8005 KELOK WAY	466.38
118-640-033	8007 KELOK WAY	466.38
118-640-034	81 BEAR PL	466.38
118-640-035	83 BEAR PL	466.38
118-640-036	80 BEAR PL	466.38
118-640-037	8011 KELOK WAY	466.38
118-640-038	8010 KELOK WAY	466.38
118-640-039	8008 KELOK WAY	466.38

City of Clayton
Community Facilities District 1990-1R
Clayton Middle School
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APN	Situs Address	Levy
118-640-040	8006 KELOK WAY	466.38
118-640-041	8004 KELOK WAY	466.38
118-640-042	8002 KELOK WAY	466.38
118-640-043	8000 KELOK WAY	466.38
118-640-044	5174 KELLER RIDGE DR	466.38
118-640-046	903 DEER PL	466.38
118-640-047	714 ACORN DR	466.38
118-640-048	709 ACORN DR	466.38
118-650-001	5191 KELLER RIDGE DR	466.38
118-650-002	9001 ELK DR	466.38
118-650-003	9003 ELK DR	466.38
118-650-004	9005 ELK DR	466.38
118-650-005	701 ACORN DR	466.38
118-650-006	703 ACORN DR	466.38
118-650-007	908 DEER PL	466.38
118-650-008	906 DEER PL	466.38
118-650-009	801 GREY FOX PL	466.38
118-650-010	803 GREY FOX PL	466.38
118-650-011	805 GRAY FOX PL	466.38
118-650-012	807 GREY FOX PL	466.38
118-650-013	809 GREY FOX PL	466.38
118-650-014	806 GREY FOX PL	466.38
118-650-015	804 GREY FOX PL	466.38
118-650-016	800 GRAY FOX PL	466.38
118-650-017	9007 ELK DR	466.38
118-650-018	9009 ELK DR	466.38
118-650-019	9011 ELK DR	466.38
118-650-020	9013 ELK DR	466.38
118-650-021	9008 ELK DR	466.38
118-650-022	9006 ELK DR	466.38
118-650-023	9004 ELK DR	466.38
118-650-024	9002 ELK DR	466.38
118-650-025	5193 KELLER RIDGE DR	466.38
118-650-026	5194 KELLER RIDGE DR	466.38
118-650-027	5192 KELLER RIDGE DR	466.38
118-650-028	5190 KELLER RIDGE DR	466.38
118-650-029	85 BEAR PL	466.38
118-650-030	84 BEAR PL	466.38
118-650-031	82 BEAR PL	466.38
118-660-001	4405 COYOTE CIR	217.84
118-660-002	4407 COYOTE CIR	217.84

City of Clayton
Community Facilities District 1990-1R
Clayton Middle School
Fiscal Year 2012/13 Special Tax Roll

APN	Situs Address	Levy
118-660-003	4403 COYOTE CIR	217.84
118-660-004	4401 COYOTE CIR	217.84
118-660-006	4307 COYOTE CIR	217.84
118-660-007	4305 COYOTE CIR	217.84
118-660-008	4301 COYOTE CIR	217.84
118-660-009	4303 COYOTE CIR	217.84
118-660-013	4005 COYOTE CIR	217.84
118-660-014	4007 COYOTE CIR	217.84
118-660-015	4003 COYOTE CIR	217.84
118-660-016	4001 COYOTE CIR	217.84
118-660-019	3407 COYOTE CIR	217.84
118-660-020	3405 COYOTE CIR	217.84
118-660-021	3401 COYOTE CIR	217.84
118-660-022	3403 COYOTE CIR	217.84
118-660-024	3307 COYOTE CIR	217.84
118-660-025	3305 COYOTE CIR	217.84
118-660-026	3301 COYOTE CIR	217.84
118-660-027	3303 COYOTE CIR	217.84
118-660-029	3205 COYOTE CIR	217.84
118-660-030	3207 COYOTE CIR	217.84
118-660-031	3203 COYOTE CIR	217.84
118-660-032	3201 COYOTE CIR	217.84
118-660-036	2907 COYOTE CIR	217.84
118-660-037	2905 COYOTE CIR	217.84
118-660-038	2901 COYOTE CIR	217.84
118-660-039	2903 COYOTE CIR	217.84
118-660-047	4207 COYOTE CIR	217.84
118-660-048	4205 COYOTE CIR	217.84
118-660-049	4201 COYOTE CIR	217.84
118-660-050	4203 COYOTE CIR	217.84
118-660-052	4107 COYOTE CIR	217.84
118-660-053	4105 COYOTE CIR	217.84
118-660-054	4101 COYOTE CIR	217.84
118-660-055	4103 COYOTE CIR	217.84
118-660-057	3105 COYOTE CIR	217.84
118-660-058	3107 COYOTE CIR	217.84
118-660-059	3103 COYOTE CIR	217.84
118-660-060	3101 COYOTE CIR	217.84
118-660-062	3005 COYOTE CIR	217.84
118-660-063	3007 COYOTE CIR	217.84
118-660-064	3003 COYOTE CIR	217.84

City of Clayton
Community Facilities District 1990-1R
Clayton Middle School
Fiscal Year 2012/13 Special Tax Roll

APN	Situs Address	Levy
118-660-065	3001 COYOTE CIR	217.84
118-660-067	3507 COYOTE CIR	217.84
118-660-068	3505 COYOTE CIR	217.84
118-660-069	3501 COYOTE CIR	217.84
118-660-070	3503 COYOTE CIR	217.84
118-660-071	3104 COYOTE CIR	217.84
118-660-072	3102 COYOTE CIR	217.84
118-660-073	3106 COYOTE CIR	217.84
118-660-074	3108 COYOTE CIR	217.84
118-660-075	3902 COYOTE CIR	217.84
118-660-076	3904 COYOTE CIR	217.84
118-660-077	3906 COYOTE CIR	217.84
118-660-078	3908 COYOTE CIR	217.84
118-660-079	4104 COYOTE CIR	217.84
118-660-080	4102 COYOTE CIR	217.84
118-660-081	4106 COYOTE CIR	217.84
118-660-082	4108 COYOTE CIR	217.84
118-670-001	8012 KELOK WAY	466.38
118-670-002	8014 KELOK WAY	466.38
118-670-003	8016 KELOK WAY	466.38
118-670-004	8018 KELOK WAY	466.38
118-670-005	8020 KELOK WAY	466.38
118-670-006	8022 KELOK WAY	466.38
118-670-007	8024 KELOK WAY	466.38
118-670-008	8026 KELOK WAY	466.38
118-670-009	8028 KELOK WAY	466.38
118-670-010	8030 KELOK WAY	466.38
118-670-011	8032 KELOK WAY	466.38
118-670-012	8034 KELOK WAY	466.38
118-670-013	8036 KELOK WAY	466.38
118-670-014	8038 KELOK WAY	466.38
118-670-015	8040 KELOK WAY	466.38
118-670-016	8042 KELOK WAY	466.38
118-670-017	8053 KELOK WAY	466.38
118-670-018	8051 KELOK WAY	466.38
118-670-019	8049 KELOK WAY	466.38
118-670-020	8047 KELOK WAY	466.38
118-670-021	8045 KELOK WAY	466.38
118-670-022	8043 KELOK WAY	466.38
118-670-023	8041 KELOK WAY	466.38
118-670-024	8039 KELOK WAY	466.38

City of Clayton
Community Facilities District 1990-1R
Clayton Middle School
Fiscal Year 2012/13 Special Tax Roll

APN	Situs Address	Levy
118-670-025	8037 KELOK WAY	466.38
118-670-026	5229 KELLER RIDGE DR	466.38
118-670-027	5227 KELLER RIDGE DR	466.38
118-670-028	5225 KELLER RIDGE DR	466.38
118-670-029	5223 KELLER RIDGE DR	466.38
118-670-030	5222 KELLER RIDGE DR	466.38
118-670-031	5224 KELLER RIDGE DR	466.38
118-670-032	5226 KELLER RIDGE DR	466.38
118-670-033	5230 KELLER RIDGE DR	466.38
118-670-034	8027 KELOK WAY	466.38
118-670-035	8025 KELOK WAY	466.38
118-670-036	8023 KELOK WAY	466.38
118-670-037	8021 KELOK WAY	466.38
118-670-038	8019 KELOK WAY	466.38
118-670-039	8017 KELOK WAY	466.38
118-670-040	90 KELOK CT	466.38
118-670-041	92 KELOK CT	466.38
118-670-042	94 KELOK WAY	466.38
118-670-043	8015 KELOK WAY	466.38
118-670-044	8013 KELOK WAY	466.38
118-680-001	5221 KELLER RIDGE DR	466.38
118-680-002	5219 KELLER RIDGE DR	466.38
118-680-003	5217 KELLER RIDGE DR	466.38
118-680-004	5215 KELLER RIDGE DR	466.38
118-680-005	5213 KELLER RIDGE DR	466.38
118-680-006	5211 KELLER RIDGE DR	466.38
118-680-007	5209 KELLER RIDGE DR	466.38
118-680-008	5207 KELLER RIDGE DR	466.38
118-680-009	5205 KELLER RIDGE DR	466.38
118-680-010	5203 KELLER RIDGE DR	466.38
118-680-011	5201 KELLER RIDGE DR	466.38
118-680-012	5199 KELLER RIDGE DR	466.38
118-680-013	5197 KELLER RIDGE DR	466.38
118-680-014	5195 KELLER RIDGE DR	466.38
118-680-015	5198 KELLER RIDGE DR	466.38
118-680-016	5200 KELLER RIDGE DR	466.38
118-680-017	5202 KELLER RIDGE DR	466.38
118-680-018	5204 KELLER RIDGE DR	466.38
118-680-019	5206 KELLER RIDGE DR	466.38
118-680-020	5208 KELLER RIDGE DR	466.38
118-680-021	5210 KELLER RIDGE DR	466.38

City of Clayton
Community Facilities District 1990-1R
Clayton Middle School
Fiscal Year 2012/13 Special Tax Roll

APN	Situs Address	Levy
118-680-022	5212 KELLER RIDGE DR	466.38
118-680-023	5214 KELLER RIDGE DR	466.38
118-680-024	5216 KELLER RIDGE DR	466.38
118-680-025	5218 KELLER RIDGE DR	466.38
118-680-026	5220 KELLER RIDGE DR	466.38
Totals:	**1,358 Parcels**	**$456,787.72**

NBS
helping communities
fund tomorrow

City of Clayton

Community Facilities District No. 1990-1R
2007 Special Tax Revenue Refunding Bonds
Middle School

Annual Report

July 2012

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Attachment 3

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Special Tax Administrator

NBS
Tim Seufert, Client Services Director
Greg Davidson, Director
Kristin Harvey, Senior Consultant

EXECUTIVE SUMMARY/SPECIAL ISSUES

General Information Summary

Maturity Date	2012/13 Levy	Parcel Count	Delinquency Rate(1)	Assessed Value(2)	Outstanding Principal	Value to Outstanding Principal Ratio(3)
9/2/2022	$456,787.72	1,358	1.68%	$618,869,374.00	$3,554,000.00	174.13:1

(1) Delinquency Rate for Fiscal Year 2011/12.
(2) The Assessed Value for all active parcels within the District as of January 1, 2012.
(3) Assessed Value as of January 1, 2012 of all active parcels, divided by the outstanding principal for the District after the Fiscal Year 2011/12 debt service has been paid.

The Community Facilities District No. 1990-1 Special Tax Bonds were refunded in 1997 by the Clayton Financing Authority 1997 Special Tax Revenue Refunding Bonds. In 2007, the Clayton Financing Authority refunded the 1997 Special Tax Revenue Bonds with the issuance of the 2007 Special Tax Revenue Refunding Bonds.

On September 2, 2011 a bond call in the amount of $190,000.00 occurred, utilizing surplus funds. The Fiscal Year 2012/13 Special Tax Levy accounts for the reduced debt service as a result of the bond call.

All taxable parcels within the District are levied a Special Tax of 73.10% of their respective Maximum Special Tax Rate for Fiscal Year 2012/13. A credit in the amount of $68,030.24 was applied to the Fiscal Year 2012/13 Special Tax Levy.

The delinquency rate for the District was 1.68% for Fiscal Year 2011/12. With the City's authorization, NBS sent reminder and demand letters to delinquent property owners. NBS recommends the City continue to take delinquency management action by sending letters to delinquent property owners in order to maintain a low delinquency rate.

TABLE OF CONTENTS

1. FUND ANALYSIS

1.1. Fund Balances

Fund balances were not available at the time of writing this report.

1.2. Acquisition and Construction Fund Analysis

The Acquisition and Construction Fund is created upon formation of the District. All bond proceeds not associated with the financing and administrative costs of the bond issuance are deposited in this Fund to pay for the improvements to be constructed and/or acquired. Once the project has been completed, any remaining balance in the Fund must be treated in accordance with the Bond Indenture.

Some of the requirements of the Act are handled at the formation (bond issuance) of the District and others are handled through annual reports. This section of the report intends to comply with Section 53411 of the California Government Code that states:

"The chief fiscal officer of the issuing local agency shall file a report with its governing body no later than January 1, 2002, and at least once a year thereafter. The annual report shall contain all of the following:

(a) The amount of funds collected and expended.
(b) The status of any project required or authorized to be funded as identified in subdivision (a) of Section 53410."

All money in the Acquisition and Construction Fund is used for payment of the acquisition and construction of the authorized facilities of the District. The improvements have been completed and the City is reviewing records to confirm remaining funds. NBS will work with the City to handle the proper close out of the Fund.

1.3. Reserve Fund

Moneys in the Reserve Fund shall be used by the Fiscal Agent solely for the purpose of paying the interest on or principal of or redemption premiums, if any on the bonds in the event there is insufficient money in the Redemption Account available for these purposes. In such case, the Reserve Fund is to be replenished up to the Reserve Requirement as soon as funds become available. Excess funds in the Reserve Fund shall be transferred to the Redemption Account for use in payment of Bond debt service.

The Reserve Fund was established at the time the original bonds were issued. As a result of the refunding, a Reserve Fund is held by the Clayton Financing Authority for the new issue of bonds.

The initial deposit to the Reserve Fund was $251,982.51 for the 2007 Special Tax Revenue Refunding Bonds. The remaining funds, in the amount of $206,168.51, are secured by a Qualified Reserve Fund Credit instrument in a form of a surety bond issued by Ambac Assurance Corporation at the time of issuance of the Bonds.

The Reserve Requirement is defined as an amount equal to the least of: (i) 10% of the initial principal amount of the Bonds, (ii) maximum annual debt service on the outstanding Bonds, or (iii) 125% of the average annual debt service on the outstanding Bonds, provided that in no event shall the Reserve Requirement exceed $458,150.02.

1.4. Revenue Fund

The Revenue Fund consists of the Interest Account and Principal Account. In accordance with the Bond Indenture, the trustee shall deposit all revenues received after the closing date (defined as June 7, 2007) to the Revenue Fund and shall apply amounts in the Revenue Fund as follows.

On each interest payment date and date for redemption of the Bonds, the trustee shall transfer from the Revenue Fund, and deposit into the following respective accounts for the Bonds, the following amounts in the following order of priority, the requirements of each such account (including the making up of delinquencies in any such account resulting from lack of revenue sufficient to make any earlier required deposit) at the time of deposit to be satisfied before any transfer is made to any account subsequent in priority:

(a) Interest Account
(b) Principal Account
(c) Reserve Fund

On each interest payment date after making the transfers required above, upon receipt of a request of the Authority to do so, the trustee shall transfer from the Revenue Fund to the Rebate Fund for deposit in the accounts therein the amounts specified in such request.

On September 2 of each year, after making the deposits required above, the trustee shall transfer all amounts remaining on deposit in the Revenue Fund to the Surplus Fund.

1.5. Special Tax Fund

All money in the Special Tax Fund shall be set aside in the following respective accounts within the Special Tax Fund in the following order of priority, and all money in each of such accounts shall be applied, used and withdrawn only for the purposes authorized in the Fiscal Agent Agreement:

(a) Redemption Account,
(b) Reserve Account,
(c) Expenses Account, and
(d) Prepayment Account.

1.6. Rebate Fund

The City has covenanted to comply with all of the requirements of Section 148 of the Internal Revenue Code (the "Code") relating to the calculation and payment of any arbitrage rebate amount. Section 148 requires that the specific exceptions, any interest earnings in excess of the bond yield for each bond issue must be rebated to the IRS.

The following table shows the date of the most recent calculation, and the amount of liability (if any):

Most Recent Calculation As of Date	Liability
September 2, 2011	($18,323.39)

2. 2012/13 LEVY

2.1. Special Tax Spread

All taxable parcels within the District were levied a Special Tax of 73.10% of their respective Maximum Special Tax for Fiscal Year 2012/13. The following table provides the Special Tax Levy breakdown for the District for 2012/13.

Total Amount Levied	Maximum Special Tax	Percentage of Maximum
$456,787.72	$624,874.00	73.10%

2.2. Annual Levy Components

Pursuant to the California Government Code, administrative expenses are identified by consultation with City staff to ensure that the District is self-supporting and is not being subsidized by the City's General Fund.

NBS assists the City with identifying and recovering the following general costs:

- Agency administrative costs. This includes the value of City staff time spent on the administration of the District, calculated by using a fully-loaded salary rate that includes benefits and overhead costs. Any City expenses that have been incurred, such as copying and mailing expenses, are also recovered as part of this calculation.
- Trustee or Paying Agent costs. Includes the total of Trustee/Paying Agent charges to the City for the annual processing of payments to the bondholders, as well as registration and transfer functions that have been performed.
- County Auditor-Controller collection fees. Fees charged by the County Auditor-Controller to place the Special Tax installments on the tax roll each year are identified and recovered.
- Arbitrage Rebate calculation costs. Includes all fees and costs associated with the calculation of the District's arbitrage rebate amount in compliance with Internal Revenue Service Arbitrage Rebate Requirements.
- SEC-required disclosure costs. Administrative costs related to compliance with the Securities and Exchange Commission's requirements for continuing disclosure and dissemination of material events occurring within the District.
- Administration costs. Also fully recoverable are the costs incurred by NBS, as the administrator, in the year-round administration of the District, which includes the preparation of the annual levy, ongoing reporting to the City, and the tracking of activity within the District such as Special Tax prepayments, installment payments and parcel changes.
- Delinquency Management charges. The cost of any delinquency management actions taken on behalf of parcels with delinquencies, including the mailing of reminder, demand and/or foreclosure letters, and the work associated with the initiation of judicial foreclosure as required by the bond covenants.
- Manual adjustments. If special circumstances are discovered, credits and/or charges are made as necessary to the annual Special Tax installment amount for the specific parcels affected by the situation.

- NBS analyzes the fund balances each year. Interest earnings and/or surplus funds that exist may be applied to the annual levy as a credit to reduce each parcel's annual installment. These balances must also be closely monitored to prevent violations of IRS arbitrage regulations.

2.3. Levy Summary

The following table summarizes the components that make up the 2012/13 Levy for the District. Information from the 2011/12 Levy is also included for comparison purposes.

City of Clayton
Community Facilities District 1990-1R
Final Budget for Fiscal Year 2012/13

Category/Item	FY 2012/13	FY 2011/12	Increase / (Decrease)
Principal and Interest	$492,116.62	$517,469.70	$(25,353.08)
Admin. Expenses	32,511.51	31,952.74	558.77
Miscellaneous	(67,840.41)	(73,391.60)	5,551.19
Grand Total:	**$456,787.72**	**$476,030.84**	**$(19,243.12)**
Total Accounts:	**1,358**	**1,358**	**0**

The Grand Total may be reduced by county collection fees if the county retains such fees from the apportionment of funds .

3. DELINQUENCY MANAGEMENT

3.1. Delinquency Summary

The following table shows the Fiscal Year 2011/12 delinquency rate for the District:

2011/12 Levy	2011/12 Delinquencies	2011/12 Delinquency Rate	Delinquency Management Steps Taken
$476,030.84	$8,000.28	1.68%	Reminder and Demand Letters sent

NBS monitors the delinquency rate and reviews the delinquency situation after each payment date. With the City's authorization, NBS sent reminder and demand letters were sent to delinquent property owners.

Refer to Section 7 of this report for the Delinquency Detail Report for the District.

3.2. Foreclosure Covenant

The City has covenanted that it will initiate judicial foreclosure against parcels with Special Tax delinquencies. In today's environment of higher delinquency rates and greater bondholder scrutiny of City activities, any non-compliance with foreclosure covenants may expose the City to bondholder lawsuits.

NBS assists the City by providing a comprehensive delinquency management program including discussion of the issuer's foreclosure covenant, providing delinquency information from the County's redemption tapes, and coordinating with the City on the necessary steps required to implement a delinquency management policy. Once a policy is established, City compliance is easier to document and complaints from affected parcel owners can be minimized by showing the City's even-handed, unbiased covenant enforcement.

The foreclosure covenant is defined as follows:

The City has covenanted that it will review the public records of the county relating to the collection of the Special Tax annually on or before June 1 in order to determine the delinquencies within the District. If the Special Tax delinquency rate is greater than 5%, the City shall commence judicial foreclosure proceedings within 30 days. In addition, the City has covenanted to commence judicial foreclosure proceedings against any property owner with a combined delinquency of $25,000 or more.

3.3. Teeter Plan Participation & County Revenue Apportionment Schedule

The District participates in the Contra Costa County Teeter Plan. Details of the apportionment of funds from the County to the City are provided below.

County Revenue Apportionment Schedule

Date	Percentage Apportioned
12/15	55%
4/15	40%
6/25	5%

3.4. Delinquency Summary Report

The following pages summarize delinquencies for the 2011/12 and prior fiscal years.

City of Clayton
Delinquency Summary Report
As of: 06/20/2012

District	Due Date	Billed Amount	Paid Amount	Delinquent Amount	Delinquent Amount %	Billed Installments	Paid Installments	Delinquent Installments	Delinquent Installments %
CFD1990-1R									
	8/1/1997 Billing:								
	12/10/1997	$283,581.00	$283,581.00	$0.00	0.00 %	1,256	1,256	0	0.00 %
	4/10/1998	283,581.00	283,581.00	0.00	0.00 %	1,256	1,256	0	0.00 %
	Subtotal:	**$567,162.00**	**$567,162.00**	**$0.00**	**0.00 %**	**2,512**	**2,512**	**0**	**0.00 %**
	8/1/1998 Billing:								
	12/10/1998	$299,009.88	$299,009.88	$0.00	0.00 %	1,357	1,357	0	0.00 %
	4/10/1999	299,009.88	299,009.88	0.00	0.00 %	1,357	1,357	0	0.00 %
	Subtotal:	**$598,019.76**	**$598,019.76**	**$0.00**	**0.00 %**	**2,714**	**2,714**	**0**	**0.00 %**
	8/1/1999 Billing:								
	12/10/1999	$312,437.00	$312,437.00	$0.00	0.00 %	1,358	1,358	0	0.00 %
	4/10/2000	312,437.00	312,437.00	0.00	0.00 %	1,358	1,358	0	0.00 %
	Subtotal:	**$624,874.00**	**$624,874.00**	**$0.00**	**0.00 %**	**2,716**	**2,716**	**0**	**0.00 %**
	8/1/2000 Billing:								
	12/10/2000	$269,276.64	$269,276.64	$0.00	0.00 %	1,358	1,358	0	0.00 %
	4/10/2001	269,276.64	269,276.64	0.00	0.00 %	1,358	1,358	0	0.00 %
	Subtotal:	**$538,553.28**	**$538,553.28**	**$0.00**	**0.00 %**	**2,716**	**2,716**	**0**	**0.00 %**
	8/1/2001 Billing:								
	12/10/2001	$271,004.12	$271,004.12	$0.00	0.00 %	1,358	1,358	0	0.00 %
	4/10/2002	271,004.12	271,004.12	0.00	0.00 %	1,358	1,358	0	0.00 %
	Subtotal:	**$542,008.24**	**$542,008.24**	**$0.00**	**0.00 %**	**2,716**	**2,716**	**0**	**0.00 %**
	8/1/2002 Billing:								
	12/10/2002	$270,571.30	$270,571.30	$0.00	0.00 %	1,358	1,358	0	0.00 %
	4/10/2003	270,571.30	270,571.30	0.00	0.00 %	1,358	1,358	0	0.00 %
	Subtotal:	**$541,142.60**	**$541,142.60**	**$0.00**	**0.00 %**	**2,716**	**2,716**	**0**	**0.00 %**
	8/1/2003 Billing:								
	12/10/2003	$271,552.81	$271,552.81	$0.00	0.00 %	1,358	1,358	0	0.00 %
	4/10/2004	271,552.81	271,552.81	0.00	0.00 %	1,358	1,358	0	0.00 %
	Subtotal:	**$543,105.62**	**$543,105.62**	**$0.00**	**0.00 %**	**2,716**	**2,716**	**0**	**0.00 %**

City of Clayton
Delinquency Summary Report
As of: 06/20/2012

District	Due Date	Billed Amount	Paid Amount	Delinquent Amount	Delinquent Amount %	Billed Installments	Paid Installments	Delinquent Installments	Delinquent Installments %
8/1/2004 Billing:									
	12/10/2004	$269,663.04	$269,663.04	$0.00	0.00 %	1,358	1,358	0	0.00 %
	4/10/2005	269,663.04	269,663.04	0.00	0.00 %	1,358	1,358	0	0.00 %
	Subtotal:	**$539,326.08**	**$539,326.08**	**$0.00**	**0.00 %**	**2,716**	**2,716**	**0**	**0.00 %**
8/1/2005 Billing:									
	12/10/2005	$270,437.60	$270,437.60	$0.00	0.00 %	1,358	1,358	0	0.00 %
	4/10/2006	270,437.60	270,437.60	0.00	0.00 %	1,358	1,358	0	0.00 %
	Subtotal:	**$540,875.20**	**$540,875.20**	**$0.00**	**0.00 %**	**2,716**	**2,716**	**0**	**0.00 %**
8/1/2006 Billing:									
	12/10/2006	$270,519.66	$270,519.66	$0.00	0.00 %	1,358	1,358	0	0.00 %
	4/10/2007	270,519.66	270,519.66	0.00	0.00 %	1,358	1,358	0	0.00 %
	Subtotal:	**$541,039.32**	**$541,039.32**	**$0.00**	**0.00 %**	**2,716**	**2,716**	**0**	**0.00 %**
8/1/2007 Billing:									
	12/10/2007	$254,356.75	$254,356.75	$0.00	0.00 %	1,358	1,358	0	0.00 %
	4/10/2008	254,356.75	254,356.75	0.00	0.00 %	1,358	1,358	0	0.00 %
	Subtotal:	**$508,713.50**	**$508,713.50**	**$0.00**	**0.00 %**	**2,716**	**2,716**	**0**	**0.00 %**
8/1/2008 Billing:									
	12/10/2008	$272,919.45	$272,919.45	$0.00	0.00 %	1,358	1,358	0	0.00 %
	4/10/2009	272,919.45	272,919.45	0.00	0.00 %	1,358	1,358	0	0.00 %
	Subtotal:	**$545,838.90**	**$545,838.90**	**$0.00**	**0.00 %**	**2,716**	**2,716**	**0**	**0.00 %**
8/1/2009 Billing:									
	12/10/2009	$277,213.42	$276,884.02	$329.40	0.12 %	1,358	1,357	1	0.07 %
	4/10/2010	277,213.42	276,884.02	329.40	0.12 %	1,358	1,357	1	0.07 %
	Subtotal:	**$554,426.84**	**$553,768.04**	**$658.80**	**0.12 %**	**2,716**	**2,714**	**2**	**0.07 %**
8/1/2010 Billing:									
	12/10/2010	$274,092.57	$273,766.88	$325.69	0.12 %	1,358	1,357	1	0.07 %
	4/10/2011	274,092.57	273,766.88	325.69	0.12 %	1,358	1,357	1	0.07 %
	Subtotal:	**$548,185.14**	**$547,533.76**	**$651.38**	**0.12 %**	**2,716**	**2,714**	**2**	**0.07 %**
8/1/2011 Billing:									
	12/10/2011	$238,015.42	$236,274.89	$1,740.53	0.73 %	1,358	1,348	10	0.74 %
	4/10/2012	238,015.42	231,755.67	6,259.75	2.63 %	1,358	1,324	34	2.50 %
	Subtotal:	**$476,030.84**	**$468,030.56**	**$8,000.28**	**1.68 %**	**2,716**	**2,672**	**44**	**1.62 %**

City of Clayton

Delinquency Summary Report

As of: 06/20/2012

District	Due Date	Billed Amount	Paid Amount	Delinquent Amount	Delinquent Amount %	Billed Installments	Paid Installments	Delinquent Installments	Delinquent Installments %
CFD1990-1R	Total:	$8,209,301.32	$8,199,990.86	$9,310.46	0.11 %	40,534	40,486	48	0.12 %
Agency Grand Total:		$8,209,301.32	$8,199,990.86	$9,310.46	0.11 %				

4. DEBT SERVICE SCHEDULE

The following pages show the scheduled debt service payments for the District, including the Revenue Bonds.

City of Clayton

CFD1990-1R - Community Facilities District 1990-1R

Current Debt Service Schedule

Bonds Dated: 11/19/1997

Bonds Issued: $6,400,000.00

Payment Date	CUSIP	Interest Rate	Balance	Principal	Interest	Payment Total	Annual Total	Call Prem.	Status
03/02/1998		6.5030%	$6,400,000.00	$0.00	$119,077.16	$119,077.16	$0.00	3.0000%	Paid
09/02/1998		6.5030	6,400,000.00	0.00	208,096.00	208,096.00	327,173.16	3.0000	Paid
03/02/1999		6.5030	6,400,000.00	0.00	208,096.00	208,096.00	0.00	3.0000	Paid
09/02/1999		6.5030	6,400,000.00	199,000.00	208,096.00	407,096.00	615,192.00	3.0000	Paid
03/02/2000		6.5030	6,201,000.00	0.00	201,625.52	201,625.52	0.00	3.0000	Paid
09/02/2000		6.5030	6,201,000.00	217,000.00	201,625.52	418,625.52	620,251.04	3.0000	Paid
03/02/2001		6.5030	5,984,000.00	0.00	194,569.76	194,569.76	0.00	3.0000	Paid
09/02/2001		6.5030	5,984,000.00	130,000.00	194,569.76	324,569.76	519,139.52	3.0000	Paid
03/02/2002		6.5030	5,854,000.00	0.00	190,342.81	190,342.81	0.00	3.0000	Paid
09/02/2002		6.5030	5,854,000.00	141,000.00	190,342.81	331,342.81	521,685.62	3.0000	Paid
03/02/2003		6.5030	5,713,000.00	0.00	185,758.20	185,758.20	0.00	3.0000	Paid
09/02/2003		6.5030	5,713,000.00	148,000.00	185,758.20	333,758.20	519,516.40	3.0000	Paid
03/02/2004		6.5030	5,565,000.00	0.00	180,945.98	180,945.98	0.00	3.0000	Paid
09/02/2004		6.5030	5,565,000.00	159,000.00	180,945.98	339,945.98	520,891.96	3.0000	Paid
03/02/2005		6.5030	5,406,000.00	0.00	175,776.09	175,776.09	0.00	3.0000	Paid
09/02/2005		6.5030	5,406,000.00	165,000.00	175,776.09	340,776.09	516,552.18	3.0000	Paid
03/02/2006		6.5030	5,241,000.00	0.00	170,411.12	170,411.12	0.00	3.0000	Paid
09/02/2006		6.5030	5,241,000.00	176,000.00	170,411.12	346,411.12	516,822.24	3.0000	Paid
03/02/2007		6.5030	5,065,000.00	0.00	164,688.48	164,688.48	0.00	3.0000	Paid
09/02/2007		6.5030	5,065,000.00	187,000.00	164,688.48	351,688.48	516,376.96	3.0000	Paid
03/02/2008		6.5030	4,878,000.00	0.00	158,608.17	158,608.17	0.00	3.0000	Paid
09/02/2008		6.5030	4,878,000.00	203,000.00	158,608.17	361,608.17	520,216.34	2.0000	Paid
03/02/2009		6.5030	4,675,000.00	0.00	152,007.63	152,007.63	0.00	2.0000	Paid
09/02/2009		6.5030	4,675,000.00	214,000.00	152,007.63	366,007.63	518,015.26	1.0000	Paid
03/02/2010		6.5030	4,461,000.00	0.00	145,049.42	145,049.42	0.00	1.0000	Paid
09/02/2010		6.5030	4,461,000.00	230,000.00	145,049.42	375,049.42	520,098.84	0.0000	Paid
03/02/2011		6.5030	4,231,000.00	0.00	137,570.97	137,570.97	0.00	0.0000	Paid
09/02/2011		6.5030	4,231,000.00	241,000.00	137,570.97	378,570.97	0.00	0.0000	Paid
09/02/2011		Bond Call	3,990,000.00	190,000.00	0.00	190,000.00	706,141.94	0.0000	Paid
03/02/2012		6.5030	3,800,000.00	0.00	123,557.00	123,557.00	0.00	0.0000	Paid
09/02/2012		6.5030	3,800,000.00	246,000.00	123,557.00	369,557.00	493,114.00	0.0000	Unpaid
03/02/2013		6.5030	3,554,000.00	0.00	115,558.31	115,558.31	0.00	0.0000	Unpaid
09/02/2013		6.5030	3,554,000.00	261,000.00	115,558.31	376,558.31	492,116.62	0.0000	Unpaid
03/02/2014		6.5030	3,293,000.00	0.00	107,071.90	107,071.90	0.00	0.0000	Unpaid
09/02/2014		6.5030	3,293,000.00	281,000.00	107,071.90	388,071.90	495,143.80	0.0000	Unpaid
03/02/2015		6.5030	3,012,000.00	0.00	97,935.18	97,935.18	0.00	0.0000	Unpaid
09/02/2015		6.5030	3,012,000.00	296,000.00	97,935.18	393,935.18	491,870.36	0.0000	Unpaid
03/02/2016		6.5030	2,716,000.00	0.00	88,310.74	88,310.74	0.00	0.0000	Unpaid
09/02/2016		6.5030	2,716,000.00	316,000.00	88,310.74	404,310.74	492,621.48	0.0000	Unpaid
03/02/2017		6.5030	2,400,000.00	0.00	78,036.00	78,036.00	0.00	0.0000	Unpaid
09/02/2017		6.5030	2,400,000.00	342,000.00	78,036.00	420,036.00	498,072.00	0.0000	Unpaid
03/02/2018		6.5030	2,058,000.00	0.00	66,915.87	66,915.87	0.00	0.0000	Unpaid
09/02/2018		6.5030	2,058,000.00	362,000.00	66,915.87	428,915.87	495,831.74	0.0000	Unpaid
03/02/2019		6.5030	1,696,000.00	0.00	55,145.44	55,145.44	0.00	0.0000	Unpaid
09/02/2019		6.5030	1,696,000.00	383,000.00	55,145.44	438,145.44	493,290.88	0.0000	Unpaid
03/02/2020		6.5030	1,313,000.00	0.00	42,692.20	42,692.20	0.00	0.0000	Unpaid
09/02/2020		6.5030	1,313,000.00	409,000.00	42,692.20	451,692.20	494,384.40	0.0000	Unpaid
03/02/2021		6.5030	904,000.00	0.00	29,393.56	29,393.56	0.00	0.0000	Unpaid
09/02/2021		6.5030	904,000.00	434,000.00	29,393.56	463,393.56	492,787.12	0.0000	Unpaid
03/02/2022		6.5030	470,000.00	0.00	15,282.05	15,282.05	0.00	0.0000	Unpaid
09/02/2022		6.5030	470,000.00	470,000.00	15,282.05	485,282.05	500,564.10	0.0000	Unpaid
Grand Total:				**$6,400,000.00**	**$6,497,869.96**	**$12,897,869.96**	**$12,897,869.96**		

City of Clayton

CFA 2007Revenue - CFA 2007 Special Tax Revenue Bonds

Current Debt Service Schedule

Bonds Dated: 6/7/2007

Bonds Issued: $5,060,000.00

Payment Date	CUSIP	Interest Rate	Balance	Principal	Interest	Payment Total	Annual Total	Call Prem.	Status
03/02/2008		3.5000%	$5,060,000.00	$0.00	$141,064.65	$141,064.65	$0.00	0.0000%	Paid
09/02/2008	184065AU4	3.5000	5,060,000.00	295,000.00	95,817.50	390,817.50	531,882.15	0.0000	Paid
03/02/2009		3.5000	4,765,000.00	0.00	90,655.00	90,655.00	0.00	0.0000	Paid
09/02/2009	184065AV2	3.5000	4,765,000.00	265,000.00	90,655.00	355,655.00	446,310.00	0.0000	Paid
03/02/2010		3.5000	4,500,000.00	0.00	86,017.50	86,017.50	0.00	0.0000	Paid
09/02/2010	184065AW0	3.5000	4,500,000.00	275,000.00	86,017.50	361,017.50	447,035.00	0.0000	Paid
03/02/2011		3.5000	4,225,000.00	0.00	81,205.00	81,205.00	0.00	0.0000	Paid
09/02/2011	184065AX8	3.5000	4,225,000.00	285,000.00	81,205.00	366,205.00	0.00	0.0000	Paid
09/02/2011		Bond Call	3,940,000.00	190,000.00	0.00	190,000.00	637,410.00	0.0000	Paid
03/02/2012		3.5000	3,750,000.00	0.00	72,541.88	72,541.88	0.00	0.0000	Paid
09/02/2012	184065AY6	3.5000	3,750,000.00	280,000.00	72,541.88	352,541.88	425,083.76	0.0000	Unpaid
03/02/2013		3.6000	3,470,000.00	0.00	67,641.88	67,641.88	0.00	0.0000	Unpaid
09/02/2013	184065AZ3	3.6000	3,470,000.00	285,000.00	67,641.88	352,641.88	420,283.76	0.0000	Unpaid
03/02/2014		3.6250	3,185,000.00	0.00	62,511.88	62,511.88	0.00	0.0000	Unpaid
09/02/2014	184065BA7	3.6250	3,185,000.00	305,000.00	62,511.88	367,511.88	430,023.76	0.0000	Unpaid
03/02/2015		3.7000	2,880,000.00	0.00	56,983.75	56,983.75	0.00	0.0000	Unpaid
09/02/2015	184065BB5	3.7000	2,880,000.00	315,000.00	56,983.75	371,983.75	428,967.50	0.0000	Unpaid
03/02/2016		3.7500	2,565,000.00	0.00	51,156.25	51,156.25	0.00	0.0000	Unpaid
09/02/2016	184065BC3	3.7500	2,565,000.00	325,000.00	51,156.25	376,156.25	427,312.50	0.0000	Unpaid
03/02/2017		4.0000	2,240,000.00	0.00	45,062.50	45,062.50	0.00	0.0000	Unpaid
09/02/2017	184065BF6	4.0000	2,240,000.00	340,000.00	45,062.50	385,062.50	430,125.00	0.0000	Unpaid
03/02/2018		4.0000	1,900,000.00	0.00	38,262.50	38,262.50	0.00	0.0000	Unpaid
09/02/2018	184065BF6	4.0000	1,900,000.00	350,000.00	38,262.50	388,262.50	426,525.00	0.0000	Unpaid
03/02/2019		4.0000	1,550,000.00	0.00	31,262.50	31,262.50	0.00	0.0000	Unpaid
09/02/2019	184065BF6	4.0000	1,550,000.00	360,000.00	31,262.50	391,262.50	422,525.00	0.0000	Unpaid
03/02/2020		4.0000	1,190,000.00	0.00	24,062.50	24,062.50	0.00	0.0000	Unpaid
09/02/2020	184065BG4	4.0000	1,190,000.00	375,000.00	24,062.50	399,062.50	423,125.00	0.0000	Unpaid
03/02/2021		4.0000	815,000.00	0.00	16,562.50	16,562.50	0.00	0.0000	Unpaid
09/02/2021	184065BH2	4.0000	815,000.00	395,000.00	16,562.50	411,562.50	428,125.00	0.0000	Unpaid
03/02/2022		4.1250	420,000.00	0.00	8,662.50	8,662.50	0.00	0.0000	Unpaid
09/02/2022	184065BJ8	4.1250	420,000.00	420,000.00	8,662.50	428,662.50	437,325.00	0.0000	Unpaid
Grand Total:				**$5,060,000.00**	**$1,702,058.43**	**$6,762,058.43**	**$6,762,058.43**		

5. RATE AND METHOD OF APPORTIONMENT

5.1. Special Tax Formula

A Special Tax shall be levied on and collected from each parcel in the District in each fiscal year commencing on July 1, 1991, in an amount determined by the City Council of the City of Clayton through the application of the appropriate Special Tax for Residences and Residential Land.

The Special Tax shall be levied upon those lots and parcels listed in Table 1 of the Rate and Method of Apportionment within Subdivision 6990 (filed of record on December 20, 1988, in Book 328 of Maps, at Page 21, in the Official Records of the Contra Costa County Recorder) included within the boundaries of the District.

The Special Tax shall be levied on Residences and Residential Land.

Residence means a residential dwelling, and the subdivided lot upon which it is constructed, for which a certificate of occupancy has been issued by the City.

Residential Land means those lots and parcels listed in Table 1 excepting (1) Residences and (2) any lands not zoned or designated by the City for the construction of a Residence.

Wherever it is stated that the City shall designate the number of Residences or the land on which Residences are to be constructed, such designation shall be made at the time a subdivision map is filed of record.

5.2. Residence Special Tax

The Special Tax will be levied against a Residence following the issuance of a certificate of occupancy. For each fiscal year (July 1 - June 30), the Special Tax on a Residence will be levied against each Residence for which a certificate of occupancy has been issued by July 15 of that year.

The Special Tax for a Residence on a parcel showing one residence under Estimated Number of Residences on Table 1 shall be the amount shown for that parcel under Maximum Special Tax on Table 1.

The Special Tax for Residences on parcels showing a number greater than one under Estimated Number of Residences on Table 1 of the Rate and Method of Apportionment shall be determined as follows: When a subdivision map for such parcel is filed of record, the Special Tax for Residences on such parcel shall be apportioned equally to each new lot and parcel created by the subdivision map based on the number of Residences to be constructed thereon as designated by the City; no Special Tax shall be apportioned to any lands not zoned or designated for the construction of a Residence. Upon any further re-subdivision of a parcel created by such subdivision map, a further apportionment shall be made in a manner consistent with the preceding apportionment rules.

5.3. *Residential Land Special Tax*

Beginning July 1, 1991, and ending when there is no Residential Land in the District, a Residential Land Special Tax may be annually levied on the Residential Land. The total Residential Land Special Tax so levied shall be one hundred percent (100%) of the annual debt service, on the bonds to be issued by the District, for the following bond year (increased to one hundred five percent (105%) commencing July 1, 1997), less the total of the following amounts:

- The total Residence Special Taxes to be levied for that fiscal year.
- Interest earnings available from unspent bond proceeds during the pre-development and construction period of the school, to the extent such earnings may be legally used to pay interest on the bonds for the following bond year pursuant to the Mello-Roos Community Facilities District Act of 1982.
- Any other funds which the City determines are available to the District for payment of the debt service for the following bond year other than those funds which are designated for other purposes.

The total Residential Land Special Tax resulting from the above calculation, but not more than such total tax, shall be apportioned to the Residential Land as follows:

a. The Maximum Residential Land Special Tax for each subdivided lot zoned or designated by the City for the construction of a Residence shall be equal to the Maximum Residence Special Tax which would be levied on the lot if it were a Residence.

b. The balance of the total Residential Land Special Tax shall be levied against all other parcels of Residential Land based on the anticipated number of Residences to be constructed thereon as determined by the City.

The Special Taxes of the District will be collected in the same manner and at the same time as ad valorem property taxes.

6. BACKGROUND INFORMATION

6.1. Project Description

The District was formed for the following purposes:

- To pay a portion of the cost of construction of a middle school located within the jurisdiction of the Mt. Diablo School District.
- To acquire certain site preparation work on the ball and playing field property conveyed to the City.

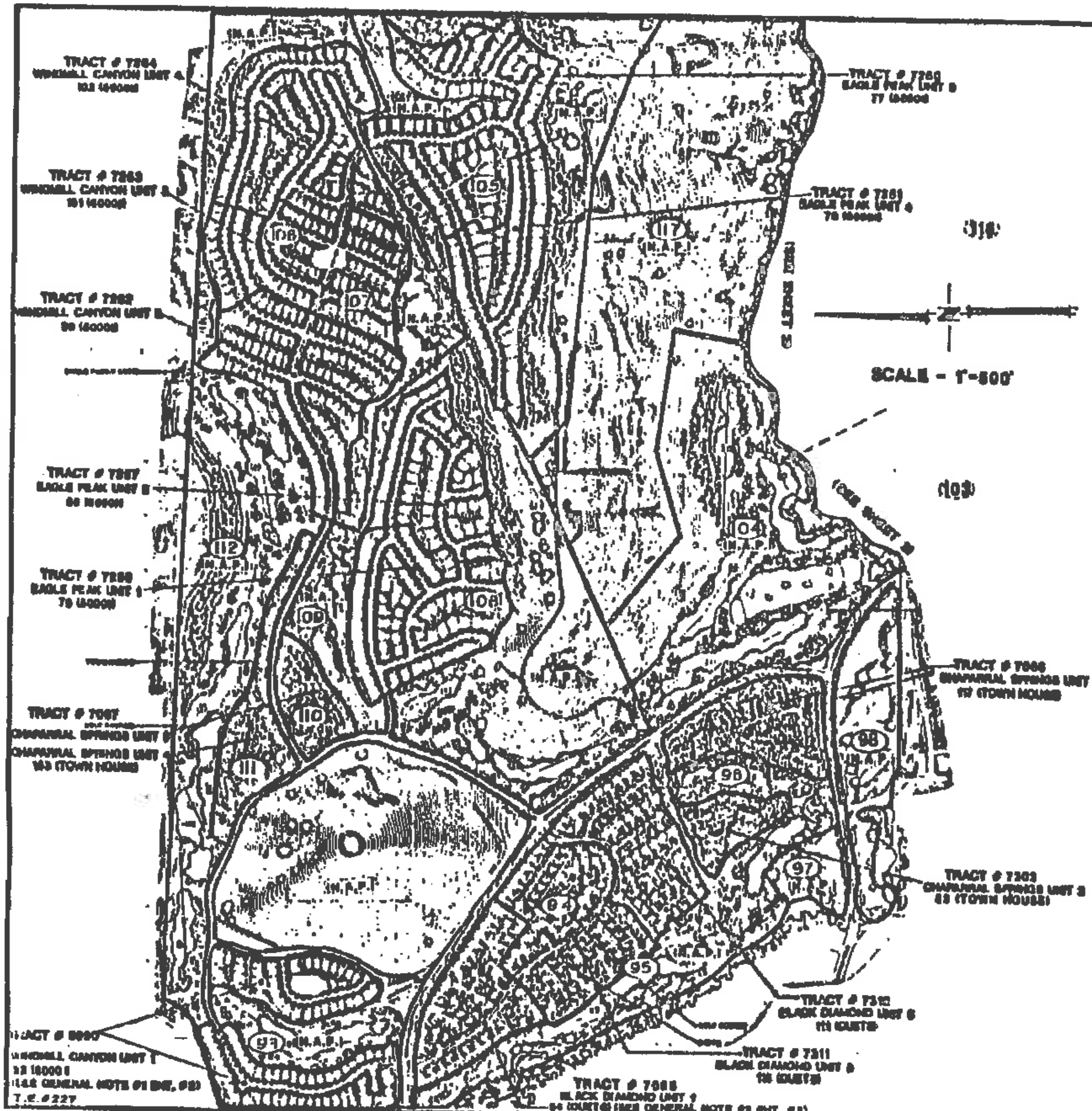
As of June 30, 2009, construction improvements have been completed.

6.2. Resolution

The resolution approved by the City Council authorizing the levy of the special tax was not available at the time of writing this report.

6.3. Boundary Map

The following pages show the boundaries of the District.



PROPOSED BOUNDARIES OF

COMMUNITY FACILITIES DISTRICT NO. 1990-1

OF THE CITY OF CLAYTON,
CONTRA COSTA COUNTY
STATE OF CALIFORNIA

MAY 1990
TETRAD ENGINEERING
PACHECO, CA.

FILED IN THE OFFICE OF THE CITY CLERK THIS 1ST DAY OF MAY, 1990.

RUTH A. SCOTT
CITY CLERK - CITY OF CLAYTON

CITY CLERK STATEMENT

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NO. 1990-1 OF THE CITY OF CLAYTON, CONTRA COSTA COUNTY, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF CLAYTON AT A REGULAR MEETING THEREOF, HELD ON THE 1ST DAY OF MAY, 1990, BY ITS RESOLUTION NO. 16-90.

RUTH A. SCOTT
CITY CLERK - CITY OF CLAYTON

COUNTY CLERK STATEMENT

FILED THIS ____ DAY OF ________, 19__, AT THE HOUR OF ____ O'CLOCK __M. IN BOOK ____ OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICT AT PAGE ____, IN THE OFFICE OF THE COUNTY RECORDER IN THE COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA.

COUNTY RECORDER OF COUNTY OF CONTRA COSTA

LEGEND

113 LOT NUMBER AS DESIGNATED ON TRACT 6990

118 LOT NUMBER AS DESIGNATED ON TRACT 6990 BUT SUBSEQUENTLY REMAPPED

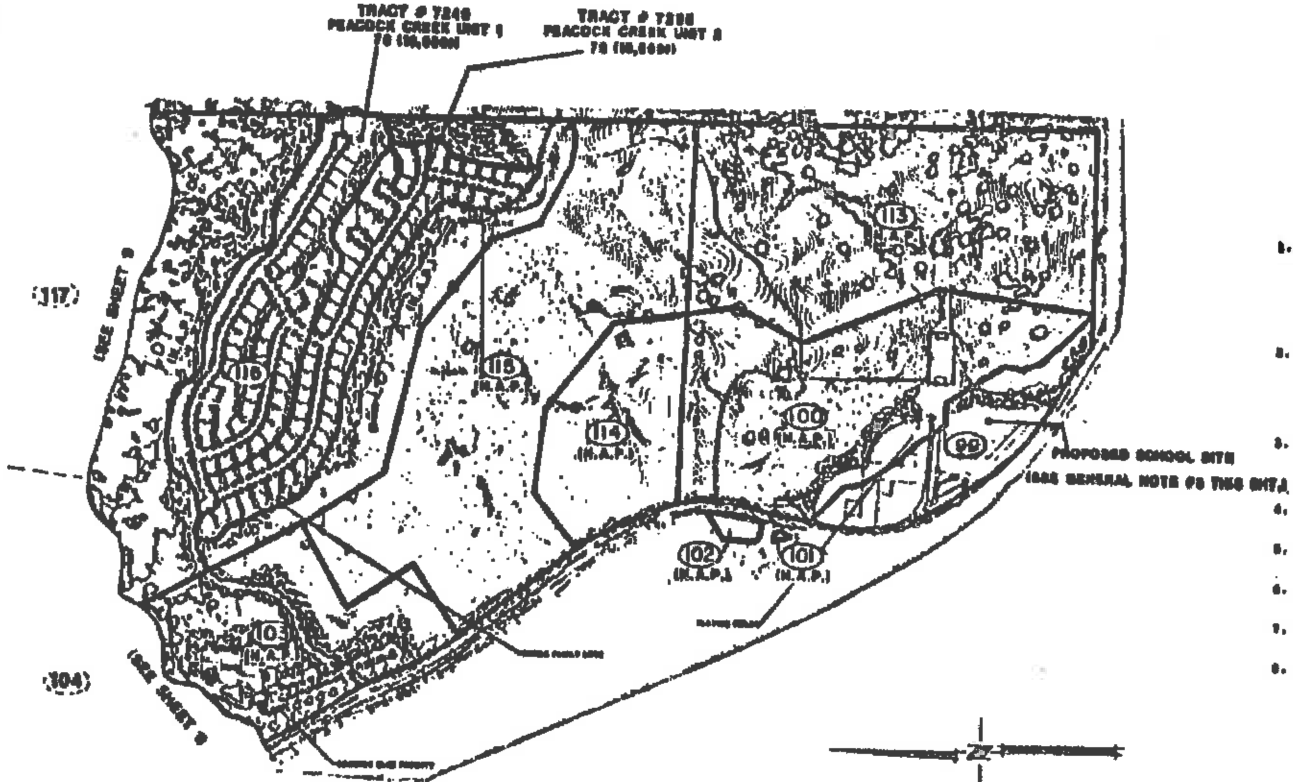
(N.A.P.) NOT A PART (PARCEL TO BE EXCLUDED FROM MELLO ROOS DISTRICT)

PROPOSED BOUNDARIES OF

COMMUNITY FACILITIES DISTRICT NO. 1990-1

OF THE CITY OF CLAYTON,
CONTRA COSTA COUNTY
STATE OF CALIFORNIA

MAY 1990
TETRAD ENGINEERING.
PACHECO, CA.



SCALE - 1"=600'

LEGEND

(113) LOT NUMBER AS DESIGNATED ON TRACT [illegible]

(116) LOT NUMBER AS DESIGNATED ON TRACT [illegible] BUT SUBSEQUENTLY REMAPPED

(N.A.P.) NOT A PART (PARCEL TO BE EXCLUDED FROM MELLO ROOS DISTRICT)

GENERAL NOTES

1. THE FOLLOWING LOTS WITHIN WINDMILL CANYON UNIT I - TRACT [illegible] ARE TO BE EXCLUDED FROM THE MELLO ROOS DISTRICT:
   - LOTS [illegible] THROUGH [illegible] INCLUSIVE
     [illegible] THROUGH [illegible] INCLUSIVE
     [illegible] THROUGH [illegible] INCLUSIVE
     [illegible] THROUGH [illegible] INCLUSIVE

2. THE FOLLOWING LOTS WITHIN BLACK DIAMOND UNIT NO. I - TRACT [illegible] ARE TO BE EXCLUDED FROM THE MELLO ROOS DISTRICT:
   - LOTS [illegible] THROUGH [illegible] INCLUSIVE
     [illegible] THROUGH [illegible] INCLUSIVE
     [illegible] THROUGH [illegible] INCLUSIVE

3. THE PROPOSED SCHOOL SITE WILL MOST LIKELY COMPRISE PORTIONS OF LOTS 99 AND 100 (TRACT [illegible]). A LOT LINE ADJUSTMENT OR PARCEL MAP WILL BE REQUIRED TO BE FILED TO UNIQUELY PARCEL OUT THE ULTIMATE SCHOOL SITE PARCEL.

4. ALL OPEN SPACE PARCELS ARE TO BE EXCLUDED FROM THE MELLO ROOS DISTRICT.

5. ALL GOLF COURSE PARCELS ARE TO BE EXCLUDED FROM THE MELLO ROOS DISTRICT.

6. ALL CLUB HOUSE FACILITIES ARE TO BE EXCLUDED FROM THE MELLO ROOS DISTRICT.

7. THE TOWN CENTER IS TO BE EXCLUDED FROM THE MELLO ROOS DISTRICT.

8. THE FOLLOWING IS A TABULATION OF THE NUMBER OF UNITS TO PARTICIPATE IN THE MELLO ROOS DISTRICT.

TRACT NAME	TRACT NO.	NO. OF UNITS	UNIT TYPES
WINDMILL CANYON UNIT I	[illegible]	[illegible]	[illegible] LOTS
WINDMILL CANYON UNIT II	[illegible]	[illegible]	[illegible] LOTS
WINDMILL CANYON UNIT III	[illegible]	[illegible]	[illegible] LOTS
WINDMILL CANYON UNIT IV	[illegible]	[illegible]	[illegible] LOTS
EAGLE PEAK UNIT I	[illegible]	[illegible]	[illegible] LOTS
EAGLE PEAK UNIT II	[illegible]	[illegible]	[illegible] LOTS
EAGLE PEAK UNIT III	[illegible]	[illegible]	[illegible] LOTS
EAGLE PEAK UNIT IV	[illegible]	[illegible]	[illegible] LOTS
BLACK DIAMOND UNIT I	[illegible]	[illegible]	DUETS
BLACK DIAMOND UNIT II	[illegible]	[illegible]	DUETS
BLACK DIAMOND UNIT III	[illegible]	[illegible]	DUETS
CHAPARRAL SPRINGS UNIT I	[illegible]	[illegible]	TOWN HOUSE
CHAPARRAL SPRINGS UNIT II	[illegible]	[illegible]	TOWN HOUSE
CHAPARRAL SPRINGS UNIT III	[illegible]		
CHAPARRAL SPRINGS UNIT IV	[illegible]	[illegible]	TOWN HOUSE
PEACOCK CREEK UNIT I	[illegible]	[illegible]	[illegible] LOTS
PEACOCK CREEK UNIT II	[illegible]	[illegible]	[illegible] LOTS
TOTALS		[illegible] UNITS	

T.B. [illegible]

7. DELINQUENCY DETAIL

The following pages detail delinquencies for the 2011/12 and prior fiscal years.

City of Clayton
Community Facilities District 1990-1R
Delinquency Detail Report
Late Charges Calculated Through 06/20/2012

Account ID	Owner	Due Date	Amount	Penalty	Interest	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
118-401-010	WITTNEBEN CHARLES R & DEBORAH J 1772 INDIAN WELLS WAY CLAYTON, CA 94517	04/10/2012	139.79	13.98	0.00	0.00	153.77		
		Account Subtotal:	**$139.79**	**$13.98**	**$0.00**	**$0.00**	**$153.77**		
118-401-030	HART JACK W & JERY L 402 CHUPCAN PL CLAYTON, CA 94517	04/10/2012	139.79	13.98	0.00	0.00	153.77		
		Account Subtotal:	**$139.79**	**$13.98**	**$0.00**	**$0.00**	**$153.77**		
118-402-013	NIEBUHR SANDRA 330 SACLAN TERRACE PL CLAYTON, CA 94517	12/10/2011	139.79	13.98	0.00	0.00	153.77	RL	
		04/10/2012	139.79	13.98	0.00	0.00	153.77	RL	
		Account Subtotal:	**$279.58**	**$27.96**	**$0.00**	**$0.00**	**$307.54**		
118-402-023	RUBINO MARY KATHRYN 1648 CORTE DE CALLAS SAN JOSE, CA 95124	04/10/2012	139.79	13.98	0.00	0.00	153.77		
		Account Subtotal:	**$139.79**	**$13.98**	**$0.00**	**$0.00**	**$153.77**		
118-410-050	SULLIVAN DONNA M 2977 MORGAN TERRITORY RD CLAYTON, CA 94517	12/10/2011	113.51	11.35	0.00	0.00	124.86	RL	
		04/10/2012	113.51	11.35	0.00	0.00	124.86	RL	
		Account Subtotal:	**$227.02**	**$22.70**	**$0.00**	**$0.00**	**$249.72**		
118-410-063	NUNN MEREDITH F 1266 SHELL CIR CLAYTON, CA 94517	04/10/2012	113.51	11.35	0.00	0.00	124.86		
		Account Subtotal:	**$113.51**	**$11.35**	**$0.00**	**$0.00**	**$124.86**		
118-422-003	RIGOLI DANIEL A & DIANA D 352 BLUE OAK LN CLAYTON, CA 94517	04/10/2012	243.02	24.30	0.00	0.00	267.32		
		Account Subtotal:	**$243.02**	**$24.30**	**$0.00**	**$0.00**	**$267.32**		

(1) Fees: This amount excludes Delinquency Management fees that were or will be collected in a subsequent billing.

(2) Delinquency Management Codes: RL=Reminder Sent; DL=Demand Letter Sent; SR=Tax Roll Removal Requested; SC=Tax Roll Removal Confirmed; FL=Foreclosure Letter Sent; OL=Other Letter Sent; FI=Judicial Foreclosure Initiated; CP=County Payment Plan; FH=Judicial Foreclosure on Hold/Special Case; FC=Foreclosure Complete; LIT=Litigation Guarantee; LGL=Legal Fees and Costs; O=Other Fees; SO=Tax Roll Removal County Fee; PP = Payment Plan.

(3) Miscellaneous Codes: DB=Direct Bill Sent ; BK=Declared Bankruptcy; PM=Partial Payment made, remainder delinquent.

City of Clayton
Community Facilities District 1990-1R
Delinquency Detail Report
Late Charges Calculated Through 06/20/2012

Account ID	Owner	Due Date	Amount	Penalty	Interest	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
118-422-004	ALVEAR MANUEL TOLENTINO & VENERANDA ALVA 354 BLUE OAK LN CLAYTON, CA 94517	12/10/2011	243.02	24.30	0.00	0.00	267.32	RL	
		04/10/2012	243.02	24.30	0.00	0.00	267.32	RL	
		Account Subtotal:	**$486.04**	**$48.60**	**$0.00**	**$0.00**	**$534.64**		
118-442-012	VALENCIA JANET 3013 WINDMILL CANYON DR CLAYTON, CA 94517	04/10/2012	162.64	16.26	0.00	0.00	178.90		
		Account Subtotal:	**$162.64**	**$16.26**	**$0.00**	**$0.00**	**$178.90**		
118-452-013	SARDI MARILYN J 203 FALCON PL CLAYTON, CA 94517	12/10/2011	162.64	16.26	0.00	0.00	178.90	RL	
		04/10/2012	162.64	16.26	0.00	0.00	178.90	RL	
		Account Subtotal:	**$325.28**	**$32.52**	**$0.00**	**$0.00**	**$357.80**		
118-452-038	JOHNSON ROXANNE D 5102 KELLER RIDGE DR CLAYTON, CA 94517	12/10/2011	162.64	16.26	0.00	0.00	178.90	RL	
		04/10/2012	162.64	16.26	0.00	0.00	178.90	RL	
		Account Subtotal:	**$325.28**	**$32.52**	**$0.00**	**$0.00**	**$357.80**		
118-460-005	KHAN FAROOQ H 608 JULPUN LOOP CLAYTON, CA 94517	12/10/2011	139.79	13.98	0.00	0.00	153.77	RL	
		04/10/2012	139.79	13.98	0.00	0.00	153.77	RL	
		Account Subtotal:	**$279.58**	**$27.96**	**$0.00**	**$0.00**	**$307.54**		
118-460-045	JENSEN MARK A & PAMELA A 803 CHERT PL CLAYTON, CA 94517	12/10/2011	139.79	13.98	0.00	0.00	153.77	RL	
		04/10/2012	139.79	13.98	0.00	0.00	153.77	RL	
		Account Subtotal:	**$279.58**	**$27.96**	**$0.00**	**$0.00**	**$307.54**		
118-460-073	HEANEY DANIEL 722 ANIZUMNE CT CLAYTON, CA 94517	04/10/2012	139.79	13.98	0.00	0.00	153.77		
		Account Subtotal:	**$139.79**	**$13.98**	**$0.00**	**$0.00**	**$153.77**		
118-460-094	EISSNER IRYSE JEAN 911 ARROWHEAD TER CLAYTON, CA 94517	04/10/2012	139.79	13.98	0.00	0.00	153.77		
		Account Subtotal:	**$139.79**	**$13.98**	**$0.00**	**$0.00**	**$153.77**		

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(3) Miscellaneous Codes: DB=Direct Bill Sent ; BK=Declared Bankruptcy; PM=Partial Payment made, remainder delinquent.

City of Clayton
Community Facilities District 1990-1R
Delinquency Detail Report
Late Charges Calculated Through 06/20/2012

Account ID	Owner	Due Date	Amount	Penalty	Interest	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
118-470-026	TAYLOR DAWN 1232 BUCKEYE TER CLAYTON, CA 94517	04/10/2012	139.79	13.98	0.00	0.00	153.77		
		Account Subtotal:	**$139.79**	**$13.98**	**$0.00**	**$0.00**	**$153.77**		
118-470-109	SCHMIDT CHARLES J & MARILYN R 456 OBSIDIAN WAY CLAYTON, CA 94517	04/10/2012	139.79	13.98	0.00	0.00	153.77		
		Account Subtotal:	**$139.79**	**$13.98**	**$0.00**	**$0.00**	**$153.77**		
118-490-009	ELLYN LYNNE 1036 PEBBLE BEACH DR CLAYTON, CA 94517	04/10/2012	282.82	28.28	0.00	0.00	311.10		
		Account Subtotal:	**$282.82**	**$28.28**	**$0.00**	**$0.00**	**$311.10**		
118-500-013	ING BANK FSB c/o: FORECLOSURE DEPT 1 S ORANGE ST WILMINGTON, DE 19801	12/10/2009	329.40	32.94	118.58	0.00	480.92	RL DL	
		04/10/2010	329.40	32.94	118.58	0.00	480.92	RL DL	
		12/10/2010	325.69	32.57	58.62	0.00	416.88	RL DL	
		04/10/2011	325.69	32.57	58.62	0.00	416.88	RL DL	
		12/10/2011	282.82	28.28	0.00	0.00	311.10	DL	
		04/10/2012	282.82	28.28	0.00	0.00	311.10	DL	
		Account Subtotal:	**$1,875.82**	**$187.58**	**$354.40**	**$0.00**	**$2,417.80**		
118-510-003	MILLIGAN ROGER C 1138 PEACOCK CREEK DR CLAYTON, CA 94517	04/10/2012	282.82	28.28	0.00	0.00	311.10		
		Account Subtotal:	**$282.82**	**$28.28**	**$0.00**	**$0.00**	**$311.10**		
118-510-031	LALLY KENNETH & KIM 163 SILVERADO CT CLAYTON, CA 94517	04/10/2012	282.82	28.28	0.00	0.00	311.10		
		Account Subtotal:	**$282.82**	**$28.28**	**$0.00**	**$0.00**	**$311.10**		
118-530-016	BECK SUSAN M 1431 INDIANHEAD WAY CLAYTON, CA 94517	04/10/2012	113.51	11.35	0.00	0.00	124.86		
		Account Subtotal:	**$113.51**	**$11.35**	**$0.00**	**$0.00**	**$124.86**		

(1) Fees: This amount excludes Delinquency Management fees that were or will be collected in a subsequent billing.

(2) Delinquency Management Codes: RL=Reminder Sent; DL=Demand Letter Sent; SR=Tax Roll Removal Requested; SC=Tax Roll Removal Confirmed; FL=Foreclosure Letter Sent; OL=Other Letter Sent; FI=Judicial Foreclosure Initiated; CP=County Payment Plan; FH=Judicial Foreclosure on Hold/Special Case; FC=Foreclosure Complete; LIT=Litigation Guarantee; LGL=Legal Fees and Costs; O=Other Fees; SO=Tax Roll Removal County Fee; PP = Payment Plan.

(3) Miscellaneous Codes: DB=Direct Bill Sent ; BK=Declared Bankruptcy; PM=Partial Payment made, remainder delinquent.

City of Clayton

Community Facilities District 1990-1R

Delinquency Detail Report

Late Charges Calculated Through 06/20/2012

Account ID	Owner	Due Date	Amount	Penalty	Interest	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
118-550-030	DAVIS ERIC M & WINNIE Y K 414 HUMMINGBIRD PL CLAYTON, CA 94517	04/10/2012	162.64	16.26	0.00	0.00	178.90		
		Account Subtotal:	**$162.64**	**$16.26**	**$0.00**	**$0.00**	**$178.90**		
118-570-031	GALLAGHER DAVID B & CORINNE L 64 ANTELOPE CT CLAYTON, CA 94517	04/10/2012	243.02	24.30	0.00	0.00	267.32		
		Account Subtotal:	**$243.02**	**$24.30**	**$0.00**	**$0.00**	**$267.32**		
118-570-045	ARTRU SANDRA E 461 OBSIDIAN WAY CLAYTON, CA 94517	04/10/2012	243.02	24.30	0.00	0.00	267.32		
		Account Subtotal:	**$243.02**	**$24.30**	**$0.00**	**$0.00**	**$267.32**		
118-570-048	ROSALES JOSE JR & MARIA J 467 OBSIDIAN WAY CLAYTON, CA 94517	04/10/2012	243.02	24.30	0.00	0.00	267.32		
		Account Subtotal:	**$243.02**	**$24.30**	**$0.00**	**$0.00**	**$267.32**		
118-600-039	CRIADO EDWARD F & TIFFANY M PO BOX 302 CLAYTON, CA 94517	12/10/2011	113.51	11.35	0.00	0.00	124.86	RL	
		04/10/2012	113.51	11.35	0.00	0.00	124.86	RL	
		Account Subtotal:	**$227.02**	**$22.70**	**$0.00**	**$0.00**	**$249.72**		
118-620-027	SIMPSON SCOTT 6022 GOLDEN EAGLE WAY CLAYTON, CA 94517	04/10/2012	162.64	16.26	0.00	0.00	178.90		
		Account Subtotal:	**$162.64**	**$16.26**	**$0.00**	**$0.00**	**$178.90**		
118-630-037	BELUSA ERIC R & MONIQUE & BELUSA MONIQUE 4425 TREAT BLVD #B CONCORD, CA 94521	04/10/2012	162.64	16.26	0.00	0.00	178.90		
		Account Subtotal:	**$162.64**	**$16.26**	**$0.00**	**$0.00**	**$178.90**		

(1) Fees: This amount excludes Delinquency Management fees that were or will be collected in a subsequent billing.

(2) Delinquency Management Codes: RL=Reminder Sent; DL=Demand Letter Sent; SR=Tax Roll Removal Requested; SC=Tax Roll Removal Confirmed; FL=Foreclosure Letter Sent; OL=Other Letter Sent; FI=Judicial Foreclosure Initiated; CP=County Payment Plan; FH=Judicial Foreclosure on Hold/Special Case; FC=Foreclosure Complete; LIT=Litigation Guarantee; LGL=Legal Fees and Costs; O=Other Fees; SO=Tax Roll Removal County Fee; PP = Payment Plan.

(3) Miscellaneous Codes: DB=Direct Bill Sent; BK=Declared Bankruptcy; PM=Partial Payment made, remainder delinquent.

City of Clayton
Community Facilities District 1990-1R
Delinquency Detail Report
Late Charges Calculated Through 06/20/2012

Account ID	Owner	Due Date	Amount	Penalty	Interest	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
118-640-042	SARNA PETER C & SHERRIE 8002 KELOK WAY CLAYTON, CA 94517	04/10/2012	243.02	24.30	0.00	0.00	267.32		
		Account Subtotal:	**$243.02**	**$24.30**	**$0.00**	**$0.00**	**$267.32**		
118-650-011	LANFRANCHI MARK W & LAURA E 805 GRAY FOX PL CLAYTON, CA 94517	04/10/2012	243.02	24.30	0.00	0.00	267.32		
		Account Subtotal:	**$243.02**	**$24.30**	**$0.00**	**$0.00**	**$267.32**		
118-650-020	TEMPLE JAMES E JR & MARCI 9013 ELK DR CLAYTON, CA 94517	04/10/2012	243.02	24.30	0.00	0.00	267.32		
		Account Subtotal:	**$243.02**	**$24.30**	**$0.00**	**$0.00**	**$267.32**		
118-660-029	BURNS SHARON L 3853 STONEBRUSH DR UNIT C12 HIGHLANDS RANCH, CO 80126	04/10/2012	113.51	11.35	0.00	0.00	124.86		
		Account Subtotal:	**$113.51**	**$11.35**	**$0.00**	**$0.00**	**$124.86**		
118-680-021	SON JENNIFER J 5210 KELLER RIDGE DR CLAYTON, CA 94517	12/10/2011	243.02	24.30	0.00	0.00	267.32	RL	
		04/10/2012	243.02	24.30	0.00	0.00	267.32	RL	
		Account Subtotal:	**$486.04**	**$48.60**	**$0.00**	**$0.00**	**$534.64**		
District Totals:	**34 Accounts**		**$9,310.46**	**$930.99**	**$354.40**	**$0.00**	**$10,595.85**		
Report Totals:	**34 Accounts**		**$9,310.46**	**$930.99**	**$354.40**	**$0.00**	**$10,595.85**		

(1) Fees: This amount excludes Delinquency Management fees that were or will be collected in a subsequent billing.

(2) Delinquency Management Codes: RL=Reminder Sent; DL=Demand Letter Sent; SR=Tax Roll Removal Requested; SC=Tax Roll Removal Confirmed; FL=Foreclosure Letter Sent; OL=Other Letter Sent; FI=Judicial Foreclosure Initiated; CP=County Payment Plan; FH=Judicial Foreclosure on Hold/Special Case; FC=Foreclosure Complete; LIT=Litigation Guarantee; LGL=Legal Fees and Costs; O=Other Fees; SO=Tax Roll Removal County Fee; PP = Payment Plan.

(3) Miscellaneous Codes: DB=Direct Bill Sent ; BK=Declared Bankruptcy; PM=Partial Payment made, remainder delinquent.

8. 2012/13 SPECIAL TAX ROLL

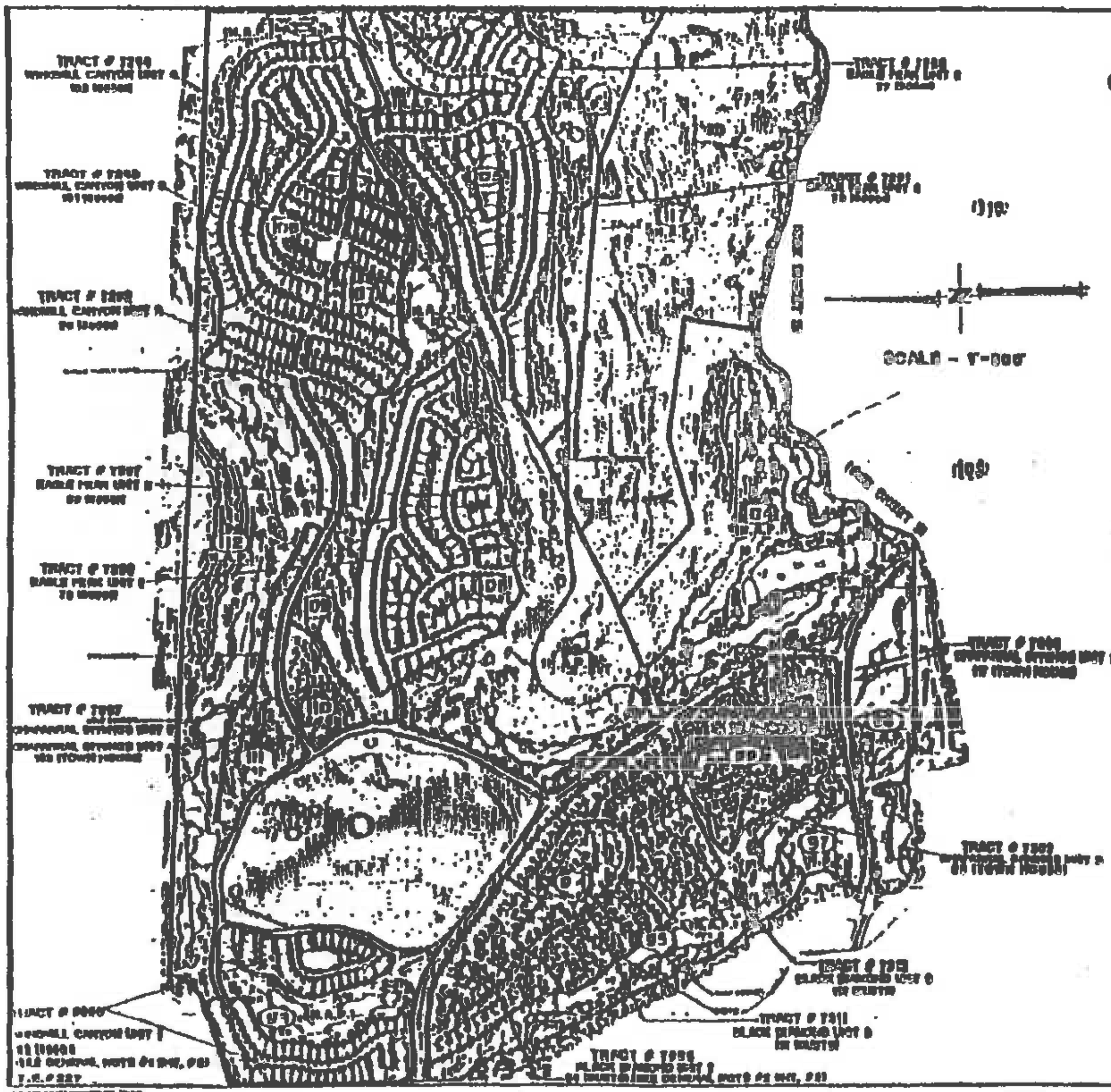
The following pages provide the 2012/13 Special Tax Roll for the District.

PROPOSED BOUNDARIES OF

COMMUNITY FACILITIES DISTRICT NO. 1990-1

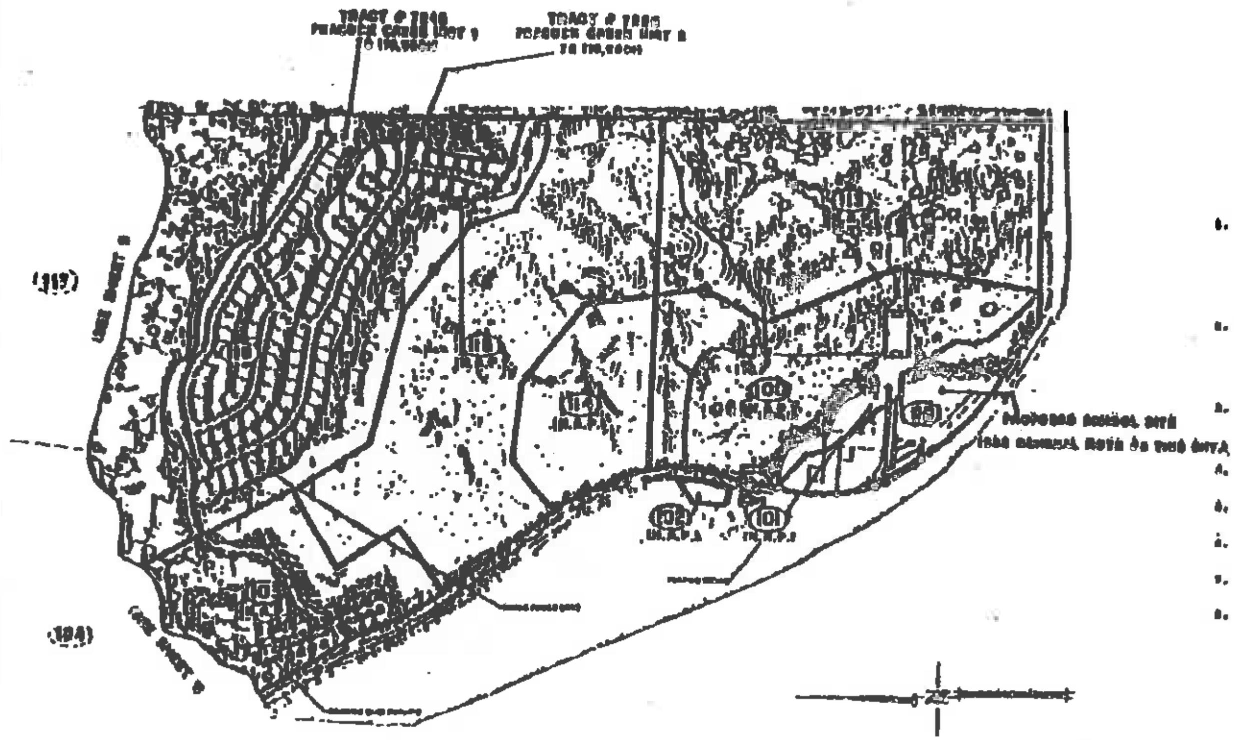
OF THE CITY OF CLAYTON,
CONTRA COSTA COUNTY
STATE OF CALIFORNIA

MAY 1990
TETRAD ENGINEERING
PACHECO, CA.



PROPOSED BOUNDARIES OF
COMMUNITY FACILITIES DISTRICT NO. 1990-1
OF THE CITY OF CLAYTON, CONTRA COSTA COUNTY STATE OF CALIFORNIA

MAY 1990
TETRAD ENGINEERING
PACHECO, CA.



SCALE – 1"=600'

City of Clayton
Community Facilities District 1990-1R
Clayton Middle School
Fiscal Year 2012/13 Special Tax Roll

APN	Situs Address	Levy
118-382-015	1828 EAGLE PEAK AVE	$312.14
118-382-016	1824 EAGLE PEAK AVE	312.14
118-382-017	1820 EAGLE PEAK AVE	312.14
118-382-018	1816 EAGLE PEAK AVE	312.14
118-382-019	1812 EAGLE PEAK AVE	312.14
118-382-020	1808 EAGLE PEAK AVE	312.14
118-382-021	1804 EAGLE PEAK AVE	312.14
118-382-022	1800 EAGLE PEAK AVE	312.14
118-391-018	136 JOSCOLO VW	312.14
118-391-024	160 JOSCOLO VW	312.14
118-392-001	1816 OHLONE HEIGHTS	312.14
118-392-002	1820 OHLONE HEIGHTS	312.14
118-392-003	1824 OHLONE HEIGHTS	312.14
118-392-004	1828 OHLONE HTS	312.14
118-392-005	1832 OHLONE HEIGHTS	312.14
118-392-006	1836 OHLONE HEIGHTS	312.14
118-392-007	1840 OHLONE HEIGHTS	312.14
118-392-012	129 JOSCOLO VW	312.14
118-392-014	135 JOSCOLO VW	312.14
118-392-015	139 JOSCOLO VW	312.14
118-392-016	145 JOSCOLO VW	312.14
118-401-001	1790 INDIAN WELLS WAY	268.28
118-401-002	1788 INDIAN WELLS WAY	268.28
118-401-003	1786 INDIAN WELLS WAY	268.28
118-401-004	1784 INDIAN WELLS WAY	268.28
118-401-005	1782 INDIAN WELLS WAY	268.28
118-401-006	1780 INDIAN WELLS WAY	268.28
118-401-007	1778 INDIAN WELLS WAY	268.28
118-401-008	1776 INDIAN WELLS WAY	268.28
118-401-009	1774 INDIAN WELLS WAY	268.28
118-401-010	1772 INDIAN WELLS WAY	268.28
118-401-019	40 TULE CT	268.28
118-401-029	400 CHUPCAN PL	268.28
118-401-030	402 CHUPCAN PL	268.28
118-401-031	404 CHUPCAN PL	268.28
118-401-032	406 CHUPCAN PL	268.28
118-401-033	408 CHUPCAN PL	268.28
118-401-034	410 CHUPCAN PL	268.28
118-401-035	417 CHUPCAN PL	268.28
118-401-036	415 CHUPCAN PL	268.28
118-401-037	411 CHUPCAN PL	268.28

City of Clayton
Community Facilities District 1990-1R
Clayton Middle School
Fiscal Year 2012/13 Special Tax Roll

APN	Situs Address	Levy
118-401-038	409 CHUPCAN PL	268.28
118-401-039	407 CHUPCAN PL	268.28
118-401-040	405 CHUPCAN PL	268.28
118-401-041	403 CHUPCAN PL	268.28
118-401-042	401 CHUPCAN PL	268.28
118-402-001	1735 INDIAN WELLS WAY	268.28
118-402-002	1737 INDIAN WELLS WAY	268.28
118-402-003	1739 INDIAN WELLS WAY	268.28
118-402-004	1741 INDIAN WELLS WAY	268.28
118-402-005	1743 INDIAN WELLS WAY	268.28
118-402-006	1745 INDIAN WELLS WAY	268.28
118-402-007	1747 INDIAN WELLS WAY	268.28
118-402-008	1749 INDIAN WELLS WAY	268.28
118-402-009	310 SACLAN TERRACE PL	268.28
118-402-010	320 SACLAN TERRACE PL	268.28
118-402-011	326 SACLAN TERRACE PL	268.28
118-402-012	328 SACLAN TERRACE PL	268.28
118-402-013	330 SACLAN TERRACE PL	268.28
118-402-014	332 SACLAN TERRACE PL	268.28
118-402-015	334 SACLAN TERRACE PL	268.28
118-402-016	336 SACLAN TERRACE PL	268.28
118-402-017	338 SACLAN TERRACE PL	268.28
118-402-018	340 SACLAN TERRACE PL	268.28
118-402-019	341 SACLAN TERRACE PL	268.28
118-402-020	339 SACLAN TERRACE PL	268.28
118-402-021	337 SACLAN TERRACE PL	268.28
118-402-022	335 SACLAN TERRACE PL	268.28
118-402-023	333 SACLAN TERRACE PL	268.28
118-402-024	331 SACLAN TERRACE PL	268.28
118-402-025	329 SACLAN TERRACE PL	268.28
118-402-026	327 SACLAN TERRACE PL	268.28
118-402-027	325 SACLAN TERRACE PL	268.28
118-402-028	323 SACLAN TERRACE PL	268.28
118-402-029	321 SACLAN TERRACE PL	268.28
118-410-001	1399 SHELL LN	217.84
118-410-002	1397 SHELL LN	217.84
118-410-003	1389 SHELL LN	217.84
118-410-004	1387 SHELL LN	217.84
118-410-005	1385 SHELL LN	217.84
118-410-006	1383 SHELL LN	217.84
118-410-007	1381 SHELL LN	217.84

City of Clayton
Community Facilities District 1990-1R
Clayton Middle School
Fiscal Year 2012/13 Special Tax Roll

APN	Situs Address	Levy
118-410-008	1379 SHELL LN	217.84
118-410-009	1377 SHELL LN	217.84
118-410-010	1375 SHELL LN	217.84
118-410-011	1373 SHELL LN	217.84
118-410-012	1371 SHELL LN	217.84
118-410-013	1369 SHELL LN	217.84
118-410-014	1367 SHELL LN	217.84
118-410-015	1365 SHELL LN	217.84
118-410-016	1363 SHELL LN	217.84
118-410-017	1361 SHELL LN	217.84
118-410-018	1359 SHELL LN	217.84
118-410-019	1357 SHELL LN	217.84
118-410-020	1355 SHELL LN	217.84
118-410-021	1353 SHELL LN	217.84
118-410-022	1351 SHELL LN	217.84
118-410-023	1349 SHELL LN	217.84
118-410-024	1347 SHELL LN	217.84
118-410-025	1345 SHELL LN	217.84
118-410-026	1343 SHELL LN	217.84
118-410-027	1341 SHELL LN	217.84
118-410-028	1339 SHELL LN	217.84
118-410-029	1337 SHELL LN	217.84
118-410-030	1335 SHELL LN	217.84
118-410-031	1333 SHELL LN	217.84
118-410-032	1331 SHELL LN	217.84
118-410-033	1329 SHELL LN	217.84
118-410-034	1327 SHELL LN	217.84
118-410-035	1199 SHELL LN	217.84
118-410-037	1195 SHELL LN	217.84
118-410-038	1193 SHELL LN	217.84
118-410-039	1191 SHELL LN	217.84
118-410-040	1189 SHELL LN	217.84
118-410-041	1187 SHELL LN	217.84
118-410-042	1185 SHELL LN	217.84
118-410-043	1183 SHELL LN	217.84
118-410-044	1181 SHELL LN	217.84
118-410-045	1179 SHELL LN	217.84
118-410-046	1177 SHELL LN	217.84
118-410-047	1175 SHELL LN	217.84
118-410-048	1173 SHELL LN	217.84
118-410-049	1171 SHELL LN	217.84

City of Clayton
Community Facilities District 1990-1R
Clayton Middle School
Fiscal Year 2012/13 Special Tax Roll

APN	Situs Address	Levy
118-410-050	1169 SHELL LN	217.84
118-410-051	1167 SHELL LN	217.84
118-410-052	1267 SHELL CIR	217.84
118-410-053	1265 SHELL CIR	217.84
118-410-054	1263 SHELL CIR	217.84
118-410-055	1261 SHELL CIR	217.84
118-410-056	1259 SHELL CIR	217.84
118-410-057	1254 SHELL CIR	217.84
118-410-058	1256 SHELL CIR	217.84
118-410-059	1258 SHELL CIR	217.84
118-410-060	1260 SHELL CIR	217.84
118-410-061	1262 SHELL CIR	217.84
118-410-062	1264 SHELL CIR	217.84
118-410-063	1266 SHELL CIR	217.84
118-410-064	1268 SHELL CIR	217.84
118-410-065	1270 SHELL CIR	217.84
118-410-066	1272 SHELL CIR	217.84
118-410-067	1274 SHELL CIR	217.84
118-410-068	1276 SHELL CIR	217.84
118-410-069	1278 SHELL CIR	217.84
118-410-070	1280 SHELL CIR	217.84
118-410-071	1282 SHELL CIR	217.84
118-410-072	1284 SHELL CIR	217.84
118-410-073	1286 SHELL CIR	217.84
118-410-074	1288 SHELL CIR	217.84
118-410-075	1290 SHELL CIR	217.84
118-410-076	1292 SHELL CIR	217.84
118-410-077	1294 SHELL CIR	217.84
118-410-078	1296 SHELL CIR	217.84
118-410-079	1298 SHELL CIR	217.84
118-410-080	1269 SHELL CIR	217.84
118-410-081	1271 SHELL CIR	217.84
118-410-082	1273 SHELL CIR	217.84
118-410-083	1275 SHELL CIR	217.84
118-410-084	1332 SHELL LN	217.84
118-410-085	1330 SHELL LN	217.84
118-410-086	1328 SHELL LN	217.84
118-410-087	1326 SHELL LN	217.84
118-410-088	1340 SHELL LN	217.84
118-410-089	1338 SHELL LN	217.84
118-410-090	1336 SHELL LN	217.84

City of Clayton
Community Facilities District 1990-1R
Clayton Middle School
Fiscal Year 2012/13 Special Tax Roll

APN	Situs Address	Levy
118-410-091	1334 SHELL LN	217.84
118-410-092	1277 SHELL CIR	217.84
118-410-093	1279 SHELL CIR	217.84
118-410-094	1281 SHELL CIR	217.84
118-410-095	1283 SHELL CIR	217.84
118-410-096	1285 SHELL CIR	217.84
118-410-097	1287 SHELL CIR	217.84
118-410-098	1289 SHELL CIR	217.84
118-410-099	1291 SHELL CIR	217.84
118-410-100	1293 SHELL CIR	217.84
118-410-101	1295 SHELL CIR	217.84
118-410-102	1297 SHELL CIR	217.84
118-410-103	1299 SHELL CIR	217.84
118-410-104	1368 SHELL LN	217.84
118-410-105	1370 SHELL LN	217.84
118-410-106	1372 SHELL LN	217.84
118-410-107	1374 SHELL LN	217.84
118-410-108	1376 SHELL LN	217.84
118-410-109	1378 SHELL LN	217.84
118-410-110	1380 SHELL LN	217.84
118-410-111	1382 SHELL LN	217.84
118-410-112	1388 SHELL LN	217.84
118-410-113	1390 SHELL LN	217.84
118-410-114	1392 SHELL LN	217.84
118-410-115	1394 SHELL LN	217.84
118-410-116	1396 SHELL LN	217.84
118-410-117	1398 SHELL LN	217.84
118-410-120	1197 SHELL LN	217.84
118-421-001	304 AHWANEE LN	466.38
118-421-002	308 AHWANEE LN	466.38
118-421-003	312 AHWANEE LN	466.38
118-422-001	451 OBSIDIAN WAY	466.38
118-422-002	350 BLUE OAK LN	466.38
118-422-003	352 BLUE OAK LN	466.38
118-422-004	354 BLUE OAK LN	466.38
118-422-005	356 BLUE OAK LN	466.38
118-422-006	358 BLUE OAK LN	466.38
118-422-007	360 BLUE OAK LN	466.38
118-423-001	361 BLUE OAK LN	466.38
118-423-002	3057 MIWOK WAY	466.38
118-423-003	3055 MIWOK WAY	466.38

City of Clayton
Community Facilities District 1990-1R
Clayton Middle School
Fiscal Year 2012/13 Special Tax Roll

APN	Situs Address	Levy
118-423-004	3053 MIWOK WAY	466.38
118-423-005	3051 MIWOK WAY	466.38
118-423-006	3049 MIWOK WAY	466.38
118-423-007	3047 MIWOK WAY	466.38
118-423-008	3045 MIWOK WAY	466.38
118-423-009	3043 MIWOK WAY	466.38
118-423-010	3041 MIWOK WAY	466.38
118-423-011	3039 MIWOK WAY	466.38
118-423-012	3037 MIWOK WAY	466.38
118-423-013	3035 MIWOK WAY	466.38
118-423-014	3033 MIWOK WAY	466.38
118-423-015	3031 MIWOK WAY	466.38
118-424-001	359 BLUE OAK LN	466.38
118-424-002	357 BLUE OAK LN	466.38
118-424-003	355 BLUE OAK LN	466.38
118-424-004	353 BLUE OAK LN	466.38
118-424-005	351 BLUE OAK LN	466.38
118-424-006	409 WAWONA LN	466.38
118-424-007	407 WAWONA LN	466.38
118-424-008	405 WAWONA LN	466.38
118-424-009	403 WAWONA LN	466.38
118-424-010	401 WAWONA LN	466.38
118-424-011	3034 MIWOK WAY	466.38
118-424-012	3038 MIWOK WAY	466.38
118-424-013	3040 MIWOK WAY	466.38
118-424-014	3042 MIWOK WAY	466.38
118-424-015	3046 MIWOK WAY	466.38
118-424-016	3048 MIWOK WAY	466.38
118-424-017	3050 MIWOK WAY	466.38
118-424-018	3052 MIWOK WAY	466.38
118-424-019	3054 MIWOK WAY	466.38
118-431-001	316 AHWANEE CT	466.38
118-431-002	320 AHWANEE CT	466.38
118-431-003	324 AHWANEE CT	466.38
118-431-004	328 AHWANEE CT	466.38
118-431-005	332 AHWANEE CT	466.38
118-432-002	333 AHWANEE LN	466.38
118-432-003	329 AHWANEE LN	466.38
118-432-004	325 AHWANEE LN	466.38
118-432-005	321 AHWANEE CT	466.38
118-432-006	317 AHWANEE CT	466.38

City of Clayton
Community Facilities District 1990-1R
Clayton Middle School
Fiscal Year 2012/13 Special Tax Roll

APN	Situs Address	Levy
118-432-007	400 WAWONA LN	466.38
118-432-008	402 WAWONA LN	466.38
118-432-009	404 WAWONA LN	466.38
118-432-010	406 WAWONA LN	466.38
118-432-011	408 WAWONA LN	466.38
118-432-012	410 WAWONA LN	466.38
118-432-013	412 WAWONA LN	466.38
118-432-014	414 WAWONA LN	466.38
118-432-015	416 WAWONA CT	466.38
118-432-016	418 WAWONA LN	466.38
118-432-017	420 WAWONA CT	466.38
118-432-019	337 AHWANEE CT	466.38
118-432-020	422 WAWONA LN	466.38
118-433-002	419 WAWONA LN	466.38
118-433-003	417 WAWONA CT	466.38
118-433-004	421 WAWONA CT	466.38
118-441-001	5101 KELLER RIDGE DR	312.14
118-441-002	5103 KELLER RIDGE DR	312.14
118-441-003	5105 KELLER RIDGE DR	312.14
118-441-004	5107 KELLER RIDGE DR	312.14
118-441-005	5109 KELLER RIDGE DR	312.14
118-441-007	5113 KELLER RIDGE DR	312.14
118-441-008	5115 KELLER RIDGE DR	312.14
118-441-009	5117 KELLER RIDGE DR	312.14
118-441-010	5119 KELLER RIDGE DR	312.14
118-441-011	5121 KELLER RIDGE DR	312.14
118-441-012	5123 KELLER RIDGE DR	312.14
118-441-013	5125 KELLER RIDGE DR	312.14
118-441-014	5127 KELLER RIDGE DR	312.14
118-441-015	5129 KELLER RIDGE DR	312.14
118-441-016	5131 KELLER RIDGE DR	312.14
118-441-017	101 CROW PL	312.14
118-441-018	103 CROW PL	312.14
118-441-019	105 CROW PL	312.14
118-441-020	107 CROW PL	312.14
118-441-021	109 CROW PL	312.14
118-441-022	111 CROW PL	312.14
118-441-023	113 CROW PL	312.14
118-441-024	115 CROW PL	312.14
118-441-025	117 CROW PL	312.14
118-441-026	119 CROW PL	312.14

City of Clayton
Community Facilities District 1990-1R
Clayton Middle School
Fiscal Year 2012/13 Special Tax Roll

APN	Situs Address	Levy
118-442-001	118 CROW PL	312.14
118-442-002	116 CROW PL	312.14
118-442-003	114 CROW PL	312.14
118-442-004	112 CROW PL	312.14
118-442-005	110 CROW PL	312.14
118-442-006	108 CROW PL	312.14
118-442-007	106 CROW PL	312.14
118-442-008	104 CROW PL	312.14
118-442-009	102 CROW PL	312.14
118-442-010	3009 WINDMILL CANYON DR	312.14
118-442-011	3011 WINDMILL CANYON DR	312.14
118-442-012	3013 WINDMILL CANYON DR	312.14
118-442-013	3015 WINDMILL CANYON DR	312.14
118-442-014	3017 WINDMILL CANYON DR	312.14
118-442-015	3019 WINDMILL CANYON DR	312.14
118-442-016	3021 WINDMILL CANYON DR	312.14
118-442-017	3023 WINDMILL CANYON DR	312.14
118-443-001	3022 WINDMILL CANYON DR	312.14
118-443-002	3020 WINDMILL CANYON DR	312.14
118-443-003	3018 WINDMILL CANYON DR	312.14
118-443-004	3016 WINDMILL CANYON DR	312.14
118-443-005	3014 WINDMILL CANYON DR	312.14
118-443-006	3012 WINDMILL CANYON DR	312.14
118-443-007	3010 WINDMILL CANYON DR	312.14
118-451-001	301 WINDMILL CANYON PL	312.14
118-451-002	303 WINDMILL CANYON PL	312.14
118-451-003	305 WINDMILL CANYON PL	312.14
118-451-004	307 WINDMILL CANYON PL	312.14
118-451-005	309 WINDMILL CANYON PL	312.14
118-451-006	311 WINDMILL CANYON PL	312.14
118-451-007	313 WINDMILL CANYON PL	312.14
118-451-008	315 WINDMILL CANYON PL	312.14
118-451-009	317 WINDMILL CANYON PL	312.14
118-451-010	319 WINDMILL CANYON PL	312.14
118-451-011	321 WINDMILL CANYON PL	312.14
118-452-001	322 WINDMILL CANYON PL	312.14
118-452-002	320 WINDMILL CANYON PL	312.14
118-452-003	318 WINDMILL CANYON PL	312.14
118-452-004	316 WINDMILL CANYON PL	312.14
118-452-005	314 WINDMILL CANYON PL	312.14
118-452-006	312 WINDMILL CANYON PL	312.14

City of Clayton
Community Facilities District 1990-1R
Clayton Middle School
Fiscal Year 2012/13 Special Tax Roll

APN	Situs Address	Levy
118-452-007	310 WINDMILL CANYON PL	312.14
118-452-008	308 WINDMILL CANYON PL	312.14
118-452-009	306 WINDMILL CANYON PL	312.14
118-452-010	304 WINDMILL CANYON PL	312.14
118-452-011	302 WINDMILL CANYON PL	312.14
118-452-012	201 FALCON PL	312.14
118-452-013	203 FALCON PL	312.14
118-452-014	205 FALCON PL	312.14
118-452-015	207 FALCON PL	312.14
118-452-016	209 FALCON PL	312.14
118-452-017	211 FALCON PL	312.14
118-452-018	213 FALCON PL	312.14
118-452-019	215 FALCON PL	312.14
118-452-020	216 FALCON PL	312.14
118-452-021	214 FALCON PL	312.14
118-452-022	212 FALCON PL	312.14
118-452-023	210 FALCON PL	312.14
118-452-024	208 FALCON PL	312.14
118-452-025	206 FALCON PL	312.14
118-452-026	204 FALCON PL	312.14
118-452-027	202 FALCON PL	312.14
118-452-028	5126 KELLER RIDGE DR	312.14
118-452-029	5122 KELLER RIDGE DR	312.14
118-452-030	5120 KELLER RIDGE DR	312.14
118-452-031	5118 KELLER RIDGE DR	312.14
118-452-032	5116 KELLER RIDGE DR	312.14
118-452-033	5114 KELLER RIDGE DR	312.14
118-452-034	5112 KELLER RIDGE DR	312.14
118-452-035	5110 KELLER RIDGE DR	312.14
118-452-036	5108 KELLER RIDGE DR	312.14
118-452-037	5106 KELLER RIDGE DR	312.14
118-452-038	5102 KELLER RIDGE DR	312.14
118-460-001	600 JULPUN LOOP	268.28
118-460-002	602 JULPUN LOOP	268.28
118-460-003	604 JULPUN LOOP	268.28
118-460-004	606 JULPUN LOOP	268.28
118-460-005	608 JULPUN LOOP	268.28
118-460-006	610 JULPUN LOOP	268.28
118-460-007	612 JULPUN LOOP	268.28
118-460-008	614 JULPUN LOOP	268.28
118-460-009	616 JULPUN LOOP	268.28

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APN	Situs Address	Levy
118-460-010	618 JULPUN LOOP	268.28
118-460-011	620 JULPUN LOOP	268.28
118-460-012	622 JULPUN LOOP	268.28
118-460-013	615 JULPUN LOOP	268.28
118-460-014	609 JULPUN LOOP	268.28
118-460-015	605 JULPUN LOOP	268.28
118-460-016	601 JULPUN LOOP	268.28
118-460-017	637 JULPUN LOOP	268.28
118-460-018	633 JULPUN LOOP	268.28
118-460-019	629 JULPUN LOOP	268.28
118-460-020	625 JULPUN LOOP	268.28
118-460-021	624 JULPUN LOOP	268.28
118-460-022	626 JULPUN LOOP	268.28
118-460-023	628 JULPUN LOOP	268.28
118-460-024	630 JULPUN LOOP	268.28
118-460-025	632 JULPUN LOOP	268.28
118-460-026	634 JULPUN LOOP	268.28
118-460-027	636 JULPUN LOOP	268.28
118-460-028	638 JULPUN LOOP	268.28
118-460-029	800 CHERT PL	268.28
118-460-030	802 CHERT PL	268.28
118-460-031	804 CHERT PL	268.28
118-460-032	806 CHERT PL	268.28
118-460-033	808 CHERT PL	268.28
118-460-034	810 CHERT PL	268.28
118-460-035	812 CHERT PL	268.28
118-460-036	814 CHERT PL	268.28
118-460-037	819 CHERT PL	268.28
118-460-038	817 CHERT PL	268.28
118-460-039	815 CHERT PL	268.28
118-460-040	813 CHERT PL	268.28
118-460-041	811 CHERT PL	268.28
118-460-042	809 CHERT PL	268.28
118-460-043	807 CHERT PL	268.28
118-460-044	805 CHERT PL	268.28
118-460-045	803 CHERT PL	268.28
118-460-046	801 CHERT PL	268.28
118-460-047	51 KARKIN PL	268.28
118-460-048	53 KARKIN PL	268.28
118-460-049	55 KARKIN PL	268.28
118-460-050	57 KARKIN PL	268.28

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APN	Situs Address	Levy
118-460-051	56 KARKIN PL	268.28
118-460-052	54 KARKIN PL	268.28
118-460-053	52 KARKIN PL	268.28
118-460-054	1733 INDIAN WELLS WAY	268.28
118-460-055	501 SUISUN CT	268.28
118-460-056	503 SUISUN CT	268.28
118-460-057	505 SUISUN CT	268.28
118-460-058	507 SUISUN CT	268.28
118-460-059	509 SUISUN CT	268.28
118-460-060	511 SUISUN CT	268.28
118-460-061	510 SUISUN CT	268.28
118-460-062	508 SUISUN CT	268.28
118-460-063	506 SUISUN CT	268.28
118-460-064	504 SUISUN CT	268.28
118-460-065	502 SUISUN CT	268.28
118-460-066	1731 INDIAN WELLS WAY	268.28
118-460-067	1729 INDIAN WELLS WAY	268.28
118-460-068	1727 INDIAN WELLS WAY	268.28
118-460-069	1725 INDIAN WELLS WAY	268.28
118-460-070	1723 INDIAN WELLS WAY	268.28
118-460-071	1721 INDIAN WELLS WAY	268.28
118-460-072	1719 INDIAN WELLS WAY	268.28
118-460-073	722 ANIZUMNE CT	268.28
118-460-074	720 ANIZUMNE CT	268.28
118-460-075	718 ANIZUMNE CT	268.28
118-460-076	716 ANIZUMNE CT	268.28
118-460-077	714 ANIZUMNE CT	268.28
118-460-078	712 ANIZUMNE CT	268.28
118-460-079	710 ANIZUMNE CT	268.28
118-460-080	708 ANIZUMNE CT	268.28
118-460-081	706 ANIZUMNE CT	268.28
118-460-082	704 ANIZUMNE CT	268.28
118-460-083	702 ANIZUMNE CT	268.28
118-460-084	700 ANIZUMNE CT	268.28
118-460-085	1717 INDIAN WELLS WAY	268.28
118-460-086	1715 INDIAN WELLS WAY	268.28
118-460-087	1713 INDIAN WELLS WAY	268.28
118-460-088	1711 INDIAN WELLS WAY	268.28
118-460-089	901 ARROWHEAD TER	268.28
118-460-090	903 ARROWHEAD TER	268.28
118-460-091	905 ARROWHEAD TER	268.28

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APN	Situs Address	Levy
118-460-092	907 ARROWHEAD TER	268.28
118-460-093	909 ARROWHEAD TER	268.28
118-460-094	911 ARROWHEAD TER	268.28
118-460-095	913 ARROWHEAD TER	268.28
118-460-096	915 ARROWHEAD TER	268.28
118-460-097	917 ARROWHEAD TER	268.28
118-460-098	919 ARROWHEAD TER	268.28
118-460-099	921 ARROWHEAD TER	268.28
118-460-100	923 ARROWHEAD TER	268.28
118-460-101	925 ARROWHEAD TER	268.28
118-460-102	927 ARROWHEAD TER	268.28
118-460-103	929 ARROWHEAD TER	268.28
118-460-105	926 ARROWHEAD TER	268.28
118-460-106	924 ARROWHEAD TER	268.28
118-460-107	922 ARROWHEAD TER	268.28
118-460-108	920 ARROWHEAD TER	268.28
118-460-109	918 ARROWHEAD TER	268.28
118-460-110	916 ARROWHEAD TER	268.28
118-460-111	914 ARROWHEAD TER	268.28
118-460-112	912 ARROWHEAD CIR	268.28
118-460-113	910 ARROWHEAD TER	268.28
118-460-114	908 ARROWHEAD TER	268.28
118-460-115	906 ARROWHEAD TER	268.28
118-460-116	904 ARROWHEAD TER	268.28
118-460-117	902 ARROWHEAD TER	268.28
118-460-118	900 ARROWHEAD TER	268.28
118-460-121	931 ARROWHEAD TER	268.28
118-470-003	1207 BUCKEYE TER	268.28
118-470-004	1205 BUCKEYE TER	268.28
118-470-005	1203 BUCKEYE TER	268.28
118-470-006	1201 BUCKEYE TER	268.28
118-470-007	1211 BUCKEYE TER	268.28
118-470-008	1209 BUCKEYE TER	268.28
118-470-009	1213 BUCKEYE TER	268.28
118-470-010	1215 BUCKEYE TER	268.28
118-470-011	1217 BUCKEYE TER	268.28
118-470-012	1221 BUCKEYE TER	268.28
118-470-013	1223 BUCKEYE TER	268.28
118-470-014	1225 BUCKEYE TER	268.28
118-470-015	1227 BUCKEYE TER	268.28
118-470-016	1231 BUCKEYE TER	268.28

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APN	Situs Address	Levy
118-470-017	1233 BUCKEYE TER	268.28
118-470-018	1235 BUCKEYE TER	268.28
118-470-019	1237 BUCKEYE TER	268.28
118-470-020	1239 BUCKEYE TER	268.28
118-470-021	1241 BUCKEYE TER	268.28
118-470-022	1240 BUCKEYE TER	268.28
118-470-023	1238 BUCKEYE TER	268.28
118-470-024	1236 BUCKEYE TER	268.28
118-470-025	1234 BUCKEYE TER	268.28
118-470-026	1232 BUCKEYE TER	268.28
118-470-027	1230 BUCKEYE TER	268.28
118-470-028	1228 BUCKEYE TER	268.28
118-470-029	1226 BUCKEYE TER	268.28
118-470-030	1220 BUCKEYE TER	268.28
118-470-031	1218 BUCKEYE TER	268.28
118-470-032	1216 BUCKEYE TER	268.28
118-470-033	1214 BUCKEYE TER	268.28
118-470-034	1212 BUCKEYE TER	268.28
118-470-035	1200 BUCKEYE TER	268.28
118-470-036	1151 MOCCASIN CT	268.28
118-470-037	1153 MOCCASIN CT	268.28
118-470-038	1155 MOCCASIN CT	268.28
118-470-039	1159 MOCCASIN CT	268.28
118-470-040	1161 MOCCASIN CT	268.28
118-470-041	1163 MOCCASIN CT	268.28
118-470-042	1165 MOCCASIN CT	268.28
118-470-043	1169 MOCCASIN CT	268.28
118-470-044	1171 MOCCASIN CT	268.28
118-470-045	1173 MOCCASIN CT	268.28
118-470-046	1175 MOCCASIN CT	268.28
118-470-047	1174 MOCCASIN CT	268.28
118-470-048	1172 MOCCASIN CT	268.28
118-470-049	1170 MOCCASIN CT	268.28
118-470-050	1168 MOCCASIN CT	268.28
118-470-051	1166 MOCCASIN CT	268.28
118-470-052	1164 MOCCASIN CT	268.28
118-470-053	1160 MOCCASIN CT	268.28
118-470-054	1158 MOCCASIN CT	268.28
118-470-055	1156 MOCCASIN CT	268.28
118-470-056	1154 MOCCASIN CT	268.28
118-470-057	1152 MOCCASIN CT	268.28

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APN	Situs Address	Levy
118-470-063	1001 FEATHER CIR	268.28
118-470-064	1003 FEATHER CIR	268.28
118-470-065	1005 FEATHER CIR	268.28
118-470-066	1007 FEATHER CIR	268.28
118-470-067	1009 FEATHER CIR	268.28
118-470-068	1011 FEATHER CIR	268.28
118-470-069	1015 FEATHER CIR	268.28
118-470-070	1017 FEATHER CIR	268.28
118-470-071	1019 FEATHER CIR	268.28
118-470-072	1021 FEATHER CIR	268.28
118-470-076	1029 FEATHER CIR	268.28
118-470-079	1035 FEATHER CIR	268.28
118-470-080	1037 FEATHER CIR	268.28
118-470-081	1039 FEATHER CIR	268.28
118-470-082	1041 FEATHER CIR	268.28
118-470-083	1043 FEATHER CIR	268.28
118-470-084	1045 FEATHER CIR	268.28
118-470-085	1047 FEATHER CIR	268.28
118-470-086	1049 FEATHER CIR	268.28
118-470-087	1051 FEATHER CIR	268.28
118-470-088	1053 FEATHER CIR	268.28
118-470-089	1055 FEATHER CIR	268.28
118-470-090	1059 FEATHER CIR	268.28
118-470-091	1061 FEATHER CIR	268.28
118-470-092	1063 FEATHER CIR	268.28
118-470-093	1065 FEATHER CIR	268.28
118-470-094	1067 FEATHER CIR	268.28
118-470-095	1069 FEATHER CIR	268.28
118-470-096	1071 FEATHER CIR	268.28
118-470-097	1073 FEATHER CIR	268.28
118-470-098	1075 FEATHER CIR	268.28
118-470-099	1077 FEATHER CIR	268.28
118-470-100	1079 FEATHER CIR	268.28
118-470-101	1074 FEATHER CIR	268.28
118-470-102	1072 FEATHER CIR	268.28
118-470-103	1070 FEATHER CIR	268.28
118-470-104	1066 FEATHER CIR	268.28
118-470-105	1054 FEATHER CIR	268.28
118-470-106	1052 FEATHER CIR	268.28
118-470-107	1050 FEATHER CIR	268.28
118-470-108	1048 FEATHER CIR	268.28

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APN	Situs Address	Levy
118-470-109	1038 FEATHER CIR	268.28
118-470-110	1034 FEATHER CIR	268.28
118-470-111	1032 FEATHER CIR	268.28
118-470-112	1028 FEATHER CIR	268.28
118-470-113	1016 FEATHER CIR	268.28
118-470-114	1014 FEATHER CIR	268.28
118-470-115	1012 FEATHER CIR	268.28
118-470-118	1023 FEATHER CIR	268.28
118-470-119	1025 FEATHER CIR	268.28
118-470-120	1027 FEATHER CIR	268.28
118-470-121	1031 FEATHER CIR	268.28
118-470-122	1033 FEATHER CIR	268.28
118-480-001	100 FOREST HILL DR	542.78
118-480-002	102 FOREST HILL DR	542.78
118-480-003	104 FOREST HILL DR	542.78
118-480-004	106 FOREST HILL DR	542.78
118-480-005	108 FOREST HILL DR	542.78
118-480-006	110 FOREST HILL DR	542.78
118-480-007	112 FOREST HILL DR	542.78
118-480-008	114 FOREST HILL DR	542.78
118-480-009	116 FOREST HILL DR	542.78
118-480-010	118 FOREST HILL DR	542.78
118-480-011	120 FOREST HILL DR	542.78
118-480-012	121 FOREST HILL DR	542.78
118-480-013	119 FOREST HILL DR	542.78
118-480-014	117 FOREST HILL DR	542.78
118-480-015	115 FOREST HILL DR	542.78
118-480-016	113 FOREST HILL DR	542.78
118-480-017	111 FOREST HILL DR	542.78
118-480-018	109 FOREST HILL DR	542.78
118-480-019	105 FOREST HILL DR	542.78
118-480-020	103 FOREST HILL DR	542.78
118-480-023	1008 PEBBLE BEACH DR	542.78
118-480-024	1010 PEBBLE BEACH DR	542.78
118-480-025	1012 PEBBLE BEACH DR	542.78
118-480-026	1014 PEBBLE BEACH DR	542.78
118-480-027	1016 PEBBLE BEACH DR	542.78
118-480-028	1018 PEBBLE BEACH DR	542.78
118-480-029	1020 PEBBLE BEACH DR	542.78
118-480-030	1022 PEBBLE BEACH DR	542.78
118-480-031	1024 PEBBLE BEACH DR	542.78

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APN	Situs Address	Levy
118-480-034	1033 PEBBLE BEACH DR	542.78
118-480-035	1031 PEBBLE BEACH DR	542.78
118-480-036	1029 PEBBLE BEACH DR	542.78
118-480-037	1027 PEBBLE BEACH DR	542.78
118-480-038	1025 PEBBLE BEACH DR	542.78
118-480-039	1023 PEBBLE BEACH DR	542.78
118-480-040	1021 PEBBLE BEACH DR	542.78
118-480-041	1011 PEBBLE BEACH DR	542.78
118-480-042	1009 PEBBLE BEACH DR	542.78
118-480-043	1007 PEBBLE BEACH DR	542.78
118-480-044	1005 PEBBLE BEACH DR	542.78
118-480-045	1003 PEBBLE BEACH DR	542.78
118-480-046	101 FOREST HILL DR	542.78
118-480-047	1006 PEBBLE BEACH DR	542.78
118-480-048	1028 PEBBLE BEACH DR	1,085.54
118-490-001	132 INVERNESS WAY	542.78
118-490-003	138 INVERNESS WAY	542.78
118-490-005	140 INVERNESS WAY	542.78
118-490-006	142 INVERNESS WAY	542.78
118-490-007	1032 PEBBLE BEACH DR	542.78
118-490-008	1034 PEBBLE BEACH DR	542.78
118-490-009	1036 PEBBLE BEACH DR	542.78
118-490-010	1038 PEBBLE BEACH DR	542.78
118-490-011	1040 PEBBLE BEACH DR	542.78
118-490-012	1042 PEBBLE BEACH DR	542.78
118-490-013	1044 PEBBLE BEACH DR	542.78
118-490-014	1046 PEBBLE BEACH DR	542.78
118-490-015	1048 PEBBLE BEACH DR	542.78
118-490-016	1050 PEBBLE BEACH DR	542.78
118-490-017	1052 PEBBLE BEACH DR	542.78
118-490-018	1054 PEBBLE BEACH DR	542.78
118-490-019	1056 PEBBLE BEACH DR	542.78
118-490-020	1055 PEBBLE BEACH DR	542.78
118-490-021	1053 PEBBLE BEACH DR	542.78
118-490-022	1051 PEBBLE BEACH DR	542.78
118-490-023	1049 PEBBLE BEACH DR	542.78
118-490-024	1047 PEBBLE BEACH DR	542.78
118-490-025	1045 PEBBLE BEACH DR	542.78
118-490-027	134 INVERNESS WAY	542.78
118-490-028	136 INVERNESS WAY	542.78
118-500-001	1100 PEACOCK CREEK DR	542.78

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APN	Situs Address	Levy
118-500-002	1102 PEACOCK CREEK DR	542.78
118-500-005	1108 PEACOCK CREEK DR	542.78
118-500-006	1110 PEACOCK CREEK DR	542.78
118-500-007	1112 PEACOCK CREEK DR	542.78
118-500-008	1114 PEACOCK CREEK DR	542.78
118-500-009	1116 PEACOCK CREEK DR	542.78
118-500-010	1118 PEACOCK CREEK DR	542.78
118-500-011	1120 PEACOCK CREEK DR	542.78
118-500-012	1122 PEACOCK CREEK DR	542.78
118-500-013	1124 PEACOCK CREEK DR	542.78
118-500-014	1126 PEACOCK CREEK DR	542.78
118-500-015	1128 PEACOCK CREEK DR	542.78
118-500-016	1130 PEACOCK CREEK DR	542.78
118-500-017	1132 PEACOCK CREEK DR	542.78
118-500-018	1133 PEACOCK CREEK DR	542.78
118-500-019	1131 PEACOCK CREEK DR	542.78
118-500-020	1129 PEACOCK CREEK DR	542.78
118-500-021	1127 PEACOCK CREEK DR	542.78
118-500-022	1125 PEACOCK CREEK DR	542.78
118-500-023	1123 PEACOCK CREEK DR	542.78
118-500-024	1121 PEACOCK CREEK DR	542.78
118-500-025	1117 PEACOCK CREEK DR	542.78
118-500-026	1115 PEACOCK CREEK DR	542.78
118-500-027	1111 PEACOCK CREEK DR	542.78
118-500-028	1109 PEACOCK CREEK DR	542.78
118-500-029	1107 PEACOCK CREEK DR	542.78
118-500-030	1105 PEACOCK CREEK DR	542.78
118-500-031	1103 PEACOCK CREEK DR	542.78
118-500-032	1104 PEACOCK CREEK DR	542.78
118-500-033	1106 PEACOCK CREEK DR	542.78
118-510-001	1134 PEACOCK CREEK DR	542.78
118-510-002	1136 PEACOCK CREEK DR	542.78
118-510-003	1138 PEACOCK CREEK DR	542.78
118-510-004	1140 PEACOCK CREEK DR	542.78
118-510-005	1142 PEACOCK CREEK DR	542.78
118-510-006	1144 PEACOCK CREEK DR	542.78
118-510-007	1146 PEACOCK CREEK DR	542.78
118-510-008	1148 PEACOCK CREEK DR	542.78
118-510-009	1150 PEACOCK CREEK DR	542.78
118-510-010	1152 PEACOCK CREEK DR	542.78
118-510-011	170 BRANDYWINE PL	542.78

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APN	Situs Address	Levy
118-510-012	172 BRANDYWINE PL	542.78
118-510-013	174 BRANDYWINE PL	542.78
118-510-015	185 BRANDYWINE PL	542.78
118-510-016	183 BRANDYWINE PL	542.78
118-510-017	181 BRANDYWINE PL	542.78
118-510-018	179 BRANDYWINE PL	542.78
118-510-019	177 BRANDYWINE PL	542.78
118-510-020	175 BRANDYWINE PL	542.78
118-510-021	173 BRANDYWINE PL	542.78
118-510-022	1160 TORREY PINES PL	542.78
118-510-023	1162 TORREY PINES PL	542.78
118-510-024	1163 TORREY PINES PL	542.78
118-510-025	1161 TORREY PINES PL	542.78
118-510-026	1155 PEACOCK CREEK DR	542.78
118-510-027	1151 PEACOCK CREEK DR	542.78
118-510-028	164 SILVERADO CT	542.78
118-510-029	166 SILVERADO CT	542.78
118-510-030	165 SILVERADO CT	542.78
118-510-031	163 SILVERADO CT	542.78
118-510-032	1149 PEACOCK CREEK DR	542.78
118-510-033	1147 PEACOCK CREEK DR	542.78
118-510-034	1145 PEACOCK CREEK DR	542.78
118-510-035	154 LONE PINE CT	542.78
118-510-036	156 LONE PINE CT	542.78
118-510-037	155 LONE PINE CT	542.78
118-510-038	153 LONE PINE CT	542.78
118-510-039	151 LONE PINE CT	542.78
118-510-040	1139 PEACOCK CREEK DR	542.78
118-510-041	1137 PEACOCK CREEK DR	542.78
118-510-042	1135 PEACOCK CREEK DR	542.78
118-530-001	1401 INDIANHEAD WAY	217.84
118-530-002	1403 INDIANHEAD WAY	217.84
118-530-003	1405 INDIANHEAD WAY	217.84
118-530-004	1407 INDIANHEAD WAY	217.84
118-530-005	1409 INDIANHEAD WAY	217.84
118-530-006	1411 INDIANHEAD WAY	217.84
118-530-007	1413 INDIANHEAD WAY	217.84
118-530-008	1415 INDIANHEAD WAY	217.84
118-530-009	1417 INDIANHEAD WAY	217.84
118-530-010	1419 INDIANHEAD WAY	217.84
118-530-011	1421 INDIANHEAD WAY	217.84

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APN	Situs Address	Levy
118-530-012	1423 INDIANHEAD WAY	217.84
118-530-013	1425 INDIANHEAD WAY	217.84
118-530-014	1427 INDIANHEAD WAY	217.84
118-530-015	1429 INDIANHEAD WAY	217.84
118-530-016	1431 INDIANHEAD WAY	217.84
118-530-017	1433 INDIANHEAD CIR	217.84
118-530-018	1435 INDIANHEAD CIR	217.84
118-530-019	1437 INDIANHEAD CIR	217.84
118-530-020	1439 INDIANHEAD CIR	217.84
118-530-021	1441 INDIANHEAD CIR	217.84
118-530-022	1443 INDIANHEAD CIR	217.84
118-530-023	1445 INDIANHEAD CIR	217.84
118-530-024	1447 INDIANHEAD CIR	217.84
118-530-025	1449 INDIANHEAD CIR	217.84
118-530-026	1451 INDIANHEAD CIR	217.84
118-530-027	1453 INDIANHEAD CIR	217.84
118-530-028	1455 INDIANHEAD CIR	217.84
118-530-029	1457 INDIANHEAD CIR	217.84
118-530-030	1459 INDIANHEAD CIR	217.84
118-530-031	1461 INDIANHEAD CIR	217.84
118-530-033	1465 INDIANHEAD CIR	217.84
118-530-034	1467 INDIANHEAD CIR	217.84
118-530-035	1469 INDIANHEAD CIR	217.84
118-530-036	1471 INDIANHEAD CIR	217.84
118-530-037	1473 INDIANHEAD CIR	217.84
118-530-038	1475 INDIANHEAD CIR	217.84
118-530-039	1477 INDIANHEAD CIR	217.84
118-530-040	1479 INDIANHEAD CIR	217.84
118-530-041	1481 INDIANHEAD CIR	217.84
118-530-042	1483 INDIANHEAD CIR	217.84
118-530-043	1485 INDIANHEAD CIR	217.84
118-530-044	1487 INDIANHEAD CIR	217.84
118-530-045	1489 INDIANHEAD CIR	217.84
118-530-046	1491 INDIANHEAD CIR	217.84
118-530-047	1466 INDIANHEAD CIR	217.84
118-530-048	1464 INDIANHEAD CIR	217.84
118-530-049	1462 INDIANHEAD CIR	217.84
118-530-050	1460 INDIANHEAD CIR	217.84
118-530-051	1458 INDIANHEAD CIR	217.84
118-530-052	1456 INDIANHEAD CIR	217.84
118-530-056	1463 INDIANHEAD CIR	217.84

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APN	Situs Address	Levy
118-540-001	4001 HUMMINGBIRD WAY	312.14
118-540-002	4003 HUMMINGBIRD WAY	312.14
118-540-003	4005 HUMMINGBIRD WAY	312.14
118-540-004	4007 HUMMINGBIRD WAY	312.14
118-540-005	4009 HUMMINGBIRD WAY	312.14
118-540-006	4011 HUMMINGBIRD WAY	312.14
118-540-007	4013 HUMMINGBIRD WAY	312.14
118-540-008	4015 HUMMINGBIRD WAY	312.14
118-540-009	4017 HUMMINGBIRD WAY	312.14
118-540-010	4019 HUMMINGBIRD WAY	312.14
118-540-011	4021 HUMMINGBIRD WAY	312.14
118-540-012	4022 HUMMINGBIRD WAY	312.14
118-540-013	4018 HUMMINGBIRD WAY	312.14
118-540-014	4014 HUMMINGBIRD WAY	312.14
118-540-015	4010 HUMMINGBIRD WAY	312.14
118-540-016	4008 HUMMINGBIRD WAY	312.14
118-540-017	4006 HUMMINGBIRD WAY	312.14
118-540-018	4004 HUMMINGBIRD WAY	312.14
118-540-019	4002 HUMMINGBIRD WAY	312.14
118-540-020	5001 RAVEN WAY	312.14
118-540-021	5003 RAVEN WAY	312.14
118-540-022	5005 RAVEN WAY	312.14
118-540-023	5007 RAVEN WAY	312.14
118-540-024	5009 RAVEN WAY	312.14
118-540-025	5011 RAVEN WAY	312.14
118-540-026	4024 HUMMINGBIRD WAY	312.14
118-540-027	5013 RAVEN WAY	312.14
118-540-028	5015 RAVEN WAY	312.14
118-540-029	5017 RAVEN WAY	312.14
118-540-030	5019 RAVEN WAY	312.14
118-540-031	3038 WINDMILL CANYON DR	312.14
118-540-032	3036 WINDMILL CANYON DR	312.14
118-540-033	3034 WINDMILL CANYON DR	312.14
118-540-034	3032 WINDMILL CANYON DR	312.14
118-540-035	3030 WINDMILL CANYON DR	312.14
118-540-036	3028 WINDMILL CANYON DR	312.14
118-540-037	3026 WINDMILL CANYON DR	312.14
118-540-038	3024 WINDMILL CANYON DR	312.14
118-540-039	3025 WINDMILL CANYON DR	312.14
118-540-040	3027 WINDMILL CANYON DR	312.14
118-540-041	3029 WINDMILL CANYON DR	312.14

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APN	Situs Address	Levy
118-540-042	3031 WINDMILL CANYON DR	312.14
118-540-043	3033 WINDMILL CANYON DR	312.14
118-540-044	3035 WINDMILL CANYON DR	312.14
118-540-045	3037 WINDMILL CANYON DR	312.14
118-540-046	3039 WINDMILL CANYON DR	312.14
118-540-047	3041 WINDMILL CANYON DR	312.14
118-540-048	3043 WINDMILL CANYON DR	312.14
118-540-049	3045 WINDMILL CANYON DR	312.14
118-540-050	3047 WINDMILL CANYON DR	312.14
118-540-051	3049 WINDMILL CANYON DR	312.14
118-540-052	3051 WINDMILL CANYON DR	312.14
118-540-053	3053 WINDMILL CANYON DR	312.14
118-540-054	5022 RAVEN WAY	312.14
118-540-055	5020 RAVEN WAY	312.14
118-540-056	5018 RAVEN WAY	312.14
118-540-057	5016 RAVEN WAY	312.14
118-540-058	5014 RAVEN WAY	312.14
118-540-059	5012 RAVEN WAY	312.14
118-540-060	5010 RAVEN WAY	312.14
118-540-061	5008 RAVEN WAY	312.14
118-540-062	5006 RAVEN WAY	312.14
118-540-063	5004 RAVEN WAY	312.14
118-540-064	5002 RAVEN WAY	312.14
118-540-065	5000 RAVEN WAY	312.14
118-550-002	610 GOLDEN EAGLE PL	312.14
118-550-003	608 GOLDEN EAGLE PL	312.14
118-550-004	606 GOLDEN EAGLE PL	312.14
118-550-005	604 GOLDEN EAGLE PL	312.14
118-550-006	602 GOLDEN EAGLE PL	312.14
118-550-007	501 RAVEN PL	312.14
118-550-008	503 RAVEN PL	312.14
118-550-009	505 RAVEN PL	312.14
118-550-010	507 RAVEN PL	312.14
118-550-011	509 RAVEN PL	312.14
118-550-012	511 RAVEN PL	312.14
118-550-013	513 RAVEN PL	312.14
118-550-014	514 RAVEN PL	312.14
118-550-015	512 RAVEN PL	312.14
118-550-016	510 RAVEN PL	312.14
118-550-017	508 RAVEN PL	312.14
118-550-018	506 RAVEN PL	312.14

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APN	Situs Address	Levy
118-550-019	504 RAVEN PL	312.14
118-550-020	502 RAVEN PL	312.14
118-550-021	401 HUMMINGBIRD PL	312.14
118-550-022	403 HUMMINGBIRD PL	312.14
118-550-023	405 HUMMINGBIRD PL	312.14
118-550-024	407 HUMMINGBIRD PL	312.14
118-550-025	409 HUMMINGBIRD PL	312.14
118-550-026	411 HUMMINGBIRD PL	312.14
118-550-027	413 HUMMINGBIRD PL	312.14
118-550-028	418 HUMMINGBIRD PL	312.14
118-550-029	416 HUMMINGBIRD PL	312.14
118-550-030	414 HUMMINGBIRD PL	312.14
118-550-031	412 HUMMINGBIRD PL	312.14
118-550-032	410 HUMMINGBIRD PL	312.14
118-550-033	408 HUMMINGBIRD PL	312.14
118-550-034	406 HUMMINGBIRD PL	312.14
118-550-035	404 HUMMINGBIRD PL	312.14
118-550-036	402 HUMMINGBIRD PL	312.14
118-550-038	612 GOLDEN EAGLE PL	312.14
118-570-001	363 BLUE OAK LN	466.38
118-570-002	365 BLUE OAK LN	466.38
118-570-003	367 BLUE OAK LN	466.38
118-570-004	369 BLUE OAK LN	466.38
118-570-005	371 BLUE OAK LN	466.38
118-570-006	373 BLUE OAK LN	466.38
118-570-007	375 BLUE OAK LN	466.38
118-570-008	377 BLUE OAK LN	466.38
118-570-009	379 BLUE OAK LN	466.38
118-570-010	381 BLUE OAK LN	466.38
118-570-012	385 BLUE OAK LN	466.38
118-570-013	387 BLUE OAK LN	466.38
118-570-014	389 BLUE OAK LN	466.38
118-570-015	391 BLUE OAK LN	466.38
118-570-016	390 BLUE OAK LN	466.38
118-570-017	388 BLUE OAK LN	466.38
118-570-018	81 WILDCAT WAY	466.38
118-570-019	83 WILDCAT WAY	466.38
118-570-020	85 WILDCAT WAY	466.38
118-570-021	477 OBSIDIAN WAY	466.38
118-570-022	479 OBSIDIAN WAY	466.38
118-570-023	478 OBSIDIAN WAY	466.38

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APN	Situs Address	Levy
118-570-024	476 OBSIDIAN WAY	466.38
118-570-025	474 OBSIDIAN WAY	466.38
118-570-026	470 OBSIDIAN WAY	466.38
118-570-027	468 OBSIDIAN WAY	466.38
118-570-028	63 ANTELOPE CT	466.38
118-570-029	65 ANTELOPE CT	466.38
118-570-030	66 ANTELOPE CT	466.38
118-570-031	64 ANTELOPE CT	466.38
118-570-032	62 ANTELOPE CT	466.38
118-570-033	60 ANTELOPE CT	466.38
118-570-034	458 OBSIDIAN WAY	466.38
118-570-035	456 OBSIDIAN WAY	466.38
118-570-038	56 TUYSHTAK CT	466.38
118-570-039	54 TUYSHTAK CT	466.38
118-570-040	52 TUYSHTAK CT	466.38
118-570-041	453 OBSIDIAN WAY	466.38
118-570-042	455 OBSIDIAN WAY	466.38
118-570-043	457 OBSIDIAN WAY	466.38
118-570-044	459 OBSIDIAN WAY	466.38
118-570-045	461 OBSIDIAN WAY	466.38
118-570-046	463 OBSIDIAN WAY	466.38
118-570-047	465 OBSIDIAN WAY	466.38
118-570-048	467 OBSIDIAN WAY	466.38
118-570-049	469 OBSIDIAN WAY	466.38
118-570-050	471 OBSIDIAN WAY	466.38
118-570-051	473 OBSIDIAN WAY	466.38
118-570-052	84 WILDCAT WAY	466.38
118-570-053	380 BLUE OAK LN	466.38
118-570-054	376 BLUE OAK LN	466.38
118-570-055	374 BLUE OAK LN	466.38
118-570-056	372 BLUE OAK LN	466.38
118-570-057	370 BLUE OAK LN	466.38
118-570-058	368 BLUE OAK LN	466.38
118-570-059	366 BLUE OAK LN	466.38
118-570-060	362 BLUE OAK LN	466.38
118-570-061	383 BLUE OAK LN	466.38
118-570-062	53 TUYSHTAK CT	466.38
118-570-063	55 TUYSHTAK CT	466.38
118-580-001	200 CONDOR WAY	268.28
118-580-002	202 CONDOR WAY	268.28
118-580-003	204 CONDOR WAY	268.28

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APN	Situs Address	Levy
118-580-004	206 CONDOR WAY	268.28
118-580-005	208 CONDOR WAY	268.28
118-580-006	210 CONDOR WAY	268.28
118-580-007	212 CONDOR WAY	268.28
118-580-008	214 CONDOR WAY	268.28
118-580-009	216 CONDOR WAY	268.28
118-580-010	218 CONDOR WAY	268.28
118-580-011	220 CONDOR WAY	268.28
118-580-012	222 CONDOR WAY	268.28
118-580-013	224 CONDOR WAY	268.28
118-580-014	226 CONDOR WAY	268.28
118-580-015	5000 KELLER RIDGE DR	268.28
118-580-016	5002 KELLER RIDGE DR	268.28
118-580-017	5004 KELLER RIDGE DR	268.28
118-580-018	5006 KELLER RIDGE DR	268.28
118-580-019	5008 KELLER RIDGE DR	268.28
118-580-020	5010 KELLER RIDGE DR	268.28
118-580-021	5012 KELLER RIDGE DR	268.28
118-580-022	5037 KELLER RIDGE DR	268.28
118-580-023	5035 KELLER RIDGE DR	268.28
118-580-024	5033 KELLER RIDGE DR	268.28
118-580-025	5031 KELLER RIDGE DR	268.28
118-580-026	5029 KELLER RIDGE DR	268.28
118-580-027	5027 KELLER RIDGE DR	268.28
118-580-028	5025 KELLER RIDGE DR	268.28
118-580-029	5023 KELLER RIDGE DR	268.28
118-580-030	5021 KELLER RIDGE DR	268.28
118-580-031	5019 KELLER RIDGE DR	268.28
118-580-032	5017 KELLER RIDGE DR	268.28
118-580-033	5015 KELLER RIDGE DR	268.28
118-580-034	5013 KELLER RIDGE DR	268.28
118-580-035	5011 KELLER RIDGE DR	268.28
118-590-004	4705 KELLER RIDGE DR	217.84
118-590-005	4707 KELLER RIDGE DR	217.84
118-590-006	4703 KELLER RIDGE DR	217.84
118-590-007	4701 KELLER RIDGE DR	217.84
118-590-009	4605 KELLER RIDGE DR	217.84
118-590-010	4607 KELLER RIDGE DR	217.84
118-590-011	4603 KELLER RIDGE DR	217.84
118-590-012	4601 KELLER RIDGE DR	217.84
118-590-015	4507 KELLER RIDGE DR	217.84

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APN	Situs Address	Levy
118-590-016	4505 KELLER RIDGE DR	217.84
118-590-017	4501 KELLER RIDGE DR	217.84
118-590-018	4503 KELLER RIDGE DR	217.84
118-590-022	4905 KELLER RIDGE DR	217.84
118-590-023	4907 KELLER RIDGE DR	217.84
118-590-024	4903 KELLER RIDGE DR	217.84
118-590-025	4901 KELLER RIDGE DR	217.84
118-590-027	4805 KELLER RIDGE DR	217.84
118-590-028	4807 KELLER RIDGE DR	217.84
118-590-029	4803 KELLER RIDGE DR	217.84
118-590-030	4801 KELLER RIDGE DR	217.84
118-600-001	905 CONDOR PL	217.84
118-600-002	907 CONDOR PL	217.84
118-600-003	903 CONDOR PL	217.84
118-600-004	901 CONDOR PL	217.84
118-600-006	807 CONDOR PL	217.84
118-600-007	805 CONDOR PL	217.84
118-600-008	801 CONDOR PL	217.84
118-600-009	803 CONDOR PL	217.84
118-600-011	705 CONDOR PL	217.84
118-600-012	707 CONDOR PL	217.84
118-600-013	703 CONDOR PL	217.84
118-600-014	701 CONDOR PL	217.84
118-600-016	607 CONDOR PL	217.84
118-600-017	605 CONDOR PL	217.84
118-600-018	601 CONDOR PL	217.84
118-600-019	603 CONDOR PL	217.84
118-600-021	505 CONDOR PL	217.84
118-600-022	507 CONDOR PL	217.84
118-600-023	503 CONDOR PL	217.84
118-600-024	501 CONDOR PL	217.84
118-600-026	405 CONDOR PL	217.84
118-600-027	407 CONDOR PL	217.84
118-600-028	403 CONDOR PL	217.84
118-600-029	401 CONDOR PL	217.84
118-600-031	307 CONDOR PL	217.84
118-600-032	305 CONDOR PL	217.84
118-600-033	301 CONDOR PL	217.84
118-600-034	303 CONDOR PL	217.84
118-600-036	207 CONDOR PL	217.84
118-600-037	205 CONDOR PL	217.84

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APN	Situs Address	Levy
118-600-038	201 CONDOR PL	217.84
118-600-039	203 CONDOR PL	217.84
118-610-001	1947 EAGLE PEAK AVE	217.84
118-610-002	1945 EAGLE PEAK AVE	217.84
118-610-003	1941 EAGLE PEAK AVE	217.84
118-610-004	1943 EAGLE PEAK AVE	217.84
118-610-006	1925 EAGLE PEAK AVE	217.84
118-610-007	1927 EAGLE PEAK AVE	217.84
118-610-008	1923 EAGLE PEAK AVE	217.84
118-610-009	1921 EAGLE PEAK AVE	217.84
118-610-012	3905 COYOTE CIR	217.84
118-610-013	3907 COYOTE CIR	217.84
118-610-014	3903 COYOTE CIR	217.84
118-610-015	3901 COYOTE CIR	217.84
118-610-020	3805 COYOTE CIR	217.84
118-610-021	3807 COYOTE CIR	217.84
118-610-022	3803 COYOTE CIR	217.84
118-610-023	3801 COYOTE CIR	217.84
118-610-024	3707 COYOTE CIR	217.84
118-610-025	3705 COYOTE CIR	217.84
118-610-026	3701 COYOTE CIR	217.84
118-610-027	3703 COYOTE CIR	217.84
118-610-028	3605 COYOTE CIR	217.84
118-610-029	3607 COYOTE CIR	217.84
118-610-030	3603 COYOTE CIR	217.84
118-610-031	3601 COYOTE CIR	217.84
118-620-001	6001 GOLDEN EAGLE WAY	312.14
118-620-002	6003 GOLDEN EAGLE WAY	312.14
118-620-003	6005 GOLDEN EAGLE WAY	312.14
118-620-004	6007 GOLDEN EAGLE WAY	312.14
118-620-005	6009 GOLDEN EAGLE WAY	312.14
118-620-006	6011 GOLDEN EAGLE WAY	312.14
118-620-007	6013 GOLDEN EAGLE WAY	312.14
118-620-008	3089 WINDMILL CANYON DR	312.14
118-620-009	3091 WINDMILL CANYON DR	312.14
118-620-010	3093 WINDMILL CANYON DR	312.14
118-620-011	3095 WINDMILL CANYON DR	312.14
118-620-012	3097 WINDMILL CANYON DR	312.14
118-620-013	3099 WINDMILL CANYON DR	312.14
118-620-014	3101 WINDMILL CANYON DR	312.14
118-620-015	3103 WINDMILL CANYON DR	312.14

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APN	Situs Address	Levy
118-620-016	3105 WINDMILL CANYON DR	312.14
118-620-017	3107 WINDMILL CANYON DR	312.14
118-620-018	3109 WINDMILL CANYON DR	312.14
118-620-019	3111 WINDMILL CANYON DR	312.14
118-620-020	6036 GOLDEN EAGLE WAY	312.14
118-620-021	6034 GOLDEN EAGLE WAY	312.14
118-620-022	6032 GOLDEN EAGLE WAY	312.14
118-620-023	6030 GOLDEN EAGLE WAY	312.14
118-620-024	6028 GOLDEN EAGLE WAY	312.14
118-620-025	6026 GOLDEN EAGLE WAY	312.14
118-620-026	6024 GOLDEN EAGLE WAY	312.14
118-620-027	6022 GOLDEN EAGLE WAY	312.14
118-620-028	6018 GOLDEN EAGLE WAY	312.14
118-620-029	7001 MOLLUK WAY	312.14
118-620-030	7003 MOLLUK WAY	312.14
118-620-031	7005 MOLLUK WAY	312.14
118-620-032	7007 MOLLUK WAY	312.14
118-620-033	7009 MOLLUK WAY	312.14
118-620-034	7011 MOLLUK WAY	312.14
118-620-035	7015 MOLLUK WAY	312.14
118-620-036	7019 MOLLUK WAY	312.14
118-620-037	7021 MOLLUK WAY	312.14
118-620-038	7023 MOLLUK WAY	312.14
118-620-039	7025 MOLLUK WAY	312.14
118-620-040	7027 MOLLUK WAY	312.14
118-620-041	7028 MOLLUK WAY	312.14
118-620-042	7026 MOLLUK WAY	312.14
118-620-043	7024 MOLLUK WAY	312.14
118-620-044	7022 MOLLUK WAY	312.14
118-620-045	7020 MOLLUK WAY	312.14
118-620-046	7018 MOLLUK WAY	312.14
118-620-047	7016 MOLLUK WAY	312.14
118-620-048	7014 MOLLUK WAY	312.14
118-620-049	7012 MOLLUK WAY	312.14
118-620-050	7010 MOLLUK WAY	312.14
118-620-051	7008 MOLLUK WAY	312.14
118-620-052	7006 MOLLUK WAY	312.14
118-620-053	7004 MOLLUK WAY	312.14
118-620-054	7002 MOLLUK WAY	312.14
118-620-055	7000 MOLLUK WAY	312.14
118-620-056	5151 KELLER RIDGE DR	312.14

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APN	Situs Address	Levy
118-620-057	5153 KELLER RIDGE DR	312.14
118-620-058	5155 KELLER RIDGE DR	312.14
118-620-059	5157 KELLER RIDGE DR	312.14
118-620-060	5159 KELLER RIDGE DR	312.14
118-620-061	5161 KELLER RIDGE DR	312.14
118-620-062	5163 KELLER RIDGE DR	312.14
118-630-001	6015 GOLDEN EAGLE WAY	312.14
118-630-002	6017 GOLDEN EAGLE WAY	312.14
118-630-003	6019 GOLDEN EAGLE WAY	312.14
118-630-004	6021 GOLDEN EAGLE WAY	312.14
118-630-005	6023 GOLDEN EAGLE WAY	312.14
118-630-006	6025 GOLDEN EAGLE WAY	312.14
118-630-007	6027 GOLDEN EAGLE WAY	312.14
118-630-008	6031 GOLDEN EAGLE WAY	312.14
118-630-009	3072 WINDMILL CANYON DR	312.14
118-630-010	3070 WINDMILL CANYON DR	312.14
118-630-011	3068 WINDMILL CANYON DR	312.14
118-630-012	3066 WINDMILL CANYON DR	312.14
118-630-013	3064 WINDMILL CANYON DR	312.14
118-630-014	3062 WINDMILL CANYON DR	312.14
118-630-015	3060 WINDMILL CANYON DR	312.14
118-630-016	3058 WINDMILL CANYON DR	312.14
118-630-017	3056 WINDMILL CANYON DR	312.14
118-630-018	3054 WINDMILL CANYON DR	312.14
118-630-019	3055 WINDMILL CANYON DR	312.14
118-630-020	3057 WINDMILL CANYON DR	312.14
118-630-021	3059 WINDMILL CANYON DR	312.14
118-630-022	3061 WINDMILL CANYON DR	312.14
118-630-023	3063 WINDMILL CANYON DR	312.14
118-630-024	3065 WINDMILL CANYON DR	312.14
118-630-025	3067 WINDMILL CANYON DR	312.14
118-630-026	3069 WINDMILL CANYON DR	312.14
118-630-027	3071 WINDMILL CANYON DR	312.14
118-630-028	3073 WINDMILL CANYON DR	312.14
118-630-029	3075 WINDMILL CANYON DR	312.14
118-630-030	3077 WINDMILL CANYON DR	312.14
118-630-031	3079 WINDMILL CANYON DR	312.14
118-630-032	3081 WINDMILL CANYON DR	312.14
118-630-033	3083 WINDMILL CANYON DR	312.14
118-630-034	3085 WINDMILL CANYON DR	312.14
118-630-035	3087 WINDMILL CANYON DR	312.14

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APN	Situs Address	Levy
118-630-036	3090 WINDMILL CANYON DR	312.14
118-630-037	3088 WINDMILL CANYON DR	312.14
118-630-038	3084 WINDMILL CANYON DR	312.14
118-630-039	3080 WINDMILL CANYON DR	312.14
118-630-040	3078 WINDMILL CANYON DR	312.14
118-640-001	5171 KELLER RIDGE DR	466.38
118-640-002	5173 KELLER RIDGE DR	466.38
118-640-003	5175 KELLER RIDGE DR	466.38
118-640-004	5177 KELLER RIDGE DR	466.38
118-640-005	5179 KELLER RIDGE DR	466.38
118-640-006	5181 KELLER RIDGE DR	466.38
118-640-007	5183 KELLER RIDGE DR	466.38
118-640-008	5185 KELLER RIDGE DR	466.38
118-640-009	5187 KELLER RIDGE DR	466.38
118-640-010	5189 KELLER RIDGE DR	466.38
118-640-011	705 ACORN DR	466.38
118-640-012	707 ACORN DR	466.38
118-640-014	711 ACORN DR	466.38
118-640-015	713 ACORN DR	466.38
118-640-016	715 ACORN DR	466.38
118-640-017	717 ACORN DR	466.38
118-640-018	719 ACORN DR	466.38
118-640-019	721 ACORN DR	466.38
118-640-020	716 ACORN DR	466.38
118-640-022	901 DEER PL	466.38
118-640-024	905 DEER PL	466.38
118-640-025	904 DEER PL	466.38
118-640-026	902 DEER PL	466.38
118-640-027	5188 KELLER RIDGE DR	466.38
118-640-028	5186 KELLER RIDGE DR	466.38
118-640-029	5184 KELLER RIDGE DR	466.38
118-640-030	8001 KELOK WAY	466.38
118-640-031	8003 KELOK WAY	466.38
118-640-032	8005 KELOK WAY	466.38
118-640-033	8007 KELOK WAY	466.38
118-640-034	81 BEAR PL	466.38
118-640-035	83 BEAR PL	466.38
118-640-036	80 BEAR PL	466.38
118-640-037	8011 KELOK WAY	466.38
118-640-038	8010 KELOK WAY	466.38
118-640-039	8008 KELOK WAY	466.38

City of Clayton
Community Facilities District 1990-1R
Clayton Middle School
Fiscal Year 2012/13 Special Tax Roll

APN	Situs Address	Levy
118-640-040	8006 KELOK WAY	466.38
118-640-041	8004 KELOK WAY	466.38
118-640-042	8002 KELOK WAY	466.38
118-640-043	8000 KELOK WAY	466.38
118-640-044	5174 KELLER RIDGE DR	466.38
118-640-046	903 DEER PL	466.38
118-640-047	714 ACORN DR	466.38
118-640-048	709 ACORN DR	466.38
118-650-001	5191 KELLER RIDGE DR	466.38
118-650-002	9001 ELK DR	466.38
118-650-003	9003 ELK DR	466.38
118-650-004	9005 ELK DR	466.38
118-650-005	701 ACORN DR	466.38
118-650-006	703 ACORN DR	466.38
118-650-007	908 DEER PL	466.38
118-650-008	906 DEER PL	466.38
118-650-009	801 GREY FOX PL	466.38
118-650-010	803 GREY FOX PL	466.38
118-650-011	805 GRAY FOX PL	466.38
118-650-012	807 GREY FOX PL	466.38
118-650-013	809 GREY FOX PL	466.38
118-650-014	806 GREY FOX PL	466.38
118-650-015	804 GREY FOX PL	466.38
118-650-016	800 GRAY FOX PL	466.38
118-650-017	9007 ELK DR	466.38
118-650-018	9009 ELK DR	466.38
118-650-019	9011 ELK DR	466.38
118-650-020	9013 ELK DR	466.38
118-650-021	9008 ELK DR	466.38
118-650-022	9006 ELK DR	466.38
118-650-023	9004 ELK DR	466.38
118-650-024	9002 ELK DR	466.38
118-650-025	5193 KELLER RIDGE DR	466.38
118-650-026	5194 KELLER RIDGE DR	466.38
118-650-027	5192 KELLER RIDGE DR	466.38
118-650-028	5190 KELLER RIDGE DR	466.38
118-650-029	85 BEAR PL	466.38
118-650-030	84 BEAR PL	466.38
118-650-031	82 BEAR PL	466.38
118-660-001	4405 COYOTE CIR	217.84
118-660-002	4407 COYOTE CIR	217.84

City of Clayton
Community Facilities District 1990-1R
Clayton Middle School
Fiscal Year 2012/13 Special Tax Roll

APN	Situs Address	Levy
118-660-003	4403 COYOTE CIR	217.84
118-660-004	4401 COYOTE CIR	217.84
118-660-006	4307 COYOTE CIR	217.84
118-660-007	4305 COYOTE CIR	217.84
118-660-008	4301 COYOTE CIR	217.84
118-660-009	4303 COYOTE CIR	217.84
118-660-013	4005 COYOTE CIR	217.84
118-660-014	4007 COYOTE CIR	217.84
118-660-015	4003 COYOTE CIR	217.84
118-660-016	4001 COYOTE CIR	217.84
118-660-019	3407 COYOTE CIR	217.84
118-660-020	3405 COYOTE CIR	217.84
118-660-021	3401 COYOTE CIR	217.84
118-660-022	3403 COYOTE CIR	217.84
118-660-024	3307 COYOTE CIR	217.84
118-660-025	3305 COYOTE CIR	217.84
118-660-026	3301 COYOTE CIR	217.84
118-660-027	3303 COYOTE CIR	217.84
118-660-029	3205 COYOTE CIR	217.84
118-660-030	3207 COYOTE CIR	217.84
118-660-031	3203 COYOTE CIR	217.84
118-660-032	3201 COYOTE CIR	217.84
118-660-036	2907 COYOTE CIR	217.84
118-660-037	2905 COYOTE CIR	217.84
118-660-038	2901 COYOTE CIR	217.84
118-660-039	2903 COYOTE CIR	217.84
118-660-047	4207 COYOTE CIR	217.84
118-660-048	4205 COYOTE CIR	217.84
118-660-049	4201 COYOTE CIR	217.84
118-660-050	4203 COYOTE CIR	217.84
118-660-052	4107 COYOTE CIR	217.84
118-660-053	4105 COYOTE CIR	217.84
118-660-054	4101 COYOTE CIR	217.84
118-660-055	4103 COYOTE CIR	217.84
118-660-057	3105 COYOTE CIR	217.84
118-660-058	3107 COYOTE CIR	217.84
118-660-059	3103 COYOTE CIR	217.84
118-660-060	3101 COYOTE CIR	217.84
118-660-062	3005 COYOTE CIR	217.84
118-660-063	3007 COYOTE CIR	217.84
118-660-064	3003 COYOTE CIR	217.84

City of Clayton
Community Facilities District 1990-1R
Clayton Middle School
Fiscal Year 2012/13 Special Tax Roll

APN	Situs Address	Levy
118-660-065	3001 COYOTE CIR	217.84
118-660-067	3507 COYOTE CIR	217.84
118-660-068	3505 COYOTE CIR	217.84
118-660-069	3501 COYOTE CIR	217.84
118-660-070	3503 COYOTE CIR	217.84
118-660-071	3104 COYOTE CIR	217.84
118-660-072	3102 COYOTE CIR	217.84
118-660-073	3106 COYOTE CIR	217.84
118-660-074	3108 COYOTE CIR	217.84
118-660-075	3902 COYOTE CIR	217.84
118-660-076	3904 COYOTE CIR	217.84
118-660-077	3906 COYOTE CIR	217.84
118-660-078	3908 COYOTE CIR	217.84
118-660-079	4104 COYOTE CIR	217.84
118-660-080	4102 COYOTE CIR	217.84
118-660-081	4106 COYOTE CIR	217.84
118-660-082	4108 COYOTE CIR	217.84
118-670-001	8012 KELOK WAY	466.38
118-670-002	8014 KELOK WAY	466.38
118-670-003	8016 KELOK WAY	466.38
118-670-004	8018 KELOK WAY	466.38
118-670-005	8020 KELOK WAY	466.38
118-670-006	8022 KELOK WAY	466.38
118-670-007	8024 KELOK WAY	466.38
118-670-008	8026 KELOK WAY	466.38
118-670-009	8028 KELOK WAY	466.38
118-670-010	8030 KELOK WAY	466.38
118-670-011	8032 KELOK WAY	466.38
118-670-012	8034 KELOK WAY	466.38
118-670-013	8036 KELOK WAY	466.38
118-670-014	8038 KELOK WAY	466.38
118-670-015	8040 KELOK WAY	466.38
118-670-016	8042 KELOK WAY	466.38
118-670-017	8053 KELOK WAY	466.38
118-670-018	8051 KELOK WAY	466.38
118-670-019	8049 KELOK WAY	466.38
118-670-020	8047 KELOK WAY	466.38
118-670-021	8045 KELOK WAY	466.38
118-670-022	8043 KELOK WAY	466.38
118-670-023	8041 KELOK WAY	466.38
118-670-024	8039 KELOK WAY	466.38

City of Clayton
Community Facilities District 1990-1R
Clayton Middle School
Fiscal Year 2012/13 Special Tax Roll

APN	Situs Address	Levy
118-670-025	8037 KELOK WAY	466.38
118-670-026	5229 KELLER RIDGE DR	466.38
118-670-027	5227 KELLER RIDGE DR	466.38
118-670-028	5225 KELLER RIDGE DR	466.38
118-670-029	5223 KELLER RIDGE DR	466.38
118-670-030	5222 KELLER RIDGE DR	466.38
118-670-031	5224 KELLER RIDGE DR	466.38
118-670-032	5226 KELLER RIDGE DR	466.38
118-670-033	5230 KELLER RIDGE DR	466.38
118-670-034	8027 KELOK WAY	466.38
118-670-035	8025 KELOK WAY	466.38
118-670-036	8023 KELOK WAY	466.38
118-670-037	8021 KELOK WAY	466.38
118-670-038	8019 KELOK WAY	466.38
118-670-039	8017 KELOK WAY	466.38
118-670-040	90 KELOK CT	466.38
118-670-041	92 KELOK CT	466.38
118-670-042	94 KELOK WAY	466.38
118-670-043	8015 KELOK WAY	466.38
118-670-044	8013 KELOK WAY	466.38
118-680-001	5221 KELLER RIDGE DR	466.38
118-680-002	5219 KELLER RIDGE DR	466.38
118-680-003	5217 KELLER RIDGE DR	466.38
118-680-004	5215 KELLER RIDGE DR	466.38
118-680-005	5213 KELLER RIDGE DR	466.38
118-680-006	5211 KELLER RIDGE DR	466.38
118-680-007	5209 KELLER RIDGE DR	466.38
118-680-008	5207 KELLER RIDGE DR	466.38
118-680-009	5205 KELLER RIDGE DR	466.38
118-680-010	5203 KELLER RIDGE DR	466.38
118-680-011	5201 KELLER RIDGE DR	466.38
118-680-012	5199 KELLER RIDGE DR	466.38
118-680-013	5197 KELLER RIDGE DR	466.38
118-680-014	5195 KELLER RIDGE DR	466.38
118-680-015	5198 KELLER RIDGE DR	466.38
118-680-016	5200 KELLER RIDGE DR	466.38
118-680-017	5202 KELLER RIDGE DR	466.38
118-680-018	5204 KELLER RIDGE DR	466.38
118-680-019	5206 KELLER RIDGE DR	466.38
118-680-020	5208 KELLER RIDGE DR	466.38
118-680-021	5210 KELLER RIDGE DR	466.38

City of Clayton
Community Facilities District 1990-1R
Clayton Middle School
Fiscal Year 2012/13 Special Tax Roll

APN	Situs Address	Levy
118-680-022	5212 KELLER RIDGE DR	466.38
118-680-023	5214 KELLER RIDGE DR	466.38
118-680-024	5216 KELLER RIDGE DR	466.38
118-680-025	5218 KELLER RIDGE DR	466.38
118-680-026	5220 KELLER RIDGE DR	466.38
Totals:	**1,358 Parcels**	**$456,787.72**

ORDINANCE NO. 274

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLAYTON AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 1990-1 (MIDDLE SCHOOL)

WHEREAS, on May 1, 1990, the City Council of the City of Clayton, State of California (the "Council"), adopted its Resolution No. 30-90 (the "Resolution of Intention to Establish the District") stating its intention to form Community Facilities District No. 1990-1 of the City of Clayton (the "District") pursuant to Chapter 2.5 of Part 1 of Division 2 of Title 5 (commencing with Section 53311) of the California Government Code, commonly known as the "Mello-Roos Community Facilities Act of 1982" (the "Act"); and

WHEREAS, on May 1, 1990, the Council also adopted Resolution No. 31-90 (the "Resolution of Intention to Incur Bonded Indebtedness") stating its intention to incur bonded indebtedness in an amount not to exceed $6,500,000 within the District for the purpose of financing the costs of certain facilities specified in the Resolution of Intention to Establish the District (the "Facilities"); and

WHEREAS, notice was published as required by law relative to the intention of this Council to form the proposed District and to incur bonded indebtedness in an amount not to exceed $6,500,000 within the District; and

WHEREAS, on May 31, 1990, this Council convened noticed public hearings as required by law, (1) to determine whether it

Attachment 4

should proceed with the formation of the District and authorize the rate, method of apportionment, and manner of collection of a special tax to be levied within the District for the purpose of paying for the Facilities, including the payment of interest on and principal of and other periodic costs on the bonds proposed to be issued to finance the Facilities, and the repayment of funds advanced to the District, and the annual administration expenses of the City and the District in determining, apportioning, levying and collecting such special tax and all incidental expenses authorized under the Act, and (2) on the proposal to incur the bonded indebtedness; and

WHEREAS, at said hearings all persons desiring to be heard on all matters pertaining to the formation of the District, the levy of the special tax, the proposed issuance of the bonded indebtedness, and all other matters set forth in the Resolution of Intention to Establish the District and the Resolution of Intention to Incur Bonded Indebtedness, were heard and considered and full and fair hearings were held thereon; and

WHEREAS, this Council, subsequent to said hearings, adopted Resolution No. 50-90 (the "Resolution of Formation") which established the District, determined the validity of prior proceedings relative to the formation of the District and the incurring of bonded indebtedness, authorized the levy of a special tax within the District and called an election for June 12, 1990, on the propositions of levying a special tax and establishing an appropriations limit within the District; and

WHEREAS, this Council, subsequent to said hearings, adopted Resolution No. 51-90 (the "Resolution to Incur Bonded Indebtedness") which determined the necessity of incurring bonded indebtedness in an amount not to exceed $6,500,000 and called an election within the District for June 12, 1990, on the proposition of incurring bonded indebtedness; and

WHEREAS, on June 12, 1990, in accordance with the Resolution of Formation and the Resolution to Incur Bonded Indebtedness, a consolidated election was held within the District in which the qualified electors approved by more than a two-thirds vote the propositions of incurring the bonded indebtedness, levying a special tax, and establishing an appropriations limit within the District;

NOW, THEREFORE, the City Council of the City of Clayton, DOES ORDAIN as follows:

Section 1. The above recitals are all true and correct and this Council so finds and determines.

Section 2. By the passage of this Ordinance, this Council authorizes the levy of a special tax pursuant to the rate and method of apportionment set forth in Exhibit "A" attached hereto and incorporated by reference herein, being the rate and method of apportionment specified in the Resolution of Formation.

Section 3. This Council is hereby further authorized each year by resolution adopted within the time period, if any, provided in the Act, to determine the specific special tax rate and amount to be levied for the next fiscal year, except that the special tax rate to be levied shall not exceed that set forth in Exhibit "A" hereto, but the special tax may be levied at a lower rate.

Section 4. Properties or entities of the state, federal or other local governments shall, except as otherwise provided in Sections 53317.3 and 53317.5 of the Act, be exempt from the special tax. No other properties or entities are exempt from the special tax unless the properties or entities are expressly exempted in the Resolution of Formation (and Exhibit "A" hereto), or in a resolution of consideration to levy a new special tax or special taxes or to alter the rate or method of apportionment or an existing special tax as provided in Section 53334 of the Act.

Section 5. All of the collections of the special tax shall be used as provided for in the Act and the Resolution of Formation. The special tax shall be levied only so long as needed for its purpose as described in the Resolution of Formation and the Resolution to Incur Bonded Indebtedness.

Section 6. The special tax shall be collected in the same manner as ordinary ad valorem property taxes are collected and shall be subject to the same penalties and the same procedure, sale, and lien priority in case of delinquency as is provided for ad valorem taxes, as such procedure may be modified by law from time to time.

Section 7. This Ordinance shall become effective thirty (30) days from and after its passage.

Section 8. Within fifteen (15) days after the passage of this Ordinance the City Clerk is hereby ordered and directed to certify to the passage of this Ordinance and, because there is no newspaper of general circulation published and circulated in the City, to cause the same to be posted in the following three public places in the City:

City Hall, 1007 Oak Street

Endeavor Hall, Oak at Center Street

Ohms Board in front of U.S. Post Office

* * * * *

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Clayton held on June 19, 1990.

Passed, adopted and ordered posted at a regular meeting of the City Council of the City of Clayton held on July 3, 1990, by the following vote:

AYES: Councilmembers: Hall, Manning, Musto, Mayor Hawes.

NOTES: None

ABSENT: Vice Mayor Kendall

Ray Hawes

Mayor

ATTEST:

Ruth A. Scott

City Clerk

3194004/24

I hereby certify that the foregoing Ordinance was duly introduced at a regular meeting of the City Council of the City of Clayton held on June 19, 1990, and was duly adopted, passed and ordered posted at a regular meeting of the City Council held on July 3, 1990.

Ruth A. Scott
City Clerk

3194004/24

CITY OF CLAYTON

CLAYTON MIDDLE SCHOOL FINANCING PROGRAM
COMMUNITY FACILITIES DISTRICT NO. 1990-1
SPECIAL TAX FORMULA

A special tax shall be levied on and collected from each parcel in Community Facilities District No. 1990-1, of the City of Clayton, in each fiscal year commencing on July 1, 1990, in an amount determined by the City Council of the City of Clayton through the application of the appropriate special tax for Residences and Residential Land.

The special tax shall be levied upon those lots and parcels listed in Table 1 within Subdivision 6990 (filed of record on December 20, 1988, in Book 328 of Maps, at Page 21, in the Official Records of the Contra Costa County Recorder) included within the boundaries of the community facilities district.

The special tax shall be levied on Residences and Residential Land.

Residence means a residential dwelling, and the subdivided lot upon which it is constructed, for which a certificate of occupancy has been issued by the City of Clayton.

Residential Land means those lots and parcels listed in Table 1 excepting (1) Residences and (2) any lands not zoned or designated by the City of Clayton for the construction of a Residence.

Wherever it is stated that the City of Clayton shall designate the number of Residences or the land on which Residences are to be constructed, such designation shall be made at the time a subdivision map is filed of record.

Residence Special Tax

The special tax will be levied against a Residence following the issuance of a certificate of occupancy. For each fiscal year (July 1 – June 30), the special tax on a Residence will be levied against each Residence for which a certificate of occupancy has been issued by July 15 of that year.

The Special Tax for a Residence on a parcel showing one residence under ESTIMATED NUMBER OF RESIDENCES on Table 1 shall be the amount shown for that parcel under MAXIMUM SPECIAL TAX on Table 1.

The Special Tax for Residences on parcels showing a number greater than one under ESTIMATED NUMBER OF RESIDENCES on Table 1 shall be determined as follows: When a subdivision map for such parcel is filed of record, the Special Tax for Residences on such parcel shall be apportioned equally to each new lot and parcel created by the subdivision map based on the number of Residences

Attachment 5

to be constructed thereon as designated by the City of Clayton; no Special Tax shall be apportioned to any lands not zoned or designated for the construction of a Residence. Upon any further resubdivision of a parcel created by such subdivision map, a further apportionment shall be made in a manner consistent with the preceding apportionment rules.

Residential Land Special Tax

Beginning July 1, 1991, and ending when there is no Residential Land in the community facilities district, a Residential Land Special Tax may be annually levied on the Residential Land. The total Residential Land Special Tax so levied shall be one hundred percent (100%) of the annual debt service, on the bonds to be issued by the community facilities district, for the following bond year (increased to one hundred five percent (105%) commencing July 1, 1997), less the total of the following amounts:

- The total Residence Special Taxes to be levied for that fiscal year

- Interest earnings available from unspent bond proceeds during the pre-development and construction period of the school, to the extent such earnings may be legally used to pay interest on the bonds for the following bond year pursuant to the Mello-Roos Community Facilities District Act of 1982.

- Any other funds which the City of Clayton determines are available to the community facilities district for payment of the debt service for the following bond year other than those funds which are designated for other purposes.

The total Residential Land Special Tax resulting from the above calculation, but not more than such total tax, shall be apportioned to the Residential Land as follows:

a. The Maximum Residential Land Special Tax for each subdivided lot zoned or designated by the City of Clayton for the construction of a Residence shall be equal to the Maximum Residence Special Tax which would be levied on the lot if it were a Residence.

b. The balance of the total Residential Land Special Tax shall be levied against all other parcels of Residential Land based on the anticipated number of Residences to be constructed thereon as determined by the City of Clayton.

The special taxes of the community facilities district will be collected in the same manner and at the same time as ad valorem property taxes.

EXHIBIT A

COMMUNITY FACILITIES DISTRICT NO. 1990-1

Description of Facilities

1. The acquisition of 400 thousand dollars of the site preparation work on the school site referenced in 2 below, and on a ballfield and playground park site to be conveyed to the City adjacent to said school site.

2. The construction of a middle school facility on a site to be conveyed to the Mt. Diablo Unified School District, said site being located on the easterly side of Marsh Creek Road between Bigelow Street and Regency Drive.

   However, in the event a contract has not been awarded for the construction of the school by August 1, 1992, (or the extension of said date if agreed to by the current owner of the site), then the payment of school facility impact fees to said School District, plus one or more of the following alternative facilities:

   (a) the acquisition or construction of a fire station on a site to be located on Oakhurst Drive southerly of Clayton Road;

   (b) the acquisition or construction of a portion of the improvements to the ballfield and playground park site, referenced in 1 above, including, but not limited to, turf, bleachers, restrooms and drainage facilities. It is estimated that the cost of such improvements will exceed 5.5 million dollars. After allowing for the funding of the first 400 thousand dollars thereof pursuant to 1, above, it is anticipated that the next 2.68 million dollars thereof will be funded from other sources (such as the Oakhurst Assessment District). The remaining 2.42 million dollar portion of said improvements is to be funded by Community Facilities District No. 1990-1.

It is recognized that, in the event the school is not constructed so that the City undertakes the acquisition and construction of the alternative facilities set forth in (a) and (b), above, there may not be sufficient monies from the proceeds of the sale of the bonds proposed to be issued to acquire and construct all of the alternative facilities. It is intended that the alternative facilities to be acquired and constructed in the descending order of priority set forth above. To the extent any alternative facility has not been acquired or constructed at the time the City determines that all of the bond proceeds have been expended, then such facility not acquired or constructed shall, from the date of such determination, be deemed removed from this description of facilities.

3. The above-listed types of facilities are proposed to include incidental expenses as authorized by the Mello-Roos Community Facilities Act of 1982, including, but not limited to, the cost of planning and designing the facilities (including the cost of environmental evaluations thereof); costs associated with the creation of the District, issuance of the bonds thereof, determination of the amount of taxes, collection of taxes, payment of taxes, or costs otherwise incurred in order to carry out the authorized purposes of the District; and any other expenses incidental to the construction, completion, and inspection of the facilities.

CITY OF CLAYTON
Founded 1857 . . Incorporated 1964

Agenda Date: 7-3-12

Agenda Item: 9a

Approved:

Gary A. Napper
City Manager/Executive Director

STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: RICK ANGRISANI, CITY ENGINEER

DATE: JULY 3, 2012

SUBJECT: CONSIDER RESOLUTION REJECTING ALL BIDS FOR THE 2012 NEIGHBORHOOD STREET PAVEMENT REHABILITATION PROJECT (CIP PROJECT NO. 10411) AND DIRECTING STAFF TO RE-ADVERTISE AT A LATER DATE

RECOMMENDATION

Approve attached Resolution rejecting all bids and directing staff to re-advertise for bids in mid-August 2012.

BACKGROUND

As directed by the Council at its May 15th meeting, staff prepared plans for the overlay of 18 neighborhood streets, the repair and overlay of three public parking lots and the reconstruction of an existing trail segment.

Bids were opened on June 26th. The City received only two bids as follows:

Item	American Asphalt	DRT Grading & Paving	Engr's. Estimate of Cost
2012 Pavement Overlay	$811,640.10	$878,419.98	$551,000
Lydia Lane Parking Area	$17,356.00	$15,758.50	$10,000
City Hall Parking Area	$50,346.00	$33,496.80	$26,000
Library Parking Lot	$101,491.50	$59,929.90	$50,000
Trail Reconstruction	$34,336.00	$29,232.00	$38,000
Total	**$1,015,169.60**	**$1,016,837.18**	**$675,000.00**

ANALYSIS

Staff was disappointed with lack of interest in the Project. Part of this lack of interest may be due to the short working day allowance (immediate start with 20 days for the street overlays plus 20 days for the other items of work). We were informed by one contractor that he would have liked to bid the Project, but his paving crews would not be available until September due to his currently committed workload.

Staff was also very surprised by the unit price for the overlay work. In reviewing the bid for the street work (and deducting the CCWD- paid portion of the work), the low bid worked out to $1.34 per square foot. In comparison, the low bid for the 2010 Pavement Rehabilitation was $0.96 per square foot. The current bid represents an increase of 40% over the City's 2010 Street Pavement bid (staff's cost estimate assumed a 10% increase).

The bids' high unit price would require the deletion of the overlays of Yolanda Circle and Windmill Canyon Drive in order not to exceed the approved project budget. According to some contractors we contacted, there has been a significant jump (15%) in material prices over the past year. With that said, the contractors also agreed the unit prices we received did seem a little high. Therefore, in the belief that more competition will result in better unit prices, staff recommends the City Council reject all bids and authorize staff to re-advertise the project later in the summer in hopes of generating more interest and competition.

Staff recommends advertising around the end of July in order to have construction start at near the beginning of September and hopefully be complete by the middle of November.

FISCAL IMPACT

Rejecting of the bids and re-advertising of the Project will not have an impact on the City's General Fund and only a minor increase in the total project costs due to the re-advertising (approx. $1,000).

CONCLUSION

In conclusion, staff recommends the Council approve the attached Resolution rejecting the bids received and directing staff to re-advertise the project near the end of July 2012 for bid receipt in mid-August.

Attachment: Resolution

RESOLUTION NO. - 2012

A RESOLUTION REJECTING ALL BIDS RECEIVED FOR THE 2012 NEIGHBORHOOD STREET PAVEMENT REHABILITATION PROJECT (CIP NO. 10411) AND AUTHORIZING THE PROJECT'S RE-ADVERTISMENT AT A LATER DATE

THE CITY COUNCIL
City of Clayton, California

WHEREAS, the City Council approved the scope of work and advertisement for bids for the 2012 Neighborhood Street Pavement Rehabilitation Project at its May 15, 2012 meeting; and

WHEREAS, the City Engineer prepared plans and specifications and advertised an invitation for competitive public works bids as required by the Public Contract Code; and

WHEREAS, sealed bids were publicly opened at City Hall on June 26, 2012; and

WHEREAS, only two bids were received and the low bid was approximately 50% higher than the approved project budget and the Engineer's Estimate; and

WHEREAS, after review of the bids and unit prices, the City Engineer has recommended that all bids be rejected and that the Project be re-advertised at a later date in order to facilitate the Project's bid responses to be more competitive.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Clayton, California does hereby reject all bids received for the 2012 Neighborhood Street Pavement Rehabilitation Project (CIP No. 10411) and authorizes its re-advertisement at a later date as determined by the City Engineer.

PASSED, APPROVED and ADOPTED by the City Council of Clayton, California at a regular public meeting thereof held on the 3rd day of July 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

THE CITY COUNCIL OF CLAYTON, CA

____
Howard Geller, Mayor

ATTEST:

____
Laci J. Jackson, City Clerk

I hereby certify that the foregoing resolution was duly and regularly passed by the City Council of the City of Clayton at a regular meeting held on July 3, 2012.

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Laci J. Jackson, City Clerk