CITY OF CLAYTON

Founded 1857 .. Incorporated 1964

AGENDA

REGULAR JOINT MEETINGS

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CLAYTON CITY COUNCIL
and
CLAYTON SUCCESSOR HOUSING AND SUCCESSOR AGENCIES

***

TUESDAY, February 19, 2013

6:45 p.m.

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

Mayor: Julie K. Pierce
Vice Mayor: Hank Stratford

Council Members
Jim Diaz
Howard Geller
David T. Shuey

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

* CITY COUNCIL*

February 19, 2013

6:45 P.M.

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

2. **CLOSED SESSION**

(a) Conference with Legal Counsel, Existing Litigation
Government Code Section 54956.9(a), City of Brentwood, et al. v. Robert Campbell
Case No. MSN11-1029, Contra Costa County Superior Court.

Report out from Closed Session – Mayor Pierce

7:00 P.M.

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

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

(a) Approve the minutes of the special meetings on January 31, 2013, February 4, 2013, and February 5, 2013. (View Here)

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

(c) Approve the change in membership of the City Council Ad-Hoc Committee on Fire Services (Council Members Jim Diaz and David Shuey). (View Here)

5. **RECOGNITIONS AND PRESENTATIONS**

(a) Presentation and Report by the Pacific Coast Farmers' Market on the "Clayton Farmers' Market" held on Diablo Street in the Clayton Town Center.
(Max Timms and John Silva)

6. **REPORTS**
(a) Planning Commission – No meeting held.
(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 the City's Annual Report concerning the City's levy, collection and disposition of development impact mitigation fees during FY 2010-2011, in compliance with California Government Code (AB 1600). (View Here)

(Assistant to the City Manager)

Staff recommendation: Adopt the Resolution with the findings there is a reasonable relationship between the current needs for the development impact mitigation fees and the purposes for which the fees were originally levied and collected by the City.

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

11. ADJOURNMENT– the next regularly scheduled City Council meeting is March 5, 2013.

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* CLAYTON SUCCESSOR AGENCY and SUCCESSOR HOUSING AGENCY *

February 19, 2013

1. CALL TO ORDER THE CLAYTON SUCCESSOR AGENCIES – Mayor Pierce.

2. PUBLIC COMMENT ON NON - AGENDA ITEMS

Members of the public may address the 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 Council.

3. CONSENT CALENDAR – None.

4. PUBLIC HEARINGS – None.

5. ACTION ITEMS

(a) Consider a Resolution to approve and adopt its Recognized Obligations Payment Schedule (ROPS 2013-14 A) covering the time period from July 1, 2013 through December 31, 2013, pursuant to recent California Redevelopment Laws. *(Finance Manager)* (View Here)

Staff recommendation: Following staff report and public comment, that Council adopt the Resolution.

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

7. ADJOURNMENT – the next regular Successor Agencies meetings will be scheduled as needed.

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MINUTES
OF THE
SPECIAL MEETING
CLAYTON CITY COUNCIL

Agenda Date: 2-19-13

Agenda Item: 4a

THURSDAY, January 31, 2013

1. **CALL TO ORDER & ROLL CALL** – The meeting was called to order at 4:32 p.m. by Mayor Pierce in Hoyer Hall of the Clayton Community Library, 6125 Clayton Road, Clayton, CA. Councilmembers present: Mayor Pierce, Vice Mayor Stratford, Councilmembers Diaz, Geller, and Shuey. Staff present: City Manager Gary Napper, and City Clerk Laci Jackson.

2. **CLOSED SESSION**- None.

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

4. **PUBLIC COMMENTS**- None.

5. **ACTION ITEM**

(a) Consideration of a Resolution approving the Purchase and Sale Agreement between the City of Clayton and the Clayton Community Church for the City's acquisition of a generally unimproved parcel of real property (APN 118-560-010-1), comprised of approximately 1.66 acres and located to the north and west of the Church's office at 6055 Main Street, for the amount of one million dollars.

The City Manager presented the staff report and indicated Clayton Community Church decided to sell its property and asked the City if it was interested in purchasing the property. The parties met and negotiated a price and it is recommended the Council adopt the Resolution approving the Purchase and Sale Agreement/ Joint Escrow Instructions.

Shawn Robinson, Senior Pastor of Clayton Community Church, stated he has been pleased with this process. He stated he believes this is a good move for the City and the Church.

Councilmember Diaz complimented Mayor Pierce and Councilmember Shuey for negotiating this agreement.

Mayor Pierce stated it was a good negotiation process.

Councilmember Geller stated this is a really important day in the history of Clayton and all parties are winners.

No other public comments were received.

It was moved by Vice Mayor Stratford, seconded by Councilmember Shuey, to adopt Resolution 03-2013 authorizing the City's purchase of this real property (Passed; 5-0 vote).

6. **ADJOURNMENT**– On call by Mayor Pierce the meeting adjourned at 4:40 p.m.

Respectfully submitted,

Laci J. Jackson, City Clerk

APPROVED BY CLAYTON CITY COUNCIL

Julie K. Pierce, Mayor

Agenda Date: 2-19-13

Agenda Item: 4a

MINUTES
OF THE
SPECIAL MEETING
CLAYTON CITY COUNCIL
And
FIRE SERVICES AD-HOC COMMITTEE

MONDAY, February 4, 2013

1. **CALL TO ORDER & ROLL CALL** – The meeting was called to order at 6:33 p.m. by Mayor Pierce in Hoyer Hall of the Clayton Community Library, 6125 Clayton Road, Clayton, CA. Councilmembers present: Mayor Pierce, Councilmembers Diaz and Geller. Councilmembers absent: Vice Mayor Stratford and Councilmember Shuey. Staff present: City Manager Gary Napper, Police Chief Chris Thorsen, and City Clerk Laci Jackson

2. **CLOSED SESSION**- None.

3. **PUBLIC COMMENTS**- None.

4. **ACTION ITEM**

(a) Ad-Hoc Committee discussion of community impacts and consideration of alternatives caused by the partial (79%) closure of Fire Station No. 11 on Center Street by the Contra Costa County Fire Protection District commencing January 15, 2013.

Mayor Pierce introduced the staff and noted the Chief Daryl Louder of the Fire District was present.

Mayor Pierce reviewed the County Fire District's implementation measures for the fire station closure plan. She noted Engine Company 11 is de-staffed as a full-time unit and Engine 22 will now relocate and respond from Station 11 (unless they are on calls) Monday through Saturday from 2:00 p.m-8:00 p.m. She stated this gives Clayton some direct coverage during those hours. She noted Station 11 will keep the Type three wild land fire engine and the CalFire Sunshine Fire Station on Marsh Creek Road will respond if they are the closest resource available. She stated AMR will be adjusting its posts for ambulances and are looking at mobile deployment efficiency. She stated from the City's standpoint we do not want Police to have to be the first responders for emergency medical, though the City is working to have more AEDs stationed around the community.

Mayor Pierce stated the Council will continue to look at other models and will continue to talk to the Fire District about restoring services. She stated the information compiled by staff shows it costs approximately $3 million a year to staff and operate a standalone fire station in Clayton. That equates to approximately $750 per household. She stated the property tax money the Fire District collects now would not all come back to the City upon detachment from the Fire District even if LAFCO approved a standalone department. LAFCO's approval is doubtful. She also described the difficulties of having a volunteer fire station that must train as if a full-time firefighter but not everyone responds to the alarm calls. She stated the purpose of this meeting tonight is to hear ideas from the community.

Rich Veal stated the Clayton CERT is working with staff to become a Heart Safe Community and will be looking into obtaining more AEDs. He stated there are nine places in the Clayton community which presently have AEDs. He stated CERT will be holding hands-only CPR and fire extinguisher classes to help citizens be more prepared for an emergency. He noted AED's cost approximately $1,500 plus on-going monies for expendables and battery replacement.

Councilmember Geller asked if AED units need to be checked periodically? The Chief of Police responded for the current City owned AEDs a maintenance package was purchased for $250 per year per AED. He stated there would be an ongoing cost for maintaining the AEDs and the battery life is three to five years.

The City Manager presented a chart by the Fire District showing the call activity before and after the station closure handled by Engine Company's 11 and 22. Chief Louder clarified this is how the information was entered into the EMS system and does not include AMRs ambulance data.

Robb Kingsbury stated he would like to see more information regularly printed in the Clayton Pioneer regarding responses by the Fire District in the community. He stated he would like to see sponsorships for more AED's in the community.

Will Wilcox suggested a community safety fair and picnic where vendors could set-up booths about smoke alarms and AEDs so people are more informed.

Bruce Atkins stated he would support a rotating brown out system of District fire stations suggested at a previous meeting because it would be more equitable. He stated he believed Measure Q was undersold and very few people understood it. He stated he would have liked to have seen the City Council support Measure Q. He suggested expanding the Fire District Board to include citizens.

Darren Olsen stated he reviewed the points from the Fire District's community meeting and looked at the Chief's plan critically. He stated ConFire has never measured up the national standards for response times or deployment standards. He stated the voters are getting what they paid for but it is a recipe for disaster, miscommunication, and reliance on mutual aide. He stated Station 11 was a source of pride in the community, and he would like to hear more from the Chief about the cost saving measures implemented by the District. He stated when you close 4 fire stations there are 12 less fire fighters responding for intervention.

Steven Chandler noted the City of Pinole just received a grant of $1.2 million from Homeland Security. He noted the response time from Station 22 is much longer than from Station 11. He noted ConFire has the longest response times, and he suggested the Council push for brown outs as an alternative solution in the Fire District.

Jane Mele stated she was at the January meeting and heard a lot about emergency medical response but she is worried about fire. She stated she does not feel like there is a good solution but liked the suggestion of the rotating station brown outs.

Nancy Becker stated she came to the last meeting because she was concerned about her safety and does not believe having Station 11 only open 6 hours a day is enough.

Paul Tiffany stated he does not know what the solution is, maybe brown outs, but it is unfortunate the measure was not approved by voters.

Howard Kaplan asked what the savings will be for the adjustment to the hours at Station 11? The Chief stated approximately $750,000 this fiscal year.

Howard Kaplan stated the voters feel like there is no control on the extent of the expenditures for Fire services. He noted it is important to scrutinize and rethink how funds are used especially in regards to pensions. He asked how the Clayton Redevelopment Agency was involved?

The City Manager stated under California Redevelopment law, the City froze the allocation of property taxes given to other entities (including the City) and diverted it to its Redevelopment Agency (RDA). He noted the Fire District was the largest special district taxing entity. He also noted Governor Brown thought there would be a windfall from Redevelopment Agency's dissolution but most agencies still have legitimate debt to payoff. He stated with the dissolution of the Redevelopment Agency the City will receive a higher percentage of property tax increment. He stated in the early years of the Redevelopment Agency bonds were issued for things such as sewers and other infrastructure improvements, and those bonds are being paid off. He noted the City has no obligation for this RDA debt.

Candace Bass stated she wished the funding situation was different but believes a task force should be considered.

After question, Chief Louder responded regarding the efforts taken to reduce operating costs in the Fire District. Chief Louder stated this District has been underfunded or under staffed for some time and is one of the leanest organizations in the East Bay. He stated two units were de-staffed, personnel took a 10% cut in salary, some of them paid more for their health care and pension, administrative positions were eliminated, people were laid off and cuts were made to operating expenses. He stated the District is currently receiving a SAFER grant from Homeland Security and can re-apply in July for the continuation of funding. He stated long term the change in pension laws will have a positive effect on the District. He also noted there are new lower starting steps for new employees, and the County has addressed terminal leave payouts for pension calculations. He stated the Board of Directors will consider holding a joint summit with all 9 District cities to look at the funding models to find longer term strategic solutions. He also stated the Fire District does not have a diverse funding source available to them and 90% funding comes from property taxes; they are looking for shared partnerships

Upon question, Chief Louder stated he was not in favor of the medical-only unit responses because it dilutes firefighting the capacity in the system.

The City Manager explained when the Fire Chief states he is looking at shared arrangements he is looking for funding partners. He also noted voters within the District can create sub-zones for augmentation funding, of a certain area of the District.

Mayor Pierce stated the Council can continue these meeting, before the first Council meeting of the month in order to receive information and updates.

Councilmember Geller stated he believes it should be the full council at the helm and is not opposed to meeting once a month before the Council meeting for updates.

Judy Roberts asked about the Homeland Security Grant? Mayor Pierce stated the District already receives funding from SAFER grant and the next application period is in July.

Jack Verderame stated Proposition 172 sales tax money has been collected by the County and the District does not see any of that money when it is supposed to be allocated to public safety. The City Manager noted Proposition 172 was originally intended for use by law enforcement agencies.

Councilmember Geller encouraged citizens to attend the Board of Supervisors' meetings on Fire District issues.

5. **ITEMS FOR FUTURE AD-HOC MEETINGS**- None.

6. **SET DATE FOR FUTURE AD-HOC MEETINGS**- by consensus the Council discussed holding these meetings prior to the first regularly scheduled meeting of each month.

7. **ADJOURNMENT**– On call by Mayor Pierce the meeting adjourned at 8:50 p.m.

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Respectfully submitted,

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Laci J. Jackson, City Clerk

APPROVED BY CLAYTON CITY COUNCIL

____

Julie K. Pierce, Mayor

Agenda Date: 2-19-13

Agenda Item: 4a

MINUTES
OF THE
SPECIAL MEETING OF THE
CLAYTON CITY COUNCIL

February 5, 2013

1. **CALL TO ORDER & ROLL CALL** – the special meeting was called to order at 5:13 p.m. by Mayor Pierce in the 3rd Floor Conference Room, Clayton City Hall, 6000 Heritage Trail, Clayton, CA. Council Members present: Mayor Pierce, Vice Mayor Stratford, Councilmembers Diaz, Geller and Shuey. Staff present: City Manager Gary Napper.

2. **CLOSED SESSION** – None.

3. **PUBLIC COMMENTS** – None.

4. **ACTION ITEM**

(a) ***Discussion and establishment of Council-Manager Goals and Objectives for Calendar Year 2013.***

The City Manager updated the City Council as to progress made and achievements obtained regarding the goals set from previous annual sessions. After considerable discussion and exchange of ideas, the City Council deleted several tasks, put other into a "place-holder" status, and then outlined the following additional Goals and Objectives for upcoming year:

- Research refinancing or paying off of the unfunded Side-Fund for the CalPers Tier I contracts.
- Create a marketing plan for the future 1.66 acre City owned property in the Town Center.
- Prepare for Downtown Park Measure renewal in 2016.
- Research options for what to do with the Keller Ranch property.

4. **ADJOURN** – on call by Mayor Pierce the meeting adjourned at 6:42 p.m.

Respectfully submitted,

Laci J. Jackson, City Clerk

APPROVED BY CLAYTON CITY COUNCIL

Julie K. Pierce, Mayor

CITY OF CLAYTON
Founded 1857 . Incorporated 1964

Agenda Date: 2/19/2013

Agenda Item: 4b

Approved:

Gary A. Napper
City Manager/Executive Director

STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: MERRY PELLETIER, FINANCE MANAGER mp

DATE: 2/19/2013

SUBJECT: INVOICE SUMMARY

RECOMMENDATION **Approve the following Invoices.**

2/15/2013	Cash Requirements Report	$121,896.86
TOTAL REQUEST		$121,896.86

Attachments:
Cash Requirements Report dated 2/15/2013 (5 pages)

City of Clayton
Cash Requirements Report
City Council Meeting 2/19/13

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
Access One								
Access One	2/19/2013	2/2/2013	1336704	Long Distance January 2013	$48.89	$0.00		$48.89
				Totals for Access One:	*$48.89*	*$0.00*		*$48.89*
All City Management Services, Inc.								
All City Management Services, Inc.	2/19/2013	1/11/2013	29902	School Crossing Guard Svcs 12/30/12-1/12/1	$232.50	$0.00		$232.50
All City Management Services, Inc.	2/19/2013	12/28/2013	29730	School Crossing Guard Svcs 12/16/12-12/29/1	$232.50	$0.00		$232.50
				Totals for All City Management Services, Inc.:	*$465.00*	*$0.00*		*$465.00*
American Fidelity Assurance Company								
American Fidelity Assurance Company	2/19/2013	2/6/2013	845251A	Ending 2/28/13	$849.10	$0.00		$849.10
American Fidelity Assurance Company	2/19/2013	1/17/2013	A940754	February 2013	$156.64	$0.00		$156.64
				Totals for American Fidelity Assurance Company:	*$1,005.74*	*$0.00*		*$1,005.74*
Arlene H. Kikkawa-Nielsen								
Arlene H. Kikkawa-Nielsen	2/19/2013	2/6/2013	February	Library Coordinator, February 2013	$900.00	$0.00		$900.00
				Totals for Arlene H. Kikkawa-Nielsen:	*$900.00*	*$0.00*		*$900.00*
Bay Area News Group East Bay (CCT)								
Bay Area News Group East Bay (CCT)	2/19/2013	1/31/2013	0000598917	"Complete Streets" Public Hearing Notice 1/1	$127.71	$0.00		$127.71
				Totals for Bay Area News Group East Bay (CCT):	*$127.71*	*$0.00*		*$127.71*
Best Best & Kreiger LLP								
Best Best & Kreiger LLP	2/19/2013	2/12/2013	696148, 696149	January 2013	$12,840.00	$0.00		$12,840.00
				Totals for Best Best & Kreiger LLP:	*$12,840.00*	*$0.00*		*$12,840.00*
CalPERS Retirement								
CalPERS Retirement	2/19/2013	2/6/2013	02/03/13	Retirement PPE 02/03/13	$20,768.12	$0.00		$20,768.12
				Totals for CalPERS Retirement:	*$20,768.12*	*$0.00*		*$20,768.12*
Cheyenne Electric Inc.								
Cheyenne Electric Inc.	2/19/2013	1/25/2013	1/25/13	replace defective conduit/wiring at fountain	$440.00	$0.00		$440.00
				Totals for Cheyenne Electric Inc.:	*$440.00*	*$0.00*		*$440.00*
Cintas Fire Protection								
Cintas Fire Protection	2/19/2013	1/25/2013	OF44566842	batteries, lights, labor	$1,201.78	$0.00		$1,201.78
				Totals for Cintas Fire Protection:	*$1,201.78*	*$0.00*		*$1,201.78*
City of Concord								
City of Concord	2/19/2013	1/31/2013	31255	Printing Svcs	$80.00	$0.00		$80.00
City of Concord	2/19/2013	1/11/2013	30987	Dispatch Svcs/Computer Components Decemt	$13,285.00	$0.00		$13,285.00
City of Concord	2/19/2013	1/25/2013	31027	Vehicle Labor	$192.50	$0.00		$192.50
City of Concord	2/19/2013	1/25/2013	31025	Vehicle Labor	$432.38	$0.00		$432.38
City of Concord	2/19/2013	1/25/2013	31026	Vehicle Labor	$601.95	$0.00		$601.95
City of Concord	2/19/2013	1/31/2013	31254	Printing Services Letterhead/Bus. Cards	$477.00	$0.00		$477.00

City of Clayton
Cash Requirements Report
City Council Meeting 2/19/13

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
				Totals for City of Concord:	*$15,068.83*	*$0.00*		*$15,068.83*
Clean Street								
Clean Street	2/19/2013	1/31/2013	69781	Monthly Sweep Fee - January 2013	$3,500.00	$0.00		$3,500.00
				Totals for Clean Street:	*$3,500.00*	*$0.00*		*$3,500.00*
Danielle Shafer								
Danielle Shafer	2/19/2013	2/4/2013	25731	Deposit Refund Endeavor Hall 1/19/13	$1,500.00	$0.00		$1,500.00
				Totals for Danielle Shafer:	*$1,500.00*	*$0.00*		*$1,500.00*
De Lage Landen Financial Services, Inc.								
De Lage Landen Financial Services, Inc.	2/19/2013	2/9/2013	16936446	Konica contract February 2013	$432.68	$0.00		$432.68
				Totals for De Lage Landen Financial Services, Inc.:	*$432.68*	*$0.00*		*$432.68*
Doug Stuart Woodcarving								
Doug Stuart Woodcarving	2/19/2013	2/1/2013	directional signs	restore and replace Clayton directional signs	$1,976.00	$0.00		$1,976.00
				Totals for Doug Stuart Woodcarving:	*$1,976.00*	*$0.00*		*$1,976.00*
Dyna Systems								
Dyna Systems	2/19/2013	1/31/2013	20649667	Brass machine screws (100)	$14.67	$0.00		$14.67
Dyna Systems	2/19/2013	1/28/2013	20648352	Tapping screws, supplies	$384.05	$0.00		$384.05
				Totals for Dyna Systems:	*$398.72*	*$0.00*		*$398.72*
Folsom Lake Ford								
Folsom Lake Ford	2/19/2013	1/21/2013	FL2357	VIN 2FABP7BV2BX185894, PO # 2463, st	$24,885.63	$0.00		$24,885.63
				Totals for Folsom Lake Ford:	*$24,885.63*	*$0.00*		*$24,885.63*
Hammons Supply Company								
Hammons Supply Company	2/19/2013	2/5/2013	76208	City Office Supplies	$301.21	$0.00		$301.21
Hammons Supply Company	2/19/2013	2/5/2013	76210	Library Supplies	$282.07	$0.00		$282.07
Hammons Supply Company	2/19/2013	2/5/2013	76216	Endeavor Hall Supplies	$31.39	$0.00		$31.39
Hammons Supply Company	2/19/2013	2/5/2013	76209	Downtown Park Supplies	$99.69	$0.00		$99.69
				Totals for Hammons Supply Company:	*$714.36*	*$0.00*		*$714.36*
HUB Inter of CA Ins Svc								
HUB Inter of CA Ins Svc	2/19/2013	2/13/2013	30292	Danielle Shafer - 1/19/13	$210.65	$0.00		$210.65
				Totals for HUB Inter of CA Ins Svc:	*$210.65*	*$0.00*		*$210.65*
J & R Floor Services								
J & R Floor Services	2/19/2013	2/1/2013	January 2013	Services January 2013	$4,987.26	$0.00		$4,987.26
				Totals for J & R Floor Services:	*$4,987.26*	*$0.00*		*$4,987.26*
Jarvis Fay Doporto & Gibson, LLP								
Jarvis Fay Doporto & Gibson, LLP	2/19/2013	2/4/2013	PTAF	PTAF November,2012-January, 2013	$110.57	$0.00		$110.57
				Totals for Jarvis Fay Doporto & Gibson, LLP:	*$110.57*	*$0.00*		*$110.57*

City of Clayton
Cash Requirements Report
City Council Meeting 2/19/13

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
Joseph Govreau								
Joseph Govreau	2/19/2013	2/7/2013	025683	Keller House Deposit Refund - Cancelled	$100.00	$0.00		$100.00
				Totals for Joseph Govreau:	*$100.00*	*$0.00*		*$100.00*
LarryLogic Productions								
LarryLogic Productions	2/19/2013	2/6/2013	1306	City Council Mtg 2/5/13	$350.00	$0.00		$350.00
				Totals for LarryLogic Productions:	*$350.00*	*$0.00*		*$350.00*
Marken Mechanical Services Inc								
Marken Mechanical Services Inc	2/19/2013	2/6/2013	413-1152-2	Library Maintenance February 2013	$150.00	$0.00		$150.00
Marken Mechanical Services Inc	2/19/2013	1/8/2013	412-1146-11	Library Maintenance November 2012	$502.17	$0.00		$502.17
Marken Mechanical Services Inc	2/19/2013	2/6/2013	413-1151-2	City Hall Maintenance February 2013	$150.00	$0.00		$150.00
Marken Mechanical Services Inc	2/19/2013	2/5/2013	413-1147	Endeavor Hall Maintenance January 2013	$247.00	$0.00		$247.00
				Totals for Marken Mechanical Services Inc:	*$1,049.17*	*$0.00*		*$1,049.17*
Muir/ Diablo Occupation Medicine								
Muir/ Diablo Occupation Medicine	2/19/2013	2/5/2013	210774	PPD	$20.00	$0.00		$20.00
				Totals for Muir/ Diablo Occupation Medicine:	*$20.00*	*$0.00*		*$20.00*
Municipal Pooling Authority								
Municipal Pooling Authority	2/19/2013	2/6/2013	February 2013	LTD/STD February 2013	$1,174.29	$0.00		$1,174.29
Municipal Pooling Authority	2/19/2013	2/4/2013	ES-1203A	Vehicle Damage Policy Premium 1/15/13-6/	$57.48	$0.00		$57.48
				Totals for Municipal Pooling Authority:	*$1,231.77*	*$0.00*		*$1,231.77*
NBS Govt. Finance Group								
NBS Govt. Finance Group	2/19/2013	1/31/2013	1130405	Delinquency Mgmt Svcs	$193.22	$0.00		$193.22
				Totals for NBS Govt. Finance Group:	*$193.22*	*$0.00*		*$193.22*
Neopost (add postage)								
Neopost (add postage)	2/19/2013	2/6/2013	2/6/13	Postage Added	$300.00	$0.00		$300.00
				Totals for Neopost (add postage):	*$300.00*	*$0.00*		*$300.00*
Neopost Leasing (Mail Finance)								
Neopost Leasing (Mail Finance)	2/19/2013	2/4/2013	N3796232	Lease Payment 3/7-4/6/13	$113.60	$0.00		$113.60
				Totals for Neopost Leasing (Mail Finance):	*$113.60*	*$0.00*		*$113.60*
PERMCO, Inc.								
PERMCO, Inc.	2/19/2013	2/11/2013	9921	2013 Pavement Rehabilitation Project	$3,631.88	$0.00		$3,631.88
PERMCO, Inc.	2/19/2013	2/11/2013	9920	Diablo Pointe Construction Inspection	$83.00	$0.00		$83.00
PERMCO, Inc.	2/19/2013	2/11/2013	9919	Retainer -General Services	$4,631.25	$0.00		$4,631.25
PERMCO, Inc.	2/19/2013	2/11/2013	9922	Clayton Community Church Land Aquisition	$488.00	$0.00		$488.00
PERMCO, Inc.	2/19/2013	2/11/2013	9923	Oakhurst RFQ for noxious weed abatement	$1,137.50	$0.00		$1,137.50
PERMCO, Inc.	2/19/2013	2/11/2013	9924	GHAD Kelok Dewatering Well Installation	$758.88	$0.00		$758.88
				Totals for PERMCO, Inc.:	*$10,730.51*	*$0.00*		*$10,730.51*

City of Clayton
Cash Requirements Report
City Council Meeting 2/19/13

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
Pinnacle Residential Services								
Pinnacle Residential Services	2/19/2013	1/14/2013	1615	Management Svcs Diablo Estates BAD Febr	$4,099.00	$0.00		$4,099.00
				Totals for Pinnacle Residential Services:	*$4,099.00*	*$0.00*		*$4,099.00*
Riso Products of Sacramento								
Riso Products of Sacramento	2/19/2013	1/23/2013	103047	Kyocera Contrat 1/18-2/17/13	$94.86	$0.00		$94.86
				Totals for Riso Products of Sacramento:	*$94.86*	*$0.00*		*$94.86*
Rock & Waterfall Co								
Rock & Waterfall Co	2/19/2013	1/28/2013	110-08	Maintenance	$650.00	$0.00		$650.00
				Totals for Rock & Waterfall Co:	*$650.00*	*$0.00*		*$650.00*
Sprint Comm (PD)								
Sprint Comm (PD)	2/19/2013	1/29/2013	70335311-134	monthly billing 12/26/12-1/25/13	$288.43	$0.00		$288.43
				Totals for Sprint Comm (PD):	*$288.43*	*$0.00*		*$288.43*
Stericycle Inc								
Stericycle Inc	2/19/2013	2/1/2013	3002125611	Disposal - Qtrly 2/13-4/13	$242.61	$0.00		$242.61
				Totals for Stericycle Inc:	*$242.61*	*$0.00*		*$242.61*
Thomson West								
Thomson West	2/19/2013	1/10/2013	6084151961	CA Penal Code 2013 Pamphlet #5	$195.30	$0.00		$195.30
				Totals for Thomson West:	*$195.30*	*$0.00*		*$195.30*
US Bank Corp Pymt System (Cal Card)								
US Bank Corp Pymt System (Cal Card)	2/19/2013	1/22/2013	Admin 1/13	Central Self Storage - Monthly Rent	$88.00	$0.00		$88.00
US Bank Corp Pymt System (Cal Card)	2/19/2013	1/22/2013	Admin 1/13	Devil's Mountain - Plaque for David	$40.88	$0.00		$40.88
US Bank Corp Pymt System (Cal Card)	2/19/2013	1/22/2013	Admin 1/13	Western City Magazine - ad for CDD position	$250.00	$0.00		$250.00
US Bank Corp Pymt System (Cal Card)	2/19/2013	1/22/2013	Admin 1/13	AGI Checkfree - Yellow Pages ad for EH	$126.55	$0.00		$126.55
US Bank Corp Pymt System (Cal Card)	2/19/2013	1/22/2013	Admin 1/13	Geoconsultants - Well Monitoring 12/12	$1,546.50	$0.00		$1,546.50
US Bank Corp Pymt System (Cal Card)	2/19/2013	1/22/2013	PW 1/13	OSH, Harbor Freight - General shop supplies	$342.37	$0.00		$342.37
US Bank Corp Pymt System (Cal Card)	2/19/2013	1/22/2013	PW 1/13	Vehicle Fuel	$818.01	$0.00		$818.01
US Bank Corp Pymt System (Cal Card)	2/19/2013	1/22/2013	PW 1/13	Home Depot - Library Lighting	$54.34	$0.00		$54.34
US Bank Corp Pymt System (Cal Card)	2/19/2013	1/22/2013	PW 1/13	Landscape lighting, tools, supplies, plans, fou	$1,047.55	$0.00		$1,047.55
US Bank Corp Pymt System (Cal Card)	2/19/2013	1/22/2013	PW 1/13	Landscape Fuel	$505.07	$0.00		$505.07
US Bank Corp Pymt System (Cal Card)	2/19/2013	1/22/2013	PW 1/13	Streetlight supplies	$370.07	$0.00		$370.07
US Bank Corp Pymt System (Cal Card)	2/19/2013	1/22/2013	PD 1/13	Badge Patches, key	$198.91	$0.00		$198.91
US Bank Corp Pymt System (Cal Card)	2/19/2013	1/22/2013	PD 1/13	Office supplies	$117.14	$0.00		$117.14
US Bank Corp Pymt System (Cal Card)	2/19/2013	1/22/2013	PD 1/13	Postage	$17.25	$0.00		$17.25
US Bank Corp Pymt System (Cal Card)	2/19/2013	1/22/2013	PD 1/13	PD Sat Phone Bill, battery for Radio	$107.25	$0.00		$107.25
US Bank Corp Pymt System (Cal Card)	2/19/2013	1/22/2013	PD 1/13	wiper blades, torx bits, console face plates, 4 c	$328.66	$0.00		$328.66
US Bank Corp Pymt System (Cal Card)	2/19/2013	1/22/2013	PD 1/13	Vehicle Gas	$2,307.25	$0.00		$2,307.25
US Bank Corp Pymt System (Cal Card)	2/19/2013	1/22/2013	Admin 1/13	ICMA - City Manager Annual Membership D	$1,400.00	$0.00		$1,400.00
US Bank Corp Pymt System (Cal Card)	2/19/2013	1/22/2013	PW 1/13	Arterial Photocells and lights	$648.65	$0.00		$648.65

City of Clayton
Cash Requirements Report
City Council Meeting 2/19/13

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
				Totals for US Bank Corp Pymt System (Cal Card):	*$10,314.45*	*$0.00*		*$10,314.45*
Western Exterminator								
Western Exterminator	2/19/2013	1/31/2013	927913	January 2013	$342.00	$0.00		$342.00
				Totals for Western Exterminator:	*$342.00*	*$0.00*		*$342.00*
				GRAND TOTALS:	**$121,896.86**	**$0.00**		**$121,896.86**

CITY OF CLAYTON
Founded 1857 . . Incorporated 1964

Agenda Date: 2-19-13

Agenda Item: 4C

Approved:

Gary A. Napper
City Manager

AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: CITY MANAGER

DATE: 19 FEBRUARY 2013

SUBJECT: APPROVE CHANGE IN APPOINTMENT OF COMMITTEE MEMBERS CITY COUNCIL AD-HOC COMMITTEE ON FIRE SERVICES

RECOMMENDATION

It is recommended by minute motion the City Council approve and confirm the appointments of Council Members Jim Diaz and David Shuey to the City Council's Ad-Hoc Committee on Fire Services.

BACKGROUND

Following the Contra Costa County Fire Protection District's partial closure of its Fire Station No. 11 on Center Street in the city of Clayton, at its regular public meeting held on January 15, 2013 the City Council formed a new ad-hoc committee to explore and propose recommendations for local service options to the fire station's partial closure. Due to financial constraints the Fire District (ConFire) reduced Fire Station No. 11's operations from a 24/7 staffing level (168 hours per week) to a Monday through Saturday, 2:00 pm – 8:00 pm operation (36 hours per week). This seventy-eight reduction (-78.6%) is preferable to complete closure yet it places Clayton's only fire station at a 21% staffing level per week.

Following the City Council's discussion of this matter, by Council motion a new ad-hoc committee comprised of Council Members Jim Diaz and Howard Geller was formed to spearhead the Council's consideration of ConFire's actions. On February 4, 2013 the Ad-Hoc Committee held its first public meeting on the issue and the City Council furthered discussed its options and committee structure at its regular public meeting the following evening on February 5th.

At its February 5th meeting, the City Council declared its intent to modify the ad-hoc committee's membership to be Council Members Jim Diaz and David Shuey. Formal adoption of this action was deferred to this Council meeting for approval.

FISCAL IMPACT

None.

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, Assistant to the City Manager
Merry Pelletier, Finance Manager

DATE: February 19, 2013

SUBJECT: Review of the City's Annual Report on Developer Fees for FY 2010-11 in compliance with the reporting requirements of Section 66006 of the State Government Code (AB 1600)

RECOMMENDATION
Staff recommends the City Council receive public comments; adopt the attached Resolution No.__-2013, finding that there is a reasonable relationship between current needs for the fees and the purposes for which they were originally collected.

BACKGROUND
In 1989, Section 66000 et seq. of the Government Code became effective. When passed in 1987, this section was known as AB1600. When the Legislature passed AB1600, it added a new chapter to the Government Code on fees for development projects. The chapter sets forth a number of requirements that local agencies must follow if they are to exact fees from developers to defray the cost of construction of public facilities related to development projects. Section 66006 mandates the reporting requirements on fees that the local agency must adhere to each fiscal year.

Through the General Plan, the City of Clayton has established the nexus between the development and the capital improvements necessary to mitigate the effects of the development and approved fees to fund the mitigation measures. Further implementation of the fees is established in the Clayton Municipal Code sections related to each fee type.

DISCUSSION
Section 66006 (b)(1) of the Government Code requires each local agency to make public a report on developer fees within 180 days after the last day of each fiscal year. Section 66006 (2) also requires each local agency to review the report at a public meeting not earlier than 15 days after the information is made available to the public. The City of Clayton presented its year-end audited

financial statement and closing reports for Fiscal year 2010/2011 on January 15, 2013 (General Fund) and February 5, 2013 (RDA).

The AB 1600 consists of a brief description of the fee type in the account or fund, the amount of the fee, the beginning and ending balance of the account or fund, the amount of fees collected and the interest earned. If there are funds in the accounts then there is also a requirement to make a finding that there is a reasonable relationship between current needs for and the purposes for which they were originally collected.

Development Impact Fees are due at different time in the stage of a development project. Some of the fees are due at time of final map, or building permit issuance; others not until final occupancy. There was no development impact fees collected during FY 10/11as there was no development activity. The only revenue activity on the previously collected funds during FY 10/11 was from interest earnings. (This was the same situation as FY 09/10). Oak Creek Canyon subdivision entitlements have expired, and Diablo Estates did not begin construction until after FY10/11. As was reported last year we did not expect to receive any developer impact fees during FY 10/11, and this indeed turned out to be the case.

There are funds in some accounts from previous year's development fee collection. These developer fees are Childcare Facilities; Parkland Dedication; Offsite Arterial improvement; and Community Facilities. The Marsh Creek Road Sewer Fees, Police Mitigation Fees and Open Space In Lieu Fees, are not subject to AB 1600 report but included for tracking purposes. The summary of the balances of the various fees are listed on Attachment 2. Attachment 3 shows the outstanding Capital Improvement Program projects for which these funds are necessary. Details of the fund history are shown in Attachment 4 with detailed expenditure and revenue reports for each fee the City collected provided in Attachment 5. The City Development Impact fee schedule identifying the formula amount and when the fee is collected is shown on Attachment 6.

There are eight reporting requirements on fees that the local agency must adhere to each fiscal year:

1. Create separate capital facilities funds or accounts for each improvement funded with impact fees (Government Code Section 66006(a)).

2. Remit all interest income earned by the fees to the same fund; interest income must be spent solely on the purpose for which the fee was originally collected (Section 66006(a)).

3. Within 180 days after the close of each fiscal year, prepare a public report concerning each impact fee fund. Such report must include the fund's beginning and ending balance for the fiscal year, amount of fees and interest deposited into the fund for the fiscal year, and a description of each expenditure from the fund for that year, including identification of the improvement being funded (Section 66006(b)).

4. Review the report at a public meeting not less than 15 days after the report is released to the public (Section 66006(b)(2)).

5. If fees remain unexpended or uncommitted five years after being collected, the local agency is to make a finding that there remains a reasonable relationship between the

current need for the fees and the purposes for which they were originally collected (Section 66001(d)).

6. Refund to current owner of lots or units developed projects any fees, with accrued interest, for which continued need cannot be demonstrated (Section 66001(e)).

7. A local agency must not co-mingle fees with any other revenue, except for temporary investment purposes (Section 66006(a)).

8. A local agency may not spend impact fees for maintenance or operation of improvements funded with impact fees (Section 65913.8).

In addition to the above reporting requirements of Section 66000 of the Government Code, local agencies can not use the fees subject to AB 1600 (developer impact fees) for the maintenance or operation of an improvement, only for public capital facility improvements. This restriction is a requirement of Section 65913.8 of the Government Code, and the City's developer fees are consistent with the definitions of "development project" and "local agency" used in Section 66000 of the Government Code. The annual report reflects the use of all impact fees for capital facility improvements. [The Marsh Creek Road Sewer Fees, and the Police Mitigation Fees are not subject to AB 1600 requirements as they are established as specific project mitigation fees per the projects Environmental Analysis].

The City is in full compliance with seven of the eight reporting requirements. The City is in partial compliance with No. 5 above, which requires expenditures or commitment of funds within five years of their collection. Compliance is obtained by adopting a resolution that makes a finding that there remains a reasonable relationship between the current need for the fees and the purpose for which they were originally proposed.

Of the aforementioned five reportable developer fees, four currently comply with the provision of AB1600 that funds be expended within five years of their collection - Park Dedication, Community Facilities, Fire Protection Development; the Off-site Arterial fund; only the Child Care fund balance is more than 5 years old.

Child Care Facilities: At the end of FY 10/11 there was $37,986 available. Oakhurst development did not pay into these funds as it was established after Oakhurst was approved. Thus the small fund balance and long periods needed to achieve sufficient resources to utilize as intended. These funds are available to reimburse the RDA for its $981,750 contribution to the Gym or to be used for the after-school care equipment and services or programming. Given the large note receivable and that the city is not expected to grow much, the funds would be better used to assist in capital assets that assist in the development of the Middle School Gym after-school childcare needs. In prior years during the 1990's some funds were provided to the Contra Costa Child Care Council for material needs of programs and to provide outreach to Clayton residents as to home and other child care opportunities and programs. There is a need to continue this impact fee in order to collect sufficient funds to address future new capital needs for childcare, and/or to reimburse the Gym construction loan. In FY 10/11 there were not funds collected only $1427 in interest earnings. Future funds will be collected when Diablo Estates is completed (occupancy permit) during FY 11/12 and 12/13.

Parkland Dedication: The Park funds have a FY 10/11 ending balance of only $58,717. During the 10/11 year $55,885 in revenue was transferred from the remaining Clayton Oakhurst Assessment District to reimburse some of the costs expended by this fund for the Clayton Community Park Upgrades (CIP#10407). The only other activity was the interest earnings of $302. Diablo Estates has already paid its required fees into this fund. These funds are collected when a development project files its final map. The City Council already has identified future improvements in the CIP to which park funds would be needed and used, including Keller House. These projects costs combined are estimated at least $3.3 million, thus a need exists to continue this impact fee.

Offsite Arterial: On June 30, 2010, the Offsite Arterial funds had a balance of $146,304.89. These funds can only be used for non maintenance capital projects on arterial roads which are Oakhurst Blvd., Marsh Creek Road, Pine Hollow Road, and Clayton Road. There were not any funds collected in FY 10/11, the only account revenue was from $3,423 in interest earnings. The current balance is due to the collection in prior fiscal years from four projects (Mitchell Creek Pl, Longs, Flora Square, and Village Market. Future funds will be collected Diablo Estates when those projects are completed. None of these collected funds are more than 5 years old. These fees will be used for projects in the CIP such as traffic signal on eastern Marsh Creek Road, Pine Hollow Road Upgrades etc., which cost, estimated at $1.5 million, exceed current available funds and thus more time is needed in order to collect sufficient funds. Other funding is expected to come from other sources such as Measure C/J State (Caltrans), federal, and other sources. In general, the City does not have control over the funding process of other agencies. However, the City must have adequate funds on hand to leverage and provide matching funds as required when the other funds do become available to the City, and to maintain a competitive position to obtain the funds thus a need exists to continue this impact fee.

Fire Protection: In 1999/2000, the City's RDA provided a loan of $350,000 in added funding for the new District's Clayton Fire Station. All Fire Mitigation funds to that time were also directed to this project/loan and the balance at the end of FY 10/11 is $0. The RDA contribution has not been fully repaid from the mitigation fees. Funds collected had been transferred to the RDA, and in FY 10/11 the loan balance was $307,091. Pursuant to the Dissolution RDA processes under ABx1 26 and AB 1484, future funds collected will be held in the impact fee fund account until the RDA dissolution and interagency loan processes/approvals with Dept. of Finance have been better understood. However since there is still an outstanding loan balances there is a need exists to continue this impact fee.

Community Facilities: This fund is currently at $6445. These funds are limited for improvements to City owned facilities (buildings and associated grounds). These and future funds are to be for future new capital projects such as the Keller House renovation, Endeavor Hall, Library, City Hall, Library, or Corporation Yard improvements or upgrades, which combined total exceeds $1.7 million. Therefore there is a demonstrated need to continue this impact fee. During FY 10/11 the only revenue activity was $1107 in interest earnings.

Marsh Creek Road Sewer: In FY 04/05 the City established a Marsh Creek Road Sewer Impact fund for tracking purposes. This fund was initially loaned $60,000 from the City General Fund to advance a master Sewer Plan for the March Creek Road Specific Plan area. To date there has been spent $63,566 associated with studies to determine a future development impact fee, which would include reimbursement of this loan eventually to the General Fund. There were no expenses except for interest earnings owed, due to negative balance, of $2336, during FY 10/11.

Police Service Mitigation Fee: The City has in certain newer development projects through the CEQA process, identified impacts to Police Services and developed a mitigation measure to provide funding to reduce the identified impact. During FY 10/11 there was not any fess collected as there was no project activity requiring payment of this fee. The only activity was the interest earning of $1,650. As of FY 10/11 with interest earnings the balance is $28,080. The fees are individual project determined through the CEQA process and not subject to AB 1600 reporting requirements but are included for tracking purposes only, similar to Marsh Creek Road Sewer fund. The only other project completed and paid that was subject to this fee was Pine Hollow Estates. Future funds will be collected from Diablo Estates when completed.

Open Space (active/passive) In Lieu Contribution Fee: In 2007 the City adopted a new ordinance provision, [Section 17.28.100C. (a),(b)] allowing an option for Planned Development zoned projects, in lieu of providing the on site open space (active and/or passive), a financial contribution could be provided. The funds collected for the active requirement can be used for acquisition and/or maintenance of active recreation areas in the City's park system. The passive potion can be used for maintenance of the City's trail system. The option for consideration of a developer request in lieu fee payment lies with the City. There is no set amount as it is determined on a case by case basis using criteria in the ordinance and is not subject to AB 1600 reporting requirements but is included for tracking purposes only. In FY 06/07 the City received $40,000 from the Mitchell Creek Place specified for a project for a future tot lot at Lydia Lane Park. The balance at the end of FY09/10 of $45,930 (including interest) was transferred to the Lydia Lane Tot Lot CIP construction project, thus the balance is $0.

SUMMARY

To comply with AB1600, the City Council must make findings that there is a reasonable relationship between current need for the fees and the purposes for which they were originally charged as demonstrated by programming of fees in the CIP and city budget. It is important that the City Council make these findings to ensure continuance of funding resources for these important programs.

Although AB1600 requires that fees collected from developers be expended within five years, the law, as noted previously, also allows exceptions. Exceptions are provided in recognition that some projects require an extended planning period. There can be a number of reasons for this and may include: project costs can be of a magnitude it that requires longer than five years for costs required to accrue; or matching funds may not be available within the five-year period.

As indicated in Attachment 3, City's Capital Improvement Program, there are many projects that have time frames that vary widely notably being Parks, Community Facility, as well as street improvements which total over $15580,965. Of these about $7,230,000 are eligible project costs to which collected development fees are needed. The fund needs for the identified projects are far greater than the amount of fees that are possible to collect in a five-year period. Construction will only be possible by leveraging these funds to obtain matching monies from Measure C/J, State, federal, regional (ie: Measure WW) or other sources.

The City has shown that there remains a nexus between current needs for these impact fees and the purposes for which they were originally and are still needed in the future to be collected. This was accomplished by Council's prior approval of the City's CIP which indicate the projects to be constructed and directing staff to allocate the collected funds to the various projects. In addition the City has demonstrated that is has expended costs for the new fire station that exceed funds currently available to repay the RDA as well as costs for the Gym to continue to enhance after school child care program needs at the new gym.

As noted above, AB1600 requires that within 180 days of the close of the fiscal year, the City make available to the public the beginning and ending balance of each fee for the fiscal year, the fee interest and other income, the amount of expenditure, and fund allocations by fee category.

Staff believes that the intent of the legislation is to provide a reasonable period of time to close the books in order to provide accurate financial information, including all outstanding expenditures and revenues for the entire fiscal year. The City presented its FY 10/11 year-end closing report on January 15 and February 5, 2013.

As also noted above, not less than 15 days after the information is made public, the City Council is required to review this information at its next regularly scheduled public meeting. Since this information was made available to the public on February 1, 2013, with the posting of the council Agenda materials on line, the information has been placed on the February 19, 2013 Council agenda for review, in compliance with the reporting requirements.

FISCAL IMPACT

None

CONCLUSION

Staff recommends that Council adopt the attached Resolution, No. __-2013, finding that there is a reasonable relationship between current needs for the fees and the purposes for which they were originally collected

Attachments:

1. Resolution No __-2013
2. Fee Fund Balance Summary
3. Capital Improvement Program Projects with Funding needs
4. Fund History Detail
5. Revenue/Expense Fund detail
6. Impact Fee schedule

Laura/ab16002012fy 10-11.doc

RESOLUTION NO. ___-2013

A RESOLUTION FINDING THAT THERE REMAINS A REASONABLE RELATIONSHIP BETWEEN CURRENT NEEDS FOR THE CITY'S DEVELOPMENT IMPACT FEES AND THE PURPOSES FOR WHICH THEY WERE ORIGINALLY CHARGED (GOVERNMENT CODE SECTION 66000 ET. SEQ.) RELATED TO THE CITY'S ANNUAL REPORT ON DEVELOPER FEES FOR FY 2010-11

THE CITY COUNCIL
City of Clayton, California

WHEREAS, the City's adopted General Plan, and Capital Improvement Program identifies improvements necessitated by continued development in the City and fees pay for development impacts; and

WHEREAS, the City has been authorized by Municipal Code Sections 3.16.020 (Community Facilities), 3.18.040 (Fire Protection), 16.12.010 (Parkland Dedication), 16.60.050 (Childcare), and Resolution 36-81 (Offsite Arterial Streets), to establish and collect these impact fees; and

WHEREAS, the City has established discrete accounts and fees to finance the construction of these improvements as mitigation measures for continued development within the City; and

WHEREAS, the City annually adopts a comprehensive Capital Improvement Program to prioritize improvements and allocates funds to construct the improvements as mitigation for continued development in the City; and

WHEREAS, these improvements are scheduled to be constructed over time as sufficient funds become available; and

WHEREAS, many of these identified improvements are of such size that sufficient funds have not been collected or obtained in order to construct these improvements by expending fees collected within the five-year expenditure period provided by Government Code Section 66001(d); and

WHEREAS, there continues to be a distinct nexus between continued development and the necessity to mitigate developments impacts; and

WHEREAS, fees collected previously and in the future are necessary to fund future improvements as indicated in the City's Capital Improvement Program; and/or to reimburse the Agency and/or City for the advance funding to construct the Fire Station and the Community Gym/after school-childcare room; and

WHEREAS, certain fees collected in the Child Care Fund are more than five years old, however are still necessary pursuant to AB1600 for the purpose in which they are collected as project costs exceed current available funds collected thus it will take longer to collect the necessary funds for the improvements and capital assets for Child Care related activities/services such as after school needs at the Clayton Community Gym.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Clayton, California does hereby accept the above Recitals as fact, and finds that there remains a reasonable relationship between the current need for the impact fees and the purposes for which they were originally collected.

Section 2. This resolution shall become effective immediately upon its passage and adoption.

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California at a regular meeting thereof held on the 19th day of February, 2013 by the following vote:

AYES:

NOES:

ABSENT:

THE CITY OF CLAYTON, CA

____
Julie K. Pierce

ATTEST:

____
Laci J. Jackson, City Clerk

ALLOCATED
FUND BALANCE
AS OF 06-30-11
M.P. 2-19-12

ATTACHMENT 2

FUND	(A) FUND BALANCE	(B) RESERVES	(C) DESIGNATED	(D) TOTAL ALLOCATED FUND BALANCE (B+C=D)	(E) UNALLOCATED RESERVES (A-D)
CHILDCARE FACILITIES	37,986		37,986	37,986	-
PARKLAND DEDICATION	58,717		58,717	58,717	-
OFFSITE ARTERIAL IMPROVEMENT	146,305		146,305	146,305	-
FIRE PROTECTION FEES	-		-	-	-
COMMUNITY FACILITIES	6,445		6,445	6,445	-
MARSH CREEK ROAD SEWER FEES	(2,336)		(2,336)	(2,336)	-
POLICE IMPACT FEES	28,080		28,080	28,080	-
OPEN SPACE IN-LIEU FEES	-		-	-	-
				-	-
TOTAL	275,197	-	275,197	275,197	-

Footnotes:	
1. Gym Project loan balance from RDA	$ 981,750
2. Fire Station loan balance from RDA	$ 307,092
3. Sewer Study loan balance from GF	$ 62,336

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

Summary of Project Costs by Fiscal Year **Deleted by City Council

Project Number	Project Category	Project Description	Prior Year Funding	FY 2011/12	FY 2012/13	FY 2013/14	FY 2014/15	FY 2015/16	Future Costs	Total Budget
10330	Streets	Overlays	$ 514,000.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 514,000.00
10331	Streets	Slurry Seals	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
10332	Streets	High Street Bridge	$ 65,000.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 65,000.00
10333	Streets	Marsh Creek Road - TEA-21	$ 1,300,000.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 1,300,000.00
10334	Parks	Community Dog Park	$ 27,500.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 27,500.00
10335	Parks	El Molino Park	$ 30,000.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 30,000.00
10336	Parks	Lydia Lane Park Ph. II	$ 48,814.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 48,814.00
10337	Facilities	Keller House Preservation	$ 219,523.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 219,523.00
10337A	Facilities	Keller House Rehabilitation	$ -	$ -	$ -	$ -	$ -	$ -	$ 1,780,477.00	$ 1,780,477.00
10338	Facilities	Endeavor Hall	$ 1,450,000.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 1,450,000.00
10339	Facilities	Youth Center/Gym	$ 4,900,000.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 4,900,000.00
10340	Landscape	Marsh Creek Road Landscape	$ 400,000.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 400,000.00
10341	Streets	Center Street Crossing	$ 172,000.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 172,000.00
10342	GHAD	Windmill Debris Basin	$ 75,000.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 75,000.00
10343	GHAD	Crow Debris Basin	$ -	$ -	$ -	$ -	$ -	$ -	$ 100,000.00	$ 100,000.00
10344	GHAD	Obsidian Landslide (in 10347)	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
10345	GHAD	Clayton Rd. Landslides	$ 1,240,000.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 1,240,000.00
10346	GHAD	Black Diamond Landslide**	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
10347	GHAD	V-ditch Repairs	$ 144,063.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 144,063.00
10347A	GHAD	Eagle Peak Slope Repair	$ -	$ -	$ -	$ -	$ -	$ -	$ 1,125,000.00	$ 1,125,000.00
10348	GHAD	Keller Ridge Drive Area Slope Repair	$ -	$ -	$ -	$ -	$ -	$ -	$ 50,000.00	$ 50,000.00
10349	GHAD	Community Park Slide Repair	$ -	$ -	$ -	$ -	$ -	$ -	$ 100,000.00	$ 100,000.00
10350	Facilities	Downtown Elec. Conn.	$ 40,000.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 40,000.00
10351	Facilities	Fire Station	$ 1,610,000.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 1,610,000.00
10352	Landscape	Library Landscaping	$ 194,000.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 194,000.00
10353	Streets	Downtown Revitalization	$ 3,003,500.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 3,003,500.00
10354	Streets	Four Oaks Area	$ 237,700.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 237,700.00
10355	Streets	Oak Street Bridge	$ 62,000.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 62,000.00
10356	Landscape	Westwood Open Space	$ 166,000.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 166,000.00
10357	Facilities	Old City Hall Renovation	$ 72,000.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 72,000.00
10358	Facilities	Grove Property Acquisition	$ 500,000.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 500,000.00
10359	Facilities	Endeavor Hall Parking I	$ 108,000.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 108,000.00
10360	Facilities	Endeavor Hall Parking II	$ 165,500.76	$ -	$ -	$ -	$ -	$ -	$ -	$ 165,500.76
10361	Facilities	Stanley Property	$ -	$ -	$ -	$ -	$ -	$ -	$ 325,000.00	$ 325,000.00
10362	Facilities	Stanley Property Parking**	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
10363	Facilities	Corp. Yard Expansion	$ 598,720.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 598,720.00
10364	Streets	Downtown Signage**	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
10365	Facilities	Library Parking Expansion	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
10366	Facilities	Police Parking Expansion	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
10367	Parks	Downtown Park	$ 2,009,700.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 2,009,700.00
10368	Parks	City Hall Park**	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
10369	Streets	Marsh Creek Road Narrowing**	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
10370	Creeks	Creek Revitalization	$ -	$ -	$ -	$ -	$ -	$ -	$ 3,000,000.00	$ 3,000,000.00
10371	Streets	Survey Monuments	$ 30,000.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 30,000.00
10372	Streets	Traffic Signal Modifications	$ 9,900.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 9,900.00
10373	Streets	Peacock Creek Dr. Signal	$ 155,000.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 155,000.00
10374	Parks	North Valley Park	$ 45,000.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 45,000.00
10375	Parks	Samuel Ct. Park	$ -	$ -	$ -	$ -	$ -	$ -	$ 75,000.00	$ 75,000.00
10376	Facilities	Equestrian Staging Area	$ 140,000.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 140,000.00
10377	Streets	DVMS - Right Turn Lane	$ 51,100.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 51,100.00
10378	Streets	Keller Ridge Drive Planters	$ 100,000.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 100,000.00

ATTACHMENT 3(a)

Summary of Project Costs by Fiscal Year

**Deleted by City Council

Project Number	Project Category	Project Description	Prior Year Funding	FY 2011/12	FY 2012/13	FY 2013/14	FY 2014/15	FY 2015/16	Future Costs	Total Budget
10379	Streets	Pine Hollow Road - Upgrade	$ -	$ -	$ -	$ -	$ -	$ -	$ 300,000.00	$ 300,000.00
10380	Parks	Community Park - Rt. Turn Lane**	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
10381	Parks	Bocce Ball Courts	$ 43,431.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 43,431.00
10382	GHAD	Inclinometers	$ 50,000.00	$ -		$ -	$ -	$ -	$ -	$ 50,000.00
10383	GHAD	Keller Ridge Drive Subdrain	$ 5,000.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 5,000.00
10384	Streets	Mitchell Canyon Rd. Overlay	$ 125,000.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 125,000.00
10385	Parks	Community Park Tot Lot Upgrade	$ 112,496.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 112,496.00
10386	GHAD	Walls**	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
10387	Streets	Pavement Rehab 2002/03	$ 994,000.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 994,000.00
10388	Streets	Pavement Rehab 2003/04	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
10389	Streets	Pavement Rehab 2004	$ 537,650.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 537,650.00
10390	Streets	Pavement Rehab 2005**	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
10391	Streets	Pavement Rehab 2006	$ 11,190,552.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 11,190,552.00
10392	Sewers	Oak - High Street	$ 384,718.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 384,718.00
10393	Parks	Skateboard Park	$ -	$ -	$ -	$ -	$ -	$ -	$ 300,000.00	$ 300,000.00
10394	Streets	Handicap Ramps - RDA Area	$ 60,182.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 60,182.00
10394A	Streets	ADA Compliance Program	$ 4,190.00	$ 6,000.00	$ 6,000.00	$ 6,000.00	$ 6,000.00	$ 6,000.00	$ 465,810.00	$ 500,000.00
10395	Streets	Catch Basin Modifications	$ -	$ -	$ -	$ -	$ -	$ -	$ 75,000.00	$ 75,000.00
10396	Streets	East Marsh Creek Road Signal	$ -	$ -	$ -	$ -	$ -	$ -	$ 230,000.00	$ 230,000.00
10397	Streets	Utility Undergrounding	$ 279,322.00	$ 30,000.00	$ 30,000.00	$ 30,000.00	$ 30,000.00	$ 30,000.00	$ 2,570,678.00	$ 3,000,000.00
10398	Streets	Clayton Rd. MCR Slurry Seal	$ 235,456.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 235,456.00
10399	Sewers	Pine Hollow Area	$ 141,596.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 141,596.00
10400	Other	Downtown Economic Development	$ 1,696,581.00	$ (530,000.00)	$ -	$ -	$ -	$ -	$ -	$ 1,166,581.00
10401	Streets	Pedestrian Xing Signals**	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
10402	Streets	Clayton Road Trail Connection	$ 264,879.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 264,879.00
10403	Streets	Downtown Entry Signage (in 10402)	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
10404	Streets	Marsh Creek Rd. Retaining Wall	$ 319,980.17	$ -	$ -	$ -	$ -	$ -	$ -	$ 319,980.17
10405	Streets	2007 Pavement Patching Project	$ 128,684.22	$ -	$ -	$ -	$ -	$ -	$ -	$ 128,684.22
10406	Streets	2008 Pavement Rehab Project	$ 1,060,427.62	$ -	$ -	$ -	$ -	$ -	$ -	$ 1,060,427.62
10407	Streets	Clayton Road Trail Connection	$ 465,000.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 465,000.00
10408	Streets	2009 Pavement Rehab Project**	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
10409	Streets	2010 Pavement Rehab Project	tbd	$ -	$ -	$ -	$ -	$ -	$ -	$ -
10410	Streets	2011 Neighborhood Street Project	$ -	$ 488,988.00	$ -	$ -	$ -	$ -	$ -	$ 488,988.00
10411	Streets	2012 Neighborhood Street Project	$ -	$ -	$ 600,438.00	$ -	$ -	$ -	$ -	$ 600,438.00
10412	Streets	2009 Arterial Overlay Project	$ 513,460.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 513,460.00
10413	Parks	Community Park Parking Lot Exp.	$ -	$ 492,000.00	$ -	$ -	$ -	$ -	$ -	$ 492,000.00
10414	Streets	Marsh Creek Rd. Upgrade	$ -	$ 100,000.00	$ 981,000.00	$ -	$ -	$ -	$ -	$ 1,081,000.00
10415	Parks	Well Renovation	$ 23,895.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 23,895.00
10416	Streets	Marsh Creek Rd. (old) Overlay	tbd	$ -	$ -	$ -	$ -	$ -	$ -	$ -
10417	Streets	2013 Neighborhood Street Project	$ -	$ -	$ -	$ 315,000.00	$ -	$ -	$ -	$ 315,000.00
10418	Streets	2014 Neighborhood Street Project	$ -	$ -	$ -	$ -	$ 315,000.00	$ -	$ -	$ 315,000.00
10419	Parks	Community Park Lighting, etc.	$ -	$ -	$ -	$ -	$ -	$ -	$ 4,084,000.00	$ 4,084,000.00
10420	Parks	School Bridge Area Improvements	$ -	$ 200,000.00	$ -	$ -	$ -	$ -	$ -	$ 200,000.00
10421	Creeks	Cardinet Trail Restoration	$ -	$ 50,000.00	$ -	$ -	$ -	$ -	$ -	$ 50,000.00
10422	Sewers	El Molino Drive Sanitary Sewer Impr.	$ -	$ 330,000.00	$ -	$ -	$ -	$ -	$ -	$ 330,000.00
10423	Facilities	Library Upgrades	$ -	$ -	$ -	$ -	$ -	$ -	$ 1,000,000.00	$ 1,000,000.00
10424	Streets	2015 Neighborhood Street Project	$ -	$ -	$ -	$ -	$ -	$ 315,000.00	$ -	$ 315,000.00
		Cost Totals	$ 38,520,520.77	$ 1,166,988.00	$ 1,617,438.00	$ 351,000.00	$ 351,000.00	$ 351,000.00	$ 15,580,965.00	$ 57,938,911.77

Red denotes completed projects
Green denotes active projects funded in FY 11/12
Blue denotes active projects funded prior to FY 11/12
** Deleted by City Council

2011/12-2015/16 Capital Improvement Program

Category	Project Number	Project
Facilities	10337A	Keller House Rehabilitation

DESCRIPTION - LOCATION

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

COMMENTS

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

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

2011/12-2015/16 Capital Improvement Program

Category	Project Number	Project
Streets	10423	Library Upgrades

DESCRIPTION - LOCATION

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

COMMENTS

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

Estimated Cost	Prior Yrs.	2011-12	2012-13	2013-14	2014-15	2015-16	Future	TOTAL
Preliminary Design								
Final Design								
Construction							$850,000	[illegible]
CM/Inspection								
R/W Acquisition								
Other							$150,000	$150,000
TOTAL							$1,000,00	$1,000,000

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

2011/12-2015/16 Capital Improvement Program

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

DESCRIPTION - LOCATION

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

COMMENTS

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

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

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

ATTACHMENT 3(f)

2011/12-2015/16 Capital Improvement Program

Category	Project Number	Project
Parks	10393	Skateboard Park

DESCRIPTION - LOCATION

Construct skateboard park at an undetermined location.

COMMENTS

Undetermined

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

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

2011/12-2015/16 Capital Improvement Program

Category	Project Number	Project
Streets	10375	Samuel Ct. Park

DESCRIPTION - LOCATION

Install landscaping and irrigation improvements.

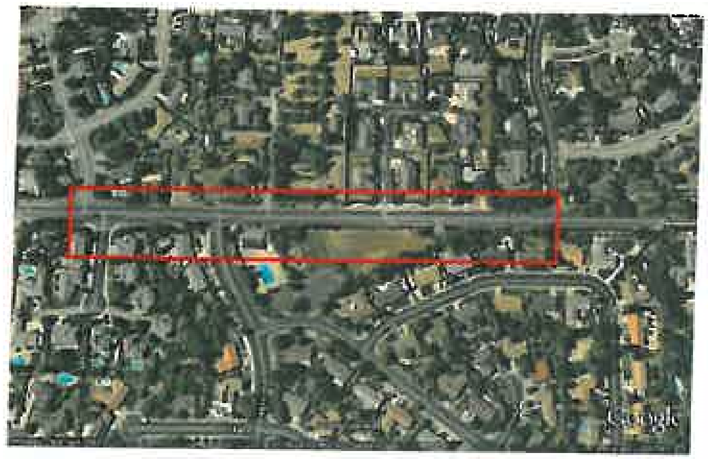
COMMENTS

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

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

2011/12-2015/16 Capital Improvement Program

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



DESCRIPTION - LOCATION

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

COMMENTS

Revised 3/08/10. Widen north side of Pine Hollow Road with new curb, gutter, and sidewalk between Pine Hollow Estates and westerly City Limit. Work will require acquisition of right of way for new improvements. Conform paving will cross City Limit line into Concord. Install previously purchased entry sign on south side of roadway within existing pavement/ROW area.

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

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

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

2011/12-2015/16 Capital Improvement Program

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

DESCRIPTION - LOCATION

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

COMMENTS

City Council postponed project.

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

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

2011/12-2015/16 Capital Improvement Program

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

DESCRIPTION - LOCATION

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

COMMENTS

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

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

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

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

ATTACHMENT 4 (a)

DEVELOPMENT IMPACT FEES
REVENUES & EXPENDITURES
FY 2005 to FY 2011
M.P. 2-19-12

	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	Ending Balance
CHILDCARE FACILITY FEES									
REVENUE									
Childcare Facility Fees (5307)	-	-	-	-	6,483				6,483
Interest	549	780	487	662	1,105	1,024	1,417	1,427	7,451
EXPENDITURES									-
									-
									-
									-
Total	-	-	-	-	-	-	-	-	-
Total Revenue/over(under) Expenditures	549	780	487	662	7,588	1,024	1,417	1,427	13,934
OTHER FINANCING SOURCES (USES)									
Operating Transfers in									-
Operating Transfers out									-
Total	-	-	-	-	-	-	-	-	-
Excess(Deficiency) of Revenue and Other Sources Over(Under) Expenses & Other Financing Sources	549	780	487	662	7,588	1,024	1,417	1,427	**13,934**
FUND BALANCE JULY 1	24,052	24,601	25,381	25,868	26,530	34,118	35,142	36,559	**37,986**
FUND BALANCE JUNE 30	**24,601**	**25,381**	**25,868**	**26,530**	**34,118**	**35,142**	**36,559**	**37,986**	

	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	Ending Balance
PARKLAND DEDICATION FEES									
REVENUE									
Parkland Dedication Fees (5313)			21,912	23,121	60,016	280	-	55,885	161,214
Interest	1,345	1,815	455	1,210	3,634	12	2,238	302	11,011
EXPENDITURES									
Westwood Park CIP 079									-
Endeavor Hall Parking Lot CIP 017									-
Community Park Tot Lot CIP 092	75,000	6,500	-	-					81,500
Downtown Park CIP 090			57,234						57,234
Community Park Upgrades CIP 10407					112,163				112,163
Total	75,000	6,500	57,234	-	112,163	-	-	-	250,897
Total Revenue/over(under) Expenditures	(73,655)	(4,685)	(34,867)	24,331	(48,513)	292	2,238	56,187	(78,672)
OTHER FINANCING SOURCES (USES)									
Operating Transfers in									-
Operating Transfers out									-
Total	-	-	-	-	-	-	-	-	-
Excess(Deficiency) of Revenue and Other Sources Over(Under) Expenses & Other Financing Sources	(73,655)	(4,685)	(34,867)	24,331	(48,513)	292	2,238	56,187	**(78,672)**
FUND BALANCE JULY 1	137,389	63,734	59,049	24,182	48,513	0	292	2,530	**58,717**
FUND BALANCE JUNE 30	**63,734**	**59,049**	**24,182**	**48,513**	**0**	**292**	**2,530**	**58,717**	

ATTACHMENT 4 (b)

DEVELOPMENT IMPACT FEES
REVENUES & EXPENDITURES
FY 2005 to FY 2011
M.P. 2-19-12

	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	Ending Balance
OFFSITE ARTERIAL IMPROVEMENT FEES									
REVENUE									
Offsite Arterial Improvement Fees (5314)	-	-	11,648	-	114,147	-			125,795
Interest	31	77	271	369	4,317	4,163	5,476	3,423	18,127
EXPENDITURES									
									-
									-
Total	-	-	-	-	-	-	-	-	-
Total Revenue/over(under) Expenditures	31	77	11,919	369	118,464	4,163	5,476	3,423	143,922
OTHER FINANCING SOURCES (USES)									
Operating Transfers in									-
Operating Transfers out									-
Total	-	-	-	-	-	-	-	-	-
Excess(Deficiency) of Revenue and Other Sources Over(Under) Expenses & Other Financing Sources	31	77	11,919	369	118,464	4,163	5,476	3,423	**143,922**
FUND BALANCE JULY 1	2,383	2,414	2,491	14,410	14,779	133,242	137,405	142,881	**146,305**
FUND BALANCE JUNE 30	**2,414**	**2,491**	**14,410**	**14,779**	**133,242**	**137,405**	**142,881**	**146,305**	

	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	Ending Balance
FIRE PROTECTION FEES									
REVENUE									
Fire Protection Fees (5317)	2,400	-	-	-	8,397	2,700	-	-	13,497
Interest	961	-	-	-	281	476	-	-	1,718
EXPENDITURES									-
Reimbursement for Clayton Fire Station		-	-	-					-
									-
Total	-	-	-	-	-	-	-	-	-
Total Revenue/over(under) Expenditures	3,361	-	-	-	8,678	3,176	-	-	15,215
OTHER FINANCING SOURCES (USES)									
Operating Transfers in									-
Operating Transfers out to RDA		42,908	-	-			11,854		54,762
Total	-	(42,908)	-	-	-	-	(11,854)	-	(54,762)
Excess(Deficiency) of Revenue and Other Sources Over(Under) Expenses & Other Financing Sources	3,361	(42,908)	-	-	8,678	3,176	(11,854)	-	**(39,547)**
FUND BALANCE JULY 1	39,547	42,908	-	-	-	8,678	11,854	(0)	**(0)**
FUND BALANCE JUNE 30	**42,908**	**0**	**0**	**0**	**8,678**	**11,854**	**(0)**	**(0)**	

ATTACHMENT 4 (c)

DEVELOPMENT IMPACT FEES
REVENUES & EXPENDITURES
FY 2005 to FY 2011
M.P. 2-19-12

	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	Ending Balance
COMMUNITY FACILITIES FEES									
REVENUE									
Community Facilities Fees (5323)	-	-	3,600	-	19,041				22,641
Interest	(265)	(382)	(169)	(230)	329	214	213	1,107	817
EXPENDITURES									
Corp Yard CIP 060			-	-					-
Endeavor Hall Shudders						5,024			5,024
									-
Total	-	-	-	-	-	5,024	-	-	5,024
Total Revenue/over(under) Expenditures	(265)	(382)	3,431	(230)	19,370	(4,810)	213	1,107	18,434
OTHER FINANCING SOURCES (USES)									
Operating Transfers in									-
Operating Transfers out									-
Total	-	-	-	-	-	-	-	-	-
Excess(Deficiency) of Revenue and Other Sources Over(Under) Expenses & Other Financing Sources	(265)	(382)	3,431	(230)	19,370	(4,810)	213	1,107	**18,434**
FUND BALANCE JULY 1	(11,776)	(12,041)	(12,423)	(8,992)	(9,222)	10,148	10,148	5,338	**6,445**
FUND BALANCE JUNE 30	**(12,041)**	**(12,423)**	**(8,992)**	**(9,222)**	**10,148**	**5,338**	**10,361**	**6,445**	

	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	Ending Balance
MARSH CREEK RD SEWER FEES									
REVENUE									
Marsh Creek Rd Sewer Fees	-	-	-	-					-
Interest	(22)	946	243	330	(37)	(88)	(87)	(142)	1,143
EXPENDITURES									-
Marsh Creek Road Sewer Survey	896	29,239	18,112	-	14,344	976			63,567
									-
									-
Total	896	29,239	18,112	-	14,344	976	-	-	63,567
Total Revenue/over(under) Expenditures	(918)	(28,293)	(17,869)	330	(14,381)	(1,064)	(87)	(142)	(62,423)
OTHER FINANCING SOURCES (USES)									
Operating Transfers in General Fund Loan		60,000	-	-					60,000
Operating Transfers out									-
Total	-	60,000	-	-					60,000
Excess(Deficiency) of Revenue and Other Sources Over(Under) Expenses & Other Financing Sources	(918)	31,707	(17,869)	330	(14,381)	(1,064)	(87)	(142)	**(2,423)**
FUND BALANCE JULY 1	-	(918)	30,789	12,921	13,251	(1,130)	(1,130)	(2,194)	**(2,336)**
FUND BALANCE JUNE 30	**(918)**	**30,789**	**12,921**	**13,251**	**(1,130)**	**(2,194)**	**(1,217)**	**(2,336)**	

ATTACHMENT 4 (d)

DEVELOPMENT IMPACT FEES
REVENUES & EXPENDITURES
FY 2005 to FY 2011
M.P. 2-19-12

	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	Ending Balance
POLICE IMPACT FEE									
REVENUE									
Police Impact Fee	-	-	10,155	-		13,410			23,565
Interest	-	-	195	265	355	1,020	1,030	1,651	4,515
EXPENDITURES									
	-	-	-	-					-
Total	-	-	-	-	-	-	-	-	-
Total Revenue/over(under)Expenditures	-	-	10,350	265	355	14,430	1,030	1,651	28,080
OTHER FINANCING SOURCES (USES)									
Operating Transfers In	-	-	-	-					-
Operating Transfers Out	-	-	-	-					-
Total	-	-	-	-	-	-	-	-	-
Excess(Deficiency) of Revenue and Other Sources Over (Under) Expenses & Other Financing Sources	-	-	10,350	265	355	14,430	1,030	1,651	**28,080**
FUND BALANCE JULY 1	-	-	-	10,350	10,615	10,970	10,970	25,400	**28,080**
FUND BALANCE JUNE 30	-	-	**10,350**	**10,615**	**10,970**	**25,400**	**26,429**	**28,080**	
OPEN SPACE IN-LIEU FEE									
REVENUE									
Open Space In-Lieu Fee			-	40,000	-				40,000
Interest			-	1,023	1,374	1,773	1,760		5,930
EXPENDITURES									
			-	-					-
									-
Total	-	-	-	-	-	-	-	-	-
Total Revenue/over(under)Expenditures			-	41,023	1,374	1,773	1,760	-	45,930
OTHER FINANCING SOURCES (USES)	-	-	-	-	-	-	-	-	-
Operating Transfers In	-	-	-	-					-
Operating Transfers Out	-	-	-	-					-
Total	-	-	-	-	-	-	-	-	-
Excess(Deficiency) of Revenue and Other Sources Over (Under) Expenses & Other Financing Sources			-	41,023	1,374	1,773	1,760	(45,930)	-
FUND BALANCE JULY 1	-	-	-	-	41,023	42,397	44,170	45,930	**-**
FUND BALANCE JUNE 30	-	-	-	**41,023**	**42,397**	**44,170**	**45,930**	**-**	
All FUND BALANCES	**120,698**	**105,288**	**78,738**	**145,488**	**238,423**	**257,407**	**263,474**	**275,196**	**275,196**

ATTACHMENT 5 (a)

City of Clayton
Childcare Facility Fees 304-5307
1999-2011

Date	Receipt	Paid By	Amount	
10/18/1999	8437	Paula Pedersen	205.00	
1/20/2000	8467	Presley	1,230.00	
4/14/2000	9272	Wm Lyon Homes-Diablo Village	1,435.00	
5/11/2000	9289	Wm Lyon Homes-Diablo Village	1,640.00	
5/23/2000	9293	Wm Lyon Homes-Diablo Village	1,845.00	
5/23/2000	9291	L. Afford-8106 Marsh Ck Rd	205.00	
5/31/2000	9296	S. Carvajal-989 Oak St	205.00	
5/31/2000	9295	Wm Lyon Homes-Diablo Village	410.00	
6/22/2000	9312	Wm Lyon Homes-Diablo Village	205.00	
6/30/2000		**General Ledger Balance**		**7,380.00**
11/6/2000	9383	B&B Properties	665.20	
12/11/2000	9399	Clyde Miles Construction (115 Oak Ct)	205.00	
11/3/2000	9379	Ocean West-Commercial (Post Office)	713.00	
9/22/2000	9352	Smith Quality Homes-Oakwood Cir	205.00	
4/4/2001	10634	Aspen Valley Builders-Oakwood Cir	205.00	
5/30/2001	10660	Lemke-Oakwood Cir	205.00	
6/30/2001		**General Ledger Balance**		**9,578.20**
11/26/2001	10731	Diamond Terrace	7,800.00	
8/28/2002	12368	Larwin Vintage Clayton-Bridlewood	615.00	
11/1/2002	13452	Larwin Vintage Clayton-Bridlewood	3,075.00	
11/27/2002	13467	Lydia-Rachel Ranch	1,640.00	
3/21/2003	13509	Larwin Vintage Clayton-Bridlewood	205.00	
6/30/2003		**General Ledger Balance**		**22,913.20**
6/30/2004		**General Ledger Balance**		**22,913.20**
6/30/2004		Interest Booked	1,688.00	
6/30/2005		Interest Booked	780.24	25,381.44
6/30/2006		Interest Booked	486.68	**25,868.12**
6/30/2007		Interest Booked	662.00	
7/31/2007	18577	Pine Hollow Estates	1,640.00	
9/30/2007	20008	Mitchell Creek Place	1,845.00	
10/31/2007	20691	Longs Drug Store	1,386.50	
10/31/2007	20698	Oak Center-Flora Square	1,497.20	
12/31/2007	20959	Village Market	114.18	**33,013.00**
6/30/2008		Interest Booked	1,105.00	**34,118.00**
6/30/2009		Interest Booked	1,023.54	**35,141.54**
6/30/2010		Interest Booked	1,417.00	**36,558.54**
6/30/2011		Interest Booked	1,427.00	**37,985.54**

6/30/2011	**Adjusted General Ledger Balance**	**37,985.54**

FY 2000-2004	RDA Loan to build Community Gym	981,750.00
FY	RDA Gym loan reimbursement	
6/30/2009	Balance due RDA	981,750.00

ATTACHMENT 5 (b)

City of Clayton
Park Dedication Fees - 304-5313
1999-2011

Date	Receipt	Paid By	Amount	
10/18/1999	8437	Paula Pedersen-Oakwood Cir	2,569.00	
1/20/2000	8467	Presley-Diablo Village	8,106.54	
4/14/2000	9272	Wm Lyon Homes-Diablo Village	9,457.63	
5/11/2000	9289	Wm Lyon Homes-Diablo Village	10,808.72	
5/23/2000	9293	Wm Lyon Homes-Diablo Village	12,159.81	
5/23/2000	9291	L. Afford - 8106 Marsh Ck Rd.	2,569.00	
5/31/2000	9296	S. Carvajal - 989 Oak St.	2,569.00	
5/31/2000	9295	Wm Lyon Homes-Diablo Village	2,702.18	
6/22/2000	9312	Wm Lyon Homes-Diablo Village	1,351.09	
6/30/2000		**General Ledger Balance**		**52,292.97**
9/22/2000	9352	Smith Quality Homes-Oakwood Cir	2,569.00	
12/13/2000	9399	Miles Construction-115 Oak Ct.	2,569.00	
4/4/2001	10634	Aspen Valley Builders-1116 Oakwood Cir	2,569.00	
5/30/2001	10660	Lemke Construction-Oakwood Cir	2,569.00	
6/30/2001		**General Ledger Balance**		**62,568.97**
11/1/2001	11783	Mardel LLC-Bridlewood	48,811.00	
2/20/2002	11917	Lydia Associates-Rachel Ranch	20,552.00	
2002		CIP Projects-Westwood Park	(48,500.00)	
2002		CIP Project-Endeavor Hall Parking Lot	(27,594.80)	
6/30/2002		**General Ledger Balance**		**55,837.17**
9/23/2002		Diamond Terrace	75,268.00	
6/30/2003		**General Ledger Balance**		**131,105.17**
2004		Community Park Tot Lot (CIP)	(75,000.00)	
6/30/2004		**General Ledger Balance**		**56,105.17**
6/30/2004		Interest Booked	7,629.00	
6/30/2005		Community Park Tot Lot (CIP)	(6,500.00)	
6/30/2005		Interest Booked	1,815.23	**59,049.40**
10/27/2005		Lenox Homes-Pine Hollow Estates	20,272.00	
2/24/2009		Transfer from Lenox C&D Deposit	280.00	
5/31/2006	18577	Pine Hollow Estates	1,640.00	
12/31/2005		CIP Project - Down Town Park	(57,234.00)	
6/30/2006		Interest Booked	454.96	**24,462.36**
6/29/2007		Mitchell Creek Place	23,121.00	47,583.36
6/30/2007		Interest Booked	1,210.00	**48,793.36**
7/31/2007	18577	Pine Hollow Estates (s/b childcare)	(1,640.00)	47,153.36
3/10/2008	21232	Lemke Construction - Diablo Point	61,656.00	
6/30/2008		Interest Booked	3,634.00	
6/30/2008		Trans to Community Park Upgrades CIP 10407	(112,443.36)	-
1/31/2009		Trans from Pine Hollow Estates	280.00	
6/30/2009		Interest Booked	12.00	**292.00**
6/30/2010		Interest Booked	2,238.00	
6/30/2011		Trans from Oakhurst AD for CCPark Project	55,885.00	
6/30/2011		Interest Booked	302.01	**58,717.01**
6/30/2011		**Adjusted General Ledger Balance**		**58,717.01**

City of Clayton
Off Site Arterial Improvement Fees 304-5314
1999-2011

Date	Receipt	Paid By	Amount	CIP 304-5314 Balance
10/18/1999	8437	Paula Pedersen-1103 Oakwood Cir	1,456.00	
1/20/2000	8467	Presley-Diablo Village	8,736.00	
4/14/2000	9272	Wm Lyon Homes-Diablo Village	10,192.00	
5/11/2000	9289	Wm Lyon Homes-Diablo Village	11,648.00	
5/23/2000	9293	Wm Lyon Homes-Diablo Village	13,104.00	
5/23/2000	9291	L. Afford-8106 Marsh Ck Rd	1,456.00	
5/31/2000	9296	S. Carvajal-989 Oak St	1,456.00	
5/31/2000	9295	Wm Lyon Homes-Diablo Village	2,912.00	
6/22/2000	9312	Wm Lyon Homes-Diablo Village	1,456.00	
6/30/2000		**General Ledger Balance**		**52,416.00**
9/22/2000	9352	Smith Quality Homes-Oakwood Cir	1,456.00	
11/3/2000	9379	Ocean West-Commercial Post Office	24,028.10	
11/6/2000	9383	B&B Properties-Commercial	22,417.24	
12/11/2000	9399	Clyde Miles-115 Oak	1,456.00	
4/4/2001	10634	Aspen Valley Builders-Oakwood Cir	1,456.00	
5/30/2001	10660	Lemke-Oakwood Cir	1,456.00	
6/30/2001		**General Ledger Balance**		**104,685.34**
11/26/2001	10731	Diamond Terrace	87,634.00	
6/30/2002		**General Ledger Balance**		**192,319.34**
8/28/2002	12368	Larwin Vintage Clayton-Bridlewood	4,368.00	
11/1/2002	13452	Larwin Vintage Clayton-Bridlewood	21,840.00	
3/21/2003	13509	Larwin Vintage Clayton-Bridlewood	1,456.00	
11/27/2002	13467	Lydia Assoc-Rachael Ranch	11,648.00	
6/30/2003		**General Ledger Balance**		**231,631.34**
2003		CIP Projects-Marsh Creek Road	(230,000.00)	
1/3/2003		Kelok&Keller Ridge Signs, striping	(346.00)	
6/30/2004		**General Ledger Balance**		**1,285.34**
6/30/2004		Interest Booked	1,129.00	
6/30/2005		Interest Booked	76.56	**2,490.90**
5/9/2006	18577	Pine Hollow Estates	11,648.00	
6/30/2006		Interest Booked	271.11	**14,410.01**
6/30/2007		Interest Booked	369.00	
8/31/2007	20008	Mitchell Creek Place	13,104.00	
10/2/2007	20691	Longs Drug Store	46,725.05	
10/3/2007	20698	Oak Center Project-Flora Square	50,455.64	
12/27/2007	20959	Village Market	3,862.00	
6/30/2008		Interest Booked	4,317.00	**133,242.70**
6/30/2009		Interest Booked	4,163.00	**137,405.70**
6/30/2010		Interest Booked	5,476.00	**142,881.70**
6/30/2011		Interest Booked	3,423.19	**146,304.89**
6/30/2011		**Adjusted General Ledger Balance**		**146,304.89**

City of Clayton
Fire Protection Fees 303-5317
1999-2011

Date	Receipt	Paid By	General Fund Amount	Fund Balance
10/18/1999	8437	Paula Pedersen-1103 Oakwood Cir	300.00	
1/20/2000	8467	Presley-Diablo Village	1,800.00	
4/14/2000	9272	Wm Lyon Homes-Diablo Village	2,100.00	
5/11/2000	9289	Wm Lyon Homes-Diablo Village	2,400.00	
5/23/2000	9293	Wm Lyon Homes-Diablo Village	2,700.00	
5/23/2000	9291	L. Afford-8106 Marsh Ck Rd	300.00	
5/31/2000	9296	S. Carvajal-989 Oak St	300.00	
5/31/2000	9295	Wm Lyon Homes-Diablo Village	600.00	
6/22/2000	9312	Wm Lyon Homes-Diablo Village	300.00	
6/30/2000		**General Ledger Balance**		**10,800.00**
9/22/2000	9352	Smith Quality Homes-Oakwood Cir	300.00	
11/3/2000	9379	Ocean West-Commercial-Post Office	1,426.00	
11/6/2000	9383	B&B Properties-Commercial	1,330.40	
12/11/2000	9399	Clyde Miles Construction-115 Oak St	300.00	
4/4/2001	10634	Aspen Valley Builders-Oakwood Cir	300.00	
5/30/2001	10660	Lemke-Oakwood Cir	300.00	
6/30/2001		**General Ledger Balance**		**14,756.40**
11/26/2001	10731	Diamond Terrace	17,200.00	
8/28/2002	12368	Larwin Vintage Clayton-Bridlewood	900.00	
11/1/2002	13452	Larwin Vintage Clayton-Bridlewood	4,500.00	
3/21/2002	13509	Larwin Vintage Clayton-Bridlewood	300.00	
6/30/2003		**General Ledger Balance**		**37,656.40**
6/30/2004		**General Ledger Balance**	**2,400.00**	**40,056.40**
6/30/2004		Interest Booked	2,852.00	
6/30/2004		**Adjusted General Ledger Balance**		**42,908.40**
3/24/2005		Fireprotection fee reimbursement to RDA	(42,908.40)	
6/30/2006		**General Ledger Balance**		
10/2/2007		Longs Drug Store	2,773.00	
10/2/2007	20691	Oak Center-Flora Square	2,994.00	
10/9/2007	20701	Pine Hollow Estates	2,400.80	
12/27/2007	20959	Village Market	229.20	**8,397.00**
6/30/2008		**Interest Booked**	281.00	
8/13/2008	21056	Mitchell Creek Place	2,700.00	
6/30/2009		**Interest Booked**	476.00	**11,854.00**
1/15/2010		Transfer to RDA (JE Dec18)	(11,854.00)	-
6/30/2011		**Interest Booked**	-	
6/30/2011		**Adjusted General Ledger Balance**		**0.00**
FY 2000/01		RDA Loan to Fire Station		350,000.00
FY 2004-05		Fire protection fee reimbursement		(42,908.40)
6/30/2011		Balance due RDA		307,091.60

City of Clayton
Property Development Fees 303-5323
Reclassed to Community Facilities Development Fees 304-5323
1999-2011

Date	Receipt	Paid By	Amount	Balance
10/04/99	8437	Pedersen	450.00	
01/20/00	8467	Presley	2,700.00	
04/14/00	9272	Wm Lyon Homes-Diablo Village	3,150.00	
05/11/00	9289	Wm Lyon Homes-Diablo Village	3,600.00	
06/22/00	9312	Wm Lyon Homes-Diablo Village	450.00	
05/23/00	9293	Wm Lyon Homes-Diablo Village	4,050.00	
05/23/00	9291	L. Afford-8106 Marsh Ck Rd	450.00	
05/31/00	9296	S. Carvajal-989 Oak St	450.00	
05/31/00	9295	Wm Lyon Homes-Diablo Village	900.00	
6/30/2000		**General Ledger Balance**		**16,200.00**
09/22/00	9352	Smith Quality Homes-Oakwood Cir	450.00	
11/03/00	9379	Ocean West-Post Office	3,565.00	
11/06/00	9383	B&B Properties	3,326.00	
12/11/00	9399	Clyde Miles- 115 Oak	450.00	
04/04/01	10634	Aspen Valley-Oakwood Cir	450.00	
05/30/01	10660	Lemke-Oakwood Cir	450.00	**24,891.00**
11/26/01	10731	Diamond Terrace	10,750.00	
6/30/2002		**General Ledger Balance**		**35,641.00**
08/28/02	12368	Larwin Vintage Clayton-Bridlewood	1,350.00	
11/01/02	13452	Larwin Vintage Clayton-Bridlewood	6,750.00	
03/21/02	13509	Larwin Vintage Clayton-Bridlewood	450.00	
06/30/02		CIP Projects-Corp Yard	(67,975.76)	
11/27/02	13467	Lydia Assoc.-Rachael Ranch	3,600.00	
6/30/2003		**General Ledger Balance**		**(20,184.76)**
6/30/2004		**General Ledger Balance**		**(20,184.76)**
06/30/04		**Interest Booked**	(997.00)	
03/24/05		Transfer from CIP (Corp Yard)	9,141.00	
6/30/2005		**Interest Booked**	(381.89)	**(12,422.65)**
05/09/06	18577	Pine Hollow Estates	3,600.00	
06/30/06		**Interest Booked**	(169.18)	
6/30/2007		**Interest Booked**	(230.00)	**(9,221.83)**
08/31/07	20008	Mitchell Creek Place	4,050.00	
10/02/07	20691	Longs Drug Stores	6,932.00	
10/03/07	20698	Oak Center Project-Flora Square	7,486.00	
12/27/07	20959	Village Market	573.00	**9,819.17**
06/30/08		**Interest Booked**	329.17	
03/12/09		Transfer to Endeavor Hall (Shutters)	(5,024.00)	
06/30/09		**Interest Booked**	213.66	**5,338.00**
06/30/10		**Interest Booked**	-	**5,338.00**
06/30/11		**Interest Booked**	1,107.10	**6,445.10**
6/30/2011		**Adjusted General Ledger Balance**		**6,445.10**

City of Clayton
Marsh Creek Road Sewer

2004-2011

Date	Receipt	Paid By	Amount	Balance
6/30/2004		Expense	(896.00)	
6/30/2004		Interest Booked	(22.00)	
9/30/2004		Transfer from General Fund (Loan)	35,000.00	
6/30/2005		Expense	(29,239.00)	
5/17/2005		Transfer from General Fund (Loan)	25,000.00	
6/30/2005		Interest Booked	946.49	30,789.49
6/30/2006		Expense	(18,112.00)	
6/30/2006		Interest Booked	243.08	12,920.57
6/30/2007		Interest Booked	330.00	13,250.57
6/30/2008		Expense	(14,343.59)	(1,093.02)
6/30/2008		Interest Booked	(37.00)	
8/6/2008		Expense	(732.00)	
8/29/2008		Expense	(61.00)	
9/12/2008		Expense	(183.00)	
6/30/2009		Interest Booked	(88.00)	
6/30/2010		Interest Booked	-	(2,194.02)
6/30/2011		Interest Booked	(142.16)	
6/30/2011		**Projected Fund Balance**		**(2,336.18)**

Due to General Fund for transfer on 9/30/04 $35,000
Due to General Fund for transfer on 5/17/05 $25,000
Total Due to the General Fund $60,000

City of Clayton
Police Services Impact Fee
2007-2011

Date	Receipt	Paid By	Amount	Balance
5/9/2006	18578	Pine Hollow Estates	10,155.00	**10,155.00**
6/30/2006		Interest Booked	194.72	**10,349.72**
6/30/2007		Interest Booked	265.00	**10,614.72**
6/30/2008		Interest Booked	355.00	**10,969.72**
8/13/2008	21056	Mitchell Creek Place	13,410.00	**24,379.72**
6/30/2009		Interest Booked	1,020.28	**25,400.00**
6/30/2010		Interest Booked	**1,029.50**	**26,429.50**
6/30/2011		Interest Booked	**1,650.90**	**28,080.40**
6/30/2011		**Adjusted General Ledger Balance**		**28,080.40**

City of Clayton
Open Space In-Lieu Contributions
2006-2011

Date	Receipt	Paid By	Parks *Active Rec	Trail *Maintenance	Balance
6/26/2007	18578	Mitchell Creek Place	40,000.00		**40,000.00**
6/30/2007		Interest Booked	1,023.00		**41,023.00**
6/30/2008		Interest Booked	1,374.00		**42,397.00**
6/30/2009		Interest Booked	1,773.00		**44,170.00**
6/30/2010		Interest Booked	1,760.00		**45,930.00**
6/30/2011		Transfer to Lydia Land Park CIP #10336	(45,930.00)		-

6/30/2011		**Adjusted General Ledger Balance**	
	$0.00	**-**	**-**

* per Section 17.28.100C.2(a) and (b)

ATTACHMENT 6(a)

CITY OF CLAYTON
DEVELOPMENT IMPACT and Related FEES

rev. April 10, 2009

Category	Single-Family Residential	Multi-Family Residential	Non-Residential	Authority	Payment Due	Account Number
Community Facilities Development	$450.00/Unit	$125.00/Unit	Commercial/ Industrial: $0.50/Gross sq ft	Municipal Code § 3.16.020	Residential: Occupancy Permit Commercial/Industrial Zoning Clearance for Building Permit	304-5323
Offsite Arterial Street Improvement	$1,456.00/Unit	$1,019.00/Unit	Commercial/ Business: $3.37/Gross sq ft	City Council Resolution No.'s 36-81 and 14-86	Zoning Clearance for Building Permit	304-5314
Childcare[1]	$205.00/Unit	$205.00/Unit	$0.10/Gross sq ft	Municipal Code § 16.60.050	Zoning Clearance for Building Permit	304-5307
Parkland Dedication	$2,569.00/Unit	$1,666.00/Unit (Duplex $2,180.00/Unit)	-0-	Municipal Code § 16.12.010	Subdivision/Parcel Maps: Final Map Approval Individual Parcels: Zoning Clearance for Building Permit	304-5313
Open Space In Lieu Fee (if applicable)	As determined by project	As determined by project analysis	As determined by project analysis	Applies to PD in certain conditions 17.28.100(c)	Subdivision/Parcel Maps: Final Map Approval	304-5312
Habitat Conservation Plan Implementation Fee[2] (if applicable)	Fee Zone II $24,155/ac Fee Zone III $6,039/ac	Fee Zone II $24,155/ac Fee Zone III $6,039/ac	Fee Zone II $24,155/ac Fee Zone III $6,039/ac	Municipal Code § 15.55.060(c)	Earlier of either: issuance of grading permit or zoning clearance for building permit	304-5326

1. Senior housing units, second-dwelling units, affordable housing units, and churches are exempt.
2. HCP Implementation Fees only apply to projects permanently disturbing one acre or more of land which is not mapped with an "urban" land cover in the HCP. See Chapter 16.55 of the *Municipal Code* for additional information. Fees are adjusted annually in March.

ATTACHMENT 6(b)

Category	Single-Family Residential	Multi-Family Residential	Non-Residential	Authority	Payment Due	Account Number
* Fire Development * Protection	$300.00/Unit (Mobile Home $200.00/Unit)	$200.00/Unit	$0.20/Gross sq ft	Municipal Code § 3.18.040	Occupancy Permit	304-5317
Police Impact Fees	As determined in project CEQA analysis	As determined in project CEQA analysis	As determined in project CEQA analysis	Mitigation Measure in project CEQA analysis	Zoning Clearance for building permit	304-5325
Marsh Creek Sewer Capacity (east Clayton areas)	To be determined from city sewer study	To be determined from city sewer study	To be determined from city sewer study	To be established in annual City fee resolution and/or in project CEQA mitigation measure	Prior to recording of Final Map	304-5327
Construction and Demolition Recycling Mgmt. Plan deposit	$1.00 per/sq. ft. of new or remodeled area greater than 500 sq ft (min. deposit $2000)	$1.00 per/sq. ft. of new or remodeled area greater than 500 sq ft (min. deposit $2000)	$1.00 per/sq. ft. of new or remodeled area greater than 500 sq ft (min. deposit $2000)	Municipal Code § 15.80.030(E) and Annual City Fee Resolution	Zoning Clearance for Building Permit	Finance determines
Stormwater Pollution Prevention Permit and Inspection (Construction SWPPP)	Minor[3]: $75 permit fee plus $500 min. deposit against which inspection time is charged Standard[4]: $75 plus $2000 min. deposit against which inspection time is charged Major[5]: $5000 min deposit against which inspection time is charged	Minor[3]: $75 permit fee plus $500 min. deposit against which inspection time is charged Standard[4]: $75 plus $2000 min. deposit against which inspection time is charged Major[5]: $5000 min deposit against which inspection time is charged	Minor[3]: $75 permit fee plus $500 min. deposit against which inspection time is charged Standard[4]: $75 plus $2000 min. deposit against which inspection time is charged Major[5]: $5000 min deposit against which inspection time is charged	Municipal Code § 13.12.090(E) and Annual City Fee Resolution	Earlier of either: issuance of grading permit or zoning clearance for building permit	Finance determines

3. Minor: interior remodel; non ground disturbing, etc.
4. Standard: pools; driveways; minor concrete repairs; room additions, etc.
5. Major: new single family; new commercial; major additions/renovations; subdivisions; grading, etc.

Category	Single-Family Residential	Multi-Family Residential	Non-Residential	Authority	Payment Due	Account Number
Stormwater Operation and Maintenance Annual Inspection Fee	$45/Unit *plus* $100/HOA(if HOA)	$45/Unit *plus* $100/HOA(if HOA)	$100 for each acre or portion thereof	Municipal Code § 13.12.100(A) and Annual City Fee Resolution	Annually each October after project completion to City of Clayton	Finance determines
Stormwater Operation and Documentation Annual Compliance Review Fee	$45/Unit *plus* $100/HOA(if HOA)	$45/Unit *plus* $100/HOA(if HOA)	$100 for each acre or portion thereof	Municipal Code § 13.12.100(A) and Annual City Council Fee Resolution	Annually each October after project completion to City of Clayton	Finance determines
Stormwater Operation and Maintenance Annual Report Preparation Fee	$53/Unit *plus* $100/HOA(if HOA)	$53/Unit *plus* $100/HOA(if HOA)	$100 for each acre or portion thereof	Municipal Code § 13.12.100(A) and Annual City Fee Resolution	Annually each October after project completion to City of Clayton	Finance determines
School District (Mt Diablo Unified School District-MDUSD)				Rates determined annually by MDUSD School Board call 682-8000	To Mt Diablo Unified School District at building permit for additions or prior to final inspection for new construction	Pay at MDUSD
Sewer Plan Review and Connection (Clayton contracts with City of Concord for sewer)				Rates determined annually in City of Concord fee schedule call 671-3425	Prior to Building permit	Pay at City of Concord Engineering
Water Connection/Meter Service from Contra Costa Water District (CCWD)				Rates determined annually by CCWD fee schedule call 688-8000	Prior to Building permit	Pay at CCCWD

Category	Single-Family Residential	Multi-Family Residential	Non-Residential	Authority	Payment Due	Account Number
Building Permit, Plan Check and Building Inspection Fees [Clayton Contracts with Contra Costa County Building Inspection – (CCCBI)]				As established in County Fee Schedule Call 335-1352	Plan Check fee due at building permit submittal and Permit/inspection fees due at building permit issuance	Pay at CCCBI
Contra Costa Fire Protection District (CCFPD)				As established in CCFPD Fee Schedule Call 941-3300	Fire Plan Check fee due at permit review submittal (ie: improvement plan; building permit)	Pay at CCFPD
Contra Costa County Environmental Health[6]				As established in County Fee Schedule Call 692-2500	Health Dept Plan check and inspection fees due at or prior to permit review submittal (ie: building permit; tenant improvement, etc)	Pay at County Env. Health

6. Health Dept for restaurant. food sales/grocery. beauty. health uses: public pools: septic tank removals

Agenda Date: 2-19-13

Agenda Item: 5a

Approved:

Gary A. Napper
City Manager

STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: MERRY PELLETIER

DATE: FEBRUARY 19, 2013

SUBJECT: CONSIDER A RESOLUTION, AS THE CLAYTON SUCCESSOR AGENCY, TO APPROVE AND ADOPT A 4TH RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS 2013-14A), PURSUANT TO THE DISSOLUTION ACT

RECOMMENDATION

It is recommended the City Council, serving as the Successor Agency and Successor Housing Agency of the former Clayton Redevelopment Agency, adopt the prepared Resolution approving a 4th Recognized Obligation Payment Schedule" (ROPS 2013-14) in accordance with the California Supreme Court-ruled constitutionality of ABx1 26 (the "Dissolution Act") and AB 1484.

BACKGROUND

On 11 August 2011, the California Supreme Court agreed to review a petition challenging the constitutionality of ABx1 26 (the "Dissolution Act") and ABx1 27 (the "Voluntary Redevelopment Program Act:). The Court's order also stayed specified portions of these Redevelopment Restructuring Acts, indefinitely postponing certain provisions' implementation and effectiveness. During that period of suspension, the Clayton Redevelopment Agency was still required to prepare a list of contractual and indebtedness obligations of the Agency and to adopt and submit the "schedule" by 28 August 2011. Our Agency complied with this requirement by adopting RDA Resolution No. 03-2011 at a regular public meeting on 16 August 2011. Pursuant to the regulations available at that time, the Agency's EOPS was only effective through 31 December 2011.

On 29 December 2011 the California Supreme Court ruled in its decision on this controversial subject that the State of California did indeed have the authority to terminate the existing redevelopment agencies in the state but did not have the constitutional authority (under Prop 22) to enact a voluntary redevelopment program (ABx1 27), which program instituted "pay to play" provisions for agencies to continue to operate if they each "paid" pre-designated amounts of money to the state in FY 2011-12 and each year thereafter.

Since the Court's decision shifted the termination date of all redevelopment agencies one additional month to 01 February 2012, the Board of Directors of the former Clayton Redevelopment Agency did, on 17 January 2012, amend the re-adopt its Enforceable Obligation Payment Schedule (EOPS) to add the additional full month of January 2012 to the table of current and future debts and obligations of the Clayton Redevelopment Agency. In this manner, reviewing regulatory and other public taxing entities were placed on notice of the Agency's continuing fiduciary responsibilities to be paid from January 2012 through June 2012.

On 21 February 2012 and on 17 April 2012, the Clayton City Council, acting in its capacity as the governing body of the Successor Agency for the former Clayton Redevelopment Agency, did adopt separate Resolutions approving its 1st Recognized Enforceable Obligation payment Schedule (ROPS), to address the funding cycle for the remainder of the fiscal year, namely 01 February 2012 through 30 June 2012, and its 2nd ROPS covering the time period of 01 July 2012 through 31 December 2012. The 1st and 2nd ROPS were subsequently approved by the Oversight Board at its inaugural meeting, but not approved as submitted by the California Department of Finance (DOF). The DOF disallowed several obligations listed in each ROPS, most notably a $475,000 principal loan payment due the City of Clayton for the real property deeded at no cost by the former Clayton Redevelopment Agency in 1999 to the Contra Costa County Fire Protection District (now improved as Fire Station No. 11 on Center Street), and $501,899 statutory pass-through payment due the City of Clayton for the years 1987 through 2009 known as "2% Election" monies that were never transmitted to the City by the County Auditor-Controller's Office. Combined , the City of Clayton was denied $976,899 in loan repayments by the denial actions of DOF.

Under the law, "enforceable obligations" of the redevelopment agency include the following financial arrangements (the ROPS of a city or county):

- Bonds
- Loans
- Payments required by state or federal government
- Obligations to employees
- Judgments or settlements
- Binding and legally enforceable agreements entered into before AB1x26
- Contracts for RDA administration, Successor Agency administration, and Oversight Board administration

RECOGNIZED OBLIGATON PAYMENT SCHEDULE (ROPS)

Included herein as Attachment 1 is the 4th Recognized Obligation Payment Schedule (ROPS 2013-14A) in the amount of $900,701. It essentially mirrors the previously-adopted July – December ROPSII as our 6-month fiscal template for continued receipt of tax increment revenues during this funding cycle. The monies are issued by the County Auditor-Controller to our City's "Redevelopment Obligation Retirement Fund". As its name implies, this fund replaces the former Redevelopment Agency's three Funds and functions as the repository for sufficient tax increment revenues in the amounts identified and approved in subsequent ROPS to effectively "retire" all former Clayton Redevelopment Agency debts and contractual obligations over a multi-year period. Once all identified and certified debts and obligations have been satisfied, the Successor Agency is then dissolved.

Although previously denied in ROPS 1-3 by DOF, AB 1484 did contain language that an agency's prior inter-agency payments (e.g. the City's 2% Election monies and the Fire Station No. 11 construction assistance payment) could be deemed eligible by DOF commencing in FY 2013-14. Therefore, staff has reinserted these former RDA obligations due the City of Clayton for eligibility and repayment. (Items No. 13 and 14).

Respectively submitted,

Merry Pelletier

Merry Pelletier
Finance Manager

Attachments: 4th ROPS 13-14A Resolution (4 pp.)
1. 4th Recognized Obligation Payment Schedule (ROPS13-14A)

RESOLUTION NO. XX - 2013

A RESOLUTION OF THE CITY OF CLAYTON, CALIFORNIA, ACTING AS THE SUCCESSOR AGENCY TO THE FORMER CLAYTON REDEVELOPMENT AGENCY, APPROVING AND ADOPTING ITS 4th RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS) FOR THE TIME PERIOD OF JULY 1, 2013 THROUGH DECEMBER 31, 2013, PURSUANT TO SECTION 31471(h) AND 34177(l)(1) OF THE CALIFORNIA REDEVELOPMENT LAW

THE CITY COUNCIL (AS SUCCESSOR AGENCY)
City of Clayton, California

WHEREAS, pursuant to the California Community Redevelopment Law (Health and Safety Code Section 33000 et seq.; the "Redevelopment Law"), the City Council (the "City Council") of the City of Clayton (the "City") adopted in accordance with the California Community Redevelopment Law, City Ordinance No. 243 on 20 July 1987 adopting the Redevelopment Plan for the Clayton Redevelopment Project Area (the "Redevelopment Plan"), as amended from time to time; and

WHEREAS, the Redevelopment Agency of the City of Clayton (the "Agency") is responsible for implementing the Redevelopment Plan pursuant to said Redevelopment Law; and

WHEREAS, Assembly Bill X1 26 (the "Dissolution Act") and Assembly Bill X1 27 (the "Alternative Redevelopment Program Act") were enacted by the State of California on June 28, 2011, to significantly modify the Community Redevelopment Law and to end the existence of or modify continued operation of redevelopment agencies throughout the state (Health & Safety Code §33000, et seq.; the "Redevelopment Law"); and

WHEREAS, on August 11, 2011, the California Supreme Court agreed to review the California Redevelopment Association and League of California Cities' petition challenging the constitutionality of these Redevelopment Restructuring Acts; and

WHEREAS, on December 29, 2011, the California Supreme Court ruled that the Dissolution Act is largely constitutional and the Alternative Redevelopment Program Act is unconstitutional; and

WHEREAS, the Court's decision means that all California redevelopment agencies, including the Clayton Redevelopment Agency, are now terminated and have been automatically dissolved on February 1, 2012 pursuant to the Dissolution Act; and

WHEREAS, on 17 January 2012 by Resolution No. 03-2012, the Clayton City Council did exercise its priority right and took action to become the Successor Agency and the Successor Housing Agency of the former Clayton Redevelopment Agency; and

WHEREAS, on 21 February 2012 by Resolution No. 06-2012, the Clayton City Council serving in its duly-authorized capacity as the Successor Agency of the former Clayton Redevelopment Agency, did at a regular public meeting approve the 1st Recognized Obligation Payment Schedule (ROPS) of the Successor Agency and Successor Housing Agency prior to the 01 March 2012 deadline, setting forth the minimum payment amounts and due dates of payments required by enforceable obligations with said 1st ROPS covering the time period from 01 February 2012 through 30 June 2012; and

WHEREAS, pursuant to Section 34177(l)(1) of the Redevelopment Law, each Successor Agency is further required to periodically prepare a six-month Recognized Obligation Payment Schedule (ROPS) covering the time increment from July-December of each year and then again for January-June of each year until such time the enforceable obligations of its former redevelopment agency have been fully retired or serviced; and

WHEREAS, in accordance with that requirement, the City Council on 17 April 2012 did adopt the 2nd ROPS for the Successor Agency for the City of Clayton to cover the fiscal time period from 01 July 2012 through 31 December 2012 and noted the recognized enforceable obligations accordingly; and

WHEREAS, on 27 June 2012 the California Legislature adopted and the Governor signed Assembly Bill 1484 which set further statutory language and laws administering and managing the operations and obligation payments of successor agencies in California, including the requirement that a 3rd ROPS for each Successor Agency covering the time period of 01 January 2013 through 30 June 2013 must be adopted by the Successor Agency, approved by its Oversight Board and submitted electronically to the California Department of Finance (DOF) by 01 September 2012; and

WHEREAS, in accordance with that requirement, the City Council on 17 July 2012 did adopt the 3rd ROPS for the Successor Agency for the City of Clayton to cover the fiscal time period from 01 July 2013 through 30 June 2013 and noted the recognized enforceable obligations accordingly; and

WHEREAS, 1 January 2013 the Department of Finance (DOF) posted instructions for completing the 4th Recognized Obligation Payment Schedule (ROPS2013-14A) covering the time period of 01 July 2013 through 31 December 2013, including the requirement that the ROPS 2013-14A must be adopted by the Successor Agency, approved by its Oversight Board and submitted electronically to the DOF by March 1, 2013; and

WHEREAS, under Title 14 of the California Code of Regulations, Section 15378(b)(4), the approval of the ROPS is exempt from the requirements of the California Environmental Quality Act ("CEQA") in that it is not a project, but instead consists of the continuation of an existing governmental funding mechanism for potential future projects and programs, and does not commit funds to any specific project or program because it merely lists enforceable obligations previously entered into and approved by the former Clayton Redevelopment Agency; and

WHEREAS, the Clayton City Council has reviewed and duly considered the Staff Report, the proposed 4th Recognized Obligation Payment Schedule (ROPS 2013-14A), plus documents and other written evidence presented at the meeting.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Clayton, California, serving as the Successor Agency, does hereby find the above Recitals are true and correct and have served, together with the supporting documents, as the basis for the findings and approvals set forth below.

BE IT FURTHER RESOLVED that the City Council does hereby approve and adopt the 4th Recognized Obligation Payment Schedule (ROPS 2013-14A), attached hereto as "Attachment 1" and incorporated herein as if fully set forth in this Resolution.

BE IT FURTHER RESOLVED that the City Council authorizes and directs its City Manager or the City Manager's designee to: (1) post the 4th Recognized Obligation Payments Schedule (Attachment 1) on the City's website; (2) designate a City representative to whom all questions related to the 4th Recognized Obligation Payment Schedule can be directed; (3) notify, by mail or electronic means, the County Auditor-Controller, the State Department of Finance, and the State Controller of the Successor Agency's action to adopt the 4th Recognized Obligation Payment Schedule (ROPS 2013-14A), and to provide those persons with the internet website location of the posted schedule and the contact information for the City's designated contact; and (4) to take such other actions and execute such other documents as are appropriate to effectuate the intent of this Resolution and to implement the Recognized Obligation Payment Schedule on behalf of the Successor Agency and City.

BE IT FURTHER RESOLVED that if any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Resolution or of Attachment 1, or any part thereof is for any reason held to be unconstitutional, invalid or ineffective, such decision shall not effect the validity or effectiveness of the remaining portions of this Resolution, Attachment 1 or any part thereof. The City Council, acting as the Successor Agency, hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase of this Resolution or of Attachment 1 irrespective of the fact that one or more sections, subsections, subdivision, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective. To this end the provisions of this Resolution and of Attachment 1 are declared to be severable.

AND BE IT FURTHER RESOLVED that this Resolution shall and does take immediate effect upon its adoption.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Clayton, California at a regular public meeting thereof held on the 19th day of February 2013 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

THE CITY COUNCIL OF CLAYTON, CA
serving as the Clayton Successor Agency

____
Julie Pierce, Mayor

ATTEST:

____
Laci J. Jackson, Clerk

# # # # #

I certify that the foregoing is a true and correct copy of the original Resolution on file in the office of the City Clerk of and for the City of Clayton.

____
Laci J. Jackson, City Clerk

Oversight Board Approval Date: ____________________

CLAYTON (CONTRA COSTA)
RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS 13-14A)
July 1, 2013 through December 31, 2013

Item #	Project Name / Debt Obligation	Contract/Agreement Execution Date	Contract/Agreement Termination Date	Payee	Description/Project Scope	Project Area	Total Outstanding Debt or Obligation	Total Due During Fiscal Year 2013-14	Funding Source: Bond Proceeds	Reserve Balance	Admin Allowance	RPTTF	Other	Six-Month Total
							$7,531,088	$1,188,156	$0	$0	$125,000	$775,701	$0	$900,701
1	1996 Tax Allocation Bonds Series A	11/19/1996	8/31/2020	US Bank	Bonds issued to fund non-housing projects	All	304,714	12,363	0	0	0	6,181	0	6,181
2	1999 Tax Allocation Bonds	6/15/1999	8/1/2024	US Bank	Bonds issued to fund non-housing projects	All	6,139,673	517,554	0	0	0	409,780	0	409,780
3	City Loan entered into on 5/19/10	5/19/2010		Successor Agency LMI Fund	Inter-loan for SERAF payment to State of CA	All	0	0	0	0	0	0	0	0
4	Contract for Consulting Services	11/1/1996	8/31/2024	US Bank	Paying Agent Fees	All	10,730	5,365	0	0	0	5,365	0	5,365
5	Contract for Consulting Services	2/1/2011	None	Goldfarb & Lipman	Legal Advice	All	0	1,500	0	0	0	750	0	750
6	Contract for Consulting Services	3/1/1964	None	Best Best & Kreiger	Legal Advice-replacement of Turner Huguet & Adams	All	0	1,500	0	0	0	750	0	750
7	Successor Agency Functions			City of Clayton	Expenses for Successor Agency Operation	All	0	250,000	0	0	125,000	0	0	125,000
8	Contract for Consulting Services	2/22/2011	None	Ranney Planning	Housing Element Implementation	All	0	50,000	0	0	0	0	0	0
9	Statutory Payments			Contra Costa County	Property Tax Administration Fees	All	0	0	0	0	0	0	0	0
10	Contract for Consulting Services	8/31/2012	8/31/2013	Cropper Accountancy Corp	Successor Agency Due Diligence Review	All		12,000	0	0	0	15,000	0	15,000
11	Contract for Consulting Services	6/7/1988	none	NBS Local Government Solutions	RDA Arbitrage Reporting	All	6,300	2,400	0	0	0	2,400	0	2,400
12	RDA Contractual Subsidy	10/1/2001	none	Diamond Terrace Investors	Sr Housing Facility Loan - Final payment	All	200,000	200,000	0			200,000		200,000
13	City Loan entered into on 6/17/99	6/17/1999	none	City of Clayton	City Loan entered into on 6/17/99 Firestation Project	All	$ 475,000.00	0	0					0
14	City Loan entered into on 2/16/10	2/16/2010	none	City of Clayton	2% Election Payments per Section 33686	All	$ 376,423.98	125,475	0	0	0	125,475	0	125,475
15	Contract for Consulting Services	3/22/2010	none	Cropper Accountancy Corp	Audit Functions for Successor Agency	All	18,248	10,000	0	0	0	10,000		10,000
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Attachment 1

CLAYTON (CONTRA COSTA)

RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS 13-14A) -- Notes (Optional)

July 1, 2013 through December 31, 2013

Item #	Project Name / Debt Obligation	Notes/Comments
1	1996 Tax Allocation Bonds Series A	
2	1999 Tax Allocation Bonds	
3	City Loan entered into on 5/19/10	
4	Contract for Consulting Services	
5	Contract for Consulting Services	
6	Contract for Consulting Services	
7	Successor Agency Functions	
8	Contract for Consulting Services	
9	Statutory Payments	
10	Contract for Consulting Services	
		All items highlighted in green in column "O" and the unnumbered row preceeding "1" which is the summary of the funding source, total outstanding debt, or obligations. We have no retired obligations.

CLAYTON (CONTRA COSTA)

Pursuant to Health and Safety Code section 34186 (a)

PRIOR PERIOD ESTIMATED OBLIGATIONS vs. ACTUAL PAYMENTS

RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS II)

July 1, 2012 through December 31, 2012

					LMIHF		Bond Proceeds		Reserve Balance		Admin Allowance		RPTTF	
Item #	Project Name / Debt Obligation	Payee	Description/Project Scope	Project Area	Estimate	Actual	Estimate	Actual	Estimate	Actual	Estimate	Actual	Estimate	Actual
					$292,350	$13,157	$0	$0	$0	$0	$0	$0	$768,)29	$2,082,673
1	RDA contractual subsidy entered on 10/1/2001	Diamond Terrace Investors	Loan - Final Anniversary Distribution	All	200,000								6,181	6,181
2	1996 Tax Allocation Bonds Series A	US Bank	Bonds issued to fund non-housing projects	All									401,360	401,360
3	1999 Tax Allocation Bonds	US Bank	Bonds issued to fund non-housing projects	All									78,375	0
4	City Loan entered into on 6/17/1999	City of Clayton	Loan P & I on CCCo Fire Station Land*	All									74,052	0
5	City Loan entered into on 5/19/10	City of Clayton	Loan for S.E.R.A.F. payment	All									1,800	
6	Contract for Consulting Services	Thales Consulting	RDA State Controller's Report 2010/11-2011/12	All									4,124	
7	Successor Agency Functions	Cropper Accountancy Corp	Successor Agency Due Diligence Audit	All	5,000	5,000							2,400	2,625
8	Contract for Consulting Services	NBS Gov't Finance	Paying Agent Fee	All									0	
9	Contract for Consulting Services	US Bank	Paying Agent Fee	All									0	
10	Contract for Consulting Services	Raney Planning	Housing Element Implementation	All	87,350	8,157							12,000	
11	Contract for Consulting Services	Goldfarb&Lipman/BB&K	Legal Advice	All									124,998	125,002
12	Successor Agency Functions	City of Clayton	Expenses for Successor Agency Operations	All									0	1,547,505
13	AB 1484 Demand	CCCo Auditor Controller	AB 1484 Demand	All									62,739	
14	City Loan entered into on 2/16/2010	City of Clayton	2% Election payments per section 33676	All									0	0
15	Statutory Payments	County	Property Tax Administrative Cost	All										