CITY OF CLAYTON

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AGENDA

REGULAR JOINT MEETINGS

* * *

CLAYTON CITY COUNCIL
and
CLAYTON FINANCING AUTHORITY

***

TUESDAY, March 19, 2013

7:00 p.m.

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

Mayor: Julie K. Pierce
Vice Mayor: Hank Stratford

Council Members
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*

March 19, 2013

7:00 P.M.

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

2. **CLOSED SESSION** –None.

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

4. **CONSENT CALENDAR**

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

(a) Approve the minutes of the regular meeting of March 5, 2013. (View Here)

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

(c) Adopt a Resolution certifying the City's Annual Housing Element Report for 2012. (View Here)

(d) Adopt a Resolution setting the City's Equivalent Runoff Unit (ERU) real property parcel assessment rates in FY 2013-14 at current rates to fund local storm water/clean water programs and services required by the federal and state-mandated National Pollution Discharge Elimination System (NPDES) Program (storm water pollution prevention). (View Here)

5. **RECOGNITIONS AND PRESENTATIONS**

(a) Certificates of Recognition to "Do The Right Thing" public school students exemplifying the character trait of "Self-Discipline".

6. **REPORTS**

(a) Planning Commission – Commissioner Sandra Johnson.
(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) Presentation of the Mid-Year City Budget status report for Fiscal Year 2012-2013. **(View Here)**
(Finance Manager; Council Budget Sub-Committee)

Staff recommendations: **1).** Receive the presentation of the Mid-Year Budget Report; **2).** Receive public comments; **3).** Adopt a motion accepting the Mid-Year Budget Report for FY 2012-13.

(b) Consider the Introduction and First Reading of proposed Ordinance No. 444 amending Chapter 13.2 of Title 13 of the Clayton Municipal Code relating to Stormwater Management and Discharge Control for compliance with the National Pollution Discharge Elimination System (NPDES) Program (Stormwater Pollution Prevention) Municipal Regional Permit (MRP) imposed by the California Regional Water Quality Control Board. (View Here)
(Assistant to the City Manager)

Staff recommendation: **1)** Receive the staff report; **2)** Receive public comments; **3)** Adopt a motion to have the City Clerk read Ordinance No. 444 by title and number only and waive further reading; and **4)** Adopt a motion to approve Ordinance No. 444 for Introduction.

(c) Consider staff and consultant reports and general discussion of repairs and long-term cost-benefit analysis for eventual replacement of Heating, Ventilation and Air Conditioning (HVAC) systems in City Hall, the Clayton Community Library and Endeavor Hall. *(View Here)*
(Maintenance Supervisor Mark Janney)

Staff recommendation: Following staff report and public comment, that Council provide any policy direction on City facility HVAC expenditures.

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

11. **ADJOURNMENT**– the next regularly scheduled City Council meeting is April 2, 2013.

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* CLAYTON FINANCING AUTHORITY *

March 19, 2013

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

2. **CLOSED SESSION** – None.

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

Members of the public may address the Board on items within the Board'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 Secretary. To assure an orderly meeting and an equal opportunity for everyone, each speaker is limited to 3 minutes, enforced at the President's discretion. When one's name is called or you are recognized by the President 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 Board 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 as each item is considered.

4. **CONSENT CALENDAR**

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

(a) Approve the minutes of the regular meeting of January 15, 2013. (View Here)

(b) Approve the transfer of $90,000.00 from the Authority to the City of Clayton's Capital Improvement Budget for FY 2012-13 (CIP No. 10417) to pay for the low-bid contractor repaving of the public parking lots at Clayton City Hall, Clayton Community Library, and Lydia Lane Park. (View Here)

5. **ACTION ITEMS** –None.

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

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

# # # # # #

MINUTES
OF THE
REGULAR MEETING
CLAYTON CITY COUNCIL

Agenda Date: 3-19-13

Agenda Item: 4 a

TUESDAY, March 5, 2013

1. **CALL TO ORDER & ROLL CALL** – The meeting was called to order at 7:00 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, City Attorney Mala Subramanian, City Engineer Rick Angrisani, and City Clerk Laci Jackson

2. **CLOSED SESSION**- None.

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

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

(a) Approved the minutes of the regular meetings of February 5, 2013 and February 19, 2013.

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

(c) Adopted Resolution 06-2013 awarding a 3-year contract (with options for three 1-year extensions) to D&H Landscaping in the amount of $138,600 ($46,200/year) for abatement of noxious weeds in the Oakhurst open space parcels, funded by the Citywide Landscape Maintenance District (CFD 2007-1).

(d) Adopted Resolution 07-2013 approving a proposed adjustment in the City's 2010 Census Urbanized Area Boundary for the Metropolitan Transportation Commission's purposes.

(e) Approved the rejection of a liability claim filed against the City by Mr. Eric Feldhusen.

5. **RECOGNITIONS AND PRESENTATIONS**

(a) Presentation of a Proclamation declaring March 2013 as "American Red Cross Month" in the City of Clayton. Mayor Pierce stated the Red Cross representative was unable to attend the meeting but would pick up the Proclamation from City Hall.

(b) Presentation by District Attorney Mark Peterson regarding areas of mutual concern. Mayor Pierce stated District Attorney Peterson had a scheduling conflict and would be available at the April 16th City Council meeting.

6. **REPORTS**

(a) Planning Commission –Commissioner Dave Bruzzone stated at its February 26th meeting the Commission took action on two items. The first was a Site Plan Review for a balcony in Peacock Creek that was deferred to the Commission's next meeting due to a last-minute neighbor concern. The second was the review and approval of the City's Real Property acquisition in the downtown area for conformity with the General Plan.

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

(c) The City Manager stated the City received 16 applications for the Community Development Director position. He noted the Interim Community Development Director Ken Craig did not apply for the position. He stated staff narrowed down the application pool to six applicants and interviews are set for March 21st and 22nd.

(d) City Council

Councilmember Geller attended the East Bay League of Cities meeting.

Councilmember Diaz attended two Library Foundation meetings, the CBCA meeting, and attended the Chili Cook-off at the Clayton Club Saloon. Lastly, he noted the Fire Services Ad-hoc Committee will be meeting in the next two weeks.

Vice Mayor Stratford stated the "Do the Right Thing" trait of the month is "Integrity."

Mayor Pierce attended a Transportation Authority meeting, and multiple ABAG meetings. She also attended the ABAG Administrative Committee policy retreat, and noted 18 years ago this day the Clayton Community Library opened.

(e) Other – None.

7. PUBLIC COMMENTS

Herb Yonge, Clayton CERT member, stated a CPR and AED training class will be held March 17th, and on March 23rd a class will be held to teach citizens how to use their fire extinguishers. He noted the Clayton CERT is also helping the City obtain status as a Heartsafe Community.

8. PUBLIC HEARINGS – None.

9. ACTION ITEMS

(a) Consideration of a Resolution awarding contract to MCK Services, Inc. in the amount of $1,380,034.35 as low bidder for the City's 2013 Neighborhood Street Repaving Project (CIP No. 10417) with inclusion of deductive bids for the resurfacing of public parking lots at City Hall, the Clayton Community Library and Lydia Lane Park, and repaving designated segments of Clayton's Trail System.

The City Engineer presented the staff report and stated at its January 15th meeting, the City Council approved going out to bid for paving project with deductive bids for the City Hall, Library and the Lydia Lane Park parking lots, and trail repairs. He stated bid information was requested by 10 contractors but only two bids were received. He stated the bid results will allow for the repaving of 30 residential streets, and Regency Drive. He stated the bid prices were reasonable but in order to meet the budget for this project Zinfindal Drive and Mt. Olive Place will not be paved in this project. He stated the parking areas at City Hall, Library, and Lydia Lane park, including striping and new signage, will have a total project cost of $90,000. Staff recommends paying for this from the Clayton Financing Authority fund balance. He stated the unit prices for the trail grinding and repaving came in much lower than expected and staff recommends repaving more trails with this cost savings by repaving the remainder of the Donner Creek Trail and adding the El Molino trail segment to the scope of work. This work would be paid for out of the Landscape Maintenance District fund.

Mayor Pierce asked about the portion of pavement on Clayton Road near the Middle School that had been sinking. The City Engineer stated that portion of the road was repaired temporarily until the City receives Federal Funding in 2014 to fully address it.

Vice Mayor Stratford asked if the trails should be done now? The Maintenance Supervisor stated these are the next trails on the approve Trails and Landscaping Committee list to be repaired.

Vice Mayor Stratford asked if using Clayton Financing Authority funds would dip into the principal of the money collected from the property sale for the CVS pharmacy site. The City Manager stated this allocation would use principal money and stated the Council had previously used money from this fund to upgrade the Clayton Community Park picnic areas and tot lots.

No public comments were received.

Councilmember Shuey stated he has not heard complaints about the El Molino trail and stated he does not believe it is worth repaving because it is more of a rugged trail. He would like to keep the savings in the Landscape District budget and not spend monies just because it is available.

Vice Mayor Stratford asked if this trail is currently paved? The Maintenance Supervisor responded it was chip sealed but the goal was to make it a multi-use trail and it is currently very uneven and it has a lot of cracking. This paving would make it a hard flat surface. Vice Mayor Stratford asked what is the life expectancy for a trail like this? The City Engineer stated the trails last longer and could last 20 years. Councilmember Geller noted it is hard to push a baby stroller on chip seal surface.

Mayor Pierce stated this is preventive maintenance and the cost is significantly less than it was previously. She stated the trail is 20 years old and maybe the pavement will attract additional users.

Councilmember Geller stated better to do it now than piece meal.

It was moved by Councilmember Shuey, seconded by Councilmember Diaz, to adopt the Resolution with the additional trail work of $26,000 removed from the contract.

It was moved, as a substitute motion, by Councilmember Geller, seconded by Vice Mayor Stratford, to adopt the Resolution including the additional trail work expense of $26,000.

After further discussion, Councilmembers Shuey and Geller withdrew the original motions from the floor.

It was moved by Vice Mayor Stratford, seconded by Councilmember Geller, to adopt Resolution 08-2013 awarding contract to MCK for the 2013 Neighborhood Street Repaving Project (CIP No. 10417) to include the deductive bid work, and to further instruct staff to prepare for approval an allocation of $90,000 from the Clayton Financing Authority for payment of the public parking lots resurfacing (Passed; 5- 0 vote).

It was moved by Vice Mayor Stratford, seconded by Councilmember Geller, to add the additional Trails System segment work (El Molino trail) as outlined in the staff report (Passed; 4-1 vote; No-Shuey).

(b) Consider the analysis report prepared by Brandis Tallman, LLC on the options to retire the City's CalPERS Unfunded Side-Fund Liability for its Tier 1 Pension Plan (Public Safety and Miscellaneous contracts).

The City Manager stated when Councilmember Geller was Mayor he brought up the idea of examining options to pay-off the City's unfunded liability in the CalPERS pension plans. At the Council's February 5th meeting, staff presented a report outlining options for refinancing. The Council directed staff to obtain more detailed financial information on the options and staff contacted Brandis Tallman, LLC to perform the financial analysis. He introduced Ms. Nicki Tallman from Brandis Tallman, LLC to present the staff report.

Ms. Tallman stated Brandis Tallman is an investment banking firm with a public finance department, and an active trading department for municipal bonds. She stated their company became involved with the side-fund refinancing in fall 2010 and have worked with many small to medium size cities. She stated the company has closed 18 side-fund refinancings the last few years.

Ms. Tallman described how and why the side-funds were created and stated CalPERS set-up an amortization schedule for paying off these unfunded liabilities similar to a mortgage. She stated there are factors that effect the side fund payments paid to CalPERS including the interest rate and growth rates expected by the amortization schedule. She stated most recently CalPERS changed their interest rate and growth rate by a quarter percent. She noted CalPERS had expected employers payrolls to grow and that has not been the case in Clayton or in several other jurisdictions. She stated the City has a Miscellaneous employees plan and a Safety Plan for their Tier I employees. She stated the Miscellaneous employees plan has a side-fund balance of $411,654 and is being paid off as a percentage of payroll.

Councilmember Shuey asked if the earnings rate of 7.5% is realistic? Ms. Tallman stated that is the rate CalPERS believes they can still earn smoothed over the next 20 years. She noted recently they reported earnings of 13%.

Ms. Tallman stated CalPERS gives the employer credit for the amortization schedule whether or not they actually make this payment. She noted Clayton is paying less than they are getting credit for from CalPERS. She stated it is to the City's advantage to let this formula take place. The City Manager stated this formula is beneficial to Clayton because our employees have had furloughs, and no Cost of Living or merit increases; since this is only for Tier I employees and the number of employees paying into the plan has decreased with attrition. He stated the City Council could increase employee pay by 6% per year before this CalPERS amortization formula would be a disadvantage for the City.

Councilmember Shuey asked what happens when CalPERS realizes the shortfall in the fund? Ms. Tallman responded it is unknown what CalPERS will do, but the thought is that CalPERS will require a fixed dollar amount be paid annually to retire the debt.

Ms. Tallman the Public Safety side-fund is $647,887 and is paid off as a percentage of payroll, currently 17.39%.

Ms. Tallman stated refinancing has worked for some agencies but for Clayton it is not a good option because it would cost more than continuing to pay-off the side-fund through the fixed schedule. She stated if CalPERS moved to the fixed payments it might be time to reexamine the side-fund.

Councilmember Shuey asked if other small cities have paid off their side-fund obligations? Ms. Tallman stated the smallest side-fund her company has helped refinance is $1.5 million and she stated every agency is unique.

Vice Mayor Stratford stated hopefully we will be able to increase payroll for employees at some point. He asked if the pool of employees was shrinking. The City Manager stated each time a Tier I employee leaves a new employee comes in at either Tier II or Tier III status for pensions. He stated as long as CalPERS does not change the rules this formula works advantageously for the City.

In response to a question, Ms. Tallman stated the pay-off amount should not change because in the past when the CalPERS Board changed the rates the principal pay-off amounts were not changed. The City Manager stated CalPERS has done a lot of different things over the years and it is difficult to predict what they will do in the future. For example, there is nothing that prevents CalPERS from creating a new side-fund.

No action was taken at this time but the Council may reexamine the side-fund at a later time if CalPERS changes its amortization payment schedules for Tier I side-fund liabilities.

(c) Consider a staff report on estimated energy savings for retrofitting the water/geyser pumps on the Clayton Fountain (Landscape Maintenance District).

Maintenance Supervisor Mark Janney presented a report about the pumps at the Clayton Fountain. He stated the fountain was constructed by the developer of Oakhurst in 1992 and was given to the City to operate and maintain. The fountain was part of the Oakhurst Landscape Assessment District until that District merged into the City-wide Landsacpe Maintenance district in 1997. Shortly thereafter it was determined that running the fountain was more expensive than the district could afford and it was turned off. In 2002 the Council established a policy for running the fountain on 11 special events and/or holidays each year. In 2003 the Blue Ribbon Committee was charged with examining the Landscape District. After many meetings a ballot measure was presented to Council that included running the fountain on weekends only. When Measure M put to a vote of the citizens, it failed. The Committee came back to the voters with another Measure which included the Council's previous policy for running the fountain. That Measure, Measure B, was approved in 2007.

Staff had a technician come out of examine the pumps of the fountain for possible updates for energy efficiency. As shown in the staff report there is very little savings on energy and the initial expense of installing the new pumps would be costly. He noted if the City Council wanted to run the fountain daily the cost would be a minimum of $60-$80,000/year which equates to 10% of the Landscape District's budget. He stated if the fountain ran every weekend it would cost an additional $21,240 per year plus additional maintenance expenses.

The City Manager noted the energy costs alone are $177 per day for operation of the fountain.

Councilmember Geller suggested running it every weekend in the spring and summer.

Mayor Pierce stated when citizens ask her why the fountain does not run daily she explains the cost, and then they understand. She stated she not sure running the fountain every weekend is necessary.

Councilmember Diaz commented an increase over the current operation schedule would be nice.

The City Manager stated there was a lot of talk during the Blue Ribbon Committee meetings about the desire to run the fountain but he cautioned the Council from turning the fountain on more unless they plan to continually run it for the long term. He suggested the Council could refer the item to the Trails and Landscaping Committee but that the fountain is not high on the priority list for the District or its oversight committee.

Mayor Pierce stated the Council should hold off on taking action on this item. The City Manager stated if the item is given to the Trails and Landscaping Committee for information it might have dialogue on the topic.

No action was taken. Staff will send the report to the Trails and Landscaping Committee for information only.

10. COUNCIL ITEMS

Councilmember Diaz asked that the Thursday Night Concerts in The Grove be added to a future agenda when his ready to proceed.

11. ADJOURNMENT– on call by Mayor Pierce the meeting adjourned at 8:52 p.m.

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Respectfully submitted,

Laci J. Jackson, City Clerk

APPROVED BY CLAYTON CITY COUNCIL

Julie K. Pierce, Mayor

Agenda Date 3/19/2013

Agenda Item: 4b

Approved:

Gary A. Napper
City Manager/Executive Director

STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: MERRY PELLETIER, FINANCE MANAGER

DATE: 3/19/2013

SUBJECT: INVOICE SUMMARY

RECOMMENDATION:

Approve the following Invoices:

3/15/2013 Cash Requirements Report	$127,594.37
Total:	$127,594.37

Attachments:
Cash Requirements Report dated 3/15/2013 (5 pages)

City of Clayton
Cash Requirements Report
City Council Meeting 3/19/13

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
Access One								
Access One	3/19/2013	3/2/2013	1336704	Long Distance March 2013	$21.61	$0.00		$21.61
				Totals for Access One:	*$21.61*	*$0.00*		*$21.61*
A-G Sod Farms, Inc								
A-G Sod Farms, Inc	3/19/2013	2/26/2013	788208	278 pieces Elite Plus 9 Sq Ft Roll	$651.52	$0.00		$651.52
				Totals for A-G Sod Farms, Inc:	*$651.52*	*$0.00*		*$651.52*
Alameda County Sheriff's Office								
Alameda County Sheriff's Office	3/19/2013	3/11/2013	Firearms	Training - Firearms Basic Rifle/Carbine Opera	$392.00	$0.00		$392.00
				Totals for Alameda County Sheriff's Office:	*$392.00*	*$0.00*		*$392.00*
American Fidelity Assurance Company								
American Fidelity Assurance Company	3/19/2013	2/14/2013	A954161	March 2013	$156.64	$0.00		$156.64
American Fidelity Assurance Company	3/19/2013	3/1/2013	845252A	March 2013	$849.10	$0.00		$849.10
				Totals for American Fidelity Assurance Company:	*$1,005.74*	*$0.00*		*$1,005.74*
Arlene H. Kikkawa-Nielsen								
Arlene H. Kikkawa-Nielsen	3/19/2013	3/4/2013	March 2013	Library Volunteer Coordinator March 2013	$900.00	$0.00		$900.00
				Totals for Arlene H. Kikkawa-Nielsen:	*$900.00*	*$0.00*		*$900.00*
Bay Area Barricade Serv.								
Bay Area Barricade Serv.	3/19/2013	2/28/2013	0021372-IN	50 X 28" 7lb cone w/ 6 & $ Ref	$800.19	$0.00		$800.19
Bay Area Barricade Serv.	3/19/2013	2/25/2013	0290833-IN	12 X Leather driving gloves Med	$103.51	$0.00		$103.51
				Totals for Bay Area Barricade Serv.:	*$903.70*	*$0.00*		*$903.70*
Bay Area News Group East Bay (CCT)								
Bay Area News Group East Bay (CCT)	3/19/2013	2/28/2013	0000605317	advertising, Legals February 2013	$1,405.70	$0.00		$1,405.70
				Totals for Bay Area News Group East Bay (CCT):	*$1,405.70*	*$0.00*		*$1,405.70*
Best Best & Kreiger LLP								
Best Best & Kreiger LLP	3/19/2013	3/8/2013	697804,697805,6978	February Services	$12,317.50	$0.00		$12,317.50
				Totals for Best Best & Kreiger LLP:	*$12,317.50*	*$0.00*		*$12,317.50*
CalPERS Health								
CalPERS Health	3/19/2013	3/15/2013	931	Health Premiums April 2013	$27,674.32	$0.00		$27,674.32
				Totals for CalPERS Health:	*$27,674.32*	*$0.00*		*$27,674.32*
CalPERS Retirement								
CalPERS Retirement	3/19/2013	3/6/2013	2/24/13 City Council	1/25/13-2/24/13 City Council	$357.28	$0.00		$357.28
CalPERS Retirement	3/19/2013	2/26/2013	1000000013950287	1959 Survivor Benefit for 2012/2013 - Safety	$480.00	$0.00		$480.00
CalPERS Retirement	3/19/2013	3/6/2013	PPE 3/3/13	PPE 3/3/13	$20,265.03	$0.00		$20,265.03
				Totals for CalPERS Retirement:	*$21,102.31*	*$0.00*		*$21,102.31*
CCC Mayors' Conference								

City of Clayton
Cash Requirements Report
City Council Meeting 3/19/13

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
CCC Mayors' Conference	3/19/2013	3/5/2013	2013	Annual Operating Assessment for Mayors Co	$402.16	$0.00		$402.16
				Totals for CCC Mayors' Conference:	*$402.16*	*$0.00*		*$402.16*
City of Concord								
City of Concord	3/19/2013	3/1/2013	31597	live scan - Ken Craig	$32.00	$0.00		$32.00
				Totals for City of Concord:	***$32.00***	***$0.00***		***$32.00***
Clean Street								
Clean Street	3/19/2013	2/28/2013	70040	Sweep Fee February 2013	$3,500.00	$0.00		$3,500.00
				Totals for Clean Street:	*$3,500.00*	*$0.00*		*$3,500.00*
Contra Costa Water Dist.								
Contra Costa Water Dist.	3/19/2013	3/6/2013	I Series	1/4/13-3/4/13	$4,550.66	$0.00		$4,550.66
				Totals for Contra Costa Water Dist.:	*$4,550.66*	*$0.00*		*$4,550.66*
CR Fireline Inc								
CR Fireline Inc	3/19/2013	2/21/2013	95089	EH - Hoods	$217.81	$0.00		$217.81
				Totals for CR Fireline Inc:	*$217.81*	*$0.00*		*$217.81*
Cummings Masonry and Landscaping								
Cummings Masonry and Landscaping	3/19/2013	3/5/2013	0063	Deposit Refund CAP 0063, Project 8063	$500.00	$0.00		$500.00
				Totals for Cummings Masonry and Landscaping:	*$500.00*	*$0.00*		*$500.00*
De Lage Landen Financial Services, Inc.								
De Lage Landen Financial Services, Inc.	3/19/2013	3/9/2013	17294113	Konica Lease March 2013	$432.68	$0.00		$432.68
				Totals for De Lage Landen Financial Services, Inc.:	*$432.68*	*$0.00*		*$432.68*
Final Construction, Inc								
Final Construction, Inc	3/19/2013	3/4/2013	0055	Deposit Refund CAP 0055, Project 8055	$1,880.69	$0.00		$1,880.69
				Totals for Final Construction, Inc:	*$1,880.69*	*$0.00*		*$1,880.69*
Graybar Electric Co, Inc								
Graybar Electric Co, Inc	3/19/2013	2/26/2013	965151278	20/35-216702-22	$1,155.96	$0.00		$1,155.96
Graybar Electric Co, Inc	3/19/2013	2/8/2013	964870577	20/35-961861-12, 10/35-963160-03	$1,004.49	$0.00		$1,004.49
Graybar Electric Co, Inc	3/19/2013	2/19/2013	965033555	1/80502P1X	$1,788.12	$0.00		$1,788.12
Graybar Electric Co, Inc	3/19/2013	2/21/2013	965080885	1/Fully Galvanized Generic Vendor	$43.40	$0.00		$43.40
				Totals for Graybar Electric Co, Inc:	*$3,991.97*	*$0.00*		*$3,991.97*
Hammons Supply Company								
Hammons Supply Company	3/19/2013	3/12/2013	76729-1	1 cs Clorox Anywhere	$69.15	$0.00		$69.15
				Totals for Hammons Supply Company:	*$69.15*	*$0.00*		*$69.15*
IntelliBridge Partners, LLC								
IntelliBridge Partners, LLC	3/19/2013	3/6/2013	183404	CDD Ken Craig - Thru February 28,2013	**$8,910.00**	$0.00		**$8,910.00**
				Totals for IntelliBridge Partners, LLC:	*$8,910.00*	*$0.00*		*$8,910.00*

City of Clayton
Cash Requirements Report
City Council Meeting 3/19/13

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
Jason Delmar								
Jason Delmar	3/19/2013	3/9/2013	221	Computer Consulting	$450.00	$0.00		$450.00
				Totals for Jason Delmar:	*$450.00*	*$0.00*		*$450.00*
John Deere Landscapes Inc								
John Deere Landscapes Inc	3/19/2013	2/21/2013	63766702	Parts	$568.72	$0.00		$568.72
John Deere Landscapes Inc	3/19/2013	2/19/2013	63746976	Parts	$3,599.85	$0.00		$3,599.85
John Deere Landscapes Inc	3/19/2013	2/19/2013	63747002	320/088782, 30/088972	$4,519.78	$0.00		$4,519.78
				Totals for John Deere Landscapes Inc:	*$8,688.35*	*$0.00*		*$8,688.35*
LarryLogic Productions								
LarryLogic Productions	3/19/2013	3/6/2013	1312	City Council Meeting 3/5/13	$325.00	$0.00		$325.00
				Totals for LarryLogic Productions:	*$325.00*	*$0.00*		*$325.00*
Leegwater Building & Development								
Leegwater Building & Development	3/19/2013	3/14/2013	0039	Deposit Refund - 3062 Windmill Canyon Dri	$500.00	$0.00		$500.00
				Totals for Leegwater Building & Development:	*$500.00*	*$0.00*		*$500.00*
MailFinance (Neopost Leasing)								
MailFinance (Neopost Leasing)	3/19/2013	3/6/2013	N3852054	Lease 4/7/13-5/6/13	$113.60	$0.00		$113.60
				Totals for MailFinance (Neopost Leasing):	*$113.60*	*$0.00*		*$113.60*
Marken Mechanical Services Inc								
Marken Mechanical Services Inc	3/19/2013	2/27/2013	113-16752	Library - Change failed air vents	$677.73	$0.00		$677.73
Marken Mechanical Services Inc	3/19/2013	2/27/2013	413-1146	Library Maintenance January 2013	$502.17	$0.00		$502.17
Marken Mechanical Services Inc	3/19/2013	2/27/2013	413-1148	City Hall - Maintenance January 2013	$332.50	$0.00		$332.50
Marken Mechanical Services Inc	3/19/2013	3/5/2013	413-1152-3	Library Maintenance March 2013	$150.00	$0.00		$150.00
Marken Mechanical Services Inc	3/19/2013	3/5/2013	413-1151-3	City Maintenance March 2013	$150.00	$0.00		$150.00
				Totals for Marken Mechanical Services Inc:	*$1,812.40*	*$0.00*		*$1,812.40*
Municipal Pooling Authority								
Municipal Pooling Authority	3/19/2013	3/6/2013	March 2013	LTD/STD March 2013	$1,174.28	$0.00		$1,174.28
				Totals for Municipal Pooling Authority:	*$1,174.28*	*$0.00*		*$1,174.28*
Pacific Telemanagement Svc								
Pacific Telemanagement Svc	3/19/2013	2/28/2013	501576	Courtyard Pay Phone March 2013	$73.00	$0.00		$73.00
				Totals for Pacific Telemanagement Svc:	*$73.00*	*$0.00*		*$73.00*
ParcelQuest								
ParcelQuest	3/19/2013	3/4/2013	3223-3-2013	Contra Costa County- Data & Map Disc	$534.60	$0.00		$534.60
				Totals for ParcelQuest:	*$534.60*	*$0.00*		*$534.60*
PERMCO, Inc.								
PERMCO, Inc.	3/19/2013	3/11/2013	9937	Retainer General Service	$2,994.50	$0.00		$2,994.50
PERMCO, Inc.	3/19/2013	3/11/2013	9938	Diablo Pointe Construction Inspection	$124.50	$0.00		$124.50

City of Clayton
Cash Requirements Report
City Council Meeting 3/19/13

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
PERMCO, Inc.	3/19/2013	3/11/2013	9939	Construction Activity Permit - Non-utility	$41.50	$0.00		$41.50
PERMCO, Inc.	3/19/2013	3/11/2013	9939	Construction Activity Permit - Non-utility	$41.50	$0.00		$41.50
PERMCO, Inc.	3/19/2013	3/11/2013	9940	Diabloe Estates BAD Admin	$450.00	$0.00		$450.00
PERMCO, Inc.	3/19/2013	3/11/2013	9941	2013 Pavement Rehabilitation Project	$2,574.76	$0.00		$2,574.76
PERMCO, Inc.	3/19/2013	3/11/2013	9942	CCC City Land Acquisition	$243.41	$0.00		$243.41
PERMCO, Inc.	3/19/2013	3/11/2013	9943	Oakhurst - New Contract	$1,159.00	$0.00		$1,159.00
PERMCO, Inc.	3/19/2013	3/11/2013	9944	PG&E Replace Gas Lines Dana Hills	$488.00	$0.00		$488.00
				Totals for PERMCO, Inc.:	*$8,117.17*	*$0.00*		*$8,117.17*
PG&E								
PG&E	3/19/2013	3/6/2013	August 2012	Service 7/23/12-8/20/12	$155.23	$0.00		$155.23
				Totals for PG&E:	*$155.23*	*$0.00*		*$155.23*
Pinnacle Residential Services								
Pinnacle Residential Services	3/19/2013	3/12/2013	1637	Management Services March 2013	$4,099.00	$0.00		$4,099.00
				Totals for Pinnacle Residential Services:	*$4,099.00*	*$0.00*		*$4,099.00*
PMT Pest Control Service								
PMT Pest Control Service	3/19/2013	3/4/2013	473	Gopher Control July 2012- February 2013	$3,475.00	$0.00		$3,475.00
PMT Pest Control Service	3/19/2013	3/4/2013	474	Ground Squirrel Control July 2012-November	$3,625.00	$0.00		$3,625.00
				Totals for PMT Pest Control Service:	*$7,100.00*	*$0.00*		*$7,100.00*
Rex Lock & Safe, Inc.								
Rex Lock & Safe, Inc.	3/19/2013	3/6/2013	101632	Electric Key Switch repair	$132.50	$0.00		$132.50
				Totals for Rex Lock & Safe, Inc.:	*$132.50*	*$0.00*		*$132.50*
Robert Kehrli								
Robert Kehrli	3/19/2013	3/5/2013	025531	Deposit Refund 5/8/13 Courtyard	$100.00	$0.00		$100.00
				Totals for Robert Kehrli:	*$100.00*	*$0.00*		*$100.00*
Rock & Waterfall Co								
Rock & Waterfall Co	3/19/2013	2/28/2013	110-53	Waterfall Maintenance February 2013	$650.00	$0.00		$650.00
				Totals for Rock & Waterfall Co:	*$650.00*	*$0.00*		*$650.00*
SPRAYTEC (Sprayer Sales Co)								
SPRAYTEC (Sprayer Sales Co)	3/19/2013	3/5/2013	11692	maintenance waste water treatment system Fe	$225.00	$0.00		$225.00
				Totals for SPRAYTEC (Sprayer Sales Co):	*$225.00*	*$0.00*		*$225.00*
Sprint Comm (PW & ADM)								
Sprint Comm (PW & ADM)	3/19/2013	3/1/2013	531409315-130	cell service February 2013	$330.30	$0.00		$330.30
				Totals for Sprint Comm (PW & ADM):	*$330.30*	*$0.00*		*$330.30*
Wally's Rental Center, Inc.								
Wally's Rental Center, Inc.	3/19/2013	3/1/2013	123129-3	tiller5hp#002	$95.25	$0.00		$95.25
Wally's Rental Center, Inc.	3/19/2013	2/27/2013	123045-3	sodcutter#012, ramploa d-3, lawnroller-3	$215.17	$0.00		$215.17

City of Clayton
Cash Requirements Report
City Council Meeting 3/19/13

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
				Totals for Wally's Rental Center, Inc.:	*$310.42*	*$0.00*		*$310.42*
Waraner Brothers Tree Service								
Waraner Brothers Tree Service	3/19/2013	2/25/2013	10273	East Myrick Court - Pine Trees	$1,500.00	$0.00		$1,500.00
				Totals for Waraner Brothers Tree Service:	*$1,500.00*	*$0.00*		*$1,500.00*
Western Exterminator								
Western Exterminator	3/19/2013	2/28/2013	1025115	Services February 2013	$342.00	$0.00		$342.00
				Totals for Western Exterminator:	*$342.00*	*$0.00*		*$342.00*
				GRAND TOTALS:	**$127,594.37**	**$0.00**		**$127,594.37**

CITY OF CLAYTON
Founded 1857 . . . Incorporated 1964

Approved:

Gary A. Napper
City Manager/Executive Director

Agenda Date: 3-19-13

Agenda Item: 4c

STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: KENNETH CRAIG, INTERIM COMMUNITY DEVELOPMENT DIRECTOR

MEETING DATE: MARCH 19, 2013

SUBJECT: HOUSING ELEMENT ANNUAL PROGRESS REPORT

RECOMMENDATION

Staff recommends that the City Council approve the Housing Element Annual Progress Report (APR) and direct staff to file the report with the Department of Housing and Community Development, Division of Housing Policy Development.

BACKGROUND

Government Code Section 65400 requires each governing body (City Council or Board of Supervisors) to prepare an annual report on the status and progress in implementing the jurisdiction's housing element using forms and definitions adopted by the State Department of Housing and Community Development (HCD).

HCD uses the APR report as a tool to facilitate implementation of a community's housing element as well as for the tracking and monitoring of progress in addressing housing needs and goals. The APR includes information on the jurisdiction's progress in addressing the regional housing needs allocation (RHNA), including the number of housing units permitted by income level, the status of programs in the housing element, and efforts to remove government constraints.

HCD also uses submittal of the report as one of its threshold requirements to qualify for Housing Related Parks (HRP) Program funds. The HRP program rewards local governments for approval of housing for affordable to lower-income households, providing grant funds for park-related projects (development of new parks or rehabilitation of existing park facilities) to eligible local governments for every qualifying (low-income) housing start.

DISCUSSION

The APR for the City of Clayton for the reporting period of January 1, 2012 to December 31, 2012, reflects a modest amount of new housing start activity in the City's housing market, which, in turn, generally mirrors the regional housing market for that period.

The City saw the issuance of 17 building permits for new single-family housing units within the January 01, 2012 to December 31, 2012 reporting period. All of those housing units reflect above moderate price level of affordability. All 17 of these units were part of the Toll Brothers Diablo Estates single-family housing project located off Regency Drive.

Whereas the City Council required that Toll Brothers provide three affordable housing units as a part of this project when approved, Toll Brothers elected to satisfy this requirement through the purchase of off-site units within the City, as permitted by the Housing Element. Toll Brothers has been satisfying this requirement, as reflected in the 2011 APR, for two of their three units. They are currently working on their last affordable housing unit purchase on Clark Creek Circle and it is anticipated to close in the coming month.

The City has taken significant steps in implementing the approved programs of the certified adopted 2009 Housing Element. Over the course of several years beginning in 2010, systematic progress has been made implementing various programs. Within the reporting period for this APR, the City rezoned seven sites to meet RHNA shortfalls, adopted Ordinances 426, 440, and 441 which allow for supportive and transitional housing in residential zones, single room occupancy (SRO's) with a Use Permit (UP) in the Limited Commercial (L-C) District and Kirker Corridor Land use Designation, single-family homes in multi-family districts with a UP, density bonus per State Law, provided for flexible development standards when developing affordable housing, allows for unrelated persons in a household to be considered a family, adopted a reasonable accommodation ordinance, and began investigating the feasibility of a universal design ordinance, energy conservation brochures, and design concepts for energy efficiency.

The Planning Commission is continuing its work on the feasibility of a universal design ordinance and will be making a recommendation to the City Council in the coming months.

FISCAL IMPACT

None.

CONCLUSION

Staff recommends that Council adopt the attached Resolution No. __-2013, approving the Housing Element Annual Report (APR) and direct staff to file the APR with the Department of Housing and Community Development.

Attachments:

1. Annual Housing Element Progress Report and Supporting Documents
2. Resolution No xx-2013

RESOLUTION NO. ___-2013

A RESOLUTION APPROVING THE CITY'S HOUSING ELEMENT ANNUAL PROGRESS REPORT FOR THE YEAR 2012 (REPORTING PERIOD JANUARY 1, 2012- DECEMBER 31, 2012)

THE CITY COUNCIL
City of Clayton, California

WHEREAS, Government Code Section 65400 requires that the City of Clayton City Council prepare an annual report on the status and progress in implementing the City's Housing Element using forms and definitions adopted by the Department of Housing and Community Development; and

WHEREAS, the Annual Progress Report (APR) includes the information on the City of Clayton's progress in addressing the regional housing needs allocations, including the number of housing units permitted by income level, the status of programs in the housing element, and efforts to remove government constraints for the reporting period;

WHEREAS, this Resolution shall become effective immediately upon its passage and adoption;

NOW, THEREFORE, BE IT RESOLVED that the City Council of Clayton, California does hereby approve the 2012 Housing Element Annual Progress Report and authorize it to be filed with the State of California Department of Housing and Community Development.

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

AYES:

NOES:

ABSENT:

THE CITY OF CLAYTON, CA

_____
Julie K. Pierce, Mayor

ATTEST:

_____
Laci J. Jackson, City Clerk

Department of Housing and Community Development

ANNUAL HOUSING ELEMENT PROGRESS REPORT

City or County Name: City of Clayton

Mailing Address: 6000 Heritage Trail, Clayton, CA 94517

Contact Person: Kenneth H. Craig Title: Community Development Director

Phone: 925 673-7343 FAX: _____ E-mail: interimcdd@ci.clayton.ca.us

Reporting Period by Calendar Year: from 01/01/12 to 12/31/12

These forms and tables, (see sample – next page) must be submitted to HCD and the Governor's Office of Planning and Research (OPR) on or before April 1, of each year for the prior calendar year; submit separate reports directly to both HCD and OPR (Government Code Section 65400) at the addresses listed below:

Department of Housing and Community Development
Division of Housing Policy Development
P.O. Box 952053
Sacramento, CA 94252-2053

-and-

Governor's Office of Planning and Research
P.O. Box 3044
Sacramento, CA 95812-3044

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction City of Clayton

Reporting Period 1/1/2012 - 12/31/2012

Table A

Annual Building Activity Report Summary - New Construction
Very Low-, Low-, and Mixed-Income Multifamily Projects

Housing Development Information									Housing with Financial Assistance and/or Deed Restrictions		Housing without Financial Assistance or Deed Restrictions
1	2	3	4				5	5a	6	7	8
Project Identifier (may be APN No., project name or address)	Unit Category	Tenure R=Renter O=Owner	Affordability by Household Incomes: Very Low-Income	Low-Income	Moderate-Income	Above Moderate-Income	Total Units per Project	Est. # Infill Units*	Assistance Programs for Each Development (See instructions)	Deed Restricted Units (See instructions)	Note below the number of units determined to be affordable without financial or deed restrictions and attach an explanation how the jurisdiction determined the units were affordable. Refer to instructions.
(9) Total of **Moderate and Above Moderate** from Table A3 ► ►					0						
(10) Total by income Table A/A3 ► ►											
(11) Total **Extremely Low-Income** Units*											

* Note: These fields are voluntary

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction City of Clayton

Reporting Period 1/1/2012 - 12/31/2012

Table A2
Annual Building Activity Report Summary - Units Rehabilitated, Preserved and Acquired pursuant to GC Section 65583.1(c)(1)

Please note: Units may only be credited to the table below when a jurisdiction has included a program it its housing element to rehabilitate, preserve or acquire units to accommodate a portion of its RHNA which meet the specific criteria as outlined in GC Section 65583.1(c)(1)

Activity Type	Affordability by Household Incomes				(4) The Description should adequately document how each unit complies with subsection (c)(7) of Government Code Section 65583.1
	Extremely Low-Income*	Very Low-Income	Low-Income	TOTAL UNITS	
(1) Rehabilitation Activity				0	
(2) Preservation of Units At-Risk				0	
(3) Acquisition of Units				0	
(5) Total Units by Income	0	0	0	0	

*** Note: This field is voluntary**

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction City of Clayton

Reporting Period 1/1/2012 - 12/31/2012

Table A3
Annual building Activity Report Summary for Above Moderate-Income Units
(not including those units reported on Table A)

	1. Single Family	2. 2 - 4 Units	3. 5+ Units	4. Second Unit	5. Mobile Homes	6. Total	7. Number of infill units*
No. of Units Permitted for **Moderate**						0	
No. of Units Permitted for **Above Moderate**	17					17	

* Note: This field is voluntary

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction City of Clayton

Reporting Period 1/1/2012 12/31/2012

Table B

Regional Housing Needs Allocation Progress

Permitted Units Issued by Affordability

Enter Calendar Year starting with the first year of the RHNA allocation period. See Example.			2007	2008	2009	2010	2011					Total Units to Date (all years)	Total Remaining RHNA by Income Level
Income Level		RHNA Allocation by Income Level	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9		
Very Low	Deed Restricted	49	0	0	0	0	0	0					49
	Non-deed restricted		0	0	0	0	0	0					
Low	Deed Restricted	35	0	0	0	0	0	0					35
	Non-deed restricted		0	0	0	0	0	0					
Moderate	Deed Restricted	33	0	0	0	0	0	0					32
	Non-deed restricted		1	0	0	0	0	0				1	
Above Moderate		34	9	11	0	1	6	1				28	6
Total RHNA by COG. Enter allocation number:		151	10	11		1	6	1				29	122
Total Units ► ► ►													
Remaining Need for RHNA Period ► ► ► ► ►													

Note: units serving extremly low-income households are included in the very low-income permitted units totals.

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction City of Clayton

Reporting Period 1/1/2012 12/31/2012

Table C

Program Implementation Status

Program Description (By Housing Element Program Names)	**Housing Programs Progress Report - Government Code Section 65583.** Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.		
Name of Program	**Objective**	**Timeframe In H.E.**	**Status of Program Implementation**
Implementation Measure I.1.1	Rezone sites to meet RHNA shortfall	1-Oct-10	Seven sites redesignated to M-F (15.1-20 units/acre) in April 2012-potential unit yield increased collectively from 57-140 units
Implementation Measure I.2.1	Implement Affordable Housing Plan requirements	On-going	Guidelines established 2010
Implementation Measure I.2.2	Use LMI fund for affordable housing in resential zones	On-going	RDA dissolved by State and funding source eliminated
Implementation Measure I.3.1	Allow manufactured housing in residential zones	1-Dec-09	Completed w/adoption of Ordinance 425 in December 2009
Implementation Measure I.4.1	Provide information to promote construction of second units	On-going	Handouts available in Community Development Department (CDD)
Implementation Measure I.4.2	Use RDA funds to incentivize construction of second units	1-Dec-12	RDA dissolved and funding source eliminated
Implementation Measure I.5.1	Encourage mixed-use deveopment in the Town Center	On-going	Town Center Specific Plan is available at CDD and is on the City website with supportive policies
Implementation Measure I.5.2	Promote Town Cetner second story residential use standards	On-going	Town Center Specific Plan is available at CDD and is on the City website with supportive policies
Implementation Measure II.1.1	Allow emergency shelters by right in Kirker Pass Corridor	1-Mar-11	Anticipated to be completed in 2013
Implementation Measure II.1.2	Allow supportive and transitional housing in residential zones	1-Mar-11	Completed w/adoption of Ordinance 440 in April 2012
Implementation Measure II.1.3	Allow SRO's w/CUP in L-C District and Kirker Corridor	1-Apr-12	Completed w/adoption of Ordinance 440 in April 2012 (L-C District only)
Implementation Measure II.1.4	Offer regulatory incentives for extremely low-income households	On-going	Offered with applicable projects
Implementation Measure II.2.1	Allow sf homes in multi-family districts only w/ a use permit	1-Dec-12	Completed w/adoption of Ordinance 440 in April 2012
Implementation Measure II.3.1	Allow density bonuses in accordance w/State Law	1-Dec-09	Completed w/adoption of Ordinance 426 in December 2009
Implementation Measure II.4.1	Prioritize to decrease review time for affordable projects	On-going	Made available with applicable projects
Implementation Measure II.5.1	City to consider waiving/reducing fees for affordable projects	On-going	RDA dissolved and funding source eliminated
Implementation Measure II.6.1	City shall provide flexible development standards	On-going	Provided through Ordinances 440 and 426

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction City of Clayton
Reporting Period 1/1/2012 - 12/31/2012

Table C

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Implementation Measure II.6.1	City shall provide flexible development standards	On-going	Provided through Ordinances 440 and 426

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction City of Clayton

Reporting Period 1/1/2012 - 12/31/2012

Implementation Measure III.1.1	City refers interested parties to County affordable programs	On-going	Referrals made by Community Development Department staff
Implementation Measure III.1.2	City to develop a down payment assistance program w/RDA funds	1-Dec-11	RDA dissolved and funding source eliminated
Implementation Measure III.1.3	City to review potential fundng through County HOME program	On-going	City coordinates with Contra Costa County Housing Authority
Implementation Measure III.1.4	City to provide $200,000 annually to Diamond Terrace project	Through term of Agreement	City will continue to pay $200,000 through term of this valid contract
Implementation Measure III.2.1	City to protect at-risk affordable units	On-going	The City's RDA protected an at-risk affordable unit in 2011 by purchasing and then reselling the unit w/ a 45-year deed restriction
Implementation Measure IV.1.1	Comply with fair housing laws	On-going	The City's actions are intended to comply with fair housing laws
Implementation Measure IV.1.2	City to not restrict unrelated persons in a family	1-Oct-10	Completed w/ adoption of Ordinance 440 in April 2012
Implementation Measure IV.2.1	City will provide info. to public on affordable housing projects	On-going	The City actively advertises the availability of affordable housing units as they become available
Implementation Measure IV.3.1	City will adopt reasonable accommodations ordinance	On-going	Completed w/ adoption of Ordinance 441 in May 2012
Implementation Measure IV.3.2	City will distribute info. regarding reasonable accommodations	On-going	Information is always available in the CDD
Implementation Measure IV.3.3	City to investigate feasibility of universal design ordinance	1-May-11	Anticipated to be completed in 2013
Implementation Measure V.1.1	City to provide energy converation brochures at City Hall	On-going	Anticipated to be completed in 2013
Implementation Measure V.1.2	City to develop design concepts for energy efficiency	1-Jan-12	Anticipated to be completed in 2013
Implementation Measure V.1.3	Improve energy efficiency requirements	1-Jan-12	Adopted the 2010 California Green Building Code in March 2011
Implementation Measure VI.1.1	City to support legislation to transfer housing closer to transit	On-going	The City supports this type of legislation through its association with ABAG and the Contra Costa Transportation Authority (CCTA)
Implementation Measure VI.1.2	City to participate in TRANSPAC and similar organizations	On-going	The City participates in TRANSPAC with Staff and Council representation
Implementation Measure VI.1.3	City to cooperate w/ regional/countywide housing task	On-going	The City participates w/ regional/countywide housing task force
Implementation Measure VI.1.4	City to work with ABAG regarding energy and land-use efficiency	On-going	The City participates with and has Council representation on ABAG

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction	City of Clayton		
Reporting Period	1/1/2012	-	12/31/2012

General Comments: The re-designation of seven sites to Multi -family high density residential resolution No. 11-2012 Residential (Resolution No.11-2012), the adoption of Ordinance 440, and the adoption of Ordinance 441 occurred at the City Council in 2012. It should be noted that substantial staff and consultant work and work with the Planning Commission and community occurred during the 2011 calendar year to research and prepare staff reports, resolutions, and ordinances to enable the City Council's adoption of this body of work in 2012. The City is continuing it's efforts and anticipates to implement in 2013 measures associated with the universal design ordinance and energy efficiency design concepts.

CONTRA COSTA COUNTY
Department of Conservation and Development

WEEKLY REPORT Building Permits Issued

Status Date between 11/19/2012 and 11/23/2012
City: CLAYTON Inc/Uninc: Incorporated

NUMBER	TYPE	STATUS	ISSUED	VALUATION	DESCRIPTION	SQ FT	PARCEL	ADDRESS	CITY
BIPL12-008529	PL	Issued	11/20/2012	$1,000.00	REPLACE 50 GAL WATER HEATER.		118630037	3088 WINDMILL CANYON DR	CLAYTON
Owner	BELUSA ERIC R & MONIQUE TRE				4425 TREAT BLVD #B CONCORD, CA 94521				
Contractor	PAYLESS WATER HEATERS & PLUMBING INC				24895 AVENUE ROCKEFELLER VALENCIA, CA 91355				
NUMBER	**TYPE**	**STATUS**	**ISSUED**	**VALUATION**	**DESCRIPTION**	**SQ FT**	**PARCEL**	**ADDRESS**	**CITY**
BIPL12-008532	PL	Issued	11/20/2012	$0.00	REPLACE 40 GAL. WATER HEATER		118410077	1294 SHELL CIR	CLAYTON
Owner	JU LIN				1294 SHELL CIR CLAYTON, CA 94517-1221				
Contractor	PAYLESS WATER HEATERS & PLUMBING INC				24895 AVENUE ROCKEFELLER VALENCIA, CA 91355				
NUMBER	**TYPE**	**STATUS**	**ISSUED**	**VALUATION**	**DESCRIPTION**	**SQ FT**	**PARCEL**	**ADDRESS**	**CITY**
BIR12-006400	R	Issued	11/20/2012	$536,987.13	FEE ESTIMATE FOR LOT 9 - PLAN 2	4,306	119640017	3 SEMINARY RIDGE PL	CLAYTON
Owner	TOLL CA XIX L P				2000 CROW CANYON PL STE 200 SAN RAMON, CA 94583-1108				
Contractor	TOLL BROS INC				2000 CROW CANYON PLACE SAN RAMON, CA 94512				
NUMBER	**TYPE**	**STATUS**	**ISSUED**	**VALUATION**	**DESCRIPTION**	**SQ FT**	**PARCEL**	**ADDRESS**	**CITY**
BIR12-007036	R	Issued	11/20/2012	$440,746.96	NEW SINGLE FAMILY RESIDENCE - PLAN 3 (PRESIDIO)	3,469	119640012	8 PROMONTORY PL	CLAYTON
Owner	TOLL CA XIX L P				2000 CROW CANYON PL STE 200 SAN RAMON, CA 94583-1108				
Contractor	TOLL BROS INC				2000 CROW CANYON PLACE SAN RAMON, CA 94512				

CONTRA COSTA COUNTY
Department of Conservation and Development

WEEKLY REPORT Building Permits Issued

Status Date between 11/05/2012 and 11/09/2012
City: CLAYTON Inc/Uninc: Incorporated

NUMBER	TYPE	STATUS	ISSUED	VALUATION	DESCRIPTION	SQ FT	PARCEL	ADDRESS	CITY
BIAL12-008256	AL	Issued	11/09/2012	$9,000.00	WINDOW REPLACEMENT WITH RETROFITS	1	119560006	950 DOUGLAS CT	CLAYTON
Owner	HARRIS JOEL A & CHRISTINE TRE				950 DOUGLAS CT CLAYTON, CA 94517-1308				
Contractor	HOMES IN PROGRESS INC				1027 SHARY CT CONCORD, CA 94518				
BIEC12-008173	EC	Issued	11/05/2012	$0.00	Temp. Power Pole for Christmas tree Lighting lot.		078020006	1060 PINE LN	CLAYTON
Owner	OSTEEN DAVID & SHARON TRE				1060 PINE LN CLAYTON, CA 94517-9706				
BIMIC12-008251	MIC	Issued	11/07/2012	$6,000.00	(2) ILLUMINATED WALL SIGNS FOR "TRAVIS CREDIT UNION"		118031051	5441 CLAYTON RD	CLAYTON
Owner	CLAYTON STATION SHOPPING CNTR				PO BOX 580 DANVILLE, CA 94526-0580				
Contractor	ILLUMINATED CREATIONS INC				1111 JOELLIS WAY SACRAMENTO, CA 95815				
BIMIR12-008189	MIR	Issued	11/05/2012	$2,928.96	INSTALL 12 X 12 ALUM PATIO ELECRICAL FOR FAN HOOKUP		118570047	465 OBSIDIAN WAY	CLAYTON
Owner	SHIPMAN KENNETH A & ANDREA TRE				465 OBSIDIAN WAY CLAYTON, CA 94517-2011				
Contractor	CALIFORNIA HOMEPRO INC				4085 NELSON AVENUE STE I CONCORD, CA 94520				
BIMIR12-008308	MIR	Issued	11/09/2012	$12,000.00	ENLARGE DECK		119472001	208 EL MOLINO DR	CLAYTON
Owner	LAZAR JOHN MICHAEL & WYLA TRE				208 EL MOLINO DR CLAYTON, CA 94517-1635				
BIPL12-008294	PL	Issued	11/08/2012	$0.00	REPLACE WATER HEATER		119451008	314 MEREDITH CT	CLAYTON
Owner	SELMER ROBERT R JR & DIANE L				314 MEREDITH CT CLAYTON, CA 94517-1638				
Contractor	GAGNE - MULFORD ENTERPRISES				2490 ARNOLD INDUSTRIAL WAY SUITE M CONCORD, CA 94520				
BIPVR12-007469	PVR	Issued	11/07/2012	$1,200.00	ROOF MOUNT PHOTOVOLTAIC 4.2 KW		119152011	172 MOUNTAIRE PKWY	CLAYTON
Owner	VISCOGLIOSI ROBERTO R TRE				172 MOUNTAIRE PKWY CLAYTON, CA 94517-1562				
Contractor	THE SOLAR COMPANY INC				1550 CARBONDALE ROAD IONE, CA 95640				
BIR12-007037	R	Issued	11/06/2012	$440,746.96	NEW SINGLE FAMILY RESIDENCE - PLAN 3 (PRESIDIO)	3,469	119640023	5 SEMINARY RIDGE PL	CLAYTON
Owner	TOLL CA XIX LP				2000 CROW CANYON PL STE 200 SAN RAMON, CA 94583-1108				
Contractor	TOLL BROS INC				2000 CROW CANYON PLACE SAN RAMON, CA 94512				

CONTRA COSTA COUNTY
Department of Conservation and Development

WEEKLY REPORT Building Permits Issued

Status Date between 09/17/2012 and 09/25/2012
City: CLAYTON Inc/Uninc: Incorporated

NUMBER	TYPE	STATUS	ISSUED	VALUATION	DESCRIPTION	SQ FT	PARCEL	ADDRESS	CITY
BIAL12-006899	AL	Issued	09/21/2012	$28,893.00	Replace 5 windows and 3 sliding glass doors like for like	1	119530014	708 REISLING CT	CLAYTON
Owner	MADEIROS RENAY DEE				708 REISLING CT CLAYTON, CA 94517-1417				
Contractor	JEMICO LLC				30800 SANTANA STREET HAYWARD, CA 94544				
NUMBER	TYPE	STATUS	ISSUED	VALUATION	DESCRIPTION	SQ FT	PARCEL	ADDRESS	CITY
BIAL12-006911	AL	Issued	09/21/2012	$30,000.00	KITCHEN REMODEL- REPLACE CABINETS, COUNTERS, ADD LIGHTING, ELECTRICAL FOR WINE COOLER		118480045	1003 PEBBLE BEACH DR	CLAYTON
Owner	WALL MICHAEL L & BARBARA K TRE				1003 PEBBLE BEACH DR CLAYTON, CA 94517-2213				
Contractor	KITCHEN EXPERTS OF CALIFORNIA				7055 COMMERCE CIR STE C PLEASANTON, CA 94588				
NUMBER	TYPE	STATUS	ISSUED	VALUATION	DESCRIPTION	SQ FT	PARCEL	ADDRESS	CITY
BIE12-006953	E	Issued	09/24/2012	$0.00	REPLACE 200 AMP ELECTRICAL SERVICE, 1-60AMP 220 VOLT SUB-PANEL CIRCUIT		119102018	910 KENSTON DR	CLAYTON
Owner	HARRIS EMANUEL E & BROOKE A				910 KENSTON DR CLAYTON, CA 94517-1331				
Contractor	PARKER ELECTRIC CO				4304 ROSE LANE CONCORD, CA 94518				
NUMBER	TYPE	STATUS	ISSUED	VALUATION	DESCRIPTION	SQ FT	PARCEL	ADDRESS	CITY
BIM12-006712	M	Issued	09/17/2012	$0.00	REPLACE FURNACE 96%AFUE - A/C SPLIT SYSTEM 16 SEER DUCT SEALING AND TESTING REQUIRED PER T-24.		118332008	1826 YOLANDA CIR	CLAYTON
Owner	GRECH STEVEN R & DORANNA TRE				1826 YOLANDA CIR CLAYTON, CA 94517-1062				
Contractor	FRESCHI AIR SYSTEMS INC				P O BOX 486 ANTIOCH, CA 94509				
NUMBER	TYPE	STATUS	ISSUED	VALUATION	DESCRIPTION	SQ FT	PARCEL	ADDRESS	CITY
BIMIR12-006759	MIR	Issued	09/18/2012	$5,566.40	2 NEW ARBORS		119130014	128 WIDMAR PL	CLAYTON
Owner	MARTICORENA PAOLA				128 WIDMAR PL CLAYTON, CA 94517-1355				
NUMBER	TYPE	STATUS	ISSUED	VALUATION	DESCRIPTION	SQ FT	PARCEL	ADDRESS	CITY
BIP12-006862	P	Issued	09/20/2012	$30,000.00	NEW SWIMMING POOL		119630013	26 SEMINARY RIDGE PL	CLAYTON
Contractor	FINAL CONSTRUCTION INC				3070 RACETRACK VIEW DRIVE DEL MAR, CA 92014				
NUMBER	TYPE	STATUS	ISSUED	VALUATION	DESCRIPTION	SQ FT	PARCEL	ADDRESS	CITY
BIR12-006401	R	Issued	09/19/2012	$388,288.44	SINGLE FAMILY RESIDENCE LOT 14 - PLAN 1	3,020	119640021	24 PROMONTORY PL	CLAYTON
Owner	TOLL CA XIX L P				2000 CROW CANYON PL STE 200 SAN RAMON, CA 94583-1108				
Contractor	TOLL BROS INC				2000 CROW CANYON PLACE SAN RAMON, CA 94512				

CONTRA COSTA COUNTY
Department of Conservation and Development

WEEKLY REPORT Building Permits Issued

Status Date between 08/27/2012 and 08/31/2012
City: CLAYTON Inc/Uninc: Incorporated

NUMBER	TYPE	STATUS	ISSUED	VALUATION	DESCRIPTION	SQ FT	PARCEL	ADDRESS	CITY
BIM12-006168	M	Issued	08/29/2012	$0.00	REPLACE FURNACE 80%AFUE AND A/C 13 SEER		119301014	570 MT DELL DR	CLAYTON
Owner	WINSHIP BRUCE & APRIL TRE				156 MT ETNA DR CLAYTON, CA 94517-1505				
Contractor	BLUE MOUNTAIN AIR INC				707 ALDRIDGE ROAD STE B VACAVILLE, CA 95688				
NUMBER	TYPE	STATUS	ISSUED	VALUATION	DESCRIPTION	SQ FT	PARCEL	ADDRESS	CITY
BIM12-006262	M	Issued	08/31/2012	$0.00	REPLACE AIR CONDITIONER		121082015	35 RHINE CT	CLAYTON
Owner	FERNANDES EDGAR B & PENNY C				35 RHINE CT CLAYTON, CA 94517-1344				
Contractor	ABSOLUTE AIR				817 ARNOLD DRIVE #8 MARTINEZ, CA 94553				
NUMBER	TYPE	STATUS	ISSUED	VALUATION	DESCRIPTION	SQ FT	PARCEL	ADDRESS	CITY
BIPL12-006261	PL	Issued	08/30/2012	$0.00	REMOVE AND RELACE WATER HEATER		118381025	1873 EAGLE PEAK AVE	CLAYTON
Owner	CUTTER MICHAEL L & ROBIN R				1873 EAGLE PEAK AVE CLAYTON, CA 94517-1801				
Contractor	FAST WATER HEATER PARTNERS I L P				12601 132ND AVENUE NE KIRKLAND, WA 98034				
NUMBER	TYPE	STATUS	ISSUED	VALUATION	DESCRIPTION	SQ FT	PARCEL	ADDRESS	CITY
BIPVR12-004635	PVR	Issued	08/27/2012	$1,200.00	2KW ROOF MOUNTED PHOTOVOLTAIC SOLAR SYSTEM, TO INCLUDE MAIN PANEL UPGRADE TO 200AMP		121083001	5807 DEL TRIGO LN	CLAYTON
Owner	KING DENNIS M & OLIVIA TRE				5807 DEL TRIGO LN CLAYTON, CA 94517-1321				
Contractor	FUTURE ENERGY CORPORATION				1671 WEST ARROW RTE UPLAND, CA 91786				
NUMBER	TYPE	STATUS	ISSUED	VALUATION	DESCRIPTION	SQ FT	PARCEL	ADDRESS	CITY
BIPVR12-005847	PVR	Issued	08/30/2012	$1,200.00	PV SOLAR, ROOF MOUNT	1	118221008	501 CAULFIELD CT	CLAYTON
Owner	STOUFFER JEROLD D TRE				501 CAULFIELD CT CLAYTON, CA 94517-1006				
Contractor	D R BROWN COMPANY				4878 SUNRISE DRIVE MARTINEZ, CA 94553				
NUMBER	TYPE	STATUS	ISSUED	VALUATION	DESCRIPTION	SQ FT	PARCEL	ADDRESS	CITY
BIPVR12-006023	PVR	Issued	08/31/2012	$1,200.00	PV SOLAR, ROOF MOUNT	1	118324001	5624 BETTENCOURT DR	CLAYTON
Owner	DHILLON KULJINDER				5624 BETTENCOURT DR CLAYTON, CA 94517-1054				
Contractor	QUALITY HOME RENOVATORS INC				5225 QUAKERTOWN AVE WOODLAND HILLS, CA 91364				
NUMBER	TYPE	STATUS	ISSUED	VALUATION	DESCRIPTION	SQ FT	PARCEL	ADDRESS	CITY
BIR11-006785	R	Issued	08/30/2012	$536,987.13	NEW SINGLE FAMILY RESIDENCE - DIABLO ESTATES - DIABLO POINTE PLAN 2 - LOT 8	4,306	119640013	4 PROMONTORY PL	CLAYTON
Owner	TOLL CA XIX L P				2000 CROW CANYON PL STE 200 SAN RAMON, CA 94583-1108				
Contractor	TOLL BROS INC				250 GIBRALTAR ROAD ATTN: GATES/LEGAL HORSHAM, PA 19044				
NUMBER	TYPE	STATUS	ISSUED	VALUATION	DESCRIPTION	SQ FT	PARCEL	ADDRESS	CITY
BIR12-005966	R	Issued	08/30/2012	$494,739.70	SINGLE FAMILY RESIDENCE - LOT 10 (PLAN 5)	4,057	119640016	2 SEMINARY RIDGE PL	CLAYTON
Owner	TOLL CA XIX L P				2000 CROW CANYON PL STE 200 SAN RAMON, CA 94583-1108				
Contractor	TOLL BROS INC				250 GIBRALTAR ROAD ATTN: GATES/LEGAL HORSHAM, PA 19044				

CONTRA COSTA COUNTY
Department of Conservation and Development

WEEKLY REPORT Building Permits Issued

Status Date between 04/16/2012 and 04/20/2012
City: CLAYTON Inc/Uninc: Incorporated

NUMBER	TYPE	STATUS	ISSUED	VALUATION	DESCRIPTION	SQ FT	PARCEL	ADDRESS	CITY
BIE12-002573	E	Issued	04/19/2012	$0.00	ADD CIRCUIT FOR INSTALLATION OF ELECTRIC CAR CHARGER IN GARAGE.		118164008	1509 TARA CT	CLAYTON
Owner	DEOCARES-LENGYEL ANDRE				1509 TARA CT CLAYTON, CA 94517-1069				
Contractor	A - 1 ELECTRIC CONTRACTING INC				1819 POLK STREET # 236 SAN FRANCISCO, CA 94109				
NUMBER	TYPE	STATUS	ISSUED	VALUATION	DESCRIPTION	SQ FT	PARCEL	ADDRESS	CITY
BIM12-002478	M	Issued	04/17/2012	$0.00	REPLACE FURNACE AND AIR CONDITIONER		119221025	10 MT MCKINLEY CT	CLAYTON
Owner	BROWN MATTHEW & TRISHA L				10 MT MCKINLEY CT CLAYTON, CA 94517-1508				
Contractor	FRESCHI AIR SYSTEMS INC				P O BOX 486 ANTIOCH, CA 94509				
NUMBER	TYPE	STATUS	ISSUED	VALUATION	DESCRIPTION	SQ FT	PARCEL	ADDRESS	CITY
BIM12-002479	M	Issued	04/17/2012	$0.00	REPLACE FURNACE AND AIR CONDITIONER		120024003	13 ATCHINSON STAGE PL	CLAYTON
Owner	TIDWELL CARLOS M TRE				13 ATCHINSON STAGE PL CLAYTON, CA 94517-1102				
Contractor	FRESCHI AIR SYSTEMS INC				P O BOX 486 ANTIOCH, CA 94509				
NUMBER	TYPE	STATUS	ISSUED	VALUATION	DESCRIPTION	SQ FT	PARCEL	ADDRESS	CITY
BIM12-002568	M	Issued	04/19/2012	$7,410.00	REPLACE FURNACE AND A/C SPLIT SYSTEM. 80% AFU E AND 13 SEER. DUCT SEALING AND TESTING REQUIRED PER T-24.		119231006	12 MT WILSON WAY	CLAYTON
Owner	NOWICKI EDWARD R				12 MT WILSON WAY CLAYTON, CA 94517-1643				
Contractor	FRESCHI AIR SYSTEMS INC				P O BOX 486 ANTIOCH, CA 94509				
NUMBER	TYPE	STATUS	ISSUED	VALUATION	DESCRIPTION	SQ FT	PARCEL	ADDRESS	CITY
BIR11-006229	R	Issued	04/17/2012	$440,746.96	NEW SINGLE FAMILY RESIDENCE - DIABLO ESTATES - DIABLO POINTE PLAN 3	3,469	119630009	19 SEMINARY RIDGE	CLAYTON
Owner	TOLL CA XIX L P				2000 CROW CANYON PL STE 200 SAN RAMON, CA 94583-1108				
Contractor	TOLL BROS INC				250 GIBRALTAR ROAD ATTN: GATES/LEGAL HORSHAM, PA 19044				
NUMBER	TYPE	STATUS	ISSUED	VALUATION	DESCRIPTION	SQ FT	PARCEL	ADDRESS	CITY
BIR12-000699	R	Issued	04/17/2012	$525,945.91	NEW SINGLE FAMILY RESIDENCE - LOT 3 (PLAN 5)	4,057	119630003	22 SEMINARY RIDGE	CLAYTON
Owner	TOLL CA XIX L P				2000 CROW CANYON PL STE 200 SAN RAMON, CA 94583-1108				
Contractor	TOLL BROS INC				250 GIBRALTAR ROAD ATTN: GATES/LEGAL HORSHAM, PA 19044				
NUMBER	TYPE	STATUS	ISSUED	VALUATION	DESCRIPTION	SQ FT	PARCEL	ADDRESS	CITY
BIR12-000704	R	Issued	04/17/2012	$541,434.33	NEW SINGLE FAMILY RESIDENCE - LOT 12 (PLAN 6)	4,306	119640019	17 PROMONTORY PL	CLAYTON
Owner	TOLL CA XIX L P				2000 CROW CANYON PL STE 200 SAN RAMON, CA 94583-1108				
Contractor	TOLL BROS INC				250 GIBRALTAR ROAD ATTN: GATES/LEGAL HORSHAM, PA 19044				
NUMBER	TYPE	STATUS	ISSUED	VALUATION	DESCRIPTION	SQ FT	PARCEL	ADDRESS	CITY
BIR12-001674	R	Issued	04/17/2012	$540,620.73	NEW SINGLE FAMILY RESIDENCE - INVERNESS PLAN 6 (LOT 1)	4,306	119630001	27 SEMINARY RIDGE PL	CLAYTON
Owner	TOLL CA XIX L P				2000 CROW CANYON PL STE 200 SAN RAMON, CA 94583-1108				
Contractor	TOLL BROS INC				250 GIBRALTAR ROAD ATTN: GATES/LEGAL HORSHAM, PA 19044				

CONTRA COSTA COUNTY
Department of Conservation and Development

WEEKLY REPORT Building Permits Issued

Status Date between 04/16/2012 and 04/20/2012
City: CLAYTON Inc/Uninc: Incorporated

NUMBER	TYPE	STATUS	ISSUED	VALUATION	DESCRIPTION	SQ FT	PARCEL	ADDRESS	CITY
BIR12-001678	R	Issued	04/17/2012	$472,637.61	NEW SINGLE FAMILY RESIDENCE - INVERNESS PLAN 4 (LOT 11)	3,724	119640018	11 PROMONTORY PL	CLAYTON
Owner	TOLL CA XIX L P				2000 CROW CANYON PL STE 200 SAN RAMON, CA 94583-1108				
Contractor	TOLL BROS INC				250 GIBRALTAR ROAD ATTN: GATES/LEGAL HORSHAM, PA 19044				
NUMBER	TYPE	STATUS	ISSUED	VALUATION	DESCRIPTION	SQ FT	PARCEL	ADDRESS	CITY
BIR12-001679	R	Issued	04/17/2012	$472,637.61	NEW SINGLE FAMILY RESIDENCE - BELVEDERE PLAN 4 (LOT 6)	3,724	119630006	10 SEMINARY RIDGE PL	CLAYTON
Owner	TOLL CA XIX L P				2000 CROW CANYON PL STE 200 SAN RAMON, CA 94583-1108				
Contractor	TOLL BROS INC				250 GIBRALTAR ROAD ATTN: GATES/LEGAL HORSHAM, PA 19044				
NUMBER	TYPE	STATUS	ISSUED	VALUATION	DESCRIPTION	SQ FT	PARCEL	ADDRESS	CITY
BIRR12-002522	RR	Finaled	04/18/2012	$0.00	RE-ROOF 44 SQS CLASS C MIN FIBERGLASS	4,400	121170003	5837 MITCHELL CANYON CT	CLAYTON
Owner	TOMPACH NORMAN C TRE				5837 MITCHELL CANYON CT CLAYTON, CA 94517-1334				
Contractor	SHERMAN ROOFING				5586 BOBBY DRIVE LIVERMORE, CA 94551				

CONTRA COSTA COUNTY
Department of Conservation and Development

WEEKLY REPORT Building Permits Issued

Status Date between 04/02/2012 and 04/06/2012
City: CLAYTON Inc/Uninc: Incorporated

NUMBER	TYPE	STATUS	ISSUED	VALUATION	DESCRIPTION	SQ FT	PARCEL	ADDRESS	CITY
BIAL12-002229	AL	Issued	04/05/2012	$4,300.00	REPLACE 6 WINDOWS -SAME SIZES AND LOCATIONS	1	120115013	1342 EL CAMINO DR	CLAYTON
Owner	WINEROTH/SECOND STREET LP				333 SAN RAFAEL AVE BELVEDERE, CA 94920-2333				
Contractor	DAN NOWELL				P O BOX 7003 CORTE MADERA, CA 94976				
NUMBER	TYPE	STATUS	ISSUED	VALUATION	DESCRIPTION	SQ FT	PARCEL	ADDRESS	CITY
BIAL12-002231	AL	Issued	04/05/2012	$9,797.00	HALL BATH REMODEL- GUT AND REPLACE WITH NEW SAME CONFIGURATION PER PLAN		118510001	1134 PEACOCK CREEK DR	CLAYTON
Owner	KENNEDY WILLIAM P & SUSAN TRE				1134 PEACOCK CREEK DR CLAYTON, CA 94517-2202				
Contractor	SCHICKER INC				1059 DETROIT AVENUE CONCORD, CA 94518				
NUMBER	TYPE	STATUS	ISSUED	VALUATION	DESCRIPTION	SQ FT	PARCEL	ADDRESS	CITY
BIAL12-002267	AL	Issued	04/06/2012	$8,120.00	VOLUNTARY SEISMIC RETRO-FIT PER PLANS.		120105018	5605 SHASTA CT	CLAYTON
Owner	KERR DANIEL S				5605 SHASTA CT CLAYTON, CA 94517-2119				
Contractor	CARO CONSTRUCTION				326 CENTER STREET OAKLAND, CA 94607				
NUMBER	TYPE	STATUS	ISSUED	VALUATION	DESCRIPTION	SQ FT	PARCEL	ADDRESS	CITY
BIPL12-002120	PL	Issued	04/03/2012	$0.00	REPLACE 40 GALLON WATER HEATER		119451007	307 MEREDITH CT	CLAYTON
Owner	LAUTERBACH DIETER & SANDRA TRE				307 MEREDITH CT CLAYTON, CA 94517-1638				
Contractor	CUATRO AMIGOS INC				1870 ARNOLD INDUSTRIAL PLACE # 1045 CONCORD, CA 94520				
NUMBER	TYPE	STATUS	ISSUED	VALUATION	DESCRIPTION	SQ FT	PARCEL	ADDRESS	CITY
BIPL12-002213	PL	Issued	04/05/2012	$0.00	REPLACE 40 GALLON WATER HEATER		120111006	1360 YOSEMITE CIR	CLAYTON
Owner	ZANE MATTHEW C & LACEY M				1360 YOSEMITE CIR CLAYTON, CA 94517-2122				
Contractor	CUATRO AMIGOS INC				1870 ARNOLD INDUSTRIAL PLACE # 1045 CONCORD, CA 94520				
NUMBER	TYPE	STATUS	ISSUED	VALUATION	DESCRIPTION	SQ FT	PARCEL	ADDRESS	CITY
BIR11-006230	R	Issued	04/05/2012	$475,023.21	NEW SINGLE FAMILY RESIDENCE - DIABLO ESTATES - DIABLO POINTE PLAN 4	3,724	119640001	6 SEMINARY RIDGE	CLAYTON
Owner	TOLL CA XIX L P				2000 CROW CANYON PL STE 200 SAN RAMON, CA 94583-1108				
Contractor	TOLL BROS INC				250 GIBRALTAR ROAD ATTN: GATES/LEGAL HORSHAM, PA 19044				
NUMBER	TYPE	STATUS	ISSUED	VALUATION	DESCRIPTION	SQ FT	PARCEL	ADDRESS	CITY
BIR12-000702	R	Issued	04/05/2012	$377,334.00	NEW SINGLE FAMILY RESIDENCE - LOT 15 (PLAN 1)	3,020	119640022	20 PROMONTORY PL	CLAYTON
Owner	TOLL CA XIX L P				2000 CROW CANYON PL STE 200 SAN RAMON, CA 94583-1108				
Contractor	TOLL BROS INC				250 GIBRALTAR ROAD ATTN: GATES/LEGAL HORSHAM, PA 19044				

CONTRA COSTA COUNTY
Department of Conservation and Development

WEEKLY REPORT Building Permits Issued

Status Date between 01/30/2012 and 02/03/2012
City: CLAYTON Inc/Uninc: Incorporated

NUMBER	TYPE	STATUS	ISSUED	VALUATION	DESCRIPTION	SQ FT	PARCEL	ADDRESS	CITY
BIM12-000588	M	Issued	01/30/2012	$0.00	REPLACE EXISTING DUCT WORK 9 DUCT RUNS R6		118660057	3105 COYOTE CIR	CLAYTON
Owner	HEW STEPHANIE R				3105 COYOTE CIR CLAYTON, CA 94517-1942				
Contractor	ON-TIME AIR CONDITIONING & HEATING INC				7020 COMMERCE DR STE E PLEASANTON, CA 94588				
NUMBER	TYPE	STATUS	ISSUED	VALUATION	DESCRIPTION	SQ FT	PARCEL	ADDRESS	CITY
BIPL12-000754	PL	Issued	02/03/2012	$0.00	INSTALL 75 GALLON WATER HEATER		118424003	355 BLUE OAK LN	CLAYTON
Owner	SOUZA WILLIAM A & DEBRA K				355 BLUE OAK LN CLAYTON, CA 94517-2019				
Contractor	WATER HEATERS MASTERS INC				5 CLAIRMONT PLACE PITTSBURG, CA 94565				
NUMBER	TYPE	STATUS	ISSUED	VALUATION	DESCRIPTION	SQ FT	PARCEL	ADDRESS	CITY
BIR11-008851	R	Issued	02/02/2012	$525,945.91	NEW SINGLE FAMILY RESIDENCE WITH ATTACHED GARAGE (OAKHURST PLAN) LOT 22	4,057	119630008	15 SEMINARY RIDGE	CLAYTON
Owner	TOLL CA XIX L P				100 PARK PL STE #140 SAN RAMON, CA 94583-4460				
NUMBER	TYPE	STATUS	ISSUED	VALUATION	DESCRIPTION	SQ FT	PARCEL	ADDRESS	CITY
BIR11-008852	R	Issued	02/02/2012	$441,412.24	NEW SINGLE FAMILY RESIDENCE WITH ATTACHED GARAGE (PRESIDIO PLAN) LOT 16	3,469	119640010	16 PROMOTORY PL	CLAYTON
Owner	TOLL CA XIX L P				100 PARK PL STE #140 SAN RAMON, CA 94583-4460				
NUMBER	TYPE	STATUS	ISSUED	VALUATION	DESCRIPTION	SQ FT	PARCEL	ADDRESS	CITY
BIR11-008853	R	Issued	02/02/2012	$525,945.91	NEW SINGLE FAMILY RESIDENCE WITH ATTACHED GARAGE (INVERNESS PLAN) LOT 2	4,057	119630002	26 SEMINARY RIDGE	CLAYTON
Owner	TOLL CA XIX L P				100 PARK PL STE #140 SAN RAMON, CA 94583-4460				
NUMBER	TYPE	STATUS	ISSUED	VALUATION	DESCRIPTION	SQ FT	PARCEL	ADDRESS	CITY
BIRR12-000746	RR	Issued	02/03/2012	$0.00	REMOVE AND REPLACE 29 SQS OF COMP		120052016	1371 LYDIA LN	CLAYTON
Owner	MORTENSON JACK R & DORIS R TRE				1371 LYDIA LN CLAYTON, CA 94517-1109				
Contractor	AIKELE CONSTRUCTION INC				1940 OLIVERA ROAD SUITE C CONCORD, CA 94520				

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction	City of Clayton		
Reporting Period	1/1/2012	-	12/31/2012

General Comments: The re-designation of seven sites to Multi -family high density residential resolution No. 11-2012 Residential (Resolution No.11-2012), the adoption of Ordinance 440, and the adoption of Ordinance 441 occurred at the City Council in 2012. It should be noted that substantial staff and consultant work and work with the Planning Commission and community occurred during the 2011 calendar year to research and prepare staff reports, resolutions, and ordinances to enable the City Council's adoption of this body of work in 2012. The City is continuing it's efforts and anticipates to implement in 2013 measures associated with the universal design ordinance and energy efficiency design concepts.

Building Permits Finaled - 2012

	Demolition	Single Family Units			2 - 4 Unit A
	Units	SF Attached	SF Detached	Mobile Homes	2-4 Unit Structures
Clayton	1	14	0	0	0
Lafayette	2	2	6	0	1
Moraga	0	1	1	0	0
Orinda	2	3	1	0	0
Unincorporated - Total	0	0	267	0	0
Dougherty Valley	0	0	147	0	0
Unincorporated (no DV)	11	18	120	0	0

Notes: The Multiple Family unit if Lafayette is actually a studio apartment in an office building
There is one SF unit in Pacheco with the description "County Job**** Residential Facility for Homeless" This prc
2nd Units reported as "Attached Units"

Building Permits Issued - 2012

	Demolition	Single Family Units			2 - 4 Unit A
	Units	SF Attached	SF Detached	Mobile Homes	2 - 4 Unit Structures
	0	0	17	0	-
Clayton	6	3	13	0	-
Lafayette	0	0	2	0	-
Moraga	1	5	4	0	-
Orinda	19	10	331	0	-
Unincorporated - Total	0	0	167	0	-
Dougherty Valley	19	10	164	0	-
Unincorporated (no DV)					

Note: 2nd units are reported as "Attached Units"

partments	5 + Unit Apartment		Total Units
Units	5+ Structures	Units	
0	0	0	13
1	0	0	7
0	0	0	2
0	0	0	2
0	12	235	509
0	12	235	382
0	0	0	127

(reported to DOF as 'converted unit')
)ject may be considered more than one unit.

partments	5 + Unit Apartment		Total Units
Units	MF 2-5	MF - 5 +	
0	-	0	17
0	1	46	56
0	-	0	2
0	-	0	8
0	-	0	322
0	-	0	167
0	-	0	155

Agenda Date: 3-19-13

Agenda Item: 4d

CITY OF CLAYTON
Founded 1857 - Incorporated 1964

Approved:

Gary A. Napper
City Manager

STAFF REPORT

TO: **HONORABLE MAYOR AND COUNCILMEMBERS**

FROM: Laura Hoffmeister, Assist. to the City Manager

DATE: **March 19, 2013**

SUBJECT: Establishing 2013-2014 ERU Assessment Rate for Federal and State Mandated National Pollution Discharge Elimination System (NPDES) Program (Storm Water Pollution Prevention)

RECOMMENDATION

Staff recommends the City Council adopt the attached Resolution, Establishing the Rate Per Equivalent Run off Unit (ERU) for FY 2013-14 and requesting the Contra Costa County Flood Control and Water Conservation District to adopt an Annual Parcel Assessment for Drainage and Maintenance and the National Pollutant Discharge Elimination System (NPDES) Program, maintaining the current ERU Rate at $29.00 per single-family parcel.

BACKGROUND

The 1987 Reauthorization of the Federal Clean Water Act, as well as similar State legislation, required local agencies to obtain a NPDES Permit for discharging the contents of municipal storm drainage water conveyance systems. As implemented and enforced by the State through the Regional Water Quality Control Board (San Francisco Bay Area Region), this permitting effort is intended to improve water quality in the Delta and San Francisco Bay Estuary System, protect endangered species, and safeguard public waters and waterways for continued economic, recreation and health purposes. Stormwater runoff pollution has been identified as a significant impact on water quality and wildlife in the Bay Area by the State and Federal Government. During wet weather, large amounts of pollutants, such as oil and grease from automobiles, heavy metals from vehicle exhaust and brake pads, such as copper and lead, pesticides, herbicides and fertilizers from lawns and gardens, soil erosion, and biological material enter the storm drain system and ultimately empty, untreated, into creeks, waterways, the Delta and Bay.

The City participates and obtained its joint NPDES permit from the SF Regional Water Quality Control Board via the Contra Costa Clean Water Program whose participants include the cities within the County, the County and the Flood Control District. The City of Clayton has participated since its inception fourteen years ago (September 1993). The SF Regional Water Quality Control Board issued the third five-year permit in December 2009 for 2009/10-2013/14. The new permit is called the Municipal Regional Permit (MRP), which covers many counties and cities in the bay area (rather than individual county by county and the cities within). The process to issue the new MRP took five years. The permit

allows the city and other jurisdictions to utilize the storm water drainage system for the discharges into creeks that ultimately drain into the bay. This joint participation allows for the program management and permit process costs to be kept to a minimum through economies of scale and local and regional collaboration, at a fraction of the cost of doing it alone. The program provides for a regional approach to Stormwater pollution control, regional monitoring, public education and outreach, technical support and training, special studies and NPDES permit administration requirements.

As part of its permit conditions, Clayton is required to implement a comprehensive Stormwater Management Plan (SWMP). The SWMP includes public participation and inter-governmental coordination designed to reduce the discharge of pollutants into the storm drainage system to the maximum extent practicable through the required implementation of 500 plus Best Management Practices (about 400 pages in long with an annual checklist that is 100 pages in length), or BMP's as they are commonly referred. (For comparison in FY 03-04 amendments were added to our permit by the Regional Board, commonly referred to C-3, which increased regulation and monitoring activities for development/construction controls, municipal maintenance, public education and outreach, illicit discharge and inspection, and documentation and reporting. These amendments increased our current permit requirements to about 75 pages. In 1997 there were 257 BMP's covering 40 pages; in 1993 the first permit time frame there were 12 BMP's, about 5 pages in length, all related to municipal maintenance activities such as drainage inlet cleaning and v-ditch cleaning).

Staff is aware the cost of meeting the obligations of the increased requirements contained in the MRP will begin to exceed our revenues received from the ERU. The shortfall for FY13-14 is expected to be $31,082 which will be able to be covered by the Stormwater Reserve Fund balance. Although difficult to fully identify all future additional costs at this point, staff has identified the minimum estimated cost impacts by the new regulations to the City could outpace revenues by up to $113,225 in future years (some might be able to be covered by the remaining special fund reserve use).

When the program was originally established in 1993, the rate cap for the current parcel fee in Clayton was set by the City Council at $29/ERU. Because other members of the Clean Water Program also have the same issues (costs exceeding available revenue available from the ERU rate) a cost/revenue analysis was undertaken by the Contra Costa Clean Water Program to evaluate possible additional funding mechanisms for the added requirements of the MRP. The Clean Water Program attempted three times the pursuit of legislation to add stormwater to the definitions of other utilities such as sewer and water and was not successful in receiving needed legislative support, or getting out of committee, and there is not any support by the governor and his staff. It was after these state wide attempts were fruitless, our staining local funding and the continuing increased requirements by state regulating agencies that led to the recent Prop 218 property owner vote for a new parcel fee. The new second revenue measure did not pass. However, in order to continue to receive our existing the current ERU rate of $29 per single family parcel (the same amount that we have levied since FY1999/2000), must be levied. Failure to levy this fee would result in the City having to use its General Fund to pay for these unfunded state mandates.

DISCUSSION

Staff currently participates, at least monthly as is required by the program agreement and state permit, on the Clean Water Program's New Development Construction Controls Committee, MRP Implementation sub-committee, and Management Committee; and as needed –usually quarterly in the Administrative and Finance Committee and the Monitoring and Inspection Committee. City staff typically attends and participates in 3-4 meetings per month as is required for permit compliance.

The new MRP added many new requirements including further reduction of the development, threshold of significance from the current 10,000 sq. feet five (effective February 2006), to the 2,500 sq. feet which became effective December 2012. This threshold also applies to widening of roads (including adding of

turn lanes); additions of hardscape in medians; new sidewalk/asphalt path installation; bike lane additions and additions to existing developments, including single family homes. Other permit changes result in more staff time to review and modify environmental review, mitigation, monitoring, reporting, development conditions, general plan and municipal ordinances. One of the largest components of the new permit is the trash load analysis and reduction program that cities must undertake. The cities completed their draft documents and filed them electronically with the SF Regional Water Board in March. This provision requires cities to reduce their trash pollution load by 40% by 2014, and completely eliminate (100% reduction) by 2020. There are annual studies and documentation showing its progress that the cites must file as part of its Annual Report to the State. They include mandatory maintenance items such as cleaning of trash along specific areas of creeks and drainage inlets; the quantification of the materials collected; and enforcement action (issuance of citations) to individuals for pollution runoff. The permit also increases the number of items the creeks and waterways testing needs to cover, requires establishment of local ordinances to prohibit the use of plastic grocery type bags, or other litter materials, mapping, monitoring and of all creeks and all outfalls to creeks, and specific on-going litter removal down to the size of a cigarette butt of litter on certain distance of creek segments and the cleaning of private drainage inlets (we currently do public inlets only). The reporting format requires cities to either use its own or contract for computer data base of mapping, reporting and monitoring information and making and transmitting electronically to the SF Regional Water Board where they will post to a public accessible web site. Another focus of the permit is increased and/or enhanced inspections to commercial businesses. The City contracts with Central Sans to perform these inspections, as they have the special training needed to undertake and most of the businesses are restaurant businesses which they already periodically inspect. The new permit also requires all maintenance staff and city contractors that apply herbicides or pesticides to be certified in Integrated Pest Management Practices (IPM), and Bay Friendly Certified, and for cities to have local IMP management plans and/or ordinances.

These additional unfunded mandates has already, and will continue to, increase staff time spent on NPDES program. Only a small portion of the permit costs are recovered through deposit accounts where they relate to new development projects.

Another on-going issue is the establishment of legislation via litigation. Certain third-party interest groups have repeatedly brought successful legal action against the EPA, State and Regional Agencies, the cities, county, and our Clean Water Program. These court actions have in the past increased costs for legal defense and added to the program requirements standards issued by the State, or as a result of judicial decisions. In addition if the current permit issued by the SF Regional Board is determined to be to burdensome the Group or the Region we have filed an appeal and have currently placed the appeal on a up to two year suspense. This was also done to allow time to seek new revenue to meet the unfunded mandates. Activating the appeal will require expenditure of legal costs, thus increasing overall group costs, and further reducing our return to source funds. Thereafter depending on the State decision there could be additional legal costs if the permit issuance is contested legally through the courts. The Environmental organizations have also filed an appeal with the State and placed it on a two year suspense as well. The Environmental organizations intend to monitor the permit conditions effectiveness and our compliance and then will determine if appeal is needed. To minimize the potential future appeal and related legal costs the group program costs have included encumbrances of some group Program funds for this purpose. To date Save the Bay has been closely monitoring the recent draft Baseline Trash Load Analysis and Action Plans. Based upon some recent email received from them it appears they are concerned that cities plans may not be aggressive enough to reduce trash pollution to meet the permit requirement time frames.

Overall the City's total costs are comprised of two components, one consisting of the pro rata share of group costs based upon population. The other is the management and maintenance activities undertaken by the City and its contracts with others for required activity implementation and monitoring and reporting. All program staff and permittees (cities and county) have been and continue to make

strong efforts to control costs at the program level. However, funds for the new permit technical and legal work, education and outreach, implementation of programs to address recent pollutants of concerns (mercury, PCB, etc.), and future TMDL's, trash, enforcement, have increased these State unfunded mandate costs.

ASSESSMENT AND PROGRAM BUDGET

The Group Clean Water Program Budget for FY 2013-14 is $2.5 million, about the same as last year. However future budget years will see Group Program increases to address some of the new permit requirements. Increased costs for 2013-14 are being addressed by carry over or encumbrances of this years funds to help reduce or smooth out increases, thus minimizing the impact (reduction) in return to source funds.

For FY 13-14 the City of Clayton's pro rata share of the Program's Costs of 1.04%, is apx. $25,265 an decrease of $938 over last year. However future costs increases and lack of Program carry over funding in future years will result Programs Costs budget increases, this will result in less return to source funds to undertake the added local city permit requirements.

It is currently estimated that for FY 13-14 the gross revenues from our assessment would total approximately $127,014. Of this $25,265 is allocated to the Clean Water Program administration and group expenses; $3,800 to the County Auditor for costs related to assessment collection; $8,000 to the Sanitary District for commercial inspection, monitoring and municipal requested call out inspections; $3,000 to the District for fiscal and assessment area management and $7,279 for our state discharge permit fee. Thus, the remaining funds available to the City, for all other activities are approximately $79,670, an increase of $938 over this fiscal year 2012-13 budget. Any costs necessary to implement the requirements which exceed the special revenue funds and its reserve, will have to be obtained through the City's General Fund revenues. Approximately fifty-five percent of the City's funds are directly spent on labor costs of maintenance activities required by the program, such as storm drain inspection and cleaning, creek clearing; responding to spill calls; the remaining is divided between equipment and materials; monitoring and inspection; and management and reporting. Any shortfall this year and next year anticipated to be covered by up to $120,763 from the City's Stormwater Fund reserves. Thereafter, if additional revenues are needed, the city would need to consider use of its General Fund, and/or a local city specific revenue measure since the regional Prop 218 measure did not receive enough support for passage.

To continue the local revenue source necessary to fund the unfunded mandates by federal and State government regulations, the City annually authorizes the Contra Costa Board of Supervisors to direct the Contra Costa Flood Control and Water Conservation District to establish a storm water utility area for the City and to impose benefit assessments on all applicable parcels within the City of Clayton. This is the annual consideration to request the local assessment levy which provides funding to the Federal and State Clean Water program mandates which the City must undertake and participate in according to Federal and State law. **Staff recommends no increase to the rate for FY 2013-14; it will be the same rate as last fourteen fiscal years, which is $29.00 per ERU.**

Since we are not exceeding the current rate cap and not increasing the rate above that already levied the current language of Prop. 218 process does not apply. A single family detached dwelling is typically one ERU; homes on lots 20,000 sq. ft. or larger are allocated 1.7 ERU's; attached homes (e.g., townhomes and duets) are 0.7 ERU. This formula is the same throughout all Contra Costa communities and all cities and the County funds their NPDES costs through the ERU assessments.

FISCAL IMPACT

Although a Federal and State Mandated program, cities do not receive any revenues from the Federal and State Government to offset or cover the mandated requirements. Consequently, the Stormwater

Utility Rate and Assessment areas were established in 1993 by the County and the Cities to develop a funding source to cover the costs of the Federal and State mandates.

The recommended assessment for FY 2013-14 is the same rate that is currently in place. Should the City not authorize the Flood Control District to establish and collect the annual assessments, the City would not receive the apx. $127,014 generated by the annual assessment and mandated activities would need funding from another source, such as the General Fund. Given the high level of commitment of the General Fund to other City programs and projects, prior state "takes" of local funds, loss of redevelopment funds, the overall economic downturn, and potential impacts to the General Fund from yet to be known potential state budget impacts, these NPDES costs if paid for by the General Fund, would adversely impact other services and operations the City currently provides to the community.

Additional implementation measures such as that needed for monitoring and maintenance of new Stromwater facilities required under our mandated permit and installed as part of new construction within Clayton (C-3), have been addressed by the City Council to provide for methods that are self supported by the **new** development such as Benefit Assessment Districts or Homeowners Associations or combination thereof, or other approach that would not financially impact the city and its general funds. This Council-directed policy minimizes potential impacts to the under-funded Stormwater fund or the City's General Fund for the permanent new development installed specific requirements to meet the new state regulations. However not covered by these are the general overall reporting, enforcement action and trash reduction action plans, commercial inspections, monitoring enhancements required by the regional board are reasons that the current assessment fee should be continued.

CONCLUSION

To continue the revenue source required to fund the state mandated activities the City annually authorizes the Contra Costa Board of Supervisors to direct the Contra Costa Flood Control and Water Conservation District to impose annual benefit assessments on all applicable parcels within the City of Clayton. The attached Resolution would maintain the current Stormwater Utility Rate assessment of $29.00 per ERU for FY 2013-14.

Attachments:

- Proposed ERU Resolution for FY 2013-2014
- Clean Water Program Budget costs and cost sharing formula FY 2013-14
- Cost estimates for new permit (MRP)
- City NPDES Budget History

RESOLUTION NO. __-2013

A RESOLUTION ESTABLISHING THE RATE PER EQUIVILANT RUN-OFF UNIT (ERU) FOR FY 2013-2014 AND REQUESTING THE CONTRA COSTA FLOOD CONTROL AND WATER CONSERVATION DISTRICT TO ADOPT AN ANNUAL PARCEL ASSESSMENT FOR DRAINAGE MAINTENANCE AND THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

THE CITY COUNCIL
City of Clayton, California

WHEREAS, under the Federal Water Quality Act [33 U.S.C. Section 1342 (p)], certain municipal stormwater discharges require a permit from the appropriate federal or state authorities pursuant to the National Pollutant Discharge Elimination System (NPDES) program; and

WHEREAS, the City of Clayton, in conjunction with other affected jurisdictions within Contra Costa County, applied to the State Regional Water Quality Control Board and received a Joint NPDES Permit which requires the implementation of a Storm Water Management Plan and Best Management Practices to minimize or eliminate pollutants from entering stormwaters; and

WHEREAS, Assembly Bill 2768 (West's Water Code Appendix, Section 63-12 and 63-12.9) authorizes the Contra Costa County Flood Control and Water Conservation District (District) to establish Stormwater Utility Areas (SUA) and to levy annual benefit assessments for the purpose of carrying our activities required under the NPDES program; and

WHEREAS, it is the intent of the City to utilize funds received from its Stormwater Utility Area (SUA) for implementation of the NPDES program and local drainage maintenance activities; and

WHEREAS, at the request of the City, the Contra Costa County Flood Control District and Water Conservation District (District) has completed the process for the formation of a SUA, including the adoption of the Stormwater Utility Assessment Drainage Ordinance No. 93-47; and

WHEREAS, the SUA and Program Group Costs payment agreement between the City and the District requires that the City of Clayton annually, by May 1, determine the rate to be assigned to a single ERU for the forthcoming fiscal year.

WHEREAS, the City Council adopted Resolution 9-93, which established the range of the annual assessment to be imposed by the District within the storm water utility area not to exceed $29 per ERU.

WHEREAS, the City of Clayton has been at its maximum $29 per ERU rate since FY 1999-2000 (the last thirteen fiscal years) and the same rate is proposed for FY 2013-2014.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Clayton, California does hereby determine that the rate to be assigned to a single ERU for FY 2013-2014 shall be set and assessed at $29.00

BE IT FURTHER RESOLVED, that the City Council of Clayton, California, does hereby request the Contra Costa Flood Control and Water Conservation District to adopt the SUA levies based on the above established rate.

Adopted by the City Council of the City of Clayton, California at a regular meeting of thereof held on March 19, 2013, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Julie K. Pierce, Mayor

ATTEST:

_____
Laci J. Jackson, City Clerk

I hereby certify that the foregoing resolution was duly and regularly passed by the City Council of the City of Clayton at a regular meeting held on March 19, 2013.

_____
Laci J. Jackson, City Clerk

Reso erurate13-14

CONTRA COSTA CLEAN WATER PROGRAM
GROUP COSTS METHODOLOGY & ALLOCATION
FOR FISCAL YEAR 2013/14

City/County/State	January 1, 2011	January 1, 2012[1]	Percent Change	Prorata % of Program [2]		Budget [3] Allocation
CONTRA COSTA COUNTY	1,056,306	1,065,117	0.83%		$	2,447,293
ANTIOCH	103,055	103,833	0.75%	9.75%	$	238,575
BRENTWOOD	52,030	52,575	1.05%	4.94%	$	120,800
CLAYTON	10,942	10,996	0.49%	1.03%	$	25,265
CONCORD	122,599	123,206	0.50%	11.57%	$	283,087
DANVILLE	42,217	42,450	0.55%	3.99%	$	97,536
EL CERRITO	23,649	23,774	0.53%	2.23%	$	54,625
HERCULES	24,153	24,272	0.49%	2.28%	$	55,769
LAFAYETTE	24,024	24,159	0.56%	2.27%	$	55,510
MARTINEZ	36,055	36,225	0.47%	3.40%	$	83,233
MORAGA	16,076	16,152	0.47%	1.52%	$	37,112
OAKLEY	35,998	36,532	1.48%	3.43%	$	83,939
ORINDA	17,714	17,819	0.59%	1.67%	$	40,942
PINOLE	18,461	18,560	0.54%	1.74%	$	42,645
PITTSBURG	63,735	64,706	1.52%	6.08%	$	148,673
PLEASANT HILL	33,280	33,440	0.48%	3.14%	$	76,834
RICHMOND	104,382	104,887	0.48%	9.85%	$	240,996
SAN PABLO	28,931	29,105	0.60%	2.73%	$	66,874
SAN RAMON	73,111	74,378	1.73%	6.98%	$	170,897
WALNUT CREEK	64,710	65,233	0.81%	6.12%	$	149,884
UNINCORP. COUNTY	161,184	162,815	1.01%	15.29%	$	374,096
				100.00%	$	2,447,293

1. Population estimate based on State of California Department of Finance (E-1) City/County projections- January 1, 2012. Figures are updated in May of each year.
2. Percentages based on prorata of population.
3. Budget Allocation amount is the Stormwater Utility Assessment (SUA) budget, which includes contingency.

Clayton NPDES costs for MRP

Year		current FY					
activity	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	
clayton program costs (1.03% of total)	25,517	26,203	25,265	45,000	55,000	40,000	assume group program budget of $18 million in 2016-17
commercial inspection	4,500	8,000	16,000	32,000	64,000	128,000	assume all businesses inspected annually in year 2016-17
street sweeping	42,000	43,050	44,100	45,200	46,330	47,800	
flood control fiscal mgmt costs	3,000	3,000	3,000	3,000	3,000	3,000	
county auditor/contlr costs	3,800	3,800	3,800	3,800	3,800	3,800	
state discharge permit fee	7,279	7,279	7,800	8,000	10,000	10,000	
DI's special trash captial	0	10,200		10,200		10,200	
maint	0	11,200	20,000	17,530	17,530	17,530	includes creek trash collection and quantification
city maint/admin	96,200	105,000	141,175	151,057	162,097	186,411	
Total est FY cost	**182,296**	**217,732**	**261,140**	**315,787**	**361,757**	**446,741**	**1,385,425**
							total cost over 5 years
Total revenue recvd @$29/ERU	127,014	127,014	127,014	127,014	127,014	127,014	**508,056**
Street Sweeping revenue	42,000	43,050	44,100	45,200	46,330	47,800	183,430
sw (npdes) reserve use	13,282	47,668	66,179	0	0	0	65,441
Total Revenues	182,296	217,732	237,293	172,214	173,344	174,814	**757,665**
							total revenue over 5 years
financial annual shortfall	**0**	**0**	**23,847**	**143,573**	**188,413**	**271,927**	**627,760**
							total shortfall over 5 years
adtl $ per parcel funds needed (4000 parcels)	0		8	38	44	68	***new fee or tax requ 2/3 prop 26 voter vote approval or gen tax poll election***
Total city of Clayton annual GF budget is $3.5 million							
% from GF needed for shortage			**1%**	**4%**	**5%**	**8%**	

requires equal offsetting reductions to ensure balanced budget or general fund reserves or new revenues ballot approval needed

police services are 47% of GF each officer = $135,000 incl all benefits

maintenace services are 13% of GF each main worker = $115,000 incl all benefits

residents garbage/recycling rates are apx. $22-37 per month

city street reapir project estimate $864,000 over next 4 years. Must be used for road repairs per region public vote (Measure J) of special tax that pays for them

City has over $500,000 in current deferred maintenance projects needs

City has FY 11/12 general fund shortfall of $525,000

including the state dissolved Redevelopment loss of $425,000 to general fund annually

rev 2013-14

City NPDES Budget History

FY 1998-1999 Budget (Total Group Program Budget $1,525,451): (ERU: $24.50) (final yr of 5yr permit:)

ERU gross revenue est.	$ 104,851	
NPDES Group Program costs:	$ 17,243	
County Auditor/Controller Costs:	$ 3,334	
City Return To Source Funds:		$ 84,274
Commercial Inspection by Central Sanitary Dist:		$ 4,205
Flood Control Dist. Fiscal Management Costs:		$ 3,000
Amount available to Clayton for City NPDES costs:		$ 73,735

FY 1999-2000 Budget (Total Group Program Budget $1,491,054): (ERU $29) *New 5-yr permit and added req.

ERU gross revenue est.	$125,196	
NPDES Group Program costs:	$ 18,995	
County Auditor/Controller Costs:	$ 3,500	
City Return to Source Funds:		$102,753
Commercial Inspection by Central Sanitary Dist:		$ 2,100
Flood Control Dist. Fiscal Management Costs:		$ 3,000
Amount available to Clayton for City NPDES costs:		$ 94,153

FY 2000-2001 Budget (Total Group Program Budget $1,773,242): (ERU $29) * lawsuits filed

ERU gross revenue est.	$129,522	
NPDES Group Program costs:	$ 18,875	
County Auditor/Controller Costs:	$ 3,500	
City Return to Source Funds:		$107,140
Commercial Inspection by Central Sanitary Dist:		$ 2,172
Flood Control Dist. Fiscal Management Costs:		$ 3,000
State Regional Annual Discharge Permit Fee		$ 1,500
Amount available to Clayton for City NPDES costs:		$ 96,968

FY 2001-2002 Budget (Total Group Program Budget $1,648,735): (ERU $29) *legal costs and technical costs for permit amendment hearings

ERU gross revenue est.	$129,737	
NPDES Group Program costs:	$ 23,940	
County Auditor/Controller Costs:	$ 3, 540	
City Return to Source Funds:		$102,266
Commercial Inspection by Central Sanitary Dist:		$ 2,240
Flood Control Dist. Fiscal Management Costs:		$ 3,000
State Regional Annual Discharge Permit Fee		$ 2,000
Amount available to Clayton for City NPDES costs:		$ 95,026

FY 2002-2003 Budget (Total Group Program Budget $2,258,541): (ERU $29) *legal costs and technical costs for permit amendment hearings

ERU gross revenue est.	$131,915	
NPDES Group Program costs:	$ 26,238	
County Auditor/Controller Costs:	$ 3,550	
City Return to Source Funds:		$102,127
Commercial Inspection by Central Sanitary Dist:		$ 2,600
Flood Control Dist. Fiscal Management Costs:		$ 3,000
State Regional Annual Discharge Permit Fee		$ 4,000
Amount available to Clayton for City NPDES costs:		$ 92,527

FY 2003-2004 (Total Group Program Budget $2,670,929): (ERU $29) *C-3 permit amendments/legal costs related to lawsuits

ERU gross revenue est.	$128,492	
NPDES Group Program costs:	$ 33,843	
County Auditor/Controller Costs:	$ 3,550	
City Return to Source Funds:		$ 91,099
Commercial Inspection by Central Sanitary Dist:		$ 3,000
Flood Control Dist. Fiscal Management Costs:		$ 3,000
State Regional Annual Discharge Permit Fee		$ 4,000
Amount available to Clayton for City NPDES costs:		$ 81,099

FY 2004-2005 (Total Group Program Budget $2,320,572): (ERU $29) *amended 5-year permit by SFRWQCB

ERU gross revenue est.	$129,420	
NPDES Group Program costs:	$ 11,843	
County Auditor/Controller Costs:	$ 3,600	
City Return to Source Funds:		$ 113,977
Commercial Inspection by Central Sanitary Dist:		$ 3,000
Flood Control Dist. Fiscal Management Costs:		$ 3,000
State Regional Annual Discharge Permit Fee		$ 5,000
Amount available to Clayton for City NPDES costs:		$ 102,977

FY 2005-2006 (Total Group Program Budget $2,320,572): (ERU $29) * implementation of new C-3 permit 1 ac amendments

ERU gross revenue est.	$126,362	
NPDES Group Program costs:	$ 11,749	
County Auditor/Controller Costs:	$ 3,680	
City Return to Source Funds:		$ 110,933
Commercial Inspection by Central Sanitary Dist:		$ 5,000
Flood Control Dist. Fiscal Management Costs:		$ 3,000
State Regional Annual Discharge Permit Fee		$ 5,400
Amount available to Clayton for City NPDES costs:		$ 97,533

FY 2006-2007 (Total Group Program Budget $2,867,625): (ERU $29) * implementation of new C-3 permit 10K sq ft. amendments; new permit issuance and future revenue study.

ERU gross revenue est.	$126,362	
NPDES Group Program costs:	$ 26,204	
County Auditor/Controller Costs:	$ 3,800	
City Return to Source Funds:		$ 96,358
Commercial Inspection by Central Sanitary Dist:		$ 5,000
Flood Control Dist. Fiscal Management Costs:		$ 3,000
State Regional Annual Discharge Permit Fee		$ 5,400
Amount available to Clayton for City NPDES costs:		$ 82,958

FY 2007-2008 (Total Group Program Budget $3,200,422): (ERU $29) * on-going implementation of new C-3 permit 10K sq ft. amendments; draft new permit issuance and future revenue study

ERU gross revenue est.	$126,362	
NPDES Group Program costs:	$ 31,800	
County Auditor/Controller Costs:	$ 3,800	
City Return to Source Funds:		$ 90,762
Commercial Inspection by Central Sanitary Dist:		$ 2,000
Flood Control Dist. Fiscal Management Costs:		$ 3,000
State Regional Annual Discharge Permit Fee		$ 5,400
Amount available to Clayton for City NPDES costs:		$ 80,362

FY 2008-2009 (Total Group Program Budget $4,200,422): (ERU $29) * on-going implementation of C-3 ; rev draft new permit regs, hearings on new MRP – cost impact and revenue study

ERU gross revenue est.	$126,362	
NPDES Group Program costs:	$ 44,520	
County Auditor/Controller Costs:	$ 3,800	
City Return to Source Funds:		$ 78,042
Commercial Inspection by Central Sanitary Dist:		$ 3,915
Flood Control Dist. Fiscal Management Costs:		$ 3,000
State Regional Annual Discharge Permit Fee		$ 5,400
Amount available to Clayton for City NPDES costs:		$ 65,727

FY 2009-2010 (Total Group Program Budget $4,000,000): (ERU $29) * new permit issued Dec 2009 (MRP) new permit regs, hearings on new MRP – cost impact and revenue study

ERU gross revenue est.	$127,014	
NPDES Group Program costs:	$ 41,017	
County Auditor/Controller Costs:	$ 3,800	
City Return to Source Funds:		$ 82,197
Commercial Inspection by Central Sanitary Dist:		$ 3,402
Flood Control Dist. Fiscal Management Costs:		$ 3,000
State Regional Annual Discharge Permit Fee		$ 5,400
Amount available to Clayton for City NPDES costs:		$ 70,397

FY 2010-2011 (Total Group Program Budget $2,250,079): (ERU $29) * new MRP fist year; cost impact and revenue study

ERU gross revenue est.	$127,014	
NPDES Group Program costs:	$ 23,052	
County Auditor/Controller Costs:	$ 3,800	
City Return to Source Funds:		$ 100,162
Commercial Inspection by Central Sanitary Dist:		$ 4,165
Flood Control Dist. Fiscal Management Costs:		$ 3,000
State Regional Annual Discharge Permit Fee		$ 5,400
Amount available to Clayton for City NPDES costs:		$ 87,597

FY 2011-2012 (Total Group Program Budget $2,497,856): (ERU $29) * new MRP second year costs trash baseline loading and reduction plans

ERU gross revenue est.	$127,014	
NPDES Group Program costs:	$ 25,517	
County Auditor/Controller Costs:	$ 3,800	
City Return to Source Funds:		$ 97,697
Commercial Inspection by Central Sanitary Dist:		$ 4,500
Flood Control Dist. Fiscal Management Costs:		$ 3,000
State Regional Annual Discharge Permit Fee		$ 7,279
Amount available to Clayton for City NPDES costs:		$ 82,918

FY 2012-2013 (Total Group Program Budget $2,528,966): (ERU $29) * new MRP reqs third year costs – trash reduction plan (install draining inlet screens); enhanced commercial -business inspection

ERU gross revenue est.	$127,014	
NPDES Group Program costs:	$ 26,203	
County Auditor/Controller Costs:	$ 3,800	
City Return to Source Funds:		$ 97,011
Commercial Inspection by Central Sanitary Dist:		$ 8,000
Flood Control Dist. Fiscal Management Costs:		$ 3,000
State Regional Annual Discharge Permit Fee		$ 7,279
Amount available to Clayton for City NPDES costs:		$ 78,732

FY 2013-2014 (Total Group Program Budget $2,447,293): (ERU $29) * new MRP reqs fourth year costs – trash reduction collection from drainage inlets; enhanced commercial -business inspection

ERU gross revenue est.	**$127,014**	
NPDES Group Program costs:	**$ 25,265**	
County Auditor/Controller Costs:	**$ 3,800**	
City Return to Source Funds:		**$ 97,949**
Commercial Inspection by Central Sanitary Dist:		**$ 8,000**
Flood Control Dist. Fiscal Management Costs:		**$ 3,000**
State Regional Annual Discharge Permit Fee		**$ 7,279**
Amount available to Clayton for City NPDES costs:		**$ 79,670**

CITY OF CLAYTON

Approved:

Gary A. Napper
City Manager

STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: MERRY PELLETIER

DATE: MARCH 18, 2013

SUBJECT: MID-YEAR BUDGET REVIEW AS OF DECEMBER 31, 2012

RECOMMENDATION OF COUNCIL BUDGET SUB COMMITTEE

1. By motion, accept the Mid-Year Budget staff report of the City's General Fund and Special (Restricted-Use) Funds for Fiscal Year 2012-13 with no mid-year budget adjustments.

BACKGROUND

At a special meeting of the Clayton City Council on June 19, 2012 the City's budgets for fiscal year 2012-2013 were adopted. The adopted Budget for the City's General Fund included a revenue program of $3,470,977 and an expenditure plan for $3,668,441.

YEAR-TO-DATE CHANGES

On October 16, 2012 the City Council approved Resolution No. 64-2012 increasing the General Fund Operations Budget to cover encumbrances (approved expense items incomplete) carried over from the prior fiscal year ending June 30, 2012) in the amount of $155,578. Other Fund Budgets were also increased with similar encumbrances as follows: Gas Tax Fund $28,228; the Landscape Maintenance District Fund $191,899; The Grove Park Fund $22,610; the Stormwater Fund $30,418; the Capital Improvement Project Fund $1,618,831; and the Capital Equipment Replacement Fund $27,415.

DISCUSSION

The revenue and expense figures for the second fiscal quarter 2012-13 are now compiled, giving us a view of the fiscal picture for half an operating year. Attached is a spreadsheet of General Fund expenditures and revenues through December 31, 2012.

A. General Fund Revenues

General Fund revenues for mid-year are at 49.15% of the total original budget compared to 52.7% in the FY 11-12 Mid-Year report. Some comparisons to consider:

Description	2010-11	2011-12	2012-13
Mid-Year Revenue	$ 1,899,350	$1,925,511	$1,764,852
Inter Fund Transfers	$ 334,294	$ 317,583	$ 182,008
Property Taxes	$ 803,442	$ 823,773	$ 788,931
Sales and Use Tax	$ 130,877	$ 88,804	$ 112,154
Business Licenses	$ 84,433	$ 96,109	$ 103,701
Building Permit Fees	$ 6,297	$ 27,156	$ 34,616
Planning Project Fees	$ 14,672	$ 15,229	$ 15,616
Real Property Transfer Tax	$ 26,399	$ 20,206	$ 25,310
Mid-Year Percentage	59.99%	52.76%	49.15%

Analysis of our Mid-Year General Fund status reveals our actual expenditures presently exceed General Fund revenues to date by $47,549. The projected deficit in the 2012-13 adopted budget was $197,464 thus utilizing only 24% of the estimated deficit at mid-year.

Annual revenues are forecast to come over budget by $198,248. Property Tax revenues are projected to come in over budget by $161,265 primarily due to the Redevelopment Property Tax Trust Fund (RPTTF) distributions flowing back to the City after the demise of the Agency. Local sales tax revenue generation is projected to come in $13,898 under budget. Interest earnings are also projected to come in considerably lower than budgeted by $43,099. Many of our high yielding investments have matured and due to poor interest earnings and uncertainty created from the demise of Redevelopment many of our funds have been transferred into our L.A.I.F. fund for easy access. Our permit fees are projected to come in under budget by $3,046 as well as our park user fees by $4,218 due to last minute Little League cancellations on field 1. Sale of Asset forfeitures through a Police Department program with Cnet are projected to come in $4,885 under budget as well.

B. General Fund Expenditures

General Fund expenditures for mid-year are at $1,812,401 (49%) of the budget compared to $1,906,532 in December 2011. Most departments are within or less than the 50% mid-year mark taking into consideration that some costs are not annualized. For example, liability and workers' compensation insurance is prepaid for 12 months and our Deferred Maintenance projects are on- going in the Public Works Department. General Fund expenditures are expected to come in on or under budget. Departmental mid-year budget comparisons are as follows:

Description	2012	2011	2010	2009
Legislative	$ 26,376	$ 25,186	$ 33,608	$ 39,425
Admin	$397,861	$ 410,790	$436,859	$ 435,179
Public Works	$167,259	$ 154,937	$185,469	$ 141,063
Planning	$139,913	$ 142,174	$140,609	$ 138,911
General Services	$ 81,832	$ 59,367	$ 76,176	$ 97,907
Police	$911,474	$ 972,550	$913,290	$ 919,173
Library	$ 45,841	$ 59,975	$ 70,225	$ 50,760
Engineering	$ 41,846	$ 41,442	$ 43,599	$ 46,451
Total	$1,812,402	$1,866,421	$1,899,835	$1,868,869

C. Special Fund Revenues and Expenditure

Annual revenues and expenditures of the City's Other Funds each appear to be on target as originally budgeted with one exception. Endeavor Hall revenues are extremely low currently at 29% of budget while expenditures are at 43%. At mid-year the Enterprise Fund has a deficit of $6,105 that hopefully with decrease with 6 future rentals on the calendar for 6 weddings. Special Revenue mid-year budget comparisons are as follows:

Fund	Revenue Budgeted	Revenue Mid-Year	Expense Budgeted	Expense Mid-Year	Fund Balance Mid-Year
Gas Tax	$317,873	$126,396	$ 549,454	$ 33,429	$ 195,776
LM District	$960,711	$530,670	$1,127,446	$801,554	$ 236,445
Grove Park	$126,145	$ 65,512	$ 108,943	$ 46,113	$ 261,919
GHAD	$ 34,815	$ 19,157	$ 31,385	$ 14,064	$ 9,625
St Light A.D.	$127,991	$ 70,915	$ 131,011	$ 45,078	$ 155,302
Stormwater	$124,568	$ 24,044	$ 143,821	$ 82,708	$ 119,450
Measure J	$1,256,436	$ 2,532	$ 1,256,436	$ 2,000	$ 309,013
Grants Fund	$ 121,805	$ 7,952	$ 110,062	$ 22,462	$ 199,330
Dev Impact Fees	$ 110,681	$ 98,663	-	-	$ 609,331

COUNCIL BUDGET SUB-COMMITTEE REVIEW

On March 19, 2013 the City Manager and the Finance Manager will meet with Council Member Diaz and Council Member Stratford to review the Mid-Year Budget data in great detail.

CONCLUSION

No budgetary action is necessary or recommended at this time.

The General Fund Revenue and Expenditures are projected to break even at year end. After rolling encumbrances ($155,578) into the Expenditure Budget that were approved for the General Fund by the City Council on October 16, 2012 the projected Expenditure plan is $3,824,019. The Revenues that offset these approved encumbrances are from carried over from 2011-12 surplus leaving a balanced budget. It is noted that City staff has done everything possible to reduce costs and operate on a bare bones budget over the past eight years. Unknowns that could affect costs are related to fluctuations in energy, water, vehicle operating costs, unforeseen building maintenance costs, unfunded state mandates or state-mandated shifts in revenue.

Respectively submitted,

Merry Pelletier

Merry Pelletier
Finance Manager

Attachments:
A. General Fund Mid-Year Revenues and Expenditures [7 pgs.]
B. Special (Restricted-Use) Funds Report [12 pgs.]

City of Clayton
General Fund Budget Revenue & Expense
2012-13

		Actual 12/31/2012	Budget	$ Variance	% Difference
Revenues					
101-4101-00	Property Taxes - Secured	$739,792.35	$1,490,346.00	$750,553.65	(50.36)%
101-4102-00	Property Taxes - Unsecured	$39,358.91	$38,276.00	($1,082.91)	2.83 %
101-4103-00	Property Taxes - Unitary Tax	$6,469.87	$11,309.00	$4,839.13	(42.79)%
101-4104-00	Property Taxes - Supplemental	$3,309.58	$0.00	($3,309.58)	0.00 %
101-4106-00	Property Taxes - Other	$0.00	$5,672.00	$5,672.00	(100.00)%
101-4301-00	Sales and Use Tax	$112,153.70	$263,000.00	$150,846.30	(57.36)%
101-4502-00	Real Property Transfer Tax	$25,310.12	$41,500.00	$16,189.88	(39.01)%
101-5101-00	Business Licenses	$103,700.64	$112,500.00	$8,799.36	(7.82)%
101-5103-00	CCC Building Permit Remit Fees	$34,615.68	$32,000.00	($2,615.68)	8.17 %
101-5106-00	Other Permits	$2,653.00	$7,134.00	$4,481.00	(62.81)%
101-5109-00	Stormwater Permit Fees	$2,322.00	$4,400.00	$2,078.00	(47.23)%
101-5201-00	Public Safety Allocation	$34,354.41	$63,000.00	$28,645.59	(45.47)%
101-5202-00	Abandoned Veh Abate (AVA)	$521.23	$3,500.00	$2,978.77	(85.11)%
101-5205-00	Other In Lieu	$72,960.40	$145,921.00	$72,960.60	(50.00)%
101-5214-00	Post Reimbursements	$2,250.47	$5,500.00	$3,249.53	(59.08)%
101-5217-00	State Mandated Cost Reimbursement	$2,715.00	$884.00	($1,831.00)	207.13 %
101-5301-00	Planning Services	$2,797.00	$6,500.00	$3,703.00	(56.97)%
101-5302-00	Police Services	$13,024.84	$27,300.00	$14,275.16	(52.29)%
101-5303-00	City Hall Rental Fees	$524.00	$0.00	($524.00)	0.00 %
101-5304-00	Planning Fees (Public Hearing)	$15,615.88	$25,000.00	$9,384.12	(37.54)%
101-5306-00	Well Water Usage Charge	$19,166.39	$25,000.00	$5,833.61	(23.33)%
101-5319-00	Misc. City Services	$1,546.02	$3,300.00	$1,753.98	(53.15)%
101-5321-00	Well Monitoring Svc Charge	$8,784.97	$18,858.00	$10,073.03	(53.42)%
101-5322-00	City Administrative Fees-OHRec	$34,204.00	$34,204.00	$0.00	0.00 %
101-5401-00	Franchises - Comcast Cable	$90,728.27	$175,000.00	$84,271.73	(48.16)%
101-5402-00	Franchises - Garbage Fees	$89,241.82	$160,635.00	$71,393.18	(44.44)%
101-5403-00	Franchises - PG&E	$0.00	$115,461.00	$115,461.00	(100.00)%
101-5404-00	Franchises - Equilon Pipe	$11,836.11	$11,600.00	($236.11)	2.04 %
101-5405-00	AT&T Mobility Francise Fees	$42.35	$86.00	$43.65	(50.76)%
101-5501-00	Fines and Forfeitures	$9,538.93	$26,000.00	$16,461.07	(63.31)%
101-5601-00	Interest	$48,726.87	$145,000.00	$96,273.13	(66.40)%

City of Clayton
General Fund Budget Revenue & Expense
2012-13

		Actual 12/31/2012	Budget	$ Variance	% Difference
101-5602-00	Park Use Fee	$21,790.00	$45,392.00	$23,602.00	(52.00)%
101-5603-00	Meeting Room Fee	$1,391.00	$2,200.00	$809.00	(36.77)%
101-5608-00	Cattle Grazing Lease Rent	$9,048.34	$8,864.00	($184.34)	2.08 %
101-5609-00	Sprint/ Nextel Lease Rent	$16,205.34	$31,467.00	$15,261.66	(48.50)%
101-5701-00	Reimbursements/Refunds	$0.00	$5,000.00	$5,000.00	(100.00)%
101-5790-00	Other Revenues	$502.75	$2,000.00	$1,497.25	(74.86)%
101-5791-00	Overhead cost recovery	$5,643.06	$10,000.00	$4,356.94	(43.57)%
101-5801-00	Sale of Assets	$0.00	$6,700.00	$6,700.00	(100.00)%
101-6002-00	Trx. From Measure C Fund	$1,999.99	$4,000.00	$2,000.01	(50.00)%
101-6004-00	Trx. From Gas Tax	$3,343.50	$6,687.00	$3,343.50	(50.00)%
101-6005-00	Trx. From St. Lights	$5,140.00	$10,280.00	$5,140.00	(50.00)%
101-6006-00	Trx. From GHAD	$9,600.00	$19,200.00	$9,600.00	(50.00)%
101-6007-00	Trx. From Landscape Mtnce.	$15,701.00	$31,402.00	$15,701.00	(50.00)%
101-6011-00	Trx From Grove Park Fund	$3,199.50	$6,399.00	$3,199.50	(50.00)%
101-6016-00	Trx.From Stormwater Asses.	$16,420.75	$32,500.00	$16,079.25	(49.47)%
101-6024-00	Transfer from Trust & Agency	$1,599.75	$0.00	($1,599.75)	0.00 %
101-6025-00	Transfer from Succesor Agency	$125,002.00	$250,000.00	$124,998.00	(50.00)%
Totals for Department(s) 00 - City:		$1,764,851.79	$3,470,977.00	$1,706,125.21	(49.15)%
Total Revenues		$1,764,851.79	$3,470,977.00	$1,706,125.21	(49.15)%
Expenses					
101-7115-01	Council/Commission Compensatio	$10,822.50	$23,400.00	($12,577.50)	53.75 %
101-7220-01	PERS Retirement	$1,301.23	$4,321.00	($3,019.77)	69.89 %
101-7231-01	Workers' Compensation	$517.89	$546.00	($28.11)	5.15 %
101-7233-01	FICA and Medicare	$119.78	$339.00	($219.22)	64.67 %
101-7246-01	Benefit Insurance	($293.18)	$0.00	($293.18)	0.00 %
101-7324-01	Dues and Subscriptions	$6,057.70	$11,458.00	($5,400.30)	47.13 %
101-7361-01	Advertising	$91.20	$0.00	$91.20	0.00 %
101-7362-01	City Promotional Activity	$1,532.01	$4,400.00	($2,867.99)	65.18 %
101-7382-01	Election Services	$151.40	$12,000.00	($11,848.60)	98.74 %

City of Clayton
General Fund Budget Revenue & Expense
2012-13

		Actual 12/31/2012	Budget	$ Variance	% Difference
101-7419-01	Other Professional Services	$6,075.00	$8,000.00	($1,925.00)	24.06 %
Totals for Department(s) 01 - Legislative:		$26,375.53	$64,464.00	($38,088.47)	59.08 %
101-7111-02	Regular Salaries	$251,967.97	$492,550.00	($240,582.03)	48.84 %
101-7218-02	Life and LTD Insurance	$1,740.34	$3,448.00	($1,707.66)	49.53 %
101-7220-02	PERS Retirement	$48,376.41	$105,105.00	($56,728.59)	53.97 %
101-7231-02	Workers' Compensation	$10,888.37	$11,492.00	($603.63)	5.25 %
101-7233-02	FICA and Medicare	$3,882.42	$7,142.00	($3,259.58)	45.64 %
101-7241-02	Auto Allowance/Mileage	$5,163.37	$10,740.00	($5,576.63)	51.92 %
101-7246-02	Benefit Insurance	$27,298.84	$71,647.00	($44,348.16)	61.90 %
101-7324-02	Dues and Subscriptions	$0.00	$1,831.00	($1,831.00)	100.00 %
101-7332-02	Telephone	$2,763.94	$10,280.00	($7,516.06)	73.11 %
101-7364-02	Employee Recognition	$37.28	$2,000.00	($1,962.72)	98.14 %
101-7371-02	Travel	$7.00	$0.00	$7.00	0.00 %
101-7389-02	Misc. Expense	$192.50	$0.00	$192.50	0.00 %
101-7411-02	Professional Services Retainer	$31,506.50	$70,000.00	($38,493.50)	54.99 %
101-7414-02	Audit	$8,250.00	$16,635.00	($8,385.00)	50.41 %
101-7415-02	Computer Services	$825.00	$1,700.00	($875.00)	51.47 %
101-7419-02	Other Professional Services	$4,961.22	$13,447.00	($8,485.78)	63.11 %
Totals for Department(s) 02 - Administration:		$397,861.16	$818,017.00	($420,155.84)	51.36 %
101-7111-03	Regular Salaries	$4,269.33	$8,289.00	($4,019.67)	48.49 %
101-7112-03	Temporary Salaries	$64.50	$3,969.00	($3,904.50)	98.37 %
101-7218-03	Life and LTD Insurance	$60.40	$43.00	$17.40	(40.47)%
101-7220-03	PERS Retirement	$513.24	$1,879.00	($1,365.76)	72.69 %
101-7231-03	Workers' Compensation	$155.41	$164.00	($8.59)	5.24 %
101-7233-03	FICA and Medicare	$1,698.74	$431.00	$1,267.74	(294.14)%
101-7246-03	Benefit Insurance	($17.33)	$2,079.00	($2,096.33)	100.83 %
101-7311-03	General Supplies	$1,611.90	$5,500.00	($3,888.10)	70.69 %
101-7329-03	Park Supplies	($478.20)	$0.00	($478.20)	0.00 %
101-7331-03	Rentals/Leases	$0.00	$140.00	($140.00)	100.00 %
101-7332-03	Telephone	$1,122.19	$3,000.00	($1,877.81)	62.59 %
101-7335-03	Gas & Electricity	$13,479.52	$30,000.00	($16,520.48)	55.07 %

City of Clayton
General Fund Budget Revenue & Expense
2012-13

		Actual 12/31/2012	Budget	$ Variance	% Difference
101-7231-05	Workers' Compensation	$430.77	$0.00	$430.77	0.00 %
101-7232-05	Unemployment Compensation	$112.40	$11,249.00	($11,136.60)	99.00 %
101-7247-05	OPEB Expense	$0.00	$4,042.00	($4,042.00)	100.00 %
101-7312-05	Office Supplies/Expense	$2,072.56	$7,300.00	($5,227.44)	71.61 %
101-7314-05	Postage	$2,470.46	$4,400.00	($1,929.54)	43.85 %
101-7315-05	Buildings and Grounds Supplies	$1,830.00	$0.00	$1,830.00	0.00 %
101-7331-05	Rentals/Leases	$5,860.11	$11,049.00	($5,188.89)	46.96 %
101-7351-05	Insurance Premiums	$82,367.78	$89,121.00	($6,753.22)	7.58 %
101-7381-05	Property Tax Admin. Costs	$0.00	$16,149.00	($16,149.00)	100.00 %
101-7419-05	Other Professional Services	$9,416.76	$16,977.00	($7,560.24)	44.53 %
101-7420-05	Administrative Costs	$705.50	$336.00	$369.50	(109.97)%
Totals for Department(s) 05 - General Support:		$81,831.57	$111,750.00	($29,918.43)	26.77 %
101-7111-06	Regular Salaries	$409,879.24	$841,912.00	($432,032.76)	51.32 %
101-7113-06	Overtime	$63,746.57	$86,000.00	($22,253.43)	25.88 %
101-7116-06	Part-time Salaries	$1,573.42	$4,348.00	($2,774.58)	63.81 %
101-7218-06	Life and LTD Insurance	$2,821.71	$5,893.00	($3,071.29)	52.12 %
101-7220-06	PERS Retirement	$164,745.30	$367,785.00	($203,039.70)	55.21 %
101-7231-06	Workers' Compensation	$18,709.41	$19,744.00	($1,034.59)	5.24 %
101-7233-06	FICA and Medicare	$7,718.66	$14,538.00	($6,819.34)	46.91 %
101-7241-06	Auto Allowance/Mileage	$2,305.28	$4,440.00	($2,134.72)	48.08 %
101-7242-06	Uniform Allowance	$6,525.00	$9,000.00	($2,475.00)	27.50 %
101-7246-06	Benefit Insurance	$63,266.07	$150,206.00	($86,939.93)	57.88 %
101-7311-06	General Supplies	$2,660.79	$4,500.00	($1,839.21)	40.87 %
101-7312-06	Office Supplies/Expense	$1,032.39	$2,500.00	($1,467.61)	58.70 %
101-7314-06	Postage	$285.04	$500.00	($214.96)	42.99 %
101-7324-06	Dues and Subscriptions	$3,185.00	$18,737.00	($15,552.00)	83.00 %
101-7332-06	Telephone	$4,868.33	$18,048.00	($13,179.67)	73.03 %
101-7342-06	Machinery/Equipment Maintenanc	$966.48	$650.00	$316.48	(48.69)%
101-7343-06	Vehicle Maintenance	$6,239.70	$13,000.00	($6,760.30)	52.00 %
101-7344-06	Vehicles: Gas, Oil & Supplies	$11,354.78	$32,000.00	($20,645.22)	64.52 %
101-7345-06	Office Equip-Maint/Repairs	$783.27	$1,138.00	($354.73)	31.17 %
101-7363-06	Business Entertainment Expense	$154.02	$100.00	$54.02	(54.02)%

City of Clayton
General Fund Budget Revenue & Expense
2012-13

		Actual 12/31/2012	Budget	$ Variance	% Difference
101-7364-06	Employee Recognition	$0.00	$300.00	($300.00)	100.00 %
101-7365-06	CC Volunteer Recognition	$0.00	$169.00	($169.00)	100.00 %
101-7373-06	Education & Training	$4,757.61	$7,000.00	($2,242.39)	32.03 %
101-7389-06	Misc. Expense	$2,088.05	$0.00	$2,088.05	0.00 %
101-7411-06	Professional Services Retainer	$1,787.34	$0.00	$1,787.34	0.00 %
101-7415-06	Computer Services	$0.00	$850.00	($850.00)	100.00 %
101-7417-06	Janitorial Service	$1,125.00	$2,700.00	($1,575.00)	58.33 %
101-7419-06	Other Professional Services	$18,223.64	$27,747.00	($9,523.36)	34.32 %
101-7424-06	Dispatch Services	$65,865.00	$158,076.00	($92,211.00)	58.33 %
101-7425-06	Crime Lab	$4,564.00	$14,177.00	($9,613.00)	67.81 %
101-7427-06	CAL ID	$11,125.00	$11,125.00	$0.00	0.00 %
101-7428-06	C Net	$0.00	$1,513.00	($1,513.00)	100.00 %
101-7429-06	Animal Control	$29,051.00	$58,102.00	($29,051.00)	50.00 %
101-7432-06	Emergency Services	$67.23	$366.00	($298.77)	81.63 %
101-7433-06	Integrated Justice System	$0.00	$1,171.00	($1,171.00)	100.00 %
Totals for Department(s) 06 - Police:		$911,474.33	$1,878,335.00	($966,860.67)	51.47 %
101-7111-07	Regular Salaries	$4,363.69	$8,485.00	($4,121.31)	48.57 %
101-7112-07	Temporary Salaries	$222.75	$269.00	($46.25)	17.19 %
101-7218-07	Life and LTD Insurance	$29.80	$59.00	($29.20)	49.49 %
101-7220-07	PERS Retirement	$893.51	$1,923.00	($1,029.49)	53.54 %
101-7231-07	Workers' Compensation	$193.31	$204.00	($10.69)	5.24 %
101-7233-07	FICA and Medicare	$69.16	$144.00	($74.84)	51.97 %
101-7246-07	Benefit Insurance	$712.82	$1,697.00	($984.18)	58.00 %
101-7332-07	Telephone	$694.24	$1,972.00	($1,277.76)	64.80 %
101-7335-07	Gas & Electricity	$17,752.35	$48,000.00	($30,247.65)	63.02 %
101-7338-07	Water Services	$500.62	$1,600.00	($1,099.38)	68.71 %
101-7341-07	Buildings/Grounds Maintenance	$4,013.39	$6,732.00	($2,718.61)	40.38 %
101-7346-07	HVAC Mtn & Repairs	$2,529.34	$8,813.00	($6,283.66)	71.30 %
101-7417-07	Janitorial Service	$13,866.01	$27,659.00	($13,792.99)	49.87 %
101-7423-07	Library Aide Additional Hours	$0.00	$22,800.00	($22,800.00)	100.00 %
Totals for Department(s) 07 - Library:		$45,840.99	$130,357.00	($84,516.01)	64.83 %

City of Clayton
General Fund Budget Revenue & Expense
2012-13

		Actual 12/31/2012	Budget	$ Variance	% Difference
101-7324-08	Dues and Subscriptions	$168.00	$184.00	($16.00)	8.70 %
101-7332-08	Telephone	$343.35	$813.00	($469.65)	57.77 %
101-7411-08	Professional Services Retainer	$34,828.30	$73,500.00	($38,671.70)	52.61 %
101-7430-08	Well Monitoring Svc Charge	$6,506.00	$19,043.00	($12,537.00)	65.84 %
Totals for Department(s) 08 - Engineering:		$41,845.65	$93,540.00	($51,694.35)	55.26 %
101-7111-09	Regular Salaries	$20,436.88	$45,262.00	($24,825.12)	54.85 %
101-7112-09	Temporary Salaries	$3,151.00	$12,790.00	($9,639.00)	75.36 %
101-7113-09	Overtime	$204.84	$1,000.00	($795.16)	79.52 %
101-7218-09	Life and LTD Insurance	$142.71	$258.00	($115.29)	44.69 %
101-7220-09	PERS Retirement	$4,278.92	$10,261.00	($5,982.08)	58.30 %
101-7231-09	Workers' Compensation	$956.13	$1,009.00	($52.87)	5.24 %
101-7233-09	FICA and Medicare	$398.41	$1,059.00	($660.59)	62.38 %
101-7246-09	Benefit Insurance	$3,413.60	$7,599.00	($4,185.40)	55.08 %
101-7329-09	Park Supplies	$3,268.82	$10,000.00	($6,731.18)	67.31 %
101-7331-09	Rentals/Leases	$0.00	$405.00	($405.00)	100.00 %
101-7335-09	Gas & Electricity	$522.16	$1,900.00	($1,377.84)	72.52 %
101-7338-09	Water Services	$51,218.45	$77,439.00	($26,220.55)	33.86 %
101-7411-09	Professional Services Retainer	$2,063.81	$0.00	$2,063.81	0.00 %
101-7417-09	Janitorial Service	$5,587.49	$12,525.00	($6,937.51)	55.39 %
101-7419-09	Other Professional Services	$221.50	$522.00	($300.50)	57.57 %
101-7429-09	Animal Control	$0.00	$1,953.00	($1,953.00)	100.00 %
Totals for Department(s) 09 - Clayton Community Park:		$95,864.72	$183,982.00	($88,117.28)	47.89 %
Total Expenses		**$1,812,400.68**	**$3,685,372.32**	**($1,872,971.64)**	**50.82 %**
BEGINNING FUND BALANCE		**$5,555,147.03**	**$5,555,147.03**	**$0.00**	**0.00 %**
NET SURPLUS/(DEFICIT)		**($47,548.89)**	**($214,395.32)**	**($166,846.43)**	**77.82 %**
ENDING FUND BALANCE		**$5,507,598.14**	**$5,340,751.71**	**($166,846.43)**	**3.12 %**

City of Clayton
July 1 to December 31, 2012
2012-13

		Actual 12/31/2012	Budget	$ Variance	% Difference
Revenues					
201-4607-00	Street Light Assessment	$13,672.56	$26,894.00	$13,221.44	(49.16)%
201-5209-00	State Gasoline 2105	$21,074.87	$53,692.00	$32,617.13	(60.75)%
201-5210-00	State Gasoline 2106	$17,871.53	$40,722.00	$22,850.47	(56.11)%
201-5211-00	State Gasoline 2107	$31,609.60	$76,173.00	$44,563.40	(58.50)%
201-5212-00	State Gasoline 2107.5	$3,000.00	$3,000.00	$0.00	0.00 %
201-5216-00	State Gaseline 2103	$37,053.19	$115,892.00	$78,838.81	(68.03)%
201-5601-00	Interest	$2,029.66	$1,500.00	($529.66)	35.31 %
201-5790-00	Other Revenues	$85.00	$0.00	($85.00)	0.00 %
Totals for Department(s) 00 - City:		$126,396.41	$317,873.00	$191,476.59	(60.24)%
Total Revenues		**$126,396.41**	**$317,873.00**	**$191,476.59**	**(60.24)%**
Expenses					
201-7111-00	Regular Salaries	$7,029.63	$23,248.00	($16,218.37)	69.76 %
201-7112-00	Temporary Salaries	$981.50	$5,918.00	($4,936.50)	83.42 %
201-7218-00	Life and LTD Insurance	$49.01	$163.00	($113.99)	69.93 %
201-7220-00	PERS Retirement	$1,469.48	$5,087.00	($3,617.52)	71.11 %
201-7231-00	Workers' Compensation	$696.49	$735.00	($38.51)	5.24 %
201-7232-00	Unemployment Compensation	$244.05	$446.00	($201.95)	45.28 %
201-7233-00	FICA and Medicare	$133.11	$790.00	($656.89)	83.15 %
201-7246-00	Benefit Insurance	$1,172.31	$4,651.00	($3,478.69)	74.79 %
201-7311-00	General Supplies	$554.33	$0.00	$554.33	0.00 %
201-7327-00	Park & Street Supplies	$3,167.31	$26,580.00	($23,412.69)	88.08 %
201-7335-00	Gas & Electricity	$14,181.14	$42,500.00	($28,318.86)	66.63 %
201-7340-00	Traffic Safety Supplies	$0.00	$800.00	($800.00)	100.00 %
201-7349-00	Traffic Signal Maintenance	$407.32	$26,000.00	($25,592.68)	98.43 %
201-7381-00	Property Tax Admin. Costs	$0.00	$300.00	($300.00)	100.00 %
201-7419-00	Other Professional Services	$0.00	$144.00	($144.00)	100.00 %
201-8101-00	Transfer To General Fund	$3,343.50	$6,687.00	($3,343.50)	50.00 %
201-8111-00	Transfer to CIP Fund	$0.00	$405,405.00	($405,405.00)	100.00 %

City of Clayton
July 1 to December 31, 2012
2012-13

	Actual 12/31/2012	Budget	$ Variance	% Difference
Totals for Department(s) 00 - City:	$33,429.18	$549,454.00	($516,024.82)	93.92 %
Total Expenses	**$33,429.18**	**$549,454.00**	**($516,024.82)**	**93.92 %**
BEGINNING FUND BALANCE	**$102,808.88**	**$102,808.88**	**$0.00**	**0.00 %**
NET SURPLUS/(DEFICIT)	**$92,967.23**	**($231,581.00)**	**($324,548.23)**	**140.14 %**
ENDING FUND BALANCE	**$195,776.11**	**($128,772.12)**	**($324,548.23)**	**252.03 %**

City of Clayton
2012-13

		Actual 12/31/2012	Budget	$ Variance	% Difference
Revenues					
210-4604-00	Clayton LMD Assessment	$525,087.07	$955,711.00	$430,623.93	(45.06)%
210-5601-00	Interest	$5,282.56	$5,000.00	($282.56)	5.65 %
Totals for Department(s) 00 - City:		$530,369.63	$960,711.00	$430,341.37	(44.79)%
Total Revenues		**$530,369.63**	**$960,711.00**	**$430,341.37**	**(44.79)%**
Expenses					
210-7111-00	Regular Salaries	$81,876.73	$162,632.00	($80,755.27)	49.66 %
210-7112-00	Temporary Salaries	$39,497.50	$94,150.00	($54,652.50)	58.05 %
210-7113-00	Overtime	$66.63	$0.00	$66.63	0.00 %
210-7218-00	Life and LTD Insurance	$555.55	$1,138.00	($582.45)	51.18 %
210-7220-00	PERS Retirement	$17,227.73	$36,868.00	($19,640.27)	53.27 %
210-7231-00	Workers' Compensation	$10,193.78	$9,966.00	$227.78	(2.29)%
210-7232-00	Unemployment Compensation	$2,684.55	$5,449.00	($2,764.45)	50.73 %
210-7233-00	FICA and Medicare	$2,437.28	$9,561.00	($7,123.72)	74.51 %
210-7246-00	Benefit Insurance	$13,288.27	$31,175.00	($17,886.73)	57.38 %
210-7311-00	General Supplies	$12,000.95	$43,000.00	($30,999.05)	72.09 %
210-7316-00	Landscape Replacement	$2,407.24	$20,000.00	($17,592.76)	87.96 %
210-7335-00	Gas & Electricity	$11,013.48	$25,000.00	($13,986.52)	55.95 %
210-7338-00	Water Services	$149,719.41	$180,000.00	($30,280.59)	16.82 %
210-7342-00	Machinery/Equipment Maintenanc	$6,121.69	$9,500.00	($3,378.31)	35.56 %
210-7343-00	Vehicle Maintenance	$2,399.49	$12,000.00	($9,600.51)	80.00 %
210-7344-00	Vehicle Gas, Oil, and Supplies	$3,915.38	$10,500.00	($6,584.62)	62.71 %
210-7381-00	Property Tax Admin. Costs	$2,054.20	$3,737.00	($1,682.80)	45.03 %
210-7389-00	Misc. Expense	$80.00	$0.00	$80.00	0.00 %
210-7419-00	Other Professional Services	$43,764.86	$156,555.00	($112,790.14)	72.05 %
210-7486-00	CERF Charges/Depreciation	$13,500.00	$13,500.00	$0.00	0.00 %
210-7615-00	CCC Property Tax	$2,447.44	$2,398.00	$49.44	(2.06)%
210-8101-00	Transfer To General Fund	$15,701.00	$31,402.00	($15,701.00)	50.00 %
210-8111-00	Transfer to CIP Fund	$368,601.25	$268,915.00	$99,686.25	(37.07)%
Totals for Department(s) 00 - City:		$801,554.41	$1,127,446.00	($325,891.59)	28.91 %

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City of Clayton
2012-13

	Actual 12/31/2012	Budget	$ Variance	% Difference
Total Expenses	$801,554.41	$1,127,446.00	($325,891.59)	28.91 %
BEGINNING FUND BALANCE	$507,630.14	$507,630.14	$0.00	0.00 %
NET SURPLUS/(DEFICIT)	($271,184.78)	($166,735.00)	$104,449.78	(62.64)%
ENDING FUND BALANCE	$236,445.36	$340,895.14	$104,449.78	(30.64)%

City of Clayton
July 1 to December 31, 2012
2012-13

		Actual 12/31/2012	Budget	$ Variance	% Difference
Revenues					
211-4613-00	Clayton DT Park Assessment	$62,410.93	$114,145.00	$51,734.07	(45.32)%
211-5601-00	Interest	$2,865.38	$2,000.00	($865.38)	43.27 %
211-5602-00	Park Use Fee	$236.00	$0.00	($236.00)	0.00 %
211-5790-00	Other Revenues	$0.00	$10,000.00	$10,000.00	(100.00)%
Totals for Department(s) 00 - City:		$65,512.31	$126,145.00	$60,632.69	(48.07)%
Total Revenues		**$65,512.31**	**$126,145.00**	**$60,632.69**	**(48.07)%**
Expenses					
211-7111-00	Regular Salaries	$11,044.90	$27,943.00	($16,898.10)	60.47 %
211-7112-00	Temporary Salaries	$5,503.17	$16,813.00	($11,309.83)	67.27 %
211-7218-00	Life and LTD Insurance	$74.73	$196.00	($121.27)	61.87 %
211-7220-00	PERS Retirement	$2,240.74	$6,114.00	($3,873.26)	63.35 %
211-7231-00	Workers' Compensation	$1,137.12	$1,200.00	($62.88)	5.24 %
211-7232-00	Unemployment Compensation	$488.10	$974.00	($485.90)	49.89 %
211-7233-00	FICA and Medicare	$337.04	$1,691.00	($1,353.96)	80.07 %
211-7246-00	Benefit Insurance	$1,787.60	$5,590.00	($3,802.40)	68.02 %
211-7310-00	Supplies and Equipment	($760.63)	$4,800.00	($5,560.63)	115.85 %
211-7331-00	Rentals/leases	$0.00	$500.00	($500.00)	100.00 %
211-7335-00	Gas & Electricity	$616.45	$1,200.00	($583.55)	48.63 %
211-7338-00	Water Services	$5,277.25	$4,000.00	$1,277.25	(31.93)%
211-7342-00	Machinery/Equipt Maintenance	$0.00	$500.00	($500.00)	100.00 %
211-7343-00	Vehicle Maintenance	$0.00	$1,000.00	($1,000.00)	100.00 %
211-7344-00	Vehicle Gas, Oil and Supplies	$0.00	$1,500.00	($1,500.00)	100.00 %
211-7381-00	Property Tax Admin. Costs	$2,055.65	$3,900.00	($1,844.35)	47.29 %
211-7389-00	Misc. Expense	($80.00)	$0.00	($80.00)	0.00 %
211-7417-00	Janitorial Services	$5,765.77	$12,900.00	($7,134.23)	55.30 %
211-7419-00	Other Professional Services	$910.78	$4,787.00	($3,876.22)	80.97 %
211-7420-00	Administrative Costs	$1,779.34	$3,800.00	($2,020.66)	53.18 %
211-7486-00	Cerf Charges	$2,700.00	$2,700.00	$0.00	0.00 %

City of Clayton
July 1 to December 31, 2012
2012-13

		Actual 12/31/2012	Budget	$ Variance	% Difference
211-7615-00	CCC Property Tax	$435.72	$436.00	($0.28)	0.06 %
211-8101-00	Transfer To General Fund	$4,799.25	$6,399.00	($1,599.75)	25.00 %
Totals for Department(s) 00 - City:		$46,112.98	$108,943.00	($62,830.02)	57.67 %
Total Expenses		**$46,112.98**	**$108,943.00**	**($62,830.02)**	**57.67 %**
BEGINNING FUND BALANCE		**$242,519.71**	**$242,519.71**	**$0.00**	**0.00 %**
NET SURPLUS/(DEFICIT)		**$19,399.33**	**$17,202.00**	**($2,197.33)**	**12.77 %**
ENDING FUND BALANCE		**$261,919.04**	$259,721.71	($2,197.33)	**0.85 %**

City of Clayton
July 1 to December 31, 2012
2012-13

		Actual 12/31/2012	Budget	$ Variance	% Difference
Revenues					
212-4606-00	Oakhurst GHAD Assessment	$19,076.94	$34,685.00	$15,608.06	(45.00)%
212-5601-00	Interest	$80.00	$130.00	$50.00	(38.46)%
Totals for Department(s) 00 - City:		$19,156.94	$34,815.00	$15,658.06	(44.98)%
Total Revenues		$19,156.94	$34,815.00	$15,658.06	(44.98)%
Expenses					
212-7314-00	Postage	$0.00	$700.00	($700.00)	100.00 %
212-7381-00	Property Tax Admin. Costs	$570.99	$987.00	($416.01)	42.15 %
212-7384-00	Legal Notices	$0.00	$95.00	($95.00)	100.00 %
212-7412-00	Engineering/Inspection Service	$3,791.38	$5,000.00	($1,208.62)	24.17 %
212-7413-00	Legal Services	$101.52	$5,000.00	($4,898.48)	97.97 %
212-8101-00	Transfer To General Fund	$9,600.00	$19,603.00	($10,003.00)	51.03 %
Totals for Department(s) 00 - City:		$14,063.89	$31,385.00	($17,321.11)	55.19 %
Total Expenses		$14,063.89	$31,385.00	($17,321.11)	55.19 %
BEGINNING FUND BALANCE		$4,532.26	$4,532.26	$0.00	0.00 %
NET SURPLUS/(DEFICIT)		$5,093.05	$3,430.00	($1,663.05)	48.49 %
ENDING FUND BALANCE		$9,625.31	$7,962.26	($1,663.05)	20.89 %

City of Clayton
July 1 to December 31, 2012
2012-13

		Actual 12/31/2012	Budget	$ Variance	% Difference
Revenues					
214-4607-00	Street Light Assessment	$69,295.09	$125,991.00	$56,695.91	(45.00)%
214-5601-00	Interest	$1,620.10	$2,000.00	$379.90	(19.00)%
Totals for Department(s) 00 - City:		$70,915.19	$127,991.00	$57,075.81	(44.59)%
Total Revenues		$70,915.19	$127,991.00	$57,075.81	(44.59)%
Expenses					
214-7113-00	Overtime	$4,429.66	$11,625.00	($7,195.34)	61.90 %
214-7311-00	General Supplies	$765.03	$6,034.00	($5,268.97)	87.32 %
214-7335-00	Gas & Electricity	$32,719.00	$96,500.00	($63,781.00)	66.09 %
214-7381-00	Property Tax Admin. Costs	$2,024.43	$3,667.00	($1,642.57)	44.79 %
214-7384-00	Legal Notices	$0.00	$2,905.00	($2,905.00)	100.00 %
214-8101-00	Transfer To General Fund	$5,140.00	$10,280.00	($5,140.00)	50.00 %
Totals for Department(s) 00 - City:		$45,078.12	$131,011.00	($85,932.88)	65.59 %
Total Expenses		$45,078.12	$131,011.00	($85,932.88)	65.59 %
BEGINNING FUND BALANCE		$129,464.53	$129,464.53	$0.00	0.00 %
NET SURPLUS/(DEFICIT)		$25,837.07	($3,020.00)	($28,857.07)	955.53 %
ENDING FUND BALANCE		$155,301.60	$126,444.53	($28,857.07)	22.82 %

City of Clayton
General Fund Budget Revenue & Expense
2012-13

		Actual 12/31/2012	Budget	$ Variance	% Difference
›venues					
216-4602-00	Stormwater Assessment	$0.00	$82,623.00	$82,623.00	(100.00)%
216-4603-00	Stormwater O&M Annual Fee	$1,368.00	$2,225.00	$857.00	(38.52)%
216-5324-00	Street Sweeping Fees	$19,414.30	$38,720.00	$19,305.70	(49.86)%
216-5601-00	Interest	$1,425.90	$1,000.00	($425.90)	42.59 %
216-5790-00	Other Revenues	$1,836.27	$0.00	($1,836.27)	0.00 %
Totals for Department(s) 00 - City:		$24,044.47	$124,568.00	$100,523.53	(80.70)%
›tal Revenues		**$24,044.47**	**$124,568.00**	**$100,523.53**	**(80.70)%**
‹penses					
216-7111-00	Regular Salaries	$16,103.08	$23,626.00	($7,522.92)	31.84 %
216-7112-00	Temporary Salaries	$9,618.00	$8,339.00	$1,279.00	(15.34)%
216-7218-00	Life and LTD Insurance	$100.43	$158.00	($57.57)	36.44 %
216-7220-00	PERS Retirement	$3,011.20	$4,951.00	($1,939.80)	39.18 %
216-7231-00	Workers' Compensation	$758.08	$800.00	($41.92)	5.24 %
216-7232-00	Unemployment Compensation	$284.73	$550.00	($265.27)	48.23 %
216-7233-00	FICA and Medicare	$604.18	$966.00	($361.82)	37.46 %
216-7246-00	Benefit Insurance	$2,402.25	$4,526.00	($2,123.75)	46.92 %
216-7311-00	General Supplies	$322.21	$3,000.00	($2,677.79)	89.26 %
216-7373-00	Education & Training	$0.00	$250.00	($250.00)	100.00 %
216-7389-00	Misc. Expense	$443.83	$0.00	$443.83	0.00 %
216-7409-00	Street Sweeping	$21,000.00	$42,000.00	($21,000.00)	50.00 %
216-7412-00	Engineering/Inspection Service	$2,739.39	$7,000.00	($4,260.61)	60.87 %
216-7419-00	Other Professional Services	$385.94	$4,193.00	($3,807.06)	90.80 %
216-7421-00	Greenwaste Recycling	$785.25	$0.00	$785.25	0.00 %
216-7481-00	Permit Fees	$7,279.00	$7,279.00	$0.00	0.00 %
216-7520-00	Projects	$450.00	$3,000.00	($2,550.00)	85.00 %
216-8101-00	Transfer To General Fund	$16,420.75	$33,183.00	($16,762.25)	50.51 %
Totals for Department(s) 00 - City:		$82,708.32	$143,821.00	($61,112.68)	42.49 %

City of Clayton
General Fund Budget Revenue & Expense
2012-13

	Actual 12/31/2012	Budget	$ Variance	% Difference
ɔtal Expenses	$82,708.32	$143,821.00	($61,112.68)	42.49 %
EGINNING FUND BALANCE	$178,113.93	$178,113.93	$0.00	0.00 %
ET SURPLUS/(DEFICIT)	($58,663.85)	($19,253.00)	$39,410.85	(204.70)%
NDING FUND BALANCE	$119,450.08	$158,860.93	$39,410.85	(24.81)%

City of Clayton
General Fund Budget Revenue & Expense
2012-13

		Actual 12/31/2012	Budget	$ Variance	% Difference
evenues					
220-5223-00	Measure J Funds	$0.00	$234,212.00	$234,212.00	(100.00)%
220-5601-00	Interest	$2,532.34	$0.00	($2,532.34)	0.00 %
220-5790-00	Other Revenues	$0.00	$1,022,224.00	$1,022,224.00	(100.00)%
Totals for Department(s) 00 - City:		$2,532.34	$1,256,436.00	$1,253,903.66	(99.80)%
otal Revenues		**$2,532.34**	**$1,256,436.00**	**$1,253,903.66**	**(99.80)%**
xpenses					
220-7419-00	Other Professional Services	$0.00	$4,392.00	($4,392.00)	100.00 %
220-8101-00	Transfer To General Fund	$1,999.99	$4,000.00	($2,000.01)	50.00 %
220-8111-00	Transfer to CIP Fund	$0.00	$1,248,044.00	($1,248,044.00)	100.00 %
Totals for Department(s) 00 - City:		$1,999.99	$1,256,436.00	($1,254,436.01)	99.84 %
otal Expenses		**$1,999.99**	**$1,256,436.00**	**($1,254,436.01)**	**99.84 %**
EGINNING FUND BALANCE		**$308,480.19**	**$308,480.19**	**$0.00**	**0.00 %**
ET SURPLUS/(DEFICIT)		**$532.35**	**$0.00**	**($532.35)**	**0.00 %**
NDING FUND BALANCE		**$309,012.54**	**$308,480.19**	**($532.35)**	**0.17 %**

City of Clayton
General Fund Budget Revenue & Expense
2012-13

		Actual 12/31/2012	Budget	$ Variance	% Difference
Revenues					
304-5307-00	Childcare Facility Fees	$1,230.00	$1,435.00	$205.00	(14.29)%
304-5312-00	Open Space In-Lieu Fee	$66,091.26	$77,106.00	$11,014.74	(14.29)%
304-5314-00	Off Site Improvement Fees	$8,736.00	$10,192.00	$1,456.00	(14.29)%
304-5317-00	Fire Protection Fees	$1,800.00	$2,100.00	$300.00	(14.29)%
304-5323-00	Community Facilities Fees	$2,700.00	$3,150.00	$450.00	(14.29)%
304-5325-00	Police Impact Fee	$10,027.14	$11,698.00	$1,670.86	(14.28)%
304-5601-00	Interest	$8,078.90	$5,000.00	($3,078.90)	61.58 %
Totals for Department(s) 00 - City:		$98,663.30	$110,681.00	$12,017.70	(10.86)%
Total Revenues		**$98,663.30**	**$110,681.00**	**$12,017.70**	**(10.86)%**
BEGINNING FUND BALANCE		**$591,667.97**	**$591,667.97**	**$0.00**	**0.00 %**
NET SURPLUS/(DEFICIT)		**$98,663.30**	**$110,681.00**	**$12,017.70**	**(10.86)%**
ENDING FUND BALANCE		**$690,331.27**	**$702,348.97**	**$12,017.70**	**(1.71)%**

Agenda Date: 3-19-13

Agenda Item: _____

CITY OF CLAYTON
Founded 1857 ... Incorporated 1964

Approved:

Gary A. Napper
City Manager

STAFF REPORT

TO: **HONORABLE MAYOR AND COUNCILMEMBERS**

FROM: Laura Hoffmeister, Assist. to the City Manager

DATE: **March 19, 2013**

SUBJECT: Introduction of an Ordinance of the City of Clayton Amending Chapter 13.12 of Title 13 of the Municipal Code Relating to Stormwater Management Discharge Control for compliance with the National Pollution Discharge Elimination System (NPDES) program (storm water pollution prevention) Municipal Regional Permit (MRP) imposed by the SF Regional Water Quality Control Board.

RECOMMENDATION

Staff recommends the City Council receive public comments; have the City Clerk read the ordinance by title and number only and waive further reading; following the City Clerks reading that the City Council approve the introduction and first reading of the Ordinance.

BACKGROUND

The 1987 Reauthorization of the Federal Clean Water Act, as well as similar State legislation, required local agencies to obtain a NPDES Permit for discharging the contents of municipal storm drainage water conveyance systems. As implemented and enforced by the State through the Regional Water Quality Control Board (San Francisco Bay Area Region), this permitting effort is intended to improve water quality in the Delta and San Francisco Bay Estuary System, protect endangered species, and safeguard public waters and waterways for continued economic, recreation and health purposes. Stormwater runoff pollution has been identified as a significant impact on water quality and wildlife in the Bay Area by the State and Federal Government. During wet weather, large amounts of pollutants, such as oil and grease from automobiles, heavy metals from vehicle exhaust and brake pads, such as copper and lead, pesticides, herbicides and fertilizers from lawns and gardens, soil erosion, and biological material enter the storm drain system and ultimately empty, untreated, into creeks, waterways, the Delta and Bay.

The City participates and obtained its joint NPDES permit from the SF Regional Water Quality Control Board via the Contra Costa Clean Water Program whose participants include the cities within the County, the County and the Flood Control District. The City of Clayton

has participated since its inception in 1993. The SF Regional Water Quality Control Board issued the third permit, referred to commonly as the Municipal Regional Permit (MRP) in November 2009. This permit allows the city and other jurisdictions in the SF Bay Region to utilize the storm water drainage system for the next five years for discharges into creeks that ultimately drain into the bay. This joint participation allows for the program management and permit process costs to be kept to a minimum through economies of scale and local and regional collaboration, at a fraction of the cost of doing it alone. The program provides for a regional approach to Stormwater pollution control, regional monitoring, public education and outreach, technical support and training, special studies and NPDES permit administration requirements.

As part of its permit conditions, Clayton is required to implement a comprehensive Stormwater Management Plan (SWMP). The SWMP includes public participation and inter-governmental coordination designed to reduce the discharge of pollutants into the storm drainage system to the maximum extent practicable through the required implementation of 256 Best Management Practices (BMP's). Additional standards by the Regional Board in the MRP of 2009 of our NPDES Permit required cities to increase regulations and monitoring activities for development/construction controls, municipal maintenance, public education and outreach, illicit discharge and inspection, and documentation and reporting. Staff currently participates, as is required by the program agreement and state permit, on the Clean Water Program's New Development Construction Controls Committee, Management Committee (Chair), Administrative and Finance Committee (Chair) and the Monitoring and Inspection Committee.

Historically the thresholds have been continually reduced by the SF Board. The Amendments to the NPDES Permit made by the San Francisco Regional Board in February 2003, added new requirements included reduction of the development threshold of significance from the current five acres to 1 acre to 10,000 sq. feet; then to further to 5,000 sq ft., and now are 2,500 sf. ft. These thresholds of impervious areas must be captured and treated and infiltrated; also needed are updates to the local municipal ordinances for establishing local authority for regulation and enforcement. Although still not required at this time, it is expected that future requirements may add quantitative particulate limits (TMDL's) which would involve water runoff quality testing and monitoring through gathering and testing of water samples from certain sties or locations within the community. Other pressures are related to legislation via litigation. Certain third-party interest groups have repeatedly brought successful legal action against the EPA, State and Regional Agencies, and the cities and county and program which has also increased the costs for legal defense and added to the program requirements standards issued by the State, or as a result of judicial decisions. These changes underscore the need to ensure that local ordinances are updated as the Regional Water Board staff has asked of the permittees.

It should be noted that the state mandated requirements are separate from, and in addition to, requirements for erosion and sediment control and pollution prevention measures during construction. These later requirements were the focus for the last 10 years of the Water Board. Over time the Water Board has moved to adding long term permanent reduction or elimination of water quality impacts from new development and redevelopment projects. In general our permit continues to require project site designs to minimize the amount of impervious surfaces such as paving and roofs; where possible use pervious surfaces instead

of paving; have paving areas drain to landscape swales or detention basins so that runoff can percolate to the underlying soil. Runoff form impervious areas must be captured and treated. The permit specifies how to calculate the required size of treatment devices or facilities. Projects may also be required to infiltrate runoff so that peak flows and durations match pre-project conditions or non-development conditions. In addition project applicants must prepare plans, specifications and agreements to insure the stormwater treatment devices and facilities are maintained in perpetuity, including addressing vector control issues (i.e.: mosquitoes- West Nile Virus).

DISCUSSION

The City of Clayton participates in the Contra Costa Clean Water Program (Clean Water Program), which coordinates stormwater NPDES permit compliance efforts countywide. The City of Clayton is a Co-Permittee under a National Pollutant Discharge Elimination System (NPDES) permit regulating discharges from storm drain systems in Contra Costa County. The first municipal stormwater permit was issued to the City of Clayton in 1993. The permit is titled the Municipal Regional Stormwater Permit issued by the San Francisco Bay Regional Water Quality Control Board in 2009 (MRP). The permit specify measures the Co- permittees must undertake to prohibit non-stormwater discharges to storm drains and to minimize the quantity of pollutants in stormwater.

It should be noted that the state mandated requirements are separate from, and in addition to, requirements for erosion and sediment control and pollution prevention measures during construction. These later requirements were the focus for the last 10 years of the Water Board. Over time the Water Board has moved to adding long term permanent reduction or elimination of water quality impacts from new development and redevelopment projects. In general our permit continues to require project site designs to minimize the amount of impervious surfaces such as paving and roofs; where possible use pervious surfaces instead of paving; have paving areas drain to landscape swales or detention basins so that runoff can percolate to the underlying soil. Runoff form impervious areas must be captured and treated. The permit specifies how to calculate the required size of treatment devices or facilities. Projects may also be required to infiltrate runoff so that peak flows and durations match pre-project conditions or non-development conditions. In addition project applicants must prepare plans, specifications and agreements to insure the stormwater treatment devices and facilities are maintained in perpetuity, including addressing vector control issues (i.e.: mosquitoes- West Nile Virus).

The Contra Costa Clean Water Program (Clean Water Program), brought together a group of municipal attorneys to prepare a model stormwater ordinance in the 1990's. A similar group updated the model ordinance in 2004 to include additional sections related to implementation of new development (stormwater permit Provision C.3) requirements added by the San Francisco Bay Regional Water Quality Control Board. The City's current ordinance is based on the 2004 model.

Following adoption of the MRP in 2009, the SF Regional Board Staff identified that they preferred the local ordinances be updated to more clearly reflect the 2009 MRP. In response, the Clean Water Program once again convened a group of municipal attorneys to review and update the 2004 ordinance. The attached updated ordinance is

recommended to replace the existing ordinance. The attached ordinance is based on the most recent updated model. The Clayton Asst. to the City Manager (who serves as the city's stormwater manager) served on the technical work group, and the ordinance has been reviewed by the Clayton City Attorney, and Clayton City Engineer. The updated ordinance incorporates the following changes to the existing ordinance, consistent with new or updated provisions in the permit:

- Updates the definition of stormwater management facility to include facilities that use harvesting/reuse, evapotranspiration, and infiltration.

- Deletes the enumeration of specific project size thresholds for applicability of Provision C.3 (these 2003 thresholds have been superseded by lower thresholds in the current permit) and substitutes a reference to thresholds in "the City's NPDES permit".

- Updates the list of discharges exempt from the prohibition of discharges to the storm drain system.

- References specific publishers as sources of BMPs which the City [Town, County] may require to be implemented.

- Requires the use of BMPs to minimize the release of pesticides, fertilizers, herbicides, and other related materials used to maintain landscaping and facilities.

- Allows the City to require installation and maintenance of devices or facilities to prevent the discharge of trash or other pollutants from private parking lots, streets, roads, and drainage facilities into the storm drain system as a means of cost-effectively meeting permit mandates.

- Deletes a section in the 2004 model ordinance allowing compliance certificates for verifying the operation and maintenance (O&M) of privately owned stormwater management facilities; this method of O&M verification is not allowed by the current permits and O&M inspections must now be performed by the municipality.

- Strengthens administrative procedures for enforcement.

FISCAL IMPACT

Although a Federal and State Mandated program, cities do not receive any revenues from the Federal and State Government to offset or cover the mandated requirements. Unfortunately this program is not considered by the State as an unfunded mandate. The State has previously determined in the enacting legislations that local agencies can recover their costs through fees, assessment districts or other similar options. Consequently, the Stormwater Utility Rate Assessment areas were established in 1993 by the County and the Cities to develop a funding source to cover the costs of the Federal and State mandates. The City of Clayton is and has been at its maximum levy or $29 per Runoff Unit (single family

parcel) per year to fund the NPDES requirements. This cap was established in 1993, when NPDES permit was first issued, thus any increase in the cap would trigger a Prop 218 voter process. A local revenue Prop 218 compliant measure was put before the property owners countywide last year, however did not receive sufficient ballot support to pass. Failure to comply with state regulations would result in violation of our State issued Municipal Regional Permit NPDES permit and include the levy of fines or other legal actions by the State or third party interest groups.

CONCLUSION

To comply with the Water Boards mandate, of our NPDES permit, the attached ordinance amending the section "Stormwater Management and Discharge Control" to the Clayton Municipal Code is necessary. The new Municipal Regional Permit mandates that cities review and update their prior ordinance to ensure they are compliant with the new regulations. Failure to comply with state regulations would result in violation of our State issued Municipal Regional Permit NPDES permit and include the levy of fines. Although technically our current ordinance complies with the state regulations, State Water Board staff has reviewed current local jurisdiction ordinances and determined that additional updating is needed in order to be in their interpretation in compliance.

Attachments:

- Stormwater C.3 Update (MRP) 2013 information
- "Stormwater Management Discharge Control Ordinance"

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLAYTON AMENDING CHAPTER 13.12 TO TITLE 13 OF THE MUNICIPAL CODE RELATING TO STORMWATER MANAGEMENT AND DISCHARGE CONTROL FOR COMPLICANCE WITH THE NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM NPDES) PROGRAM (STORM WATER POLLUTION PREVENTION) MUNICIPAL REGIONAL PERMIT (MRP) IMPOSED BY THE REGIONAL WATER QUALITY CONTROL BOARD

THE CITY COUNCIL OF THE CITY OF CLAYTON FINDS AS FOLLOWS:

WHEREAS, the 1987 Reauthorization of the Federal Clean Water Act, as well as similar State legislation, required local agencies to obtain a NPDES Permit for discharging the contents of municipal storm drainage water conveyance systems; and

WHEREAS, the Federal Clean Water Act and related permits are implemented and enforced by the State through the Regional Water Quality Control Board (San Francisco Bay Area Region), this permitting effort is intended to improve water quality in the Delta and San Francisco Bay Estuary System, protect endangered species, and safeguard public waters and waterways for continued economic, recreation and health purposes; and

WHEREAS, stormwater runoff pollution has been identified as a significant impact on water quality and wildlife in the Bay Area by the State and Federal Government; and

WHEREAS, the City of Clayton's National Pollutant Discharge Elimination System (NPDES) permit was reissued in 2009 by the San Francisco Water Quality Control Board in, which added various mandates, including that related to Stormwater Management and Discharge Control, and

WHEREAS, the public necessity, conveniences and general welfare require the adoption of the proposed ordinance for compliance with the City's NPDES permit though the Municipal Regional Permit (MRP) issued by the San Francisco Regional Water Quality Control Board; and

WHEREAS, on March 19, 2013 the City Council held a public meeting to consider amending the Municipal Code, as proposed in the Ordinance amendments "Stormwater Management and Discharge Control"; considered the information contained in the staff report and any other written and public testimony; introduced and held first reading of said Ordinance; and

WHEREAS, the additions to the Municipal Code are categorically exempt under the California Environmental Quality Act (CEQA) pursuant to Section 15307, Class 7; and Section 15308, Class 8--actions by regulatory agencies for the protection of natural resources and;

WHEREAS, there is no evidence that the additions will have the potential for any individual or cumulative adverse effect on fish and wildlife resources or their habitat, as defined in Section 711.2 of the Fish and Game Code.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CLAYTON DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Revocation and Amendment.

Chapter 13.12 of Title 13 of the Clayton Municipal Code, as adopted by Ordinance No. 379 is hereby revoked in its entirety and amended to read as follows:

"Chapter 13.12. Stormwater Management and Discharge Control

Section 13.12.010. Intent and Purpose.

A. The intent of this Chapter is to protect and enhance the water quality in the City of Clayton's watercourses pursuant to, and consistent with the Porter-Cologne Water Quality Control Act (Water Code section 13000 et seq.) and the Federal Clean Water Act (33 U.S.C. section 1251 et seq.).

B. This Chapter also carries out the conditions in the City's National Pollutant Discharge Elimination System (NPDES) permit that require implementation of appropriate source control and site design measures and stormwater treatment measures for development projects.

C. It is the purpose of the City Council in enacting this Chapter to protect the health, safety and general welfare of Clayton's citizens by:

1. minimizing non-stormwater discharges, whose pollutants would otherwise degrade the water quality of local streams, to the stormwater system.

2. minimizing increases in nonpoint source pollution caused by stormwater runoff from development that would otherwise degrade local water quality.

3. controlling the discharge to the City's stormwater system from spills, dumping or disposal of materials other than stormwater.

4. reducing stormwater run-off rates and volumes and nonpoint source pollution whenever possible, through stormwater management controls and ensuring that these management controls are properly maintained and pose no threat to public safety.

Section 13.12.020. Definitions.

The following words and phrases when used in this Chapter shall be as defined herein. Words and phrases in this Chapter and not otherwise defined shall be interpreted as defined in the regulations issued by the U.S. Environmental Protection Agency to implement the provisions of the Federal Clean Water Act, and as defined by the State Water Resources Control Board to implement the Porter-Cologne Act:

A. Best management practices or "BMP" are structural devices, measures, stormwater management facilities, activities, prohibitions, or practices, general good housekeeping, pollution prevention practices, maintenance procedures and other management practices, to prevent or reduce the discharge of pollutants directly or indirectly to "waters of the United States," including watercourses, water bodies, and wetlands.

B. City's NPDES permit shall mean the NPDES permit issued to the City of Clayton, Permit No. CAS612008, and any subsequent amendment, reissuance or successor to the NPDES permit.

C. Construction shall mean any project, including projects requiring coverage under the General Construction Permit, that involves soil disturbing activities, including but not limited to, clearing, grading, paving, and disturbances to ground such as stockpiling and excavating. Construction sites are also all sites with disturbed or graded land area not protected by vegetation or pavement that are subject to a grading or building permit.

D. Development shall mean construction, rehabilitation, redevelopment or reconstruction of any public or private residential project (whether single-family, multi-unit, or planned unit development) or industrial, commercial, retail or other nonresidential project, including public agency projects.

E. Development runoff requirements shall mean the provisions in the City's NPDES permit that contain performance standards to address both the construction and post-construction

phase impacts of new projects and redevelopment projects on stormwater quality, as well as any requirements imposed by the director pursuant to a permit or other regulatory action.

F. Director shall mean the City Manager of the City of Clayton or his or her designee.

G. Enforcement officer or Officer shall mean those individuals designated by the director to act as authorized enforcement officers.

H. Guidebook shall mean the most recent version of the Contra Costa Clean Water Program Stormwater C.3. Guidebook.

I. Non-stormwater discharge is any addition of any pollutant to the City's stormwater system, except discharges pursuant to a NPDES permit, or discharges further exempted in Section 13.12.060(c) and (d) of this Chapter.

J. Pollutant shall mean any material other than stormwater including, but not limited to, petroleum products or by-products, solid waste, incinerator residue, sewage, sewage sludge, garbage, heat, chemical waste, biological materials, radioactive materials, wrecked or discarded equipment, rock, sand, soil and industrial, municipal or agricultural waste discharged into the water or stormwater system.

K. Premises shall mean any land, building, structure, facility, or installation, (including a building's grounds or other appurtenances), and adjacent sidewalks and parking strips.

L. Redevelopment shall mean land disturbing activity that results in the creation, addition, or replacement of exterior impervious area on a site on which some past development has occurred.

M. Regional Board shall mean the California Regional Water Quality Control Board, San Francisco Bay Region.

N. Responsible person shall mean the owner or occupant of any premises or who engages in, permits, or oversees any activity from which there is or may be a non-stormwater discharge or any person who releases pollutants to the City's stormwater system.

O. Stormwater shall mean storm water runoff, snow melt runoff, surface runoff and drainage flow on the surface of the ground resulting from precipitation.

P. Stormwater management facility shall mean any BMP or any device that utilizes detention, retention, filtration, harvest for reuse, evapotranspiration or infiltration to provide treatment (and/or control volume, flows, and durations) of stormwater for purposes of compliance with development runoff requirements.

Q. Stormwater control plan shall mean a plan that meets those criteria contained in the most recent version of the Contra Costa Clean Water Program Stormwater C.3. Guidebook.

R. Stormwater system is that system of facilities by which stormwater may be conveyed to any stream, watercourse, other body of water or wetlands, including flood control channels, any roads with drainage systems, city streets, catch basins, curbs, gutters, ditches, improved channels, storm drains or storm drain system, which are not part of a Publicly Owned Treatment Works ("POTW") as that term is defined in 40 CFR section 122.2.

Section 13.12 030. Responsibility for Administration.

The director or his or her designee shall administer this Chapter for the City.

Section 13.12.040. Construction and Application.

This Chapter shall be construed consistent with the requirements of the Federal Clean Water Act and amendments thereto or applicable implementing regulations and the City's NPDES permit.

Section 13.12.050 Stormwater Control Plan Required.

A. In accordance with thresholds and effective dates in the City's NPDES Permit, every application for a development project, including but not limited to a rezoning, tentative map, parcel map, conditional use permit, variance, site development permit, grading permit, encroachment permit, design review, or building permit that is subject to the development runoff requirements in the City's NPDES permit shall be accompanied by a stormwater control plan that meets the criteria in the most recent version of the Contra Costa Clean Water Program Stormwater C.3. Guidebook.

B. Implementation of an approved stormwater control plan and submittal of an approved stormwater control operation and maintenance plan by the applicant shall be a condition precedent to a final building inspection or the issuance of a certificate of occupancy for a project subject to this section.

C. All stormwater management facilities shall be designed in a manner to minimize the need for maintenance and reduce the chances of failure. Design guidelines are outlined in the Guidebook.

D. All stormwater management facilities shall be maintained according to the Guidebook and the approved stormwater control operation and maintenance plan. The person(s) or organization(s) responsible for maintenance shall be designated in the stormwater control operation and maintenance plan. Unless a different time period is provided for in the plan, those responsible for maintenance shall inspect the stormwater management facility at least annually. The stormwater control operation and maintenance plan shall also describe how the maintenance costs will be funded. Upon the failure of a responsible person to maintain a stormwater management facility in accordance with this Chapter or the plan, the City may perform the maintenance and recover its costs from the responsible person as provided in sections 13.12.100, 13.12.170 and 13.12.180.

E. A property owner shall, through recorded covenants or easements, provide the City, the Contra Costa Mosquito and Vector Control District, and the Regional Board access to stormwater management facilities for inspections and maintenance.

Section 13.12.060. Prohibited Discharges.

A. The discharge of non-stormwater to the City stormwater system is prohibited.

B. The discharge of stormwater from any premises and any activity that may cause or contribute to prohibited discharge, to a violation of receiving water limitations in the City's NPDES permit, or to a nuisance within the meaning of California Water Code section 13050 is prohibited.

C. The following discharges are exempt from the prohibition set forth in subsection (a) above, unless determined by the director to be a source of pollutants to or from the stormwater system or to receiving waters:

1. any discharge in compliance with a NPDES permit issued to the discharger.

2. flows from riparian habitats and wetlands, diverted stream flows, flows from natural springs, rising ground waters, uncontaminated and unpolluted groundwater infiltration, single-family homes' pumped groundwater, foundation drains, and water from crawl space pumps and footing drains, and pumped groundwater from drinking water aquifers.

D. The following discharges are exempt from the prohibition set forth in subsection (a) above, if and only if the director identifies such discharge as not being a source of any pollutant to the stormwater system or to a receiving water or if control measures required by the director and as set forth in Section C.15 of the City's NPDES permit are properly implemented: pumped groundwater from non-drinking-water aquifers; pumped groundwater from other sources, foundation drains, and water from crawl space pumps and footing drains; air conditioning condensate; planned discharges from routine operation and maintenance activities in the potable water distribution system; unplanned discharges from breaks, leaks, overflows, fire hydrant shearing, or emergency flushing of the potable water distribution system; emergency discharges of the potable water distribution system as a result of firefighting, unauthorized hydrant openings, or natural or man-made disasters; individual residential car washing; swimming pool, hot tub, spa, and fountain water discharges, and

discharges from irrigation water, landscape irrigation, and lawn or garden watering.

Section 13.12.070. Discharge in Violation of NPDES Permit.

Any discharge that may result in or contribute to a violation of the City's NPDES permit either separately considered or when combined with other discharges, is prohibited. Liability for any such discharge shall be the responsibility of the person causing or responsible for the discharge, and such person shall defend, indemnify and hold harmless the City in any administrative or judicial enforcement action relating to such discharge.

Section 13.12.080. Unlawful Discharge and Unlawful Connections.

A. It is unlawful to allow, permit, establish, use, maintain or continue unauthorized drainage connections to the City's stormwater system, or to commence or continue any unauthorized discharges to the City's stormwater system.

B. No discharge shall cause the following conditions, create a nuisance, adversely affect beneficial uses of waters of the State, or cause or contribute to a violation of any applicable water quality standard for receiving waters:

1. floating, suspended or deposited macroscopic matter or foam;

2. bottom deposits or aquatic growth;

3. alterations of temperature, sediment load, nutrient load, or dissolved oxygen, which cause significant adverse impacts to native aquatic biota;

4. visible, floating, suspended or deposited oil or products of petroleum origin; or,

5. substances present in concentrations or quantities which cause deleterious effects on aquatic biota, wildlife or waterfowl, or which render any of these unfit for human consumption.

Section 13.12.090. Best Management Practices and Standards.

A. Generally. Any person owning or operating premises that may contribute pollutants to the City's stormwater system shall undertake best management practices to reduce the potential for pollutants entering the system to the maximum extent practicable. Examples of such premises include, but are not limited to, parking lots, gasoline stations, industrial facilities, and other commercial enterprises. Examples of best management practices include, but are not limited to, those described in publications by the United States Environmental Protection Agency, the California Water Boards, the California Stormwater Quality Association, the Bay Area Stormwater Management Agencies Association, the Contra Costa Clean Water Program, and the City of Clayton.

B. Litter. No person shall throw, deposit, leave, keep or permit to be thrown, deposited, placed, left or maintained, any refuse, rubbish, garbage or other discarded or abandoned objects, articles or other litter in or upon any street, alley, sidewalk, business place, creek, stormwater system, fountain, pool, lake, stream, river or any other body of water, or upon any public or private parcel of land so that the same might become a pollutant, except in containers or in lawfully established waste disposal facilities.

C. Sidewalks. The occupant or tenant, or in the absence of occupant or tenant, the owner or proprietor of any real property in front of which there is a paved sidewalk shall maintain said sidewalk free of dirt or litter to the maximum extent practicable. Sweepings from the sidewalk shall not be swept or otherwise made or allowed to go into the gutter or roadway, but shall be disposed of in receptacles maintained as required for the disposal of solid waste.

D. Maintenance of Facilities and Landscaped Areas. Every responsible person shall implement Best Management Practices to minimize the release of pesticides, fertilizers, herbicides, and other related materials used to maintain landscaping and facilities.

E. Parking Lots, Paved Areas and Related Stormwater Systems. Persons owning, operating or maintaining a paved parking lot, the paved areas of a gasoline station, a paved private street or road, or similar structure, and related stormwater systems shall clean those premises as frequently and thoroughly as practicable in a manner that does not result in the discharge of pollutants to the City's stormwater system. As part of an enforcement action pursuant to this Chapter, the director may require installation and maintenance of BMPs to prevent the discharge of trash or other pollutants from private parking lots, streets, roads, and drainage facilities into the stormwater system. Failure or refusal to comply with such a requirement is prohibited and shall constitute a separate violation of this Chapter.

F. Construction Activities. In addition to any other requirement imposed by this Chapter, all construction projects shall incorporate site-specific BMPs, which can be a combination of BMPs from the California BMP Handbook, Construction January 2003, the Caltrans Stormwater Quality Handbooks, Construction Site Best Management Practices, the San Francisco Bay Regional Water Quality Control Board Erosion and Sediment Control Field Manual, 2002, the City's NPDES Permit, the City's grading and erosion control ordinance, generally accepted engineering practices for erosion control, and any other conditions required by the director when undertaking construction activities. The director may establish controls on the rate, volume, and duration of stormwater runoff from new developments and redevelopment as may be appropriate to minimize the discharge and transport of pollutants.

G. Notification of Intent and Compliance with General Permits. Each discharger associated with construction activity or other discharger described in any general stormwater permit addressing discharges, as may be adopted by the United States Environmental Protection Agency, the State Water Resources Control Board, or the Regional Board shall provide the director with the notice of intent, comply with and undertake all other activities required by any general stormwater permit applicable to such dischargers. Each discharger identified in an individual NPDES permit relating to stormwater discharges shall comply with and undertake all activities required by the permit.

H. Development Runoff Requirements. Every applicant for a new development and redevelopment project subject to the development runoff requirements shall submit a stormwater control plan and implement conditions of approval that reduce stormwater

pollutant discharges through the construction, operation and maintenance of treatment measures and other appropriate source control and site design measures. Similarly, increases in runoff volume, flows, and durations shall be managed in accordance with the development runoff requirements.

I. Stormwater Pollution Prevention Plan. The director may require any business or utility in the City that is engaged in activities that may result in non-stormwater discharges or runoff pollutants to develop and implement a stormwater pollution prevention plan, which must include an employee training program. Business activities which may require a stormwater pollution prevention plan include maintenance, storage, manufacturing, assembly, equipment operations, vehicle loading, fueling, vehicle maintenance, food handling or processing, or cleanup procedures, carried out partially or wholly out of doors.

J. Coordination with Hazardous Material Release Response and Inventory Plans. Any business subject to the Hazardous Material Release Response and Inventory Plan, Division 20, Chapter 6.95 of the California Health and Safety Code (commencing with section 25500), shall include, in that Plan, provision for compliance with this Chapter, including the prohibitions of non-stormwater discharges and the requirement to reduce release of pollutants to the maximum extent practicable.

Section 13.12.100. Reserved.

Section 13.12.110. Authority to Inspect.

A. Generally. The director and officer shall have the authority to enter property and make an inspection to enforce and carry out the provisions of this Chapter. Routine or scheduled inspections shall be based upon as reasonable a selection process as may be deemed necessary to carry out the intent of this Chapter, including, but not limited to, random sampling or sampling in areas with evidence of stormwater contamination, evidence of the discharge of non-stormwater to the stormwater system, inspection of stormwater treatment and flow-control facilities for proper operation and evidence of routine and corrective maintenance, or similar activities. Inspections may also be conducted in conjunction with routine or scheduled inspections conducted by other public agencies or special districts, including but not limited to the Central Contra Costa Sanitary District, the Contra Costa County Fire Protection District, County Environmental Health Department, the Contra Costa Mosquito and Vector Control District, or the Regional Board. The City Council may by resolution establish a schedule of fees for inspections.

B. Authority to Sample and Establish Sampling Devices. With the consent of the owner or occupant, or pursuant to a search or inspection warrant, the officer may establish on any property such devices as are reasonably necessary to conduct sampling or metering operations. During all authorized inspections, the officer may take any sample deemed necessary to aid in the pursuit of the inquiry or in the recordation of the activities on site.

C. Notification of Spills. All persons in charge of the premises or responsible for emergency response for the premises have a responsibility to train premises' personnel and maintain notification procedures to ensure that immediate notification is provided to the City of any suspected, confirmed or unconfirmed release of pollutants creating a risk of non-stormwater discharge into the City stormwater system.

As soon as any person in charge of the premises or responsible for emergency response

for the premises has knowledge of any suspected, confirmed or unconfirmed release of non-stormwater discharge entering the City stormwater system, such person shall take all necessary steps to ensure the detection and containment and clean up of such release and shall notify the City of the occurrence by telephoning the director. This notification requirement is in addition to and not in lieu of other required notifications.

D. Requirement to Test or Monitor. The officer may require that any person engaged in any activity or owning or operating any premises that may cause or contribute to non-stormwater discharges, undertake such monitoring activities or analysis and furnish such reports as the officer may specify. The burden, including costs of these activities, analysis and reports shall bear a reasonable relationship to the need for the monitoring, analysis and reports and the benefits to be obtained. The recipient of such request shall undertake and provide the monitoring, analysis and reports required.

E. Cost Recovery. If an inspection pursuant to this section results in an enforcement action, the City may issue an invoice of costs and recover in an enforcement action its reasonable inspection costs.

Section 13.12.120. Violations Constituting Misdemeanors or Infractions.

The violation of any provision of this Chapter, or failure to comply with any of the mandatory requirements of this Chapter shall constitute a misdemeanor, except that notwithstanding any other provisions of this Chapter, any violation constituting a misdemeanor under this Chapter may, at the discretion of the director, officer or city attorney, be charged and prosecuted as an infraction.

Section 13.12.130. Penalty for Violation.

A. Upon conviction of a misdemeanor, a person shall be subject to payment of a fine, or imprisonment, or both, not to exceed the limits set forth in California Government Code section 36901.

B. Upon conviction of an infraction, a person shall be subject to payment of a fine, not to exceed the limits set forth in California Government Code section 36900.

Section 13.12.140. Continuing Violation.

Every day that any violation of this Chapter shall continue shall constitute a separate offense.

Section 13.12.150. Concealment.

Concealing, aiding or abetting a violation of any provision of this Chapter shall constitute a violation of such provision.

Section 13.12.160. Acts Potentially Resulting in Violation of the Federal Clean Water Act or Porter-Cologne Act.

Any person who violates any provision of this Chapter, or the provisions of any permit issued pursuant to this Chapter, or who releases a non-stormwater discharge, or who violates any cease and desist order, prohibition or effluent limitation, may also be in violation of the Federal Clean Water Act or the Porter-Cologne Act and may be subject to the enforcement provisions of those acts, including civil and criminal penalties. Any enforcement actions authorized pursuant to this Chapter may also include notice to the violator of such potential

liability pursuant to federal or state law.

Section 13.12.170. Violations Deemed a Nuisance.

In addition to the penalties provided herein, any condition caused or permitted to exist in violation of any of the provisions of this Chapter is a threat to the public health, safety and welfare. Such condition is hereby declared and deemed to be a nuisance, which may be abated as provided in Chapter 8.08 of Title 8 (commencing with section 8.08.010) of this Code including the assessment of the costs of abatement which may be collected at the same time and in the same manner as ordinary municipal taxes as provided by Government Code section 38773.5, and by civil action to abate, enjoin or otherwise compel the cessation of such nuisance by the City Attorney.

Section 13.12.180. Civil Actions.

A. In addition to any other remedies provided in this Chapter, any violation of this Chapter may be enforced by civil action brought by the City. In any such action, the City may seek, as appropriate, any and all of the following remedies:

1. a temporary restraining order, preliminary injunction and permanent injunction;

2. an action for an unlawful business practice pursuant to Business and Professions Code section 17206;

B. Any person violating any provision of this Chapter shall be liable for:

1. reimbursement for the costs of any investigation, inspection or monitoring which led to the discovery of the violation;

2. costs incurred in removing, correcting, or terminating the adverse effect(s) resulting from the violation;

3. compensatory damages for the loss of, or destruction to, water quality, wildlife, fish or aquatic life. Costs and damages under this subsection shall be paid to the City and shall be used exclusively for costs associated with monitoring and establishing a stormwater discharge pollution control system and implementing or enforcing the provisions of this Chapter;

4. the cost of maintenance and repair of any BMP or stormwater management facility that is not maintained in accordance with the guidebook or the stormwater control plan;

5. the reasonable costs of preparing and bringing administrative action under this Chapter.

Section 13.12.190. Remedies Not Exclusive.

The remedies identified in this Chapter are in addition to, and do not supersede or limit, any and all other remedies, administrative, civil or criminal. The remedies provided for herein shall be cumulative and not exclusive.

Section 13.12.200. Administrative Remedies.

A. In addition to any other remedies provided in this Chapter, any violation of this

Chapter may be enforced by the following administrative remedies:

1. Notice of Violation. The director or officer may deliver to the owner or occupant of any premises, or to any person responsible for a violation of any provision of this Chapter a Notice of Violation in accordance with Chapter 1.14 of Title 1 of this Code. The Notice of Violation shall identify the provision(s) of this Chapter or the applicable permit or regulatory order which has been violated and shall state that continued noncompliance may result in additional enforcement actions against the owner, occupant and/or responsible person.

2. Suspension or Revocation of Permit. The director may suspend or revoke any City-issued permit when it is determined that:

i. The permittee has violated any term, condition or requirement of the permit or any applicable provision of this Chapter; or

ii. The permittee's discharge or the circumstances under which the discharge occurs have changed so that it is no longer appropriate to except the discharge from the prohibitions on prohibited discharge contained within this Chapter; or

iii. The permittee fails to comply with any schedule for compliance issued pursuant to this Chapter; or

iv. Any regulatory agency, including EPA or a Regional Water Quality Control Board having jurisdiction over the discharge, notifies the City that the discharge should be terminated; or

v. Any other circumstances where the director determines in his or her sole discretion that continuation of the discharge will result in substantial harm to public health or the environment.

3. Permit Modification. The director may modify any permit provided that the permittee shall be informed of any change in the permit terms and conditions at least forty-five (45) business days prior to the effective date of the modified permit when it is determined that:

i. Federal or state law requirements have changed in a manner that necessitates a change in the permit; or

ii. The permittee's discharge or the circumstances under which the discharge occurs have changed so that it is appropriate to modify the permit's terms, conditions or requirements; or

iii. A change to the permit is necessary to ensure compliance with the objectives of this Chapter or to protect the quality of receiving waters.

B. Cease and Desist Order. The director or officer may deliver to the owner or occupant of any premises, or to any person responsible for a violation of any provision of this Chapter a Cease and Desist Order. The Cease and Desist Order shall be delivered in accordance with Section 13.12.210. The Cease and Desist Order may direct the recipient to:

1. Immediately discontinue any action constituting a violation of this Chapter;

2. Immediately contain or divert any flow of non-stormwater off the premises where the flow is occurring in violation of any provision of this Chapter;

3. Clean up the area affected by the violation; and

4. Implement BMPs necessary to prevent a future violation.

Section 13.12.210. Notice.

Unless otherwise required under Chapter 1.14, any notice or order to be delivered pursuant to this Chapter shall be subject to the following:

A. The notice or order shall state that the recipient has a right to appeal the matter as set forth in Section 13.12.220 or in Section 1.14.060.

B. Delivery shall be deemed complete upon personal service to the recipient; deposit in the U.S. mail, postage pre-paid for first class delivery; or facsimile service with confirmation of receipt.

C. Where the recipient is the owner of the property, the address shall be the address from the most recently issued equalized assessment roll for the property or as otherwise appears in the current records of the City.

D. Where the owner or occupant of any property cannot be located after the reasonable efforts the notice shall be deemed delivered after posting on the property for a period of ten (10) business days.

Section 13.12.220. Appeal.

Except as provided for a notice of violation under Section 1.14.060, any person aggrieved by the decision of the officer, may file a written appeal to the director within 10 (ten) days following the date of delivery of the decision. Upon receipt of such request, the director shall request a report and recommendation from the officer and shall set the matter for hearing at the earliest practical date. At said hearing, all evidence and testimony deemed relevant and admissible by the Director shall be considered, and the Director may reject, affirm, or modify the officer's decision. Formal rules of evidence shall not apply. The decisions of the director shall be final. Failure to request a hearing or appear at the hearing shall constitute a waiver and failure to exhaust administrative remedies.

Section 13.12.230. Judicial Review.

The provisions of Code of Civil Procedure section 1094.5 are applicable to judicial review of determinations made by the director pursuant to this Chapter."

Section 2. Action to Challenge This Ordinance.

Any action or proceeding to attack, review, set aside, void or annul this ordinance must be commenced and the service made on the City no later than ninety (90) days after the effective date of the ordinance.

Section 3. Conflicting Ordinances Repealed.

Any ordinance or part thereof, or regulations in conflict with the provisions of this ordinance, are hereby repealed. The provisions of this ordinance shall control with regard to any provision of the Clayton Municipal Code that may be inconsistent with the provisions of this ordinance.

Section 4. Severability.

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more section, subsection, sentence, clause or phrase thereof be declared unconstitutional, invalid or ineffective.

Section 5. Effective Date and Publication.

This ordinance shall become effective thirty (30) days after its adoption by the City Council. Within fifteen (15) days after the passage of the ordinance, the City Clerk shall cause a copy of the ordinance, including the names of the City Council members voting for and against it, to be posted in three (3) public places heretofore designated by resolution of the City Council for the posting of ordinances and public notices.

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Clayton held on the 19th day of March 2013, and PASSED, ADOPTED AND ORDERED posted at a regular meeting of the City Council of the City of Clayton on the 2nd day of April 2013, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

_____

Julie K. Pierce, Mayor

ATTEST:

_____

Laci Jackson, City Clerk

CITY OF CLAYTON

Agenda Date: 3-19-13

Agenda Item: _____

Approved:

Gary A. Napper
City Manager

STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: MAINTENANCE DEPARTMENT

DATE: MARCH 19, 2013

SUBJECT: CITY COUNCIL DISCUSSION OF CITY FACILITY HVAC SYSTEMS

RECOMMENDATION

Following presentation of the Staff Report and opportunity for public comment, that Council provide instruction to Staff regarding priority of funding for facility HVAC replacements or repairs.

BACKGROUND

Staff was requested to analyze the HVAC systems (Heating Ventilation & Air Conditioning) in the various City/public facilities for consideration of upgrades and cost savings on repairs and current energy usage. By way of background there are four (4) properties the City owns that have HVAC systems; only three (3) of these properties are in use at this time. They are:

City Hall	6000 Heritage Trail,
Clayton Community Library	6125 Clayton Road,
Endeavor Hall	6008 Center Street

The City does own the Oak Street buildings (1005 & 1007 Oak Street), which formerly housed City Hall and the Clayton Police Department. However, these buildings no longer have their HVAC systems maintained since the sites have not been in use for several years and are awaiting private development.

In November 2011 the City Manager directed Maintenance to solicit proposals from engineering firms to perform an evaluation of the HVAC systems at the Clayton City Hall and the Clayton Community Library. The firm that was selected after reviewing the proposals and checking references was ENTEK which has an office located in the City of

Pleasant Hill. ENTEK did a full evaluation on the Clayton Library and City Hall HVAC, the results of which will be referenced in this staff report. The following is a brief overview of the City's public facilities and the associated HVAC equipment.

CURRENT HVAC CONFIGURATIONS

A. City Hall

The City Hall HVAC system was installed in 1997 when the winery building was renovated into City offices with 8,664 square feet of office space. The facility is still using the major HVAC components that were originally installed. The system's major components are five (5) cooling condensing units rated at 12 EER (energy efficiency ratio) with a combined 25 tons of capacity, air handler, economizer, 9,500 CFM (cubic feet per minute) supply fan, twenty (20) single-zone VAV (variable air volume), and a 480 MBH (thousand British thermal units per hour) natural gas boiler. The HVAC system is controlled by a Johnson Controls DDC (direct-digital control). A more detailed examination of the system and its operation can be found in the attached HVAC Evaluation Report, dated February 4, 2012, by ENTEK on page 3-1 thru 3-4

B. Clayton Library

The Library was built as a new building in 1995 with 15,483 square feet of space. This is when the HVAC systems were installed with the major components still in operation today. The Library has two primary HVAC systems:

1). The first system is located on the west side of the building and services the Library offices and Hoyer Hall meeting room. This system's major components include a Chill water coil, air handler with 10,000 CFM supply fan, economizer, nine (9) single zone VAV, and a 480 MBH natural gas boiler.

2). The second HVAC system within the Library is on the east side of the building and supplies the book racks, children area, and computers work stations. This system is comprised of two identical air handlers with 5,500 CFM supply fan, and natural gas duct heaters.

Both HVAC systems in the Library are supplied by an air cool chiller (60 ton) on the east side of the Library building with an 8.6 EER moving 150GPM of chilled water into the building. The HVAC systems are controlled by a Johnson Controls DDC (Direct-digital controller). There is also a separate package unit (3 tons) that cools and heats the small Story Room at the east side of the Library. A more detail look at the Library's systems and operations may be found in the HVAC Evaluation Report, pages 3-9 thru 3-12.

C. Endeavor Hall

The Endeavor Hall HVAC systems were installed in 2001 when the building was renovated into a meeting and event complex with a total of 2,450 square feet of space. Endeavor Hall

has two primary HVAC systems. The first HVAC system is for the main meeting hall while the second HVAC system services the kitchen and restrooms. The main meeting room is supplied with heat with a two (2) stage natural gas furnace at 20 MBH and two (2) condensing units at 12 EER with a combined 8 tons capacity. The second system is a smaller unit with one (1) condensing unit at 12 EER rated at four (4) tons capacity with heat pump. Both systems are controlled by wall thermostats. This building was not part of the HVAC Evaluation Report because of the limited use of this facility and the simplicity of the system operations which runs more like a residential house HVAC system then a commercial building.

D. Oak Street Buildings

There are two buildings at this location which once housed City Hall and Police Department offices. These buildings were previously leased to private businesses but have been out of service for the past several years with the generation of the Creekside Terrace Project. Due to the age and condition of the buildings, no regular maintenance or operation occur on the HVAC systems. When these buildings were occupied each building had three (3) package units located on the roof. These building were not included in the HVAC Evaluation Report since the buildings were unoccupied at the time and the buildings are slated for eventual removal.

HVAC MAINTENANCE CONTRACTS

The three (3) currently-occupied City buildings have been maintained under a HVAC maintenance agreement (the Oak Street buildings are excluded). The three buildings have been serviced for the past 2½ years by Marken Mechanical Services, Inc., located in the City of Concord for scheduled and routine HVAC maintenance and repairs. Following are some of the items covered under the Maintenance Agreement:

Inspection of the equipment for proper operation, making adjustments, checking for leaks, adjusting and tightening belts, check for wear, checking fluid levels, and replacement of filters.

The annual cost of the contracts is as follows:

City Hall $1,330.00, with service preformed every two (2) months

Clayton Library $3,013.00, with service performed every two (2) months

Endeavor Hall $998.00 with service performed every three (3) months.

There is also a separate maintenance contract that covers the controls system hardware, firmware, and software for the HVAC systems at the Clayton Library and City Hall. This agreement covers diagnostic and troubleshooting of the controllers at an annual cost of $3,600.00 with schedule maintenance every six (6) months.

The total annual cost to the City for the HVAC maintenance contracts on all three (3) buildings is therefore $8,941.00.

THREE YEAR HISTORY OF HVAC REPAIR COSTS

The following is a list of HVAC repairs and extra maintenance performed and costs incurred beyond the contract amounts from July 1 2010 to February 1 2013 in the three City buildings. These costs are listed with the following categories: by date of repair, type of repair, labor costs, material costs, and the total cost of the repair.

LIBRARY

MO/YR	REPAIR	LABOR COST	MATERIAL COST	TOTAL COST
8/10	Replaced hot water pump seals	$1,005.00	$422.66	$1,427.66
9/10	Chiller tripped off/overheated/reset	$285.00		$285.00
9/10	Fan coils mounts broke on FC-1 & 2/repaired and replaced belts (in main library roof)	$2,325.00	$206.20	$2,531.20
12/10	Failed relay on economizer and actuator control problems	$1,465.00	$79.34	$1,544.34
1/11	Boiler tripped; needs annual maintenance	$420.00		$420.00
6/11	Replaced bearings chilled water pump	$845.00	$171.96	$1,016.96
2/12	Replaced failed actuator and left one spare actuator	$335.00	$798.75	$1,133.75
3/12	Replaced and programed VMA controller	$470.00	$863.59	$1,333.59
5/12	Replaced N30 controller with NCE controller (see pg. 3-13 of HVAC Evaluation dated 2/4/12)	$335.00	$7,790.00	$8,125.00
5/12	Replaced outside air actuator	$605.00	$314.42	$919.42
6/12	Check programming on Thermostat in meeting room	$335.00		$335.00
6/12	VAV and EMS control problems	$1,212.50	$53.42	$1,265.92
8/12	Replaced Thermostat in meeting room	$335.00	$262.51	$597.51
10/12	Actuator not working in meeting room; broken wiring and actuator broken loose from mount	$625.00		$625.00
	TOTAL	$ 10,597.50	$ 10,962.85	$ 21,560.35
	ANNUAL AVERAGE COST			$ 7,186.78

CITY HALL

MO/YR	REPAIR	LABOR COST	PARTS COST	TOTAL COST
8/10	Expansion Tank replacement	$714.00	$269.35	$983.35
11/10	Controls issues; Hot water pump tripped; replaced VAV with actuator	$2,707.50	$754.59	$3,462.09
12/10	Replaced two actuators, 3rd floor	$545.00	$737.84	$1,282.84
1/11	3 way valve and actuator for hot water boiler	$1,060.68	$925.89	$1,986.57
1/11	Failed pressure relief valve on boiler	$305.00	$360.53	$655.53
6/12	Failed compressor for AC unit		$3,190.00	$3,190.00
8/12	Failed compressor for AC unit		$3,190.00	$3,190.00
8/12	Replaced failed motor for AC unit		$635.99	$635.99
2/13	Replaced capacitor hot water pump	$662.50	$14.03	$676.53
	TOTAL	$ 5,994.68	$ 10,078.22	$16,062.90
	AVERAGE ANNUAL COST			$ 5,354.30

ENDEAVOR HALL

MO/YR	REPAIR	LABOR COST	PARTS COST	TOTAL COST
9/10	AC not working; door not sealed	$495.00		$495.00
10/10	HVAC not working; short in Thermostat and transformer	$525.00	$332.28	$857.28
6/12	Air handler not working; replaced starter	$672.50	$752.21	$1,424.71
	TOTAL	$ 1,692.50	$ 1,084.49	$ 2,776.99
	AVERAGE ANNUAL COST			$ 925.66

MAINTENANCE BEYOND CONTRACT TERMS

MO/YR	MAINTENANCE	BULIDING	MATERIAL COSTS	TOTAL COSTS
1/11	Rewired 5 stage AC units to proper wire size	City Hall		$2,345.00
2/11	Recharged closed water loop	Library	$716.82	$1,074.32
2/11	Annual Boiler Service	Library	$1,306.36	$2,345.88
5/11	Cleaned all condensers	ALL		$1,105.00
11/11	Annual Boiler Service	City Hall	Was not split out	$2,990.00
4/12	Replaced AC pan pads	Endeavor		$368.59
6/12	Cleaned all Condensers units	ALL		$875.00
	TOTAL			$ 11,103.79
	AVERAGE ANNUAL COST			$ 3,701.26

REPAIRS AND MAINTENANCE REVIEW

The total cost for repairs at the Clayton Library since July 1 2010 was $21,560.35. $8,125.00 of this amount was for the replacement of the HVAC controller that is listed as necessary for replacement in the HVAC Evaluation Report on page 3-13. Taking this amount out of the total repair costs gives an updated total cost since July 2010 of $13,435.35 with $3,172.85 going to parts and the rest being labor cost to repair and maintain the HVAC equipment at the Library. Most of these repairs that were made at the Library are to the moving parts of the HVAC systems that would experience wear and fatigue from normal operations and age. These include such items as actuators, bearings, and seals.

The total cost for repairs at the Clayton City Hall since July 1 2010 was $16,062.90. $7,015.99 of this amount was for replacement of two (2) of the HVAC condensers which were again listed in the HVAC Evaluation Report on page 3-6 and 3-7 as an upcoming needed repair/replacement. Taking this amount out of total repair costs gives and updated total cost since July 2010 of $9,046.91 with $3,062.23 going to parts and the rest being labor cost to install and/or repair the HVAC system at City Hall. Similar with the Clayton Library repairs these are parts expected to wear out with use and age.

The total cost of repairs at Endeavor Hall since July 1 2010 was $2,776.99 with $1,084.49 going to parts and the rest being labor cost to install and/or repair the HVAC system.

The last table listed above is for maintenance expenditures beyond what the maintenance agreement covers with Marken Mechanical Services. These costs include yearly

condensers cleaning on all buildings, annual boiler service (this service is recommended to be done annually but has only been done once in the last 2½ years per building to save on HVAC costs; it's done on an as-needed only basis), and upgrading the wiring size to the condenser units at City Hall (which is more of a deferred maintenance to the HVAC system since this was underwired when the systems were installed new). Total cost for these services since July 1 2010 is $11,103.79

There is not a standard unit cost for repair and maintenance of HVAC systems for comparative analysis; all HVAC systems are unique in there operation to the building they operate in. This can make the maintenance/repair costs be either lower or higher for the same size buildings depending on system configuration and equipment used to heat and cool these buildings. Age also factors into maintenance costs with the older the system the more likely there will be add maintenance/repair costs. Some of the HVAC components are coming to the end of their estimated operational life span at both the Clayton Library and City Hall and these are detailed within the HVAC Evaluation Report.

REPLACEMENT & UPGRADES TO FACILITY HVACS

The following are the replacement upgrades and/or repairs that are recommended and targeted by City staff, as listed in the HVAC Evaluation Report dated February 4, 2012 for the Clayton Library and City Hall. They are listed in the following order:

1. Needed upgrades - these upgrades should be planned for in the next year because HVAC equipment is to end of its operational life;

2. Future upgrades - should be planned to be performed over the next 10 years because HVAC equipment will be coming to end of its operational life;

3. Energy management repairs/replacement – these upgrades can be done when funds become available through grants or other funding opportunities, and **comfort** – these also can wait until available funding is found.

NEEDED HVAC UPGRADES

- Replace the existing 60 ton chiller at the Clayton Library with at 70 ton air cooled chiller (see pg. 3-15 of the HVAC Evaluation Report). Cost is estimated at $128,104.00 with estimated engineering cost at $7,690.00. This would be a change out with the same type of chiller as existing (air cooled), just sized more in line to the building's needs. This is the most cost effective type of chiller for the Library.

  If the City wanted a more energy efficient water cooled chiller the estimated installation cost alone would increase to $165,724.00, a difference of $37,620.00 from an air cool chiller (30% cost increase). The estimated engineering cost would also be higher at $9,950.00, an increase over the air cool chiller of $2,260.00. There would be an

estimated $3,420.00 in yearly energy cost saving but an estimated increase in maintenance cost of $2,860.00 for a net savings of $560.00 per year. To realize the $560.00 per year savings in operating costs, the City would be spending an additional $39,880.00 in upfront costs for the water chill system. This option provides a cost recovery time from the savings of approximately 71 years, well beyond the expectancy life of the HVAC equipment.

- Inspect the existing underground chilled water piping before the installation of a new chiller at the Clayton Library. The piping is nearing the end of its expected service life and should be tested to verify its condition with an ultra-sonic pipe test (see pg. 3-17 of the HVAC Evaluation Report). The cost estimate for the testing is estimated at $3,250.00. If the pipe is found to be needing replacement the estimated construction cost would be $98,550.00 and the engineering costs are estimated at $5,915.00

- Re-duct restroom exhaust fans at the Clayton Library from the return air system to direct venting through the roof. How the ducting is hook to the HVAC system is not the proper way to vent bathrooms and can be causing the odor sometimes detected in the front entry to the Library An estimated cost to re-vent both fans is $16,200.00 with engineering costs at $972.00 (see pg. 3-13 of the HVAC Evaluation Report).

FUTURE HVAC UPGRADES 1-10 YEARS

- Replace the City Hall condensing units as they fail at an estimated cost of $3,500.00 per unit. Two (2) units have already been replaced with three (3) more units remaining for possible failure (see pg. 3-5 of the HVAC Evaluation Report).

- When the air handler at City Hall fails, replace it with a package unit with condensers. If this repair is needed before any more of the condensing units fail (see above) there would not be any need for its replacement since they are included within the packaged unit. The estimated cost for an all-in-one unit would be $109,000.00 plus an estimated cost for engineering at $6,500.00 (see pgs. 3-6 & 3-7 of the HVAC Evaluation Report).

- When the air handlers at the Clayton Library start to fail they will need to be replaced with new units. The two serving the main Library area (east end) can be replaced in the same location at an estimated cost of $108,460 plus engineering costs estimated at $6,500.00.

  Another option would be to move the two units to the flat roof area of the Library and combined them into a signal unit making it easier to service and maintain. This is estimated to cost $232,270.00 plus engineering costs estimated at $14,000.00 (see pgs.3-16 & 3-17 of the HVAC Evaluation Report). The replacement of the third air handler is estimated at $88,920.00 with engineering costs estimated at $5,330.00 (see pg. 3-16 of the HVAC Evaluation Report).

HVAC ENERGY MANAGMENT UPGRADES

- Replace existing temperature sensors at City Hall with thermostats estimated to cost $20,952.00 and replace existing VAV units at an estimated cost of $35,450.00. Replacing these two types of control devices at City Hall would give users greater control for turning off zones in the building when it is unoccupied, such as evenings and weekends. There could be a potential savings in energy usage with these upgrades (see pg. 3-5 in the HVAC Evaluation Report).

- Building HVAC retro-commissioning of City Hall at an estimated cost of $11,400.00 and the Clayton Library at an estimated cost of $17,100.00. This would be to check the buildings' HVACs were running at peak efficiencies and settings. This is only recommended after any major work to the systems was completed. There is a potential savings in energy usage from this service being performed (see pg. 3-6 and 3-14 of the HVAC Evaluation Report).

HVAC COMFORT UPGRADES

- Modify air distribution system at Clayton Library meeting room to diffuse the air more evenly at an estimated cost of $14,530.00 plus estimated engineering cost of $1,740.00 (see pg. 3-13 of the HVAC Evaluation Report).

- Replace an inline exhaust fan at City Hall on the third floor because of ambient noise levels in the work area at an estimated cost of $4,500.00 (see pg. 3-6 of the HVAC Evaluation Report).

FISCAL IMPACT

To perform all of the deferred HVAC projects out lined above would take resources that are far beyond what is available within the current allotted City Budget for HVAC work. The total estimated cost to perform all the work outlined above would be between $586,063.00 to $862,253.00 depending on the type of equipment installed and work performed. Just the needed HVAC repairs recommended by staff come in at an estimated minimum cost of $156,216.00 with a maximum estimated cost of $260,681.00 if the entire chilled water piping needs replacement.

At this time staff has been in contact with PG&E and SEI (Strategic Energy Innovations) to determine if there are any grants that may be available for repairs or upgrades to HVAC systems. They are looking for projects that show energy savings and less of a carbon footprint. PG&E also has a 3% loan program for energy savings and equipment upgrades but these loans are usually structured so the energy savings can pay the loan back on a term of not more than thirteen (13) years. When staff met with PG&E a couple of years ago to see if there was any programs the City could possible use to replace the Clayton Library

chiller, PG&E offered a 1% loan program. It was found that it would take over forty (40) years to pay back the loan with the estimated energy savings which is well beyond the life expectancy of the new replacement equipment. At that time PG&E was seeking a pay back in savings for the loan of ten (10) year term.

CONCLUSION

As the City's buildings mature in age the demands on maintaining them will increase. The older the buildings get the more upkeep they will need from the HVAC systems outlined above plus painting, carpet, lighting, roofs, and plumbing. While the City has a Capital Equipment Replacement Fund (CERF) for vehicles and rolling equipment, due to recent and chronic reductions in revenues, the CERF program has not been replenished fully with General Fund allocations. To commence a "sinking fund" or amortization schedule for HVAC and associated City facility repairs and replacement is simply beyond the annual financial resources the City presently receives. The inferred work plan has been the City's unallocated General Fund Reserve functioned as the Replacement Fund for City Facilities (RFCF).

Attachment: HVAC Evaluation Final Report February 4, 2012

HVAC Evaluation

Final Report

City of Clayton
Civic Center and Community Library

February 4, 2012

ENTEK
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Pleasant Hill, CA 94523
925-947-1400

INTRODUCTION

EXECUTIVE SUMMARY

DISCUSSION

DATA TABLES AND EQUIPMENT CUT SHEETS

DRAWINGS

Introduction

We were retained by the City of Clayton to review the HVAC systems serving the Civic Center and the Community Library and produce a report.

In order to prepare this report, we visited the site, examined existing drawings and spoke to operating personnel.

This report includes an Introduction in Tab 1, Executive Summary in Tab 2, the Discussion in Tab 3, Equipment Cutsheets in Tab 4, and drawings in Tab 5.

Executive Summary

In this report we have presented descriptions of the existing HVAC systems at the City of Clayton Civic Center and Community Library. With some noted exceptions the systems at both of these facilities are of a modern design and reasonably energy-efficient in comparison to other typical buildings of this size. The equipment appears well-maintained and clean. Many pieces of the equipment are nearing the end of their expected service life and will require replacement . While specific repairs can be made on an as-needed basis, if budgets permit, a plan for the replacement of these units would be recommended to avoid unnecessary downtime and disruption.

In addition to end-of-life equipment replacements options, we have also presented potential modifications and upgrades to several of these systems. Some of these options will result in decreased energy usage, while others will provide improved maintenance opportunities.

Costs shown in this report are estimated based on standard cost estimating guides and quoted equipment and include overhead, profit, general conditions, and a 25% contingency.

The energy savings presented herein are approximate and are based on a fixed number of equivalent full-load operating hours. More detailed energy analysis would require previous year utility bills and a more in-depth building load simulation.

On the next page we have summarized the options with their estimated construction costs. These options are more fully described in TAB 3, and representative equipment cut-sheets included in TAB 4.

Civic Center

Replace Existing Temperature Sensors with Thermostats - $ 20,952

Replace Existing Terminal Unit Controllers - $ 35,450

Replace Existing Condensing Unit - $ 3,500

Replace Inline Exhaust Fan - $ 4,500

Building HVAC Retro-Commissioning - $ 11,400

Replace DX Air Handler - $ 109,000

Replace DX Air Handler with Chilled Water Air Handler and Air Cooled Chiller - $ 152,340

Replace DX Air Handler with Chilled Water Air Handler and Water-cooled Chiller - $ 178,000

Community Library

Modify Air Distribution System – Meeting Room - $ 14,530

Install DDC Interface – Network Controller - $ 17,000

Re-duct Exhaust Fans - $ 8,100

Building HVAC Retro-commissioning - $ 17,100

Occupancy Sensors - $ 7,020

Replace Existing Air-Cooled Chiller - $ 128,024

Replace Existing Air-Cooled Chiller with Water-Cooled Unit - $ 165,724

Replace Existing Air Handlers FC-1 and FC-2 - $ 54,230 (each)

Replace Existing Air Handler FC-3 - $ 88,920

Replace Existing FC-1 and FC-2 with Rooftop AHU - $ 232,270

Replace Existing Underground Chilled Water Piping - $ 99,550

Civic Center

Building and HVAC System Description

The City of Clayton Civic Center is located at 6000 Heritage Trail, Clayton, CA. The building is housed in what was originally the De Martini Winery. The original structure was built in 1885. In 1997 the building was renovated and now houses the City of Clayton Civic Center and Police Department. The structure comprises three-stories with an approximate area of 10,000 square feet. The lower two stories are constructed of 2-foot thick limestone walls and interior shotcrete lining. The 3rd floor and interior framing is original post and beam construction with interior partitions of standard stud construction. The 3rd floor walls are insulated with R-11 batt while the roof is insulated with 2" thick foam panels. The glazing appears to be a mix of standard ¼ inch clear and ¼ inch light tint glass. The building is set back into a small knoll and is surrounded by trees and vegetation. The building was placed on the NRHP (National Register of Historic Places) in 1984.

The current HVAC system was installed in 1997 in conjunction with the building renovation. The system is composed of the following components: single-zone VAV (variable air volume) outdoor air handler with 90% efficiency filtration, economizer, 9,500 CFM (cubic feet per minute) supply fan and a 5-circuit direct-expansion (DX) cooling coil. The cooling coil is connected to five 60,000 BTU/H (British thermal unit per hour) condensing units. The condensing units are rated at 12.0 EER (energy efficiency ratio). The air handler supplies cold air (approximately 55°F) via insulated sheet metal ductwork to all three floors. Each zone is served (see existing zone map on sheet X) by a VAV terminal unit with a hot-water re-heat coil. Air is returned to the air handler from each zone via insulated sheet metal ductwork. The bathrooms and miscellaneous service spaces are exhausted via a 2,300 CFM inline exhaust fan located in the 3rd floor ceiling space. Hot water for the terminal units is supplied by a 480 MBH (thousand British thermal units per hour) atmospheric natural gas boiler located in the ground floor mechanical room. The boiler is approximately 80% efficient. The terminal unit hot water re-heat coils utilize mostly 2-way control valves with a small number of 3-way control valves to maintain the minimum flow requirement.

The HVAC system is controlled by a Johnson Controls DDC (direct-digital control) system and incorporates individual controllers at each terminal unit. Each terminal unit is connected to a zone

temperature sensor. A separate controller is provided for the air handler and one for the boiler. Additionally, an NCE (network control engine) has been recently installed and will allow access and monitoring of the building controls on remote computers via a web-browser and appropriate login credentials.

HVAC System Current Operation

The current HVAC system serving the Civic Center appears to be well-maintained and in reasonable working condition. Maintenance staff have not reported any major operating deficiencies or temperature control issues. The building appears to be well-situated and shaded to reduce solar heat gain loads and is reasonably well insulated to reduced transmission losses through the walls and roof. The 3rd floor has an exposed ceiling and a cupola which tends to collect warm air during the heating season, thusly requiring more heating capacity than would otherwise be required; however, the roof insulation and glazing limit some of the wasted heat transfer and given the historical character of the building there are few reasonable solutions to enclose this space.

The building has an average airflow of approximately 1 CFM/FT² and a cooling capacity of 325 FT²/TON. Both of these figures are reasonable values for this type of facility. The zoning appears reasonable with spaces segregated according to orientation and use. See drawings 5-1, 5-2, and 5-3 in TAB 5 for the existing zone layout.

The overall system is of a fairly modern design and incorporates a variable air volume scheme at the air handler to reduce energy usage. The air handler also incorporates an economizer cycle to reduce energy usage. The economizer utilizes cool outdoor air in lieu of mechanical refrigeration during those hours of the year when the outside temperature permits. The condensing units connected to the air handler cooling coil are rated at 12.0 EER and exceed the current State of California appliance efficiency requirements. The hot water heating boiler is of a standard efficiency for this type of unit. The boiler is operated in an on-off scheme.

One of the condensing units serving the air handler is currently out-of-service and will need to be replaced prior to the summer cooling season.

The inline exhaust fan on the 3rd floor is currently generating an objectionable noise. It appears that this is caused by worn bearings.

The estimated service life for the air handler is 15 years, for the boiler 25 years, for the terminal units 20 years and for the ductwork 30 years. These estimated service lives are sourced from the 2010 ASHRAE (American Society for Heating Refrigeration and Air-conditioning Engineers) "Applications Handbook."

Repairs, Upgrades, and Modifications

Replace Existing Temperature Sensors with Thermostats

Replacing the existing zone temperature sensors with thermostats allow for individual users to adjust the temperature. A unit which incorporates an occupancy sensor is also recommended; this will allow the terminal unit to completely close when the space is vacant, allow a reduction in fan horsepower. There are approximately existing 20 zone temperature sensors. See page 4-4 for a typical thermostat.

Estimated Construction Cost: $ 20,952

Estimated Engineering Cost: $ 0

Replace Existing Terminal Unit Controls

Replacing the existing VAV terminal unit controllers with recent model controllers will allow these units to fully communicate with the new building controller recently installed. See page 4-1 for a typical VAV controller.

Estimated Construction Cost: $ 35,450

Estimated Engineering Cost: $ 0

Replace Condensing Unit

As noted, one of the existing condensing units connected to the outdoor air handler is non-operational. If no other upgrades are planned, this unit should be replaced.

Estimated Construction Cost: $ 3,5000

Estimated Engineering Cost: $ 0

Replace Inline Exhaust Fan

The existing bathroom exhaust fan in the 3rd floor is currently generating objectionable noise. The inline exhaust fan on the 3rd floor can be repaired with new bearings, etc, however given it's age we recommend replacing the whole unit with a new model. Since the fan is located in the space, a unit with a low noise transmission value and insulated housing should be selected. See page 4-7 for samples of an inline direct drive exhaust fan and a belt-driven variant.

Estimated Construction Cost: $ 4,500

Estimated Engineering Cost: $ 0

Building HVAC Retro-Commissioning

In order to minimize the energy usage and ensure that the system is operating as designed, the building HVAC systems should be commissioned. This would involve verification and adjustment of the DDC sequences and set points in conjunction with an air and water test and balance. An experienced contractor and engineer would perform these services and then verify the process by logging the operation of the control system for a minimum of two-weeks, preferably one session during the summer months and one sessions during the winter months. If equipment replacement options are considered, the commissioning process would take place after the systems have been fully installed and verified operational. The energy savings for this option are difficult to estimate prior to performing the work, however verifying that the mechanical control sequences are operating in the most energy efficient way will typically result in yearly energy savings.

Estimated Construction Cost: $ 0

Estimated Engineering Cost: $ 11,400

Replace Existing DX Air Handler with Packaged AC Unit

The current air handler serving the building is nearing the end of its expected life. As budget considerations permit this unit should be replaced with a new unit. A modern packaged DX unit complete with condensing section (as opposed to the current scheme of separate condensers) is

suggested. Due to the high efficiency of the existing unit (new condition) the energy savings are projected to be small. See page 4-9 for a typical packaged AC unit.

Estimated Construction Cost: $ 109,000

Estimated Engineering Cost: $ 6,500

Replace Existing Air Handler with Chilled Water Air Handler and Air-Cooled Chiller

This option is similar to the Packaged DX Option but would utilize a new air handler with a chilled water cooling coil and an external air-cooled chiller. The inclusion of a chilled water cooling coil versus a refrigerant (DX) coil allows for almost continuous modulation of the leaving air temperature and a better match between cooling load and cooling capacity. This typically results in slightly better temperature and humidity control. Overall efficiency would be approximately equal to the Packaged DX Unit Option. This equipment would result in a small additional energy cost per year. See page 4-11 for a typical outdoor air handler and page 4-13 for a typical air-cooled chiller.

Estimated Construction Cost: $ 152,340

Estimated Engineering Cost: $ 9,143

Estimated Energy Cost Savings (per year): $ 0

Replace Existing DX Air Handler with Chilled Water Air handler and Water-Cooled Chiller

This option is similar to the Packaged AC Unit and Air-Cooled Chiller Option but would utilize a water-cooled chiller versus an air-cooled unit. Water cooled chillers are approximately 25% more energy efficient than air-cooled models. Water cooled chillers do require a cooling tower or closed-loop water cooler and condenser water pumps which will result in increased maintenance costs. See page 4-15 for a typical water-cooled chiller and page 4-17 for a typical cooling tower.

Estimated Construction Cost: $ 178,000

Estimated Engineering Cost: $ 10,670

Estimated Energy Cost Savings (per year): $ 778

Estimated Additional Maintenance Cost: $ 2,860

Clayton Community Library

Building and HVAC System Description

The Clayton Community Library is located at 6125 Clayton Road, Clayton, CA. The building is a single-story structure of approximately 15,000 square feet. The building construction is slab-on-grade and utilizes structural steel and engineered wood beams with a cement plaster (stucco) exterior and built-up roof. All exterior walls are insulated with R-12 batt insulation and the roof is insulated with R-30 batt insulation. Glazing appears to be ¼" light tint glass.

The library has two primary HVAC systems. One system which is located in an attic space mechanical room serves the west side of the building including the large meeting room (city council chambers), the main entrance, support spaces, and the audio/visual room. The other system serves the eastern portion of the building primarily including the main library stacks.

The west system is comprised of an indoor air handler (FC-3) with a 10,000 CFM supply fan, chilled water coil, economizer, 50% filtration. Cold supply air at approximately 55° is ducted via insulated sheet metal ducts to the space. At each zone, a VAV terminal unit equipped with a hot water re-heat coil modulates in response to a thermostat, increasing or reducing the volume of air and / or the flow of hot water as required. Air is returned to the unit from the spaces via insulated sheet metal ducting. Two exhaust fans are located on the main return ducts, whose function is apparently to provide space pressurization control.

The East system is comprised of two identical indoor air handlings units, FC-1 and FC-2. Each unit is located in a soffit, one on each side of the stacks room. Each of these units consist of a 5,500 CFM supply fan, economizer, 50% efficient filtration, and a gas-fired duct heater.

Air handlers FC-1, FC-2, and FC-3 receive their chilled water via an air-cooled chiller located approximately 30 ft east of the library in a fenced enclosure. The chiller is a reciprocating air-cooled unit with an approximately 8.6 EER. 150 GPM (gallons per minute) of chilled water is pumped from the chiller through two underground chilled water pipes to the building.

Hot water for unit FC-3 and the terminal unit re-heat coils is supplied via a 480 MBH input atmospheric natural gas boiler and accompanying distribution pump. This boiler appears newer than the other HVAC equipment in the building.

The HVAC system is controlled by a Johnson Controls DDC (direct-digital control) system and incorporates individual controllers at each terminal unit. Each terminal unit is connected to a zone temperature sensor. A separate controller is provided for the air handlers and one for the boiler.

HVAC System Current Operation

The current HVAC system serving the Library appears to be well-maintained and in reasonable working condition. Maintenance staff have indicated a few operating deficiencies which are discussed below. The building appears to be well-situated and (internally) shaded to reduce solar heat gain loads and is reasonably well insulated to reduced transmission losses through the walls and roof.

The overall system is of a fairly modern design and incorporates a variable air volume scheme at the air handler FC-3 to reduce energy usage. Air handlers FC-1, FC-2, and FC-3 also incorporate an economizer cycle to reduce energy usage. The economizer utilizes cool outdoor air in lieu of mechanical refrigeration during those hours of the year when the outside temperature permits

The building as a whole has an average airflow of approximately 1.4 CFM/FT^2 and a cooling capacity of 238 FT^2/TON. Both of these figures are reasonable values for this type of facility. The zoning appears reasonable with spaces segregated according to orientation and use. See drawing 5-4 in TAB 5 for the existing zone layout.

The existing air-cooled chiller has been reported to experience faults and shutdowns related to condenser high head pressure. This occurs especially during the hotter summer months. This tends to indicate that the chiller is slightly undersized for the load it is serving. The chiller has approached it's expected service life of 20 years and it's condenser coil is suffering from fairly severe corrosion which further reduces it's capacity.

The condition of the underground chilled water piping is indeterminate, however it too is approaching it's service lifetime. Visual inspection from aboveground indicates that the insulation may have absorbed water which would reduce it's insulating capability and also increase the load on the existing chiller.

As noted previously, units FC-1 and FC-2 are located in soffits in the main stacks wing. The access clearance around these units ranges from limited to zero. Additionally, to obtain access requires the use of a twenty foot ladder to unscrew a hinged access panel in the ceiling and then lifting

oneself up into the soffit. At best this represents an unsafe condition for maintenance personnel and makes it extremely difficult to effect repairs.

An existing exhaust fan serving one of the toilet rooms has been out-of-service for some time.

The main source of temperature complaints in library is the large conference room where city council meetings are held. This room has a high (approximately 18') ceiling with a single strip of supply air diffusers running down the center. This current configuration is not effective in distributing air in a uniform manner to the space.

The exhaust fan serving the bathrooms adjacent to the council meeting room and the exhaust fan serving the remainder of the building are ducted into the return / relief ductwork system which leads directly to air handler FC-3. This is a non-standard arrangement and has apparently resulted in occasional odors.

The existing DDC control system has no interface for maintenance personnel to monitor the systems in a graphical fashion, either on-site or remotely.

Repairs, Upgrades, and Modifications

Modify Air Distribution System – Meeting Room

As discussed, the air distribution system serving the large meeting room cannot provide effective uniform heating and cooling. The single-strip of linear diffusers which run through the center of the room cannot provide adequate mixing and results in temperature stratifications and comfort complaints. Modifying the existing system by providing additional air diffusers at the perimeter should help to mitigate this problem. The ductwork would be fully insulated and could be painted to match the interior color. A proposed layout is shown on drawing 5-5.

Estimated Construction Cost: $ 14,530

Estimated Engineering Cost: $ 1,740

Install DDC Interface

The installation of a new network controller will allow maintenance staff to supervise the operation of the equipment remotely via any compatible PC equipped with a web-browser. They will also be able to monitor alarm status, etc in order to dispatch personnel. A typical network controller is shown on page 4-18.

Estimated Construction Cost: $ 17,100

Estimated Engineering Cost: $ 1,020

Re-duct Exhaust Fans

As mentioned previously, the bathroom exhaust fans are connected to the building return air system, which is a non-standard configuration and appears to contribute to the occasional odor complaint. We propose to disconnect the exhaust fans from the return air duct and provide separate dedicated ducts through the roof for each fan.

Estimated Construction Cost: $ 8,100 (each)

Estimated Engineering Cost: $ 486 (each)

Building HVAC Retro-Commissioning

In order to minimize the energy usage and ensure that the system is operating as designed, the building HVAC systems should be commissioned. This would involve verification and adjustment of the DDC control sequences and set points in conjunction with an air and water test and balance. This option would also An experienced contractor and engineer would perform these services and then verify the process by logging the operation of the control system for a minimum of two-weeks, preferably one session during the summer months and one sessions during the winter months. If equipment replacement options are considered, the a final commissioning process would take place after the new systems have been fully installed and verified operational. The energy savings for this option are difficult to estimate prior to performing the work, however verifying that the mechanical control sequences are operating in the most energy efficient way will typically result in yearly energy savings.

Estimated Construction Cost: $ 0

Estimated Engineering Cost: $ 17,100

Occupancy Sensors

Adding occupancy sensors to control the lighting and the terminal units will allow both systems to shutdown whenever no one is present for a set period of time (adjustable).

Estimated Construction Cost: $ 7,020

Estimated Engineering Cost: $ 0

Replace Existing 60-ton Air-cooled Chiller with 70-ton Air-cooled chiller

As noted, the existing air-cooled chiller has reached the end of it's expected service life and is suffering from operational issues. A new larger unit should be installed in approximately the same location as the existing and connected to the existing piping. The existing piping appears to be large enough to provide for the slightly increased capacity. A new air-cooled unit will have a slightly higher EER than the existing. See page 4-19 for a typical air-cooled chiller.

Estimated Construction Cost: $ 128,104

Estimated Engineering Cost: $ 7,690

Replace existing 60-ton air cooled chiller with 70-ton water-cooled chiller

Water-cooled chillers in this range have EERs approaching 16. Replacing the existing air-cooled chiller with a water-cooled unit will result in an energy savings of approximately 57,000 kWh per year. A water-cooled chiller will also require a matching cooling tower and condenser water pumps; this will result in slightly higher maintenance costs than a comparable air-cooled unit. Modifications to the existing air-cooled chiller pad, and an enlarged enclosure fence would also be required. See page 4-21 for a typical water-cooled chiller and 4-23 for a typical cooling tower. See drawing 5-6 for the proposed location and size of a new water—cooled chiller and tower.

Estimated Construction Cost: $ 165,724

Estimated Engineering Cost: $ 9,950

Estimated Energy Cost Savings (per year): $ 3,420

Estimated Additional Maintenance Cost: $ 2,860

Replace existing air handlers FC-1 and FC-2 with similar

Units FC-1 and FC-2 are nearing the end of their expected service life. These units could be replaced with similar units if budgets do not permit their relocation. Due to their location in a soffit, these units would likely need to be removed in sections through the existing outside air louvers on the South side of the Library. See page 4-24 for a typical replacement air handler.

Estimated Construction Cost: $ 54,230 (each)

Estimated Engineering Cost: $ 3,250 (each)

Estimated Energy Cost Savings (per year): $ 0

Replace Existing Air Handler FC-3

This unit appears to be in reasonable condition, however given the length of it's service life, it should be replaced if budgets permit. The proposed new unit would incorporate a VAV supply fan, economizer, chilled water coil, and improved filtration. See page 4-26 for a typical replacement air handler.

Estimated Construction Cost: $ 88,920

Estimated Engineering Cost: $ 5,330

Estimated Energy Cost Savings (per year): $ 0

Replace existing air handlers FC-1, FC-2 with Rooftop AHU

Units FC-1 and FC-2 are nearing the end of their expected service life. Additionally, access to the units FC-1 and FC-2 presents a safety issue and discourages proper maintenance. A more optimal solution would be to demolish these existing units and replace them with one new unit. Units FC-1 and FC-2 could possibly be abandoned in-place rather than undergoing the expense of removing them. A probable location for the new unit would be the flat roof section in between the stacks wing and the library proper. New supply and return ducts would need to be routed to the existing

distribution system in the east and west soffits in the stacks area. The flat roof area would need to be evaluated for its structural suitability and the existing structure modified as required to support the new unit. A new sightscreen would also need to be installed to shield the unit from view. In either case, configuring this unit to use hot water instead of gas-fire duct furnaces will provide for increased turndown and more stable temperature control. If these units are converted to hot water, either the existing boiler would need to be replaced with a unit approximately 200 MBH larger or a new small hot water boiler would need to be added. See page 4-28 for a typical rooftop AHU. See drawing 5-6 for the proposed location and size of a rooftop AHU.

Estimated Construction Cost: $ 232,270

Estimated Engineering Cost: $ 14,000

Estimated Energy Cost Savings (per year): $ 0

Replace Existing Underground Chilled Water Piping

The existing underground chilled water piping is nearing the end of it's expected service life. It is recommended that a portion of the existing piping be excavated to verify it's condition and an ultra-sonic pipe test performed. The ultra-sonic pipe test will indicate the amount of pipe wall left in service and will provide an estimate of the amount of service life left . Based on the result of the testing, if the insulation and piping are in acceptable condition, the piping can remain, if not, the underground piping should be replaced with pre-insulated direct-buried chilled water piping. See page 4-30 for a typical pre-insulated chilled water piping system

Estimated Construction Cost (inspection only) : $ 3,250

Estimated Construction Cost (pipe replacement) : $ 98,550

Estimated Engineering Cost (pipe replacement): $ 5,915

TAB 4 TABLE OF CONTENTS

CIVIC CENTER

COMMUNITY LIBRARY

Code No. LIT-1900347
Issued October 4, 2010

VMA16 Variable Air Volume Controller Series

Description

The Variable Air Volume (VAV) Modular Assembly (VMA) 16 controllers are programmable digital controllers that communicate via BACnet® Master-Slave/ Token-Passing (MS/TP) Protocol. Both the VMA1610 and VMA1620 controllers have a pressure sensor and actuator in a pre-wired unit. The VMA16 controllers connect easily to the NS Series Network Sensors for zone and discharge air temperature sensing.

The VMA16 controllers can be configured for both single-duct and dual-duct VAV applications. The VMA1610 and VMA1620 controllers require an additional damper actuator and Differential Pressure Transducer (DPT) sensor for dual-duct or supply/exhaust applications.

Refer to the *Metasys® System Field Equipment Controllers and Related Products Product Bulletin (LIT-12011042)* for important product application information.

Features

- BACnet MS/TP protocol communication — provides open system compatibility.
- Writable flash memory — allows standard or customized applications to be downloaded from the Controller Configuration Tool (CCT).
- Integrated pressure sensor and actuator — reduces installation time.
- Wireless capabilities via ZFR1800 Series Wireless Field Bus System enable wireless mesh connectivity between VMA16s to WRZ Series Wireless Room Temperature Sensors, and to Network Automation Engine (NAE) and Network Control Engine (NCE) devices — facilitate easy initial location and relocation.
- The fast response actuator — drives the damper from full open to full closed (90°) in 60 seconds to reduce commissioning time.
- Point capacity can be expanded by adding Input/Output Modules (IOMs) to the Sensor Actuator bus — providing further application flexibility.
- Patented proportional adaptive control (P-Adaptive) and Pattern Recognition Adaptive Control (PRAC) technologies — provide continuous loop tuning.

VMA16 Controller

Repair Information

If the VMA16 controller fails to operate within its specifications, replace the unit. For a replacement VMA, contact the nearest Johnson Controls® representative.

Selection Charts

VMA Series Point Type Counts per Model

Point Types	Signals Accepted	VMA1610	VMA1620
Universal Input (UI)	Analog Input, Voltage Mode, 0–10 VDC Analog Input, Resistive Mode, 0–2k ohm, RTD (1k NI [Johnson Controls], 1k PT, A99B SI), NTC (10k Type L, 2.252k Type 2) Binary Input, Dry Contact Maintained Mode	1	1
Binary Output (BO)	24 VAC Triac	0	3
Configurable Output (CO)	Analog Output, Voltage Mode, 0–10 VDC Binary Output Mode, 24 VAC Triac	0	2
Integrated Actuator	Internal	1	1
Integrated Flow Sensor	Internal	1	1
Zone Sensor Input	On SA Bus	up to 4 NS Series Network Zone sensors	
		up to 9 WRZ wireless zone sensors	
Discharge Air Sensor Input	On SA Bus	up to 5 discharge air sensors	

Ordering Information

Product Code Number	Description
MS-VMA1610-0	Integrated VAV Controller/Actuator/Pressure Sensor (Cooling only), FC Bus, and SA Bus
MS-VMA1620-0	Integrated VAV Controller/Actuator/Pressure Sensor (with Reheat and Fan Control), FC Bus, and SA Bus

Ordering Information for UL Listed, File S4977, UUKL 864 - 9th Edition, Smoke Control Equipment

Product Code Number[1]	Description
MS-VMA1610-0U	Integrated VAV Controller/Actuator/Pressure Sensor (Cooling only), FC Bus, and SA Bus
MS-VMA1620-0U	Integrated VAV Controller/Actuator/Pressure Sensor (with Reheat and Fan Control), FC Bus, and SA Bus

1. These devices are UL Listed, File S4977, UUKL 864 - 9th Edition, Smoke Control Equipment.

VMA16 Variable Air Volume Controller Series (Continued)

Accessories (Order Separately)

Product Code Number	Description
Y64T15-0	Transformer, 120/208/240 VAC Primary to 24 VAC Secondary, 92 VA, Foot Mount, 30 in. Primary Leads and 30 in. Secondary Leads, Class 2
Y65A13-0	Transformer, 120 VAC Primary to 24 VAC Secondary, 40 VA, Foot Mount (Y65AS), 8 in. Primary Leads and 30 in. Secondary Leads, Class 2
Y65T42-0	Transformer, 120/208/240 VAC Primary to 24 VAC Secondary, 40 VA, Hub Mount (Y65SP+), 8 in. Primary Leads and Secondary Screw Terminals, Class 2
Y65T31-0	Transformer, 120/208/240 VAC Primary to 24 VAC Secondary, 40 VA, Foot Mount (Y65AR+), 8 in. Primary Leads and Secondary Screw Terminals, Class 2
AP-TBK1002-0	2-Position Screw Terminal that Plugs onto VMA output point Spade Lugs
AP-TBK1003-0	3-Position Screw Terminal that Plugs onto VMA output point Spade Lugs
AP-TBK4SA-0	Replacement MS/TP SA Bus Terminal, 4-Position Connector, Brown, Bulk Pack
AP-TBK4FC-0	Replacement MS/TP FC Bus Terminal, 4-Position Connector, Blue, Bulk Pack
AP-TBK3PW-0	Replacement Power Terminal, 3-Position Connector, Gray, Bulk Pack
MS-BTCVT-1	Wireless Commissioning Converter, with Bluetooth® technology
MS-BTCVTCBL-700	Cable replacement Set for the MS-BTCVT-1 or the NS-ATV7003-0; includes one 5 ft (1.5 m) retractable cable.
MS-ZFR1810-0	Wireless Field Bus Coordinator, 10 mW Transmission Power. Functions with NAE35xx, NAE45xx, NAE55xx, and NCE25xx Models.
MS-ZFR1811-0	Wireless Field Bus Router, 10 mW Transmission Power. Functions with Metasys BACnet FECs, VMA1600s, and WRZ-TTx Series Wireless Mesh Room Temperature Sensors.
MS-ZFRCBL-0	Wire Harness for use with ZFR1811 Router. Allows ZFR1811 Router to function with FEC1620; and with FEC1610, VMA1610, or VMA1620 controllers in conjunction with NS Series Sensors, Wireless Commissioning Converter, or DIS1710 Local Controller Display.

Technical Specifications

VMA Series	
Product Code Numbers	**MS-VMA1610-0:** Cooling Only **MS-VMA1620-0:** Cooling with Reheat and Fan Control
Supply Voltage	24 VAC (nominal, 20 VAC minimum/30 VAC maximum), 50/60 Hz, power supply Class 2 (North America), Safety Extra-Low Voltage (SELV) (Europe)
Power Consumption	10 VA typical, 14 VA maximum Note: VA rating does not include any power supplied to the peripheral devices connected to Binary Outputs (BOs) or Configurable Outputs (COs), which can consume up to 12 VA for each BO or CO for a possible total consumption of an additional 60 VA (maximum).
Ambient Conditions	**Operating:** 0 to 50°C (32 to 122°F) **Storage:** -40 to 70°C (-40 to 158°F)
Terminations	Inputs/Outputs: 6.3 mm (1/4 in.) spade lugs FC Bus, SA Bus, and Supply Power: 4-Wire and 3-Wire Pluggable Screw Terminal Blocks Sensor Port: RJ-12 6-Pin Modular Jacks
Controller Addressing	DIP switch set; valid field controller device addresses 4–127 (Device addresses 0–3 and 125–255 are reserved and not valid field controller addresses.)
Communications Bus	BACnet MS/TP, RS-485: 3-wire FC Bus between the supervisory controller and field controllers 4-wire SA Bus from the VMA controller, network sensors, and other sensor/actuator devices, includes a terminal to source 15 VDC supply power from VMA to SA Bus devices.[1]
Analog Input/Analog Output Resolution and Accuracy	**Analog Input:** 15-bit resolution **Analog Output:** 16-bit resolution and ±200 mV in 0-10 VDC applications
Air Pressure Differential Sensor	Setra transducer, differential pressure to electrical, 0 to 38.1 mm (0 to 1.5 in) WC, 0.5 to 4.5 VDC, 5 VDC supply, aluminum plated. **Performance Characteristics:** Combined Repeatability and Hysteresis Error: ±0.05% of Full Span Maximum Non-linearity Errors (Best Fit Method): ±1.0% of Full Span Maximum Response Time (to within 63% of Full Scale Pressure with Step Change on Input): 15 ms Temperature Error from 15.6 to 48.9°C (60 to 120°F) Null: ±0.06% of Full Span per °F Maximum Span: ±1.5% of Full Span Maximum Stability, Null: ±0.5% of Full Scale Maximum, 1 Year Minimum Stability, Span: ±2.0% of Full Scale Maximum, 1 Year Minimum
Mounting	Mounts to damper shaft using single set screw, and to duct with single mounting screw.
Actuator Rating	4 N·m (35 lb·in) minimum shaft length = 44 mm (1-3/4 in.)
Dimensions	**(Height x Width x Depth):** 182 x 182 x 64 mm (7-3/16 x 7-3/16 x 2-1/2 in.) **Center of Output Hub to Center of Anti-rotation Slot:** 160 mm (6-5/16 in.)
Weight	0.86 kg (1.9 lb)

VMA16 Variable Air Volume Controller Series (Continued)

VMA Series	
Compliance	**United States:** UL Listed, File E107041, CCN PAZX, UL 916, Energy Management Equipment; UL Listed, File S4977, UUKL 864 - 9th Edition, Smoke Control Equipment (MS-VMA1610-0U, MS-VMA1620-0U only); FCC Compliant to CFR47, Part 15, Subpart B, Class A
	Canada: UL Listed, File E107041, CCN PAZX7, CAN/CSA C22.2 No. 205, Signal Equipment; Industry Canada Compliant, ICES-003
CE	**Europe:** CE Mark – Johnson Controls, Inc., declares that the VMA16 Variable Air Volume Controllers are in compliance with the essential requirements and other relevant provisions of the EMC Directive 2004/108/EC, and the Low Voltage Directive 2006/95/EC.
	Australia and New Zealand: C-Tick Mark, Australia/NZ Emissions Compliant.
	BACnet International: BACnet Testing Laboratories (BTL) 135-2004 Listed BACnet Application Specific Controller (B-ASC)

1. For more information, refer to the *MS/TP Communications Bus Technical Bulletin (LIT-12011034)*.

Code No. LIT-1900627
Issued February 8, 2010

TEC21x6-4, TEC21x6H-4, and TEC21x6H-4+PIR

TEC21x6(H)-4 and TEC21x6H-4+PIR Series N2 Networked Thermostat Controllers with Dehumidification Capability, Fan Control, and Occupancy Sensing Capability

Description

The TEC21x6(H)-4 and TEC21x6H-4+PIR Series Thermostat Controllers are N2 networked devices that provide control of two- or four-pipe fan coils, cabinet unit heaters, or other equipment using on/off, floating, or proportional 0 to 10 VDC control input, three speeds of fan control, and dehumidification capability. The TEC21x6H-4+PIR Series Thermostat Controllers have occupancy sensing capability built into the device. These devices maximize up to 30% energy savings in high-energy usage light commercial buildings, such as schools and hotels, during occupied times by using additional standby setpoints.

The technologically advanced TEC21x6(H)-4 and TEC21x6H-4+PIR Series Thermostat Controllers feature a Building Automation System (BAS) N2 Bus communication capability that enables remote monitoring and programming for efficient space temperature control. Specific models are available to accommodate commercial and hospitality applications.

The TEC21x6(H)-4 and TEC21x6H-4+PIR Series Thermostat Controllers feature an intuitive User Interface (UI) with backlit display that makes setup and operation quick and easy. The thermostat controllers also employ a unique, Proportional-Integral (PI) time-proportioning algorithm that virtually eliminates temperature offset associated with traditional, differential-based thermostat controllers.

Refer to the *TEC21x6(H)-4 and TEC21x6H-4+PIR Series N2 Networked Thermostat Controllers with Dehumidification Capability, Fan Control, and Occupancy Sensing Capability Product Bulletin (LIT-12011601)* for important product application information.

TEC21x6-4 Series Thermostat Controller

TEC21x6H-4+PIR Series Thermostat Controller

Features

- BAS N2 Open communication — provides compatibility with a proven communication network; N2 Bus is widely accepted by Heating, Ventilating, and Air Conditioning (HVAC) control suppliers
- onboard occupancy sensor (Passive Infrared [PIR] Models) — provides energy savings without additional installation time and cost
- password protection option — protects against unwanted thermostat controller tampering
- integral humidity sensing capability (dehumidification models) — increases occupancy comfort by providing dehumidification
- backlit Liquid Crystal Display (LCD) — offers real-time control status of the environment in easy-to-read, English plain text messages with constant backlight that brightens during user interaction
- on/off, floating, or proportional 0 to 10 VDC control — offers additional application flexibility by providing more advanced control signals
- three speeds of fan control — provide easy **FAN** speed selection via the interface key, to meet the application requirements
- single/dual setpoint adjustment — enables user setpoint options to accommodate application
- override interface key (commercial models) — allows easy access for temporarily overriding the unoccupied mode
- temperature scale selector key (hospitality models) — offers guests the ability to select a Fahrenheit (°F) or Celsius (°C) temperature scale display
- two configurable binary inputs — provide additional inputs for advanced functions such as remote night setback, service or filter alarms, motion detector, and window status
- over 20 configurable parameters — enable the thermostat to adapt to any application, allowing installer parameter access without opening the thermostat cover
- optional discharge air sensor — monitors unit efficiency

Repair Information

If a TEC21x6(H)-4 or TEC21x6H-4+PIR Series Thermostat fails to operate within its specifications, replace the unit. For a replacement thermostat, contact the nearest Johnson Controls® representative.

Selection Chart

Thermostat Controller Models

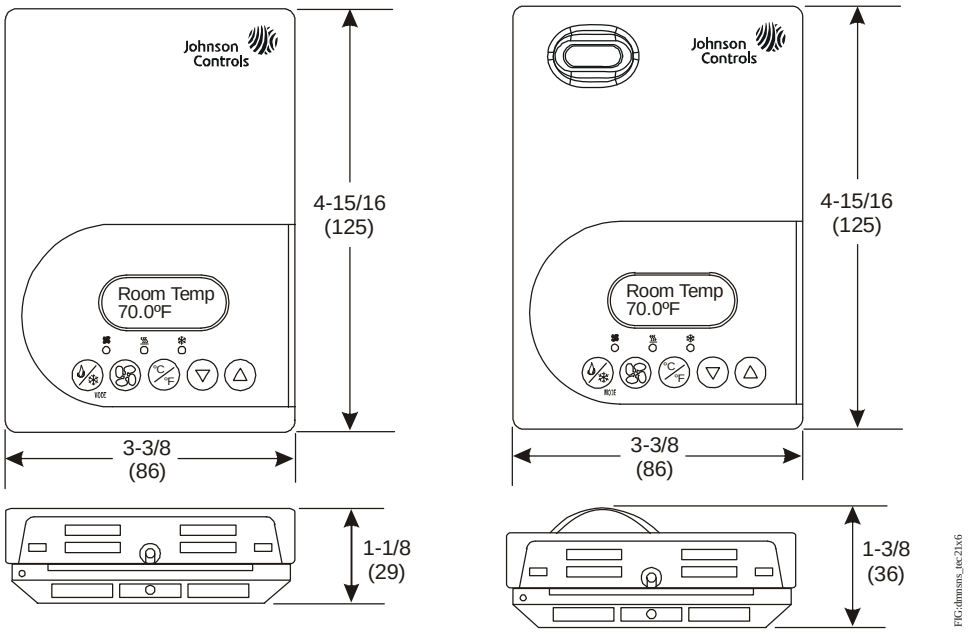
Code Number	Control Outputs	Onboard Occupancy Sensor	Dehumidification Capability	Application
TEC2116-4	Two On/Off	No	No	Commercial Market
TEC2116H-4	Two On/Off	No	No	Hospitality Market
TEC2116H-4+PIR	Two On/Off	Yes	No	Hospitality Market
TEC2126-4	Two On/Off or Floating	No	No	Commercial Market
TEC2126H-4	Two On/Off or Floating	No	No	Hospitality Market
TEC2126H-4+PIR	Two On/Off or Floating	Yes	No	Hospitality Market
TEC2136-4	Two On/Off or Floating	No	Yes	Commercial Market
TEC2136H-4	Two On/Off or Floating	No	Yes	Hospitality Market

TEC21x6(H)-4 and TEC21x6H-4+PIR Series N2 Networked Thermostat Controllers with Dehumidification Capability, Fan Control, and Occupancy Sensing Capability

Thermostat Controller Models

Code Number	Control Outputs	Onboard Occupancy Sensor	Dehumidification Capability	Application
TEC2136H-4+PIR	Two On/Off or Floating	Yes	Yes	Hospitality Market
TEC2146-4	Two Proportional 0 to 10 VDC	No	No	Commercial Market
TEC2146H-4	Two Proportional 0 to 10 VDC	No	No	Hospitality Market
TEC2146H-4+PIR	Two Proportional 0 to 10 VDC	Yes	No	Hospitality Market
TEC2156-4	Two Proportional 0 to 10 VDC	No	Yes	Commercial Market
TEC2156H-4	Two Proportional 0 to 10 VDC	No	Yes	Hospitality Market
TEC2156H-4+PIR	Two Proportional 0 to 10 VDC	Yes	Yes	Hospitality Market

Dimensions



TEC21x6H-4 and TEC21x6H-4+PIR Thermostat Controller Dimensions, in. (mm)

Accessories (Order Separately)

Code Number	Description
SEN-600-1	Remote Indoor Air Temperature Sensor
TE-6361M-1[1]	Duct Mount Air Temperature Sensor
SEN-600-4	Remote Indoor Air Temperature Sensor with Occupancy Override and LED
TE-636S-1	Strap-Mount Temperature Sensor
TEC-6-PIR[2]	Commercial Fan Coil Cover with Occupancy Sensor
TEC-6H-PIR[2]	Hospitality Fan Coil Controller Cover with Occupancy Sensor

1. Additional TE-636xx-x Series 10k ohm Johnson Controls Type II Thermistor Sensors are available; refer to the *TE-6300 Series Temperature Sensors Product Bulletin (LIT-216320)* for more details.
2. The TEC-6-PIR and TEC-6H-PIR Accessory Covers can be used to replace the existing cover on a non-PIR TEC21x6(H)-4 Series Thermostat Controller to provide occupancy sensing capability.

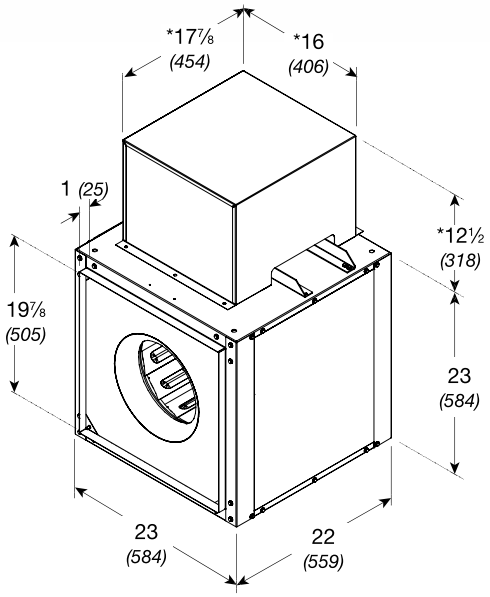
TEC21x6(H)-4 and TEC21x6H-4+PIR Series N2 Networked Thermostat Controllers with Dehumidification Capability, Fan Control, and Occupancy Sensing Capability

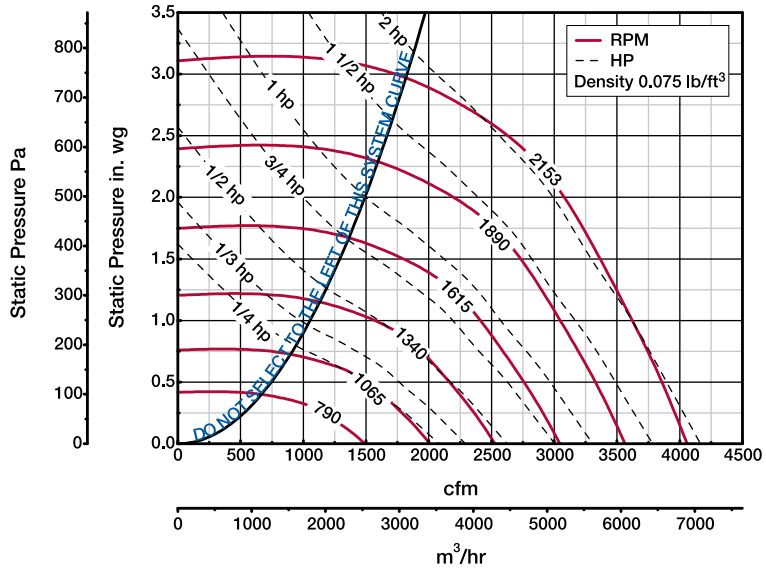
Technical Specifications

TEC21x6(H)-4 and TEC21x6H-4+PIR Series N2 Networked Thermostat Controllers with Dehumidification Capability, Fan Control, and Occupancy Sensing Capability

Power Requirements		19 to 30 VAC, 50/60 Hz, 2 VA (Terminals 4 and 5) at 24 VAC Nominal, Class 2 or Safety Extra-Low Voltage (SELV)
Relay/Triac Contact Rating	**On/Off and Floating Control**	19 to 30 VAC, 1.0 A Maximum, 15 mA Minimum, 3.0 A In-Rush, Class 2 or SELV
Analog Output Rating	**Proportional Control**	0 to 10 VDC into 2k ohm Resistance (Minimum)
Fan Relay Output Rating		19 to 30 VAC, 1.0 A Maximum, 15 mA Minimum, 3.0 A In-Rush
Auxiliary Output Rating	**Triac Output**	19 to 30 VAC, 1.0 A Maximum, 15 mA Minimum, 3.0 A In-Rush
Analog Inputs		Resistive Inputs (RS and UI3) for 10k ohm Johnson Controls Type II Negative Temperature Coefficient (NTC) Thermistor Sensors
Binary Inputs		Voltage-Free Contacts across Terminal Scom to Terminals BI1, BI2, or UI3
Temperature Sensor Type		Local 10k ohm NTC Thermistor
Wire Size		18 AWG (1.0 mm Diameter) Maximum, 22 AWG (0.6 mm Diameter) Recommended
Temperature Range	**Backlit Display**	-40.0°F/-40.0°C to 122.0°F/50.0°C in 0.5° Increments
	Heating Control	40.0°F/4.5°C to 90.0°F/32.0°C
	Cooling Control	54.0°F/12.0°C to 100.0°F/38.0°C
Accuracy	**Temperature**	±0.9F°/±0.5C° at 70.0°F/21.0°C Typical Calibrated
	Humidity	±5% RH from 20 to 80% RH at 50 to 90°F (10 to 32°C)
Default Minimum Deadband		2F°/1C° between Heating and Cooling
Ambient Conditions	**Operating**	32 to 122°F (0 to 50°C); 95% RH Maximum, Noncondensing
	Storage	-22 to 122°F (-30 to 50°C); 95% RH Maximum, Noncondensing
Compliance	**United States**	UL Listed, File E27734, CCN XAPX, Under UL 873, Temperature Indicating and Regulating Equipment
		FCC Compliant to CFR 47, Part 15, Subpart B, Class A
	Canada	UL Listed, File E27734, CCN XAPX7, Under CAN/CSA C22.2 No. 24, Temperature Indicating and Regulating Equipment
		Industry Canada, ICES-003
	Europe	CE Mark, EMC Directive 2004/108/EC
	Australia and New Zealand	C-Tick Mark, Australia/NZ Emissions Compliant
Shipping Weight		**TEC21x6(H)-4 Models:** 0.75 lb (0.34 kg) **TEC21x6H-4+PIR Models:** 0.77 lb (0.35 kg)

BSQ 140 - Belt Drive





Damper size = 20 x 20 *(508 x 508)*
Unit weight** = 111 *(50)*
Housing thickness = 18 ga

Dimensions shown in inches (millimeters) and weight is shown in pounds (kilograms).
*Motor cover is optional. Size may be greater depending on motor.
**Weight shown is largest cataloged Open Drip Proof motor.

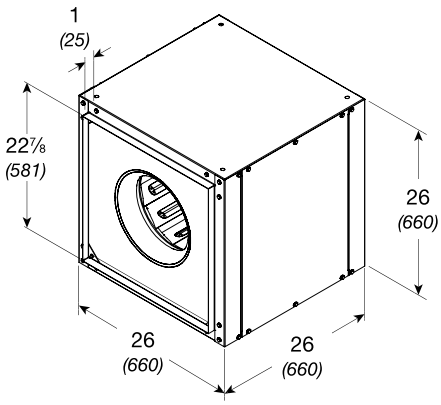
Model Number	Motor HP	Fan RPM		CFM / Static Pressure in Inches wg									
				0.125	0.250	0.500	0.750	1.000	1.500	1.750	2.000	2.500	2.750
BSQ-140-4	1/4	800	CFM	1362	1185								
			BHP	0.10	0.11								
			Sones	6.3	6.7								
		1076	CFM	1927	1810	1538							
			BHP	0.24	0.25	0.26							
			Sones	10.7	10.7	10.2							
BSQ-140-3	1/3	1185	CFM	2142	2039	1807	1463						
			BHP	0.32	0.33	0.35	0.34						
			Sones	12.1	11.9	12.0	10.6						
BSQ-140-5	1/2	1271	CFM	2311	2217	2006	1741	1199					
			BHP	0.39	0.41	0.43	0.43	0.39					
			Sones	13.3	13.0	13.1	13.0	12.7					
		1356	CFM	2476	2392	2197	1979	1636					
			BHP	0.48	0.49	0.51	0.52	0.51					
			Sones	14.2	13.9	13.8	13.8	13.8					
BSQ-140-7	3/4	1553	CFM	2858	2787	2626	2449	2253	1447				
			BHP	0.71	0.73	0.75	0.78	0.79	0.70				
			Sones	16.2	16.0	16.0	15.6	15.3	13.9				
BSQ-140-10	1	1631	CFM	3008	2941	2790	2625	2446	1865				
			BHP	0.82	0.84	0.86	0.89	0.91	0.87				
			Sones	17.1	16.9	16.9	16.6	16.1	14.8				
		1709	CFM	3159	3094	2953	2798	2635	2177	1752			
			BHP	0.95	0.96	0.99	1.02	1.05	1.03	0.97			
			Sones	18.2	18.0	17.9	17.7	17.2	16.1	15.1			
BSQ-140-15	1½	1956	CFM	3633	3576	3461	3330	3193	2894	2705	2457		
			BHP	1.41	1.43	1.47	1.49	1.53	1.57	1.57	1.55		
			Sones	24	23	24	24	23	22	21	20		
BSQ-140-20	2	2055	CFM	3822	3769	3662	3537	3410	3136	2982	2777	2168	
			BHP	1.63	1.66	1.70	1.73	1.75	1.82	1.82	1.81	1.70	
			Sones	27	26	28	27	26	25	24	23	21	
		2153	CFM	4009	3958	3856	3741	3622	3365	3225	3078	2627	2260
			BHP	1.88	1.90	1.95	1.98	2.00	2.08	2.10	2.10	2.05	1.95
			Sones	30	30	31	31	30	28	28	27	25	23

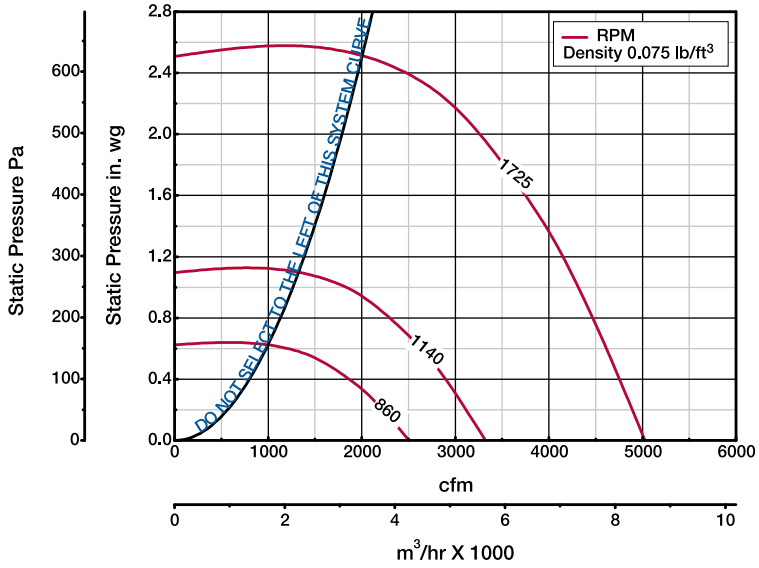
MAX Bhp AT A GIVEN RPM = (rpm/1682)³
MAXIMUM RPM = 2153
TIP SPEED (ft/min) = rpm x 3.812
MAX NEMA MOTOR FRAME SIZE = 145T
OUTLET VELOCITY (ft/min) = 0.3692 x cfm

Performance certified is for installation type B: Free inlet, Ducted outlet. Performance ratings do not include the effects of appurtenances (accessories). Power rating (Bhp) does not include transmission losses.

The sound ratings shown are loudness values in fan sones at 1.5 m (5 feet) in a hemispherical free field calculated per AMCA Standard 301. Values shown are for installation type B: free inlet hemispherical fan sone levels.

SQ 160 - Direct Drive





Damper size = 23 x 23 *(584 x 584)*
Unit weight** = 160 *(73)*
Housing thickness = 18 ga
Outlet velocity = 0.275 x cfm

Dimensions shown in inches (millimeters) and weight is shown in pounds (kilograms).
**Weight shown is largest cataloged Open Drip Proof motor.

Model Number	Motor HP	Fan RPM		CFM / Static Pressure in Inches wg									
				0.000	0.250	0.500	0.750	1.000	1.250	1.500	1.750	1.875	2.000
SQ-160-C	1/4	860	CFM	2506	2147	1605							
			BHP	0.20	0.23	0.24							
			Sones	8.8	7.2	6.5							
SQ-160-B	1/2	1140	CFM	3322	3061	2773	2388	1808					
			BHP	0.47	0.51	0.54	0.56	0.51					
			Sones	14.0	12.8	11.9	11.4	10.8					
SQ-160-A	2	1725	CFM	5027	4856	4683	4504	4312	4094	3845	3575	3414	3236
			BHP	1.64	1.69	1.74	1.80	1.85	1.89	1.93	1.95	1.94	1.91
			Sones	26	25	24	24	24	24	24	24	24	24

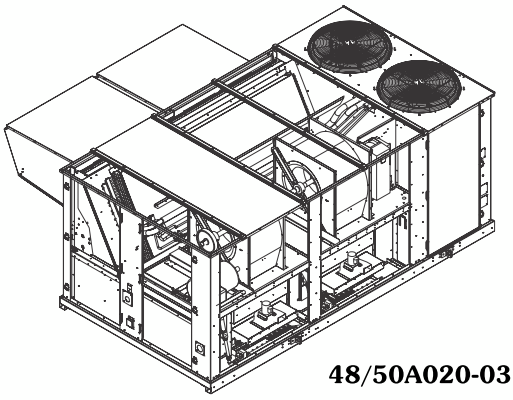
Performance certified is for installation type B: Free inlet, Ducted outlet. Performance ratings do not include the effects of appurtenances (accessories).
The sound ratings shown are loudness values in fan sones at 1.5 m (5 feet) in a hemispherical free field calculated per AMCA Standard 301.
Values shown are for installation type B: free inlet hemispherical fan sone levels.

Product Data

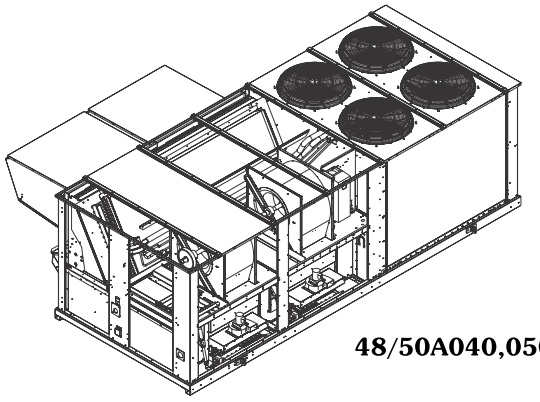
WEATHERMAKER® 48/50A2,A3,A4,A5020-060 Single-Package Gas Heating/Electric Cooling Rooftop Units and Electric Cooling Rooftop Units with Optional Electric Heat with *COMFORT*LINK™ Controls and PURON® Refrigerant (R-410A)

20 to 60 Nominal Tons

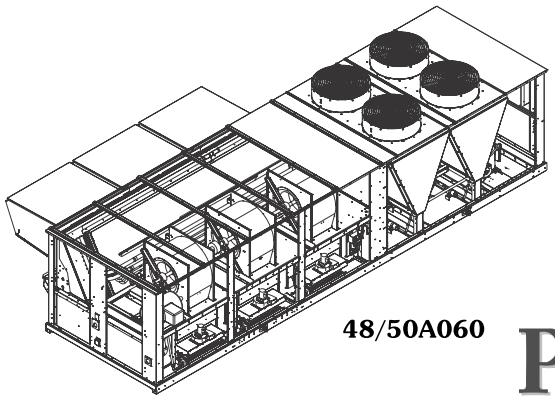
WEATHERMAKER



48/50A020-035



48/50A040,050



48/50A060

Puron
the environmentally sound refrigerant

Carrier's 48/50A Series commercial packaged rooftops offer:

- Puron (R-410A) environmentally sound refrigerant
- Novation® heat exchanger technology with microchannel coil
- An easy-to-use, plain language display on the *Comfort*Link controls
- EERs (energy efficiency ratios) meet ASHRAE (American Society of Heating, Refrigeration, and Air Conditioning Engineers) Standard 90.1-2007 (effective 1/1/2010)
- Meets ASHRAE Standard 62
- Constant or variable volume
- Communicating controls
- Accurately match building loads with up to 5 steps of capacity
- VFD (variable frequency drive) on all VAV (variable air volume) units
- Mechanical cooling operation at outdoor ambient temperatures as low as 32 F (–20 F with optional Motormaster® V fan speed control)

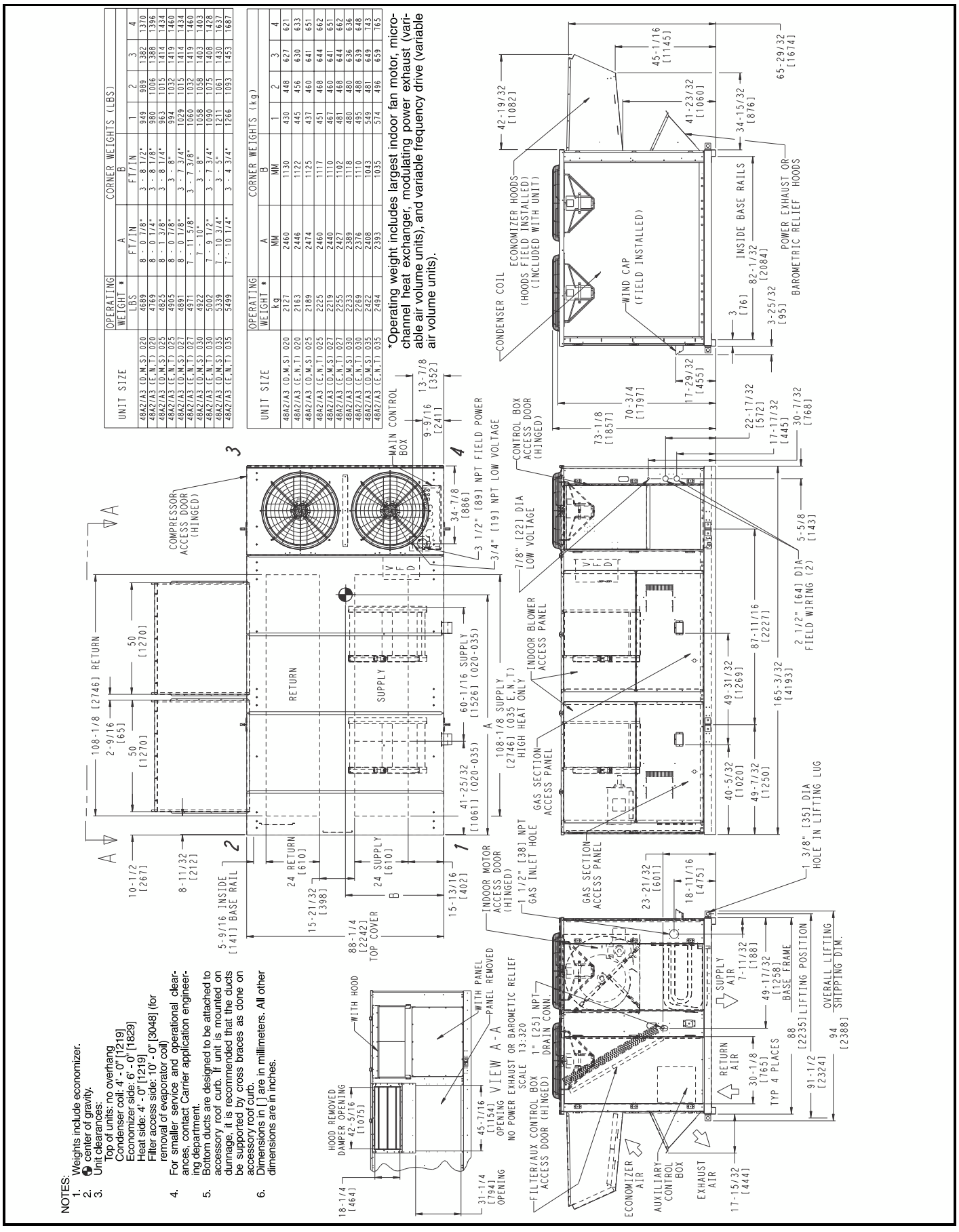
Features/Benefits

Carrier's 48/50A commercial packaged unit offers design flexibility, quality, reliability, and *Comfort*Link controls.

Design flexibility

Dedicated vertical supply/return units (A2,A3) are ideal for new construction or retrofit to existing installations. The low unit profile is maintained when the unit is installed on the accessory roof curb. The ducts are attached directly to the roof curb to allow all ductwork to be completed before the unit is positioned.

Base unit dimensions — 48A2,A3020-035



UNIT SIZE	OPERATING WEIGHT *	CORNER WEIGHTS (LBS)				
		A	B			
	LBS	FT/IN	FT/IN	1	2	3	4
48A2/A3 (O,M,S) 020	4689	8 - 0 7/8"	3 - 8 1/2"	949	989	1382	1370
48A2/A3 (E,N,T) 020	4769	8 - 0 1/4"	3 - 8 1/8"	980	1006	1388	1396
48A2/A3 (O,M,S) 025	4825	8 - 0 3/8"	3 - 8 1/4"	960	1015	1414	1436
48A2/A3 (E,N,T) 025	4925	8 - 0 7/8"	3 - 8"	994	1032	1419	1464
48A2/A3 (O,M,S) 027	4905	8 - 0 1/8"	3 - 7 3/4"	1029	1012	1414	1430
48A2/A3 (E,N,T) 027	4971	8 - 0 5/8"	3 - 7 7/8"	1063	1035	1419	1454
48A2/A3 (O,M,S) 030	4922	7 - 11 5/8"	3 - 8"	1058	1058	1403	1460
48A2/A3 (E,N,T) 030	5022	7 - 9 1/2"	3 - 7 3/4"	1098	1075	1408	1428
48A2/A3 (O,M,S) 035	5339	7 - 10 3/4"	3 - 5"	1210	1061	1430	1639
48A2/A3 (E,N,T) 035	5499	7 - 10 1/4"	3 - 4 3/4"	1266	1093	1453	1687

UNIT SIZE	OPERATING WEIGHT *	CORNER WEIGHTS (kg)				
		A	B			
	kg	MM	MM	1	2	3	4
48A2/A3 (O,M,S) 020	2127	2460	1130	430	448	627	621
48A2/A3 (E,N,T) 020	2163	2446	1122	445	456	630	633
48A2/A3 (O,M,S) 025	2189	2474	1125	437	460	641	651
48A2/A3 (E,N,T) 025	2225	2460	1117	451	468	644	662
48A2/A3 (O,M,S) 027	2219	2440	1110	467	460	641	651
48A2/A3 (E,N,T) 027	2255	2427	1102	481	468	644	662
48A2/A3 (O,M,S) 030	2233	2389	1118	480	480	636	636
48A2/A3 (E,N,T) 030	2269	2376	1110	495	488	639	648
48A2/A3 (O,M,S) 035	2422	2408	1043	549	481	649	743
48A2/A3 (E,N,T) 035	2494	2393	1035	574	496	659	765

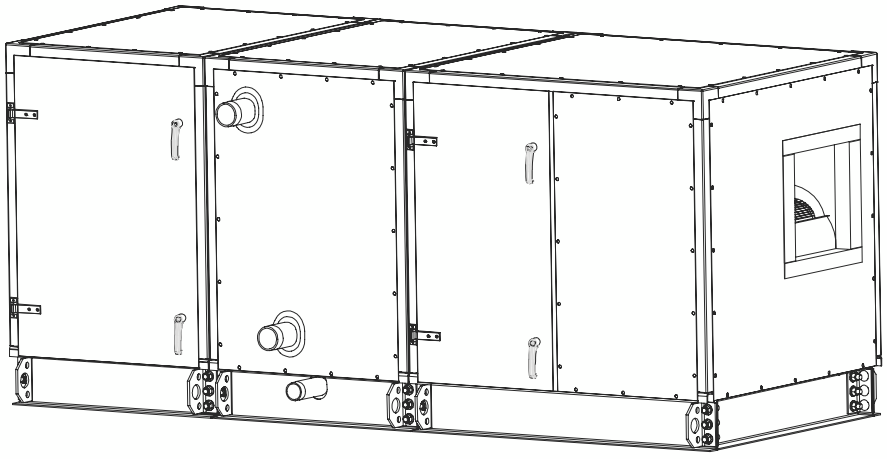
*Operating weight includes largest indoor fan motor, microchannel heat exchanger, modulating power exhaust (variable air volume units), and variable frequency drive (variable air volume units).

NOTES:
1. Weights include economizer.
2. ◐ center of gravity.
3. Unit clearances:
   Top of units: no overhang
   Condenser coil: 4' - 0" [1219]
   Economizer side: 6' - 0" [1829]
   Heat side: 4' - 0" [1219]
   Filter access side: 10' - 0" [3048] (for removal of evaporator coil)
4. For smaller service and operational clearances, contact Carrier application engineering department.
5. Bottom ducts are designed to be attached to accessory roof curb. If unit is mounted on dunnage, it is recommended that the ducts be supported by cross braces as done on accessory roof curb.
6. Dimensions in [ ] are in millimeters. All other dimensions are in inches.

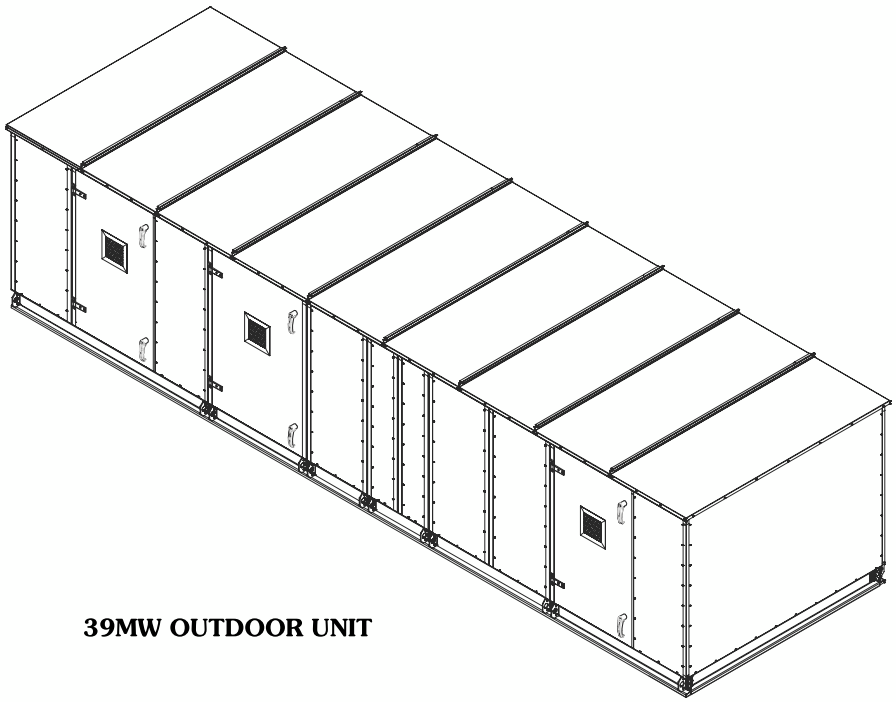
Product Data

AERO® 39MN,MW03-110 Indoor and Weathertight Outdoor Air Handlers

1,500 to 60,500 Nominal Cfm



39MN INDOOR UNIT



39MW OUTDOOR UNIT

Carrier's 39M air handlers offer:

- Units are shrink wrapped for complete protection while in transit
- Factory-supplied variable frequency drives that are programmed and started up at the factory
- Sealed panel double-wall R-13 insulation system
- Stacked indoor unit configurations for application versatility and maximum space utilization
- Outdoor weathertight cabinets have sloped roofs to prevent standing water, and are gasketed in all critical areas.
- Factory-installed integral face and bypass coils for extreme conditions
- Factory-installed humidifiers for precise indoor climate conditioning
- Available factory-mounted controls, starters, disconnects and variable frequency drives
- ***AHU*Builder®** software for easy unit selection
- Optional prepainted unit exterior
- Optional AgION® anti-microbial coated panel interior
- Optional factory-installed UV-C germicidal lamps

Features/Benefits

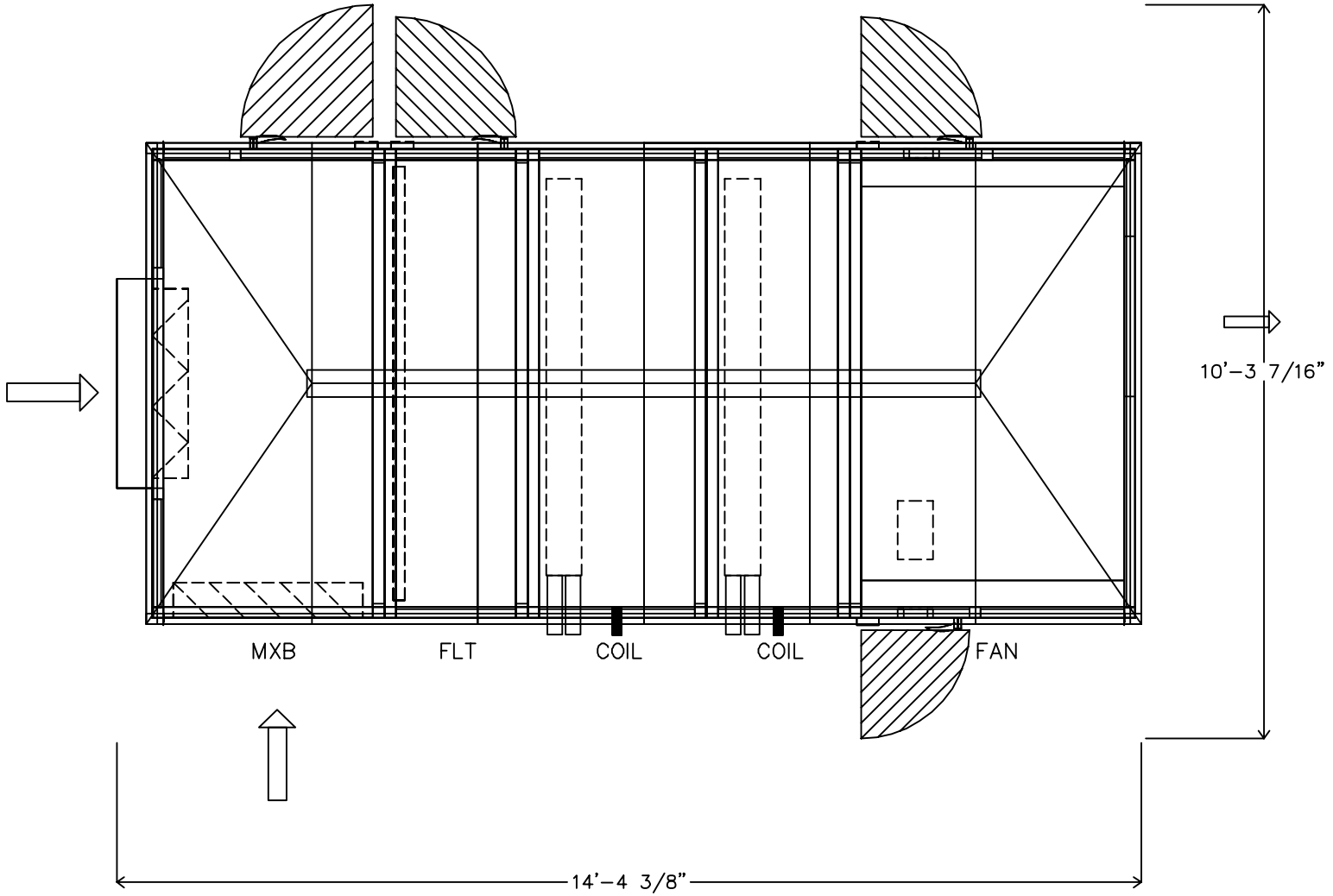
The Aero 39M air handler is the only unit on the market that practically installs itself.

Easy installation

Frames, corners and base rails of the 39M air handler are all easily disassembled and reassembled in minutes with as little as 3 standard tools. Carrier's 39M units can be ordered with shipping splits, which speed section to section assembly. All panels are easily removed in one piece for cleaning or access to components.

Unit height: 5'–1 7/8"
Bag Filter 6 – 12 IN. Side Loading
Qty (6) 24in. x 24in.
Pre Filter : 2In. Flat Filter
Qty (6) 24in. x 24in.
Hot Water 1 Row 8 FPI Half Circuit (qty. 1)
Chilled Water 4 Row 8 FPI Half Circuit (qty. 1)

Draw–Thru Supply Fan
20 HP Premium Efficiency TEFC 230 / 460 3Ph 60Hz 1800 RPM
Operating weight: 3995.0 lbs.
Upstream Corner Weight (each): 937.0 lbs.
Downstream Corner Weight (each): 1060.0 lbs.



DATE	Configurator Ver.	39M Central Station Air–Handler, Size 21	REVISION
1/31/2012	v6.20 09/30/11	Clayton: Untitled JAN 31,2012 11–59–01 Assembly Drawing	Top View

4-12

Carrier
A United Technologies Company

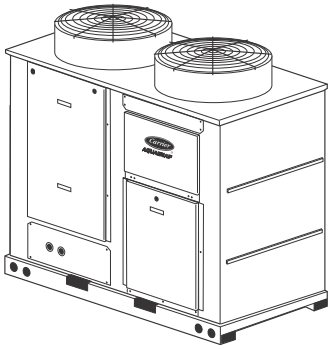
39MW

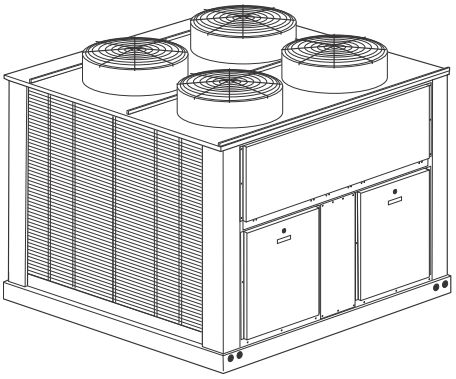
Product Data

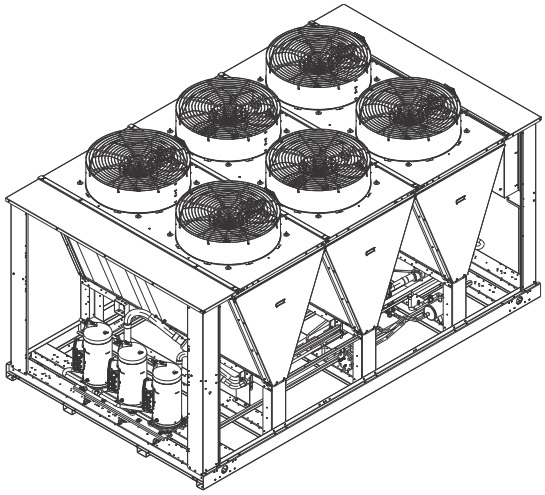
AQUASNAP® 30RAP010-090 Air-Cooled Chillers with PURON® Refrigerant (R-410A)

10 to 90 Nominal Tons
(35 to 316 Nominal kW)

AQUASNAP®







Puron®
the environmentally sound refrigerant

ASHRAE 90.1 COMPLIANT

The AquaSnap chiller is an effective all-in-one package that is easy to install and easy to own. AquaSnap chillers operate quietly and efficiently. Value-added features include:

- Rotary scroll compression
- HFC Puron® refrigerant (R-410A)
- Low-sound AeroAcoustic™ fan system
- Easy to use *Comfort*Link™ controls
- Optional integrated hydronic pump package with VFD (variable frequency drive) compatible motors, with optional VFD on 070-090 models
- Microchannel condenser coil technology
- Accessory fluid storage tank on 010 - 060 models
- Optional digital scroll compressors

Features/Benefits

Carrier's superior chiller design provides savings at initial purchase, at installation, and for years afterward.

Costs less right from the start

Carrier's AquaSnap chillers feature a compact, all-in-one package design that installs quickly and easily on the ground or the rooftop. The optional pump and hydronic components are already built in; this costs less than buying and installing the components individually. The chiller's fully integrated and pre-assembled hydronic system installs in minutes. No other chiller in this class installs so easily and inexpensively. The preassembled and integrated hydronic module utilizes top-quality components and pumps to ensure years of reliable operation.

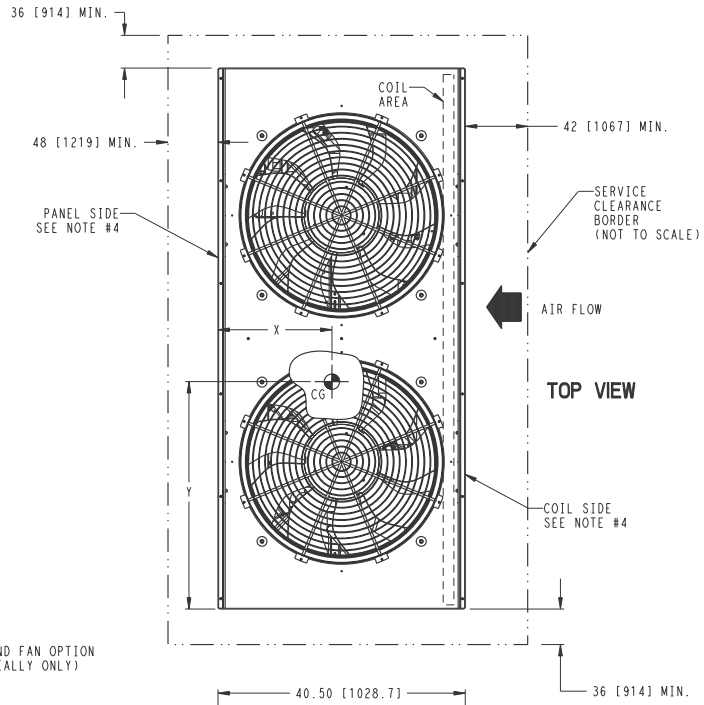
Use of the optional fluid storage tank, available on size 010-060 models, reduces installation costs and ensures sufficient fluid volume is available for close-coupled and process cooling applications. The AquaSnap unit's high efficiency keeps costs down.

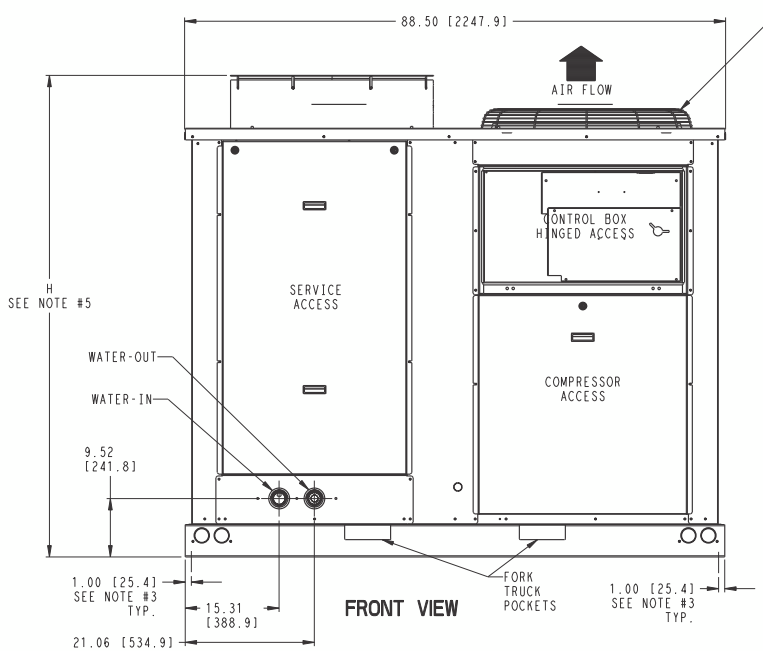
Base unit dimensions — 30RAP018-030

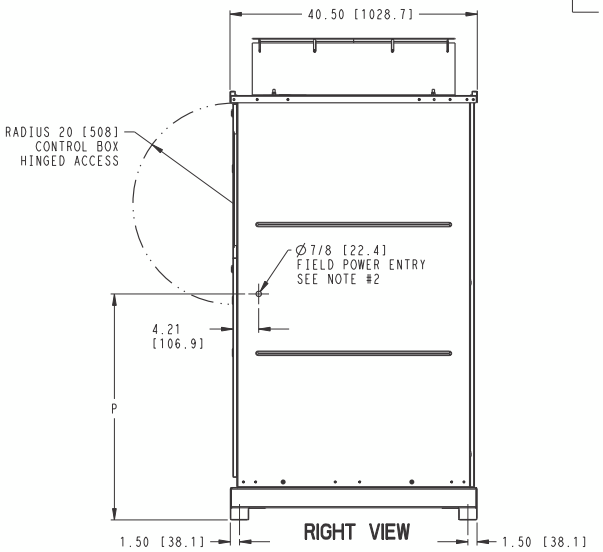
UNIT	CENTER OF GRAVITY		UNIT HEIGHT		POWER ENTRY	VICTAULIC CONNECTIONS
	X	Y	H (STANDARD)	H (VALUE SOUND)	P	WATER IN/OUT
30RA018	18.37 [467]	38.77 [985]	66.5 [1689]	61.0 [1549]	24.9 [631]	2"
30RA020	18.38 [467]	38.79 [985]	66.5 [1689]	61.0 [1549]	24.9 [631]	2"
30RA025	18.58 [472]	38.93 [989]	78.5 [1994]	73.0 [1854]	36.9 [936]	2"
30RA030	18.59 [472]	38.98 [990]	78.5 [1994]	73.0 [1854]	36.9 [936]	2"

NOTES:

1. DO NOT CAP OR OTHERWISE OBSTRUCT THE LIQUID LINE TEMPERATURE RELIEF.
2. Ø 7/8 [22.4] PILOT HOLE PROVIDED FOR LOCATING FIELD POWER WIRING. ACTUAL HOLE REQUIRED DEPENDS ON FIELD WIRE SIZING.
3. Ø 0.437 [11.10] HOLE USED FOR MOUNTING UNIT.
4. UNIT MUST HAVE CLEARANCES AS FOLLOWS:
   TOP - DO NOT RESTRICT.
   COIL SIDE - 42 [1067] FROM SOLID SURFACE.
   PANEL SIDE - 48 [1219] PER NEC.
5. SEE TABLE COLUMN H; DIMENSION FOR STANDARD FAN OR VALUE SOUND FAN OPTION.
6. CARRIER DOES NOT RECOMMEND INSTALLATION IN A PIT.
7. UNIT CAN BE HANDLED USING THE FORK TRUCK LIFT POCKETS.
8. WATER CONNECTIONS RECESSED 2-3/8 INCHES INSIDE UNIT.
9. DIMENSIONS ARE IN INCHES. DIMENSIONS IN [ ] ARE IN MILLIMETERS







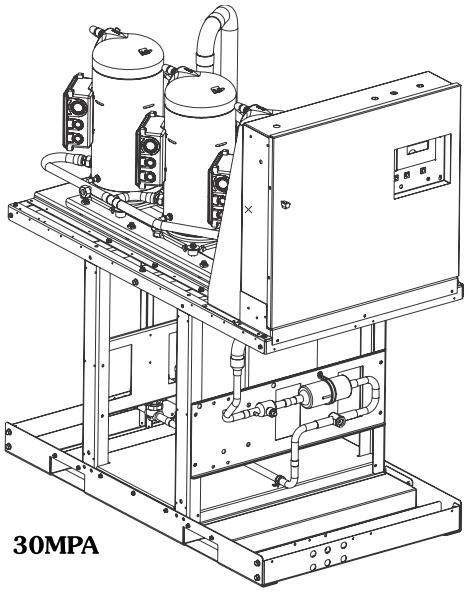
Carrier®

Product Data

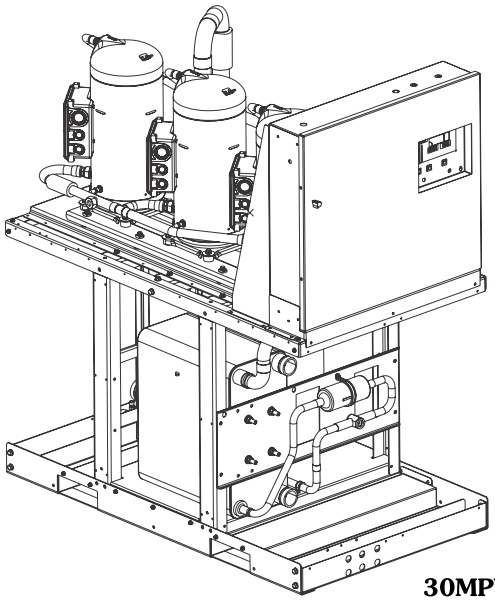
AQUASNAP® 30MPA,MPW015-045 Liquid Chillers with Scroll Compressors and *COMFORT*LINK™ Controls

15 to 45 Nominal Tons
(53 to 158 kW)

AQUASNAP®



30MPA



30MPW

ASHRAE 90.1 COMPLIANT

SEISMICOMPLIANT*

* Meets IBC 2006, ASCE-7-05, CBC 2007, and OSHPD seismic requirements.

AquaSnap packaged liquid and condenserless chillers feature a rugged, compact modular design for quick and easy installation. This single-circuit modular chiller covers a wide range of applications from ice to heat recovery and various combinations can be easily combined to meet the required plant capacity. Flexible modular design, compact size, and user friendly controls make the 30MP chillers an optimal choice for reliable cooling.

Value-added features include:

- rotary scroll compression
- HFC Puron® refrigerant (R-410A)
- low sound
- easy to use *Comfort*Link controls
- application flexibility
- energy efficiency
- modular design
- optional digital scroll compressors

Features/Benefits

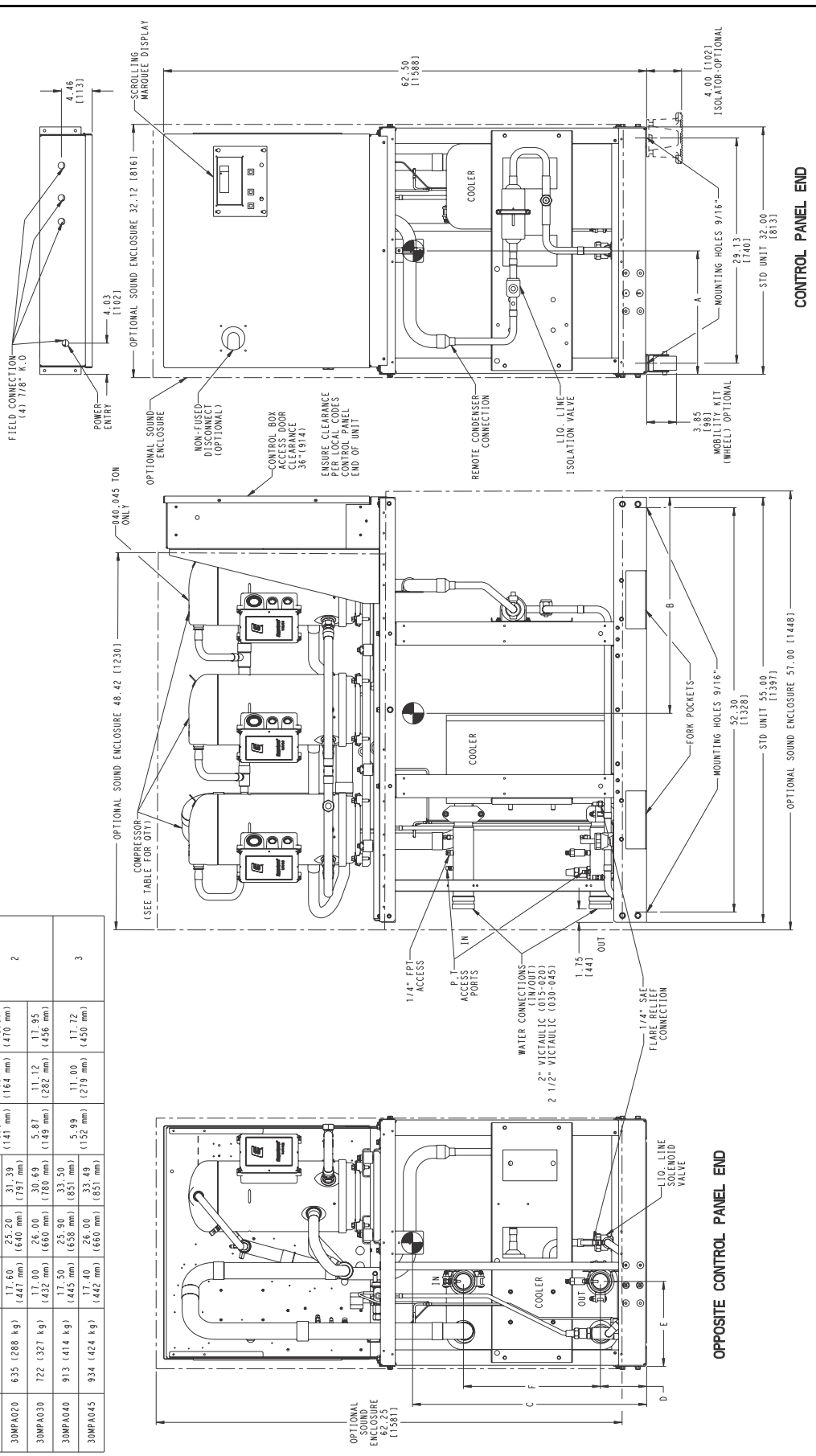
Easy to install, scroll chillers offer cost-effective and reliable cooling.

Installation ease

The 30MP units are designed to reduce installation time and costs. They arrive at the jobsite able to fit easily through a standard 36-in. (762 mm) door opening due to their compact design. The 30MP units include fork pockets in the frame for use with forklifts or pallet jacks. Optional mobility and height adjustment kits allow units to quickly roll into place and mate with existing piping. Mobility kit wheels are rubber type, pivot for easy unit maneuvering, and are lockable for safety.

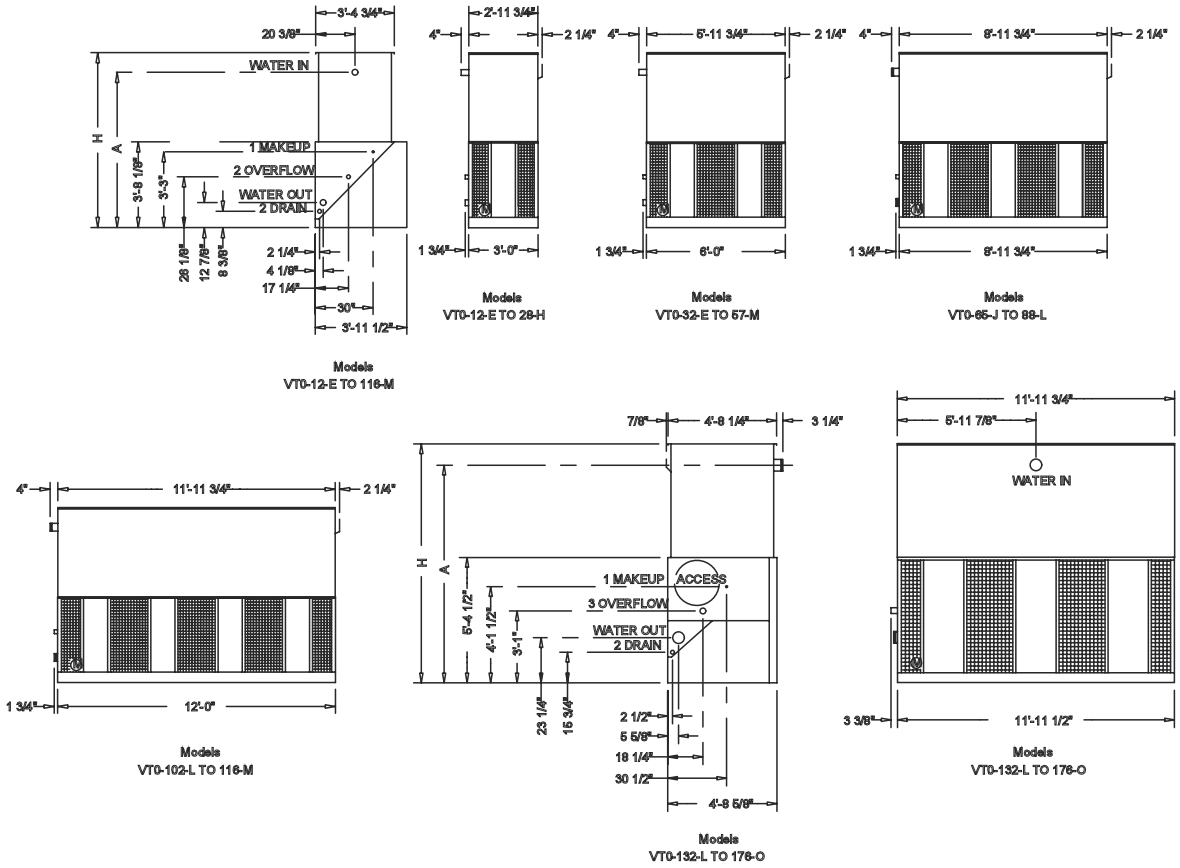
30MPA015-045 (AIR-COOLED CHILLERS)

UNIT	OPERATING WEIGHT (lb)	A	B	C	D	E	F	NO. OF COMPRESSORS
30MPA015	626 (284 kg)	17.80 (452 mm)	25.10 (638 mm)	31.49 (800 mm)	5.54 (141 mm)	6.44 (164 mm)	18.50 (470 mm)	2
30MPA020	635 (288 kg)	17.60 (447 mm)	25.20 (640 mm)	31.39 (797 mm)				
30MPA030	722 (327 kg)	17.00 (432 mm)	26.00 (660 mm)	30.69 (780 mm)	5.87 (149 mm)	11.12 (282 mm)	17.95 (456 mm)	
30MPA040	913 (414 kg)	17.50 (445 mm)	25.90 (658 mm)	33.50 (851 mm)	5.99 (152 mm)	11.00 (279 mm)	17.72 (450 mm)	3
30MPA045	934 (424 kg)	17.40 (442 mm)	26.00 (660 mm)	33.49 (851 mm)				



NOTES:
1. Operating weight includes weight of water and refrigerant.
2. ⊕ Denotes center of gravity.
3. Dimensions are shown in inches. Dimensions in [ ] are in millimeters.
4. Allow 36-in. (914 mm) clearance on control panel end, opposite control panel end and above the unit. All clearances must be in accordance with local codes.
5. ---- Denotes accessory or factory-installed option.

VT0 Engineering Data



Model Number	Nominal Tonnage[4]	Motor HP[3]	Airflow (CFM)	Weights (lbs)		Dimensions			Connections[2]		
				Operating[1]	Shipping	A	H	B	Inlet	Outlet	Overflow
VT0-12-E	12	1.5	4,970	960	790	6’ 7-7/8”	7’ 6-1/8”	12-7/8”	3”	3”	2”
VT0-14-F	14	2	5,460	970	800	6’ 7-7/8”	7’ 6-1/8”	12-7/8”	3”	3”	2”
VT0-19-G	19	3	6,190	990	820	6’ 7-7/8”	7’ 6-1/8”	12-7/8”	3”	3”	2”
VT0-24-G	24	3	5,945	1,050	950	8’ 1-7/8”	9’ 0-1/8”	12-7/8”	3”	3”	2”
VT0-28-H	28	5	6,960	1,170	970	8’ 1-7/8”	9’ 0-1/8”	12-7/8”	3”	3”	2”
VT0-32-H	32	5	11,820	1,590	1,230	6’ 7-7/8”	7’ 6-1/8”	12-7/8”	3”	3”	2”
VT0-41-J	41	7.5	13,435	1,650	1,290	6’ 7-7/8”	7’ 6-1/8”	12-7/8”	3”	3”	2”
VT0-52-J	52	7.5	12,960	1,780	1,540	8’ 1-7/8”	9’ 0-1/8”	12-7/8”	3”	3”	2”
VT0-57-K	57	10	14,180	1, 790	1,550	8’ 1-7/8”	9’ 0-1/8”	12-7/8”	3”	3”	2”
VT0-65-J	65	7.5	16,860	2,580	2,000	8’ 1-7/8”	9’ 0-1/8”	12-7/8”	4”	4”	2”
VT0-75-K	75	10	18,435	2,590	2,010	8’ 1-7/8”	9’ 0-1/8”	12-7/8”	4”	4”	2”
VT0-78-K	78	10	17,990	2,710	2,130	9’ 7-1/8”	10’ 6-1/8”	12-7/8”	4”	4”	2”
VT0-88-L	88	15	20,420	2,770	2,190	9’ 7-1/8”	10’ 6-1/8”	12-7/8”	4”	4”	2”
VT0-102-L	102	15	25,060	3,310	2,500	8’ 1-7/8”	9’ 0-1/8”	12-7/8”	4”	4”	2”
VT0-107-L[5]	107	15	24,460	3,680	2,870	9’ 7-1/8”	10 ’6-1/8”	12-7/8”	4”	4”	2”
VT0-116-M[5]	116	20	26,670	3,740	2,930	9’ 7-1/8”	10’ 6-1/8”	12-7/8”	4”	4”	2”
VT0-132-L	132	15	30,600	5,190	3,820	10’ 9-7/8”	11’ 9-1/8”	23-1/4”	6”	6”	3”
VT0-145-M	145	20	33,670	5,200	3,830	10’ 9-7/8”	11’ 9-1/8”	23-1/4”	6”	6”	3”
VT0-155-N	155	25	36,240	5,250	3,880	10’ 9-7/8”	11’ 9-1/8”	23-1/4”	6”	6”	3”
VT0-166-N[5]	166	25	35,265	5,650	4,280	12’ 3-7/8”	13’ 3-1/8”	23-1/4”	6”	6”	3”
VT0-176-O[5]	176	30	37,330	5,680	4,310	12’ 3-7/8”	13’ 3-1/8”	23-1/4”	6”	6”	3”

Do not use for construction. Refer to factory certified dimensions.

Network Control Engine

Product Bulletin

MS-NCE25xx-x

Code No. LIT-12011283
Software Release 5.2
Issued December 20, 2011
Supersedes May 13, 2011

Refer to the QuickLIT Web site for the most up-to-date version of this document.

The Metasys® Network Control Engine (NCE) Series controllers combine the network supervisor capabilities and Internet Protocol (IP) network connectivity of a Network Automation Engine (NAE) with the Input/Output (I/O) point connectivity and direct digital control capabilities of a Field Equipment Controller (FEC). NCEs provide a cost-effective solution designed for integrating central plants and large built-up air handlers into your Metasys networks.

All NCE models provide IP Ethernet network connectivity, the Metasys Site Management Portal User Interface (UI), and the network supervisory capabilities featured on NAE35/NAE45 Series network automation engines.

NCEs provide connectivity to and supervisory control of a specified field bus trunk with up to 32 field controllers. Depending on the model, an NCE supports either a BACnet® Master-Slave/Token-Passing (MS/TP) trunk, an N2 Bus trunk, or a LONWORKS® network trunk; except the MS-NCE2000-0 and MS-NCE2506-0 models, which do not provide a physical field controller trunk connection.

NCE25 Network Control Engine

All NCE models feature 33 integral I/O points and a Sensor Actuator (SA) Bus, which allow you to increase the NCE's I/O field point capacity and also integrate NS Series Network Sensors and Variable Frequency Drives (VFDs) into your NCE application.

Some NCE models feature an integral field controller display screen with a navigation keypad. In addition, some NCE models feature an internal modem that supports standard dial-up capabilities.

Table 1: Features and Benefits

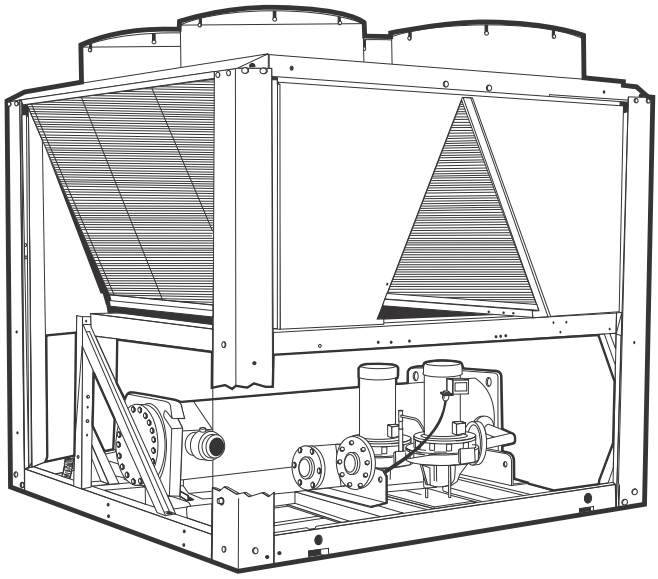
Features	Benefits
Use of Commonly Accepted Information Technology (IT) Standards at the Automation and Enterprise Level	Allows you to install the NCE on the existing IT infrastructure within a building or enterprise and use standard IT communication services over the company intranet, Wide Area Network (WAN), or public Internet with firewall protection.
Web-Based User Interface	Allows you to access, monitor, and control the NCE from a supported Web browser connected to the network, including remote users connected by dial-up telephone or an Internet Service Provider (ISP).
Supervision of Either an N2 Bus, LONWORKS Network, or BACnet MS/TP Bus Field Controller Trunk	Supports connectivity to open network standards for flexibility in the selection of field devices. Supports up to 32 field controllers on either a BACnet MS/TP bus, LONWORKS network, or N2 Bus trunk.
Multiple Connection Options for Data Access	Allow connection of a Web browser via the Internet Protocol (IP) network using the Ethernet port. For a dial-up connection, use the optional internal or external modem.
Integral Field Controller with 33 I/O Points	Provides field level control of central plant and large air-handler applications combined with enterprise level IP network connectivity.
Expandable I/O Point Capacity, NS Sensor Connectivity, and VFD Control on Field Controller SA Bus	Allow you to connect multiple Input/Output Modules (IOMs), NS Series Network Sensors, and VFDs to the field controller SA Bus, which greatly expands the NCE's field level control capabilities.

Product Data

AQUASNAP® 30RB060-390 Air-Cooled Chillers

60 to 390 Nominal Tons
(210 to 1370 kW)

AQUASNAP®



Puron®
the environmentally sound refrigerant

ASHRAE 90.1 COMPLIANT

SEISMICOMPLIANT*

* Meets IBC 2006, ASCE-7-05, CBC 2007, and OSHPD seismic requirements.

The AquaSnap chiller is an effective all-in-one package that is easy to install and easy to own. AquaSnap chillers cost less to purchase and install, and then operate quietly and efficiently. Value-added features include:

- Rotary scroll compression
- Puron® HFC refrigerant (R-410A)
- Quiet AeroAcoustic™ fan system
- Easy to use *Comfort*Link™ controls
- Optional full heat reclaim package
- Optional integrated hydronic pump package, available with variable frequency drive (VFD)
- Novation® heat exchanger technology with microchannel coil

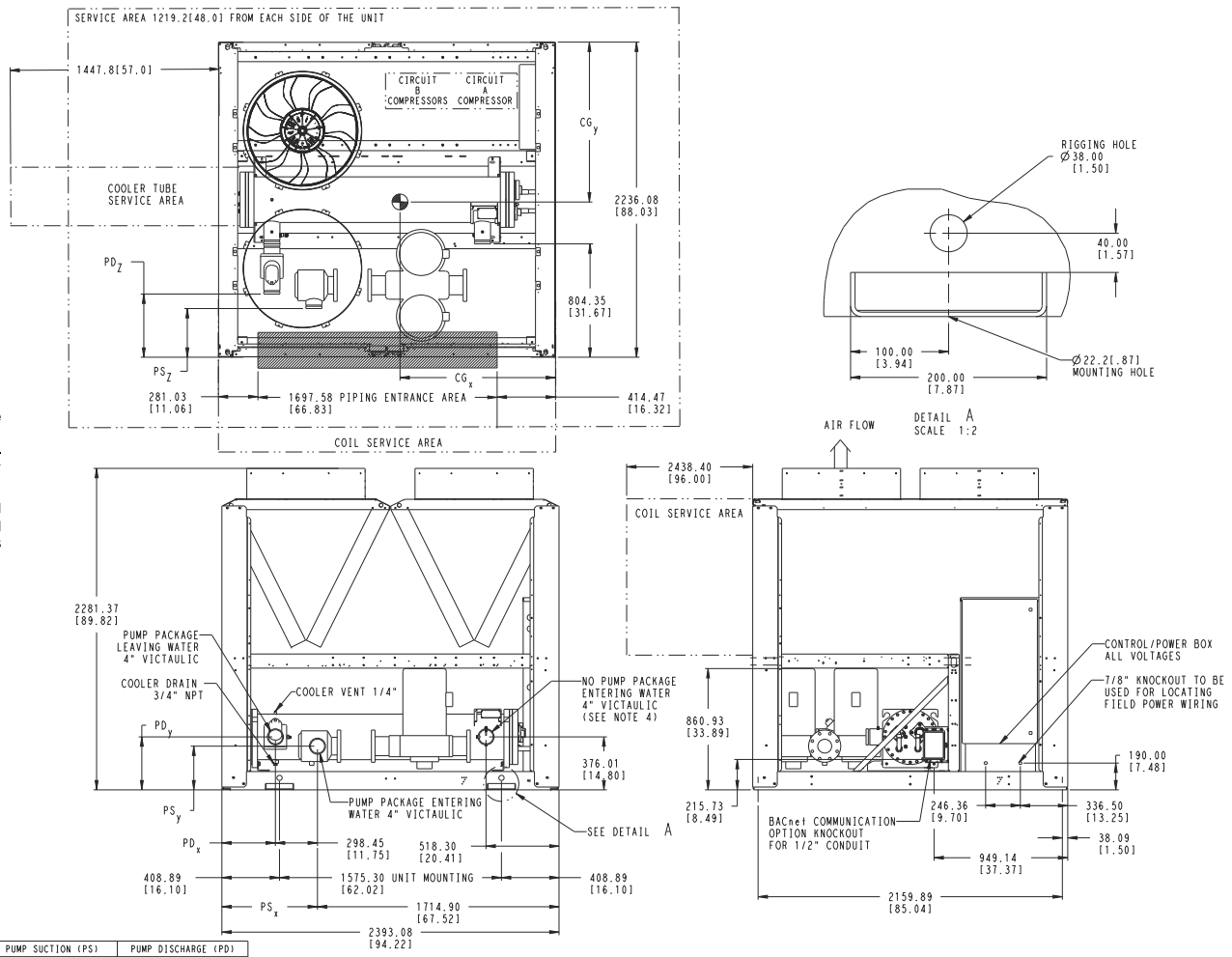
Features/Benefits

Carrier's superior chiller design provides savings at initial purchase, at installation, and for years afterward.

Costs less right from the start

Carrier's AquaSnap chillers feature a compact, all-in-one package design that installs quickly and easily on the ground or the rooftop. The optional pump and hydronic components are already built in; this costs less than buying and installing the components individually. The chiller's fully integrated and pre-assembled hydronic system installs in minutes. No other chiller in this class installs so easily and inexpensively. The preassembled and integrated hydronic module (available with VFD) utilizes top-quality components and pumps to ensure years of reliable operation. The AquaSnap unit's high efficiency keeps operating costs down.

30RB060, 070 AIR-COOLED CHILLER



NOTES:
1. Unit must have clearances as follows:
   Top — Do not restrict.
   Sides and End — 6′ from solid surface.
2. All pumps have drains located at the bottom of volute for draining.
3. Temperature relief devices located on suction line, liquid line and filter drier of each circuit and have 1/4″ flare connection.
4. Units without a pump package have the same leaving water connection, Y and Z dimensions (entering water), and Pump Discharge X dimensions as units with a pump package.
5. Dimensions are in mm [inches].

	WEIGHT CU/AL lb/kg	MAX WEIGHT CU/AL PUMP lb/kg	WEIGHT CU/CU lb/kg	MAX WEIGHT CU/CU PUMP lb/kg	WEIGHT MCHX lb/kg	MAX WEIGHT MCHX PUMP lb/kg	CENTER OF GRAVITY		PUMP SUCTION (PS)			PUMP DISCHARGE (PD)		
							CGx MM [INCH]	CGy MM [INCH]	X ±.25	Y ±.25	Z ±.25	X ±.25	Y ±.25	Z ±.25
30RB-060	4111 1869	4944 2247	4593 2088	5426 2466	3783 1716	4616 2094	1164 [45.82]	1038 [40.86]	675.6 [26.6]	309.9 [12.2]	353.1 [13.9]	381.0 [15.0]	482.6 [19.0]	188.0 [7.4]
30RB-070	4317 1932	5150 2641	4799 2181	5632 2560	3978 1804	4811 2182	1165 [45.86]	1013 [39.88]	675.6 [26.6]	309.9 [12.2]	353.1 [13.9]	381.0 [15.0]	482.6 [19.0]	188.0 [7.4]

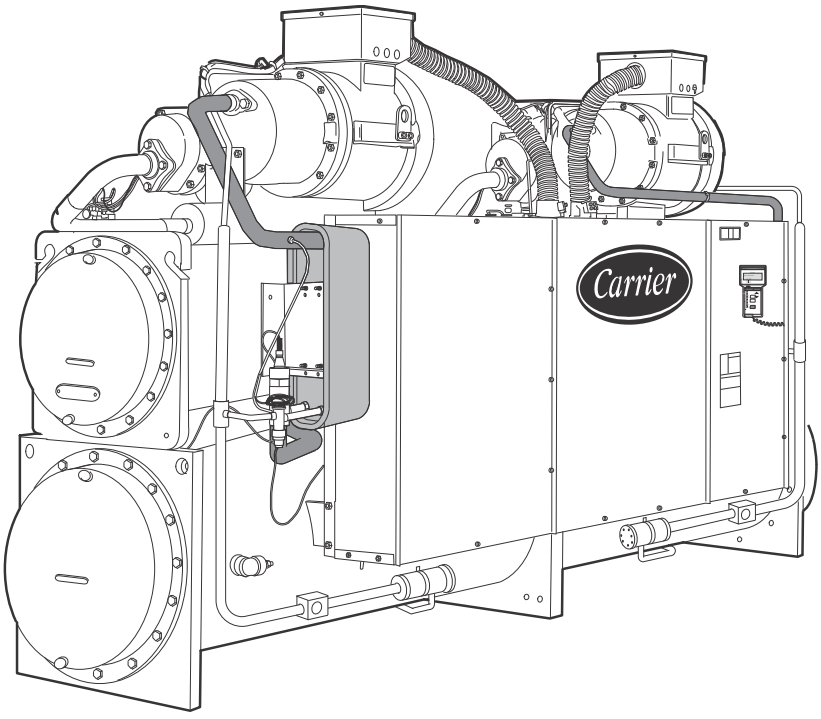
MCHX — Microchannel Condenser Coil

Product Data

EVERGREEN® 30HXA,HXC076-271 Condenserless and Water-Cooled Liquid Chillers with COMFORTLINK™ Controls 50/60 Hz

75 to 265 Nominal Tons
(264 to 931 kW)

Evergreen® CHILLERS



ASHRAE 90.1 COMPLIANT

Water-cooled and condenserless chillers designed from the ground up to meet the needs of today and tomorrow:

- Unit fits through a standard door with no disassembly required
- Chlorine-free HFC-134a refrigerant
- Dual independent refrigerant circuits
- Smooth compression using twin screw compressors
- AHRI certified IPLV efficiencies to 0.51 kW/ton

Features/Benefits

Quality design and construction make the 30HXC (water-cooled) and 30HXA (condenserless) units the preferred chillers.

Easy installation

The 30HX chiller has a compact design that fits through a standard door opening and requires minimal indoor space. The 30HX chiller is delivered as a complete package for easy installation. There are no extra controls, clocks, starters, or other items to install.

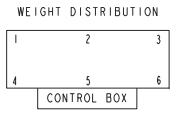
The 30HX unit also provides a single location electrical power entrance (using the accessory field-installed control power transformer) and quick, easy piping (using victaulic-type clamp-on couplings).

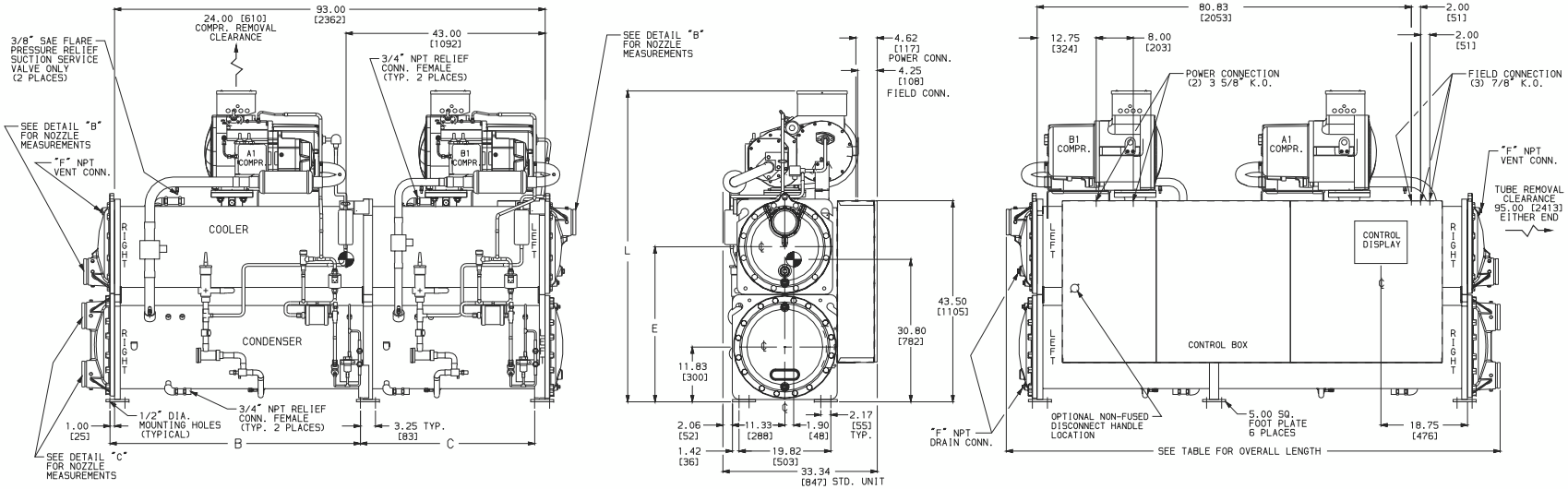
The 30HX 208/230-v, 230-v, 460-v and 575-v 60 Hz units are designed in accordance with UL (Underwriters Laboratory, U.S.A.) and UL, Canada (Underwriters Laboratory, Canada) standards to minimize electrical inspection time.

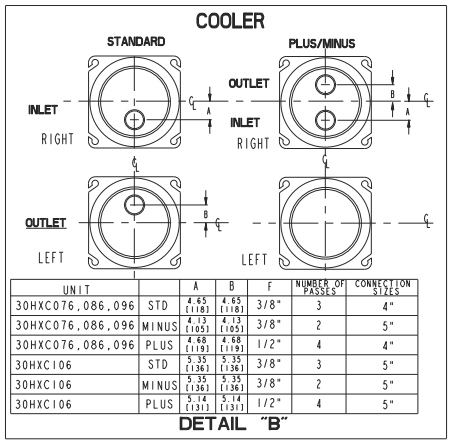
30HXC076-106

UNIT	OPERATING WEIGHT - lb (kg)	B	C	E	L	WGT DISTRIBUTION AT EACH MTG PLATE - lb (kg)					
						1	2	3	4	5	6
30HXC076	5700 (2586)	45.87 (1165)	45.87 (1165)	32.50 (826)	65.22 (1657)	738 (335)	943 (428)	595 (270)	1110 (503)	1418 (643)	896 (406)
30HXC086	5723 (2597)	45.87 (1165)	45.87 (1165)	32.50 (826)	65.22 (1657)	738 (335)	947 (430)	597 (271)	1112 (504)	1427 (647)	902 (409)
30HXC096	5855 (2657)	54.12 (1375)	37.63 (956)	32.50 (826)	65.22 (1657)	686 (311)	968 (439)	693 (314)	1027 (466)	1447 (656)	1034 (469)
30HXC106	6177 (2803)	54.12 (1375)	37.63 (956)	33.50 (851)	67.22 (1707)	730 (331)	1028 (466)	744 (337)	1073 (487)	1510 (685)	1092 (495)

NOTES:
1. Operating weight includes weight of water and refrigerant.
2. ⊕ Denotes center of gravity.
3. Dimensions are in inches (mm).
4. Recommended service clearance around machine is 36 in. (914.4 mm).
5. Victaulic nozzles are standard on all models. Flow switch factory installed in cooler inlet victaulic nozzle.

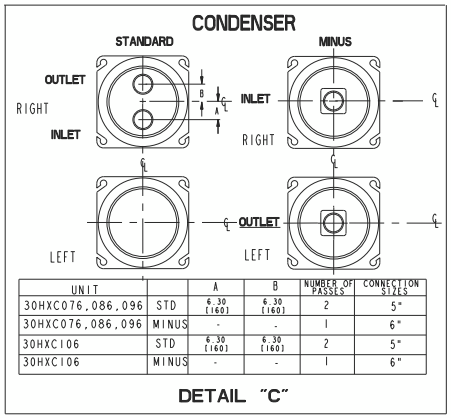






UNIT		A	B	F	NUMBER OF PASSES	CONNECTION SIZES
30HXC076,086,096	STD	4.65 [118]	4.65 [118]	3/8"	3	4"
30HXC076,086,096	MINUS	4.13 [105]	4.13 [105]	3/8"	2	5"
30HXC076,086,096	PLUS	4.68 [119]	4.68 [119]	1/2"	4	4"
30HXC106	STD	5.35 [136]	5.35 [136]	3/8"	3	5"
30HXC106	MINUS	5.35 [136]	5.35 [136]	3/8"	2	5"
30HXC106	PLUS	5.14 [131]	5.14 [131]	1/2"	4	5"

DETAIL "B"

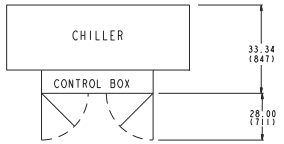


UNIT		A	B	NUMBER OF PASSES	CONNECTION SIZES
30HXC076,086,096	STD	6.30 [160]	6.30 [160]	2	5"
30HXC076,086,096	MINUS	-	-	1	6"
30HXC106	STD	6.30 [160]	6.30 [160]	2	5"
30HXC106	MINUS	-	-	1	6"

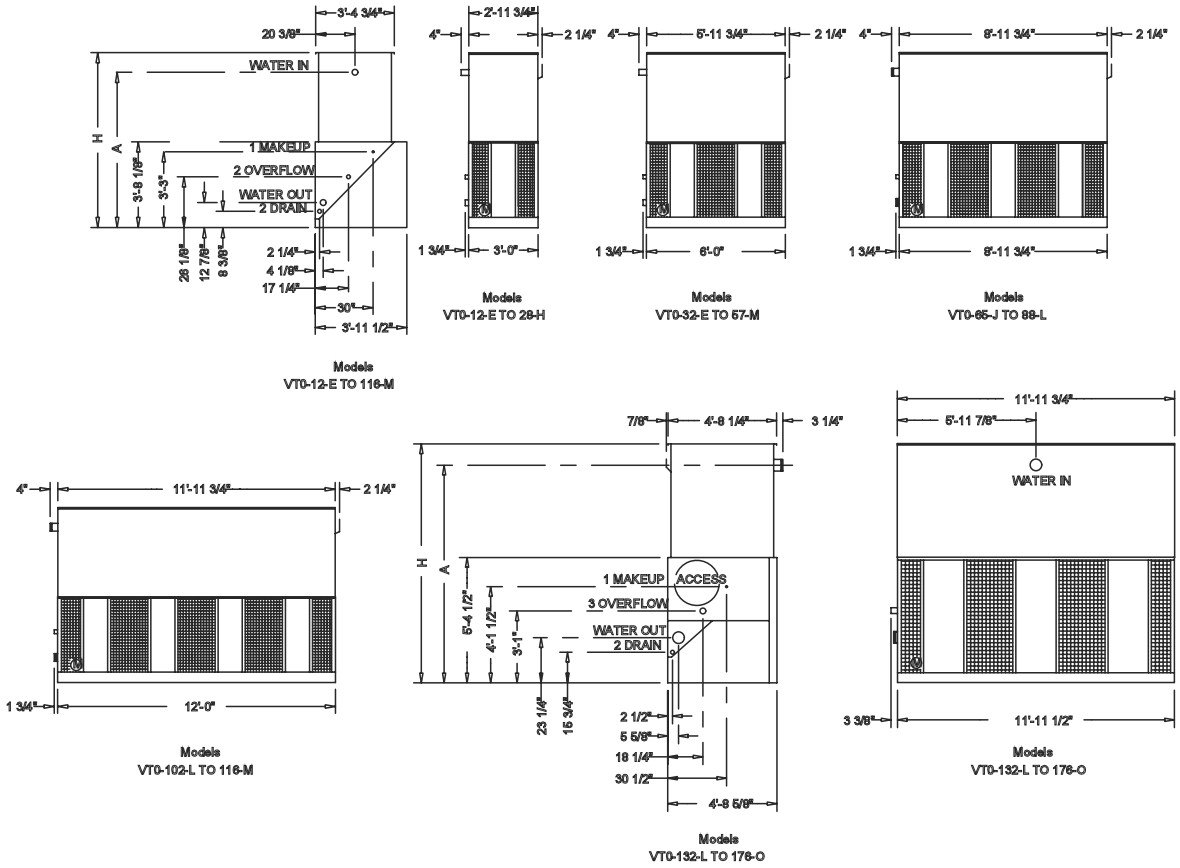
DETAIL "C"

OVERALL LENGTH TABLE			
COOLER	CONDENSER	OVERALL LENGTH 076, 086, 096	OVERALL LENGTH 106
STANDARD COOLER	STANDARD CONDENSER	106.39 [2702]	106.70 [2710]
STANDARD COOLER	MINUS ONE PASS CONDENSER	113.00 [2870]	113.00 [2870]
PLUS ONE PASS COOLER	STANDARD CONDENSER	104.05 [2643]	104.05 [2643]
PLUS ONE PASS COOLER	MINUS ONE PASS CONDENSER	113.00 [2870]	113.00 [2870]
MINUS ONE PASS COOLER	STANDARD CONDENSER	103.99 [2641]	103.80 [2637]
MINUS ONE PASS COOLER	MINUS ONE PASS CONDENSER	113.00 [2870]	113.00 [2870]

DOOR SWING CLEARANCE



VT0 Engineering Data



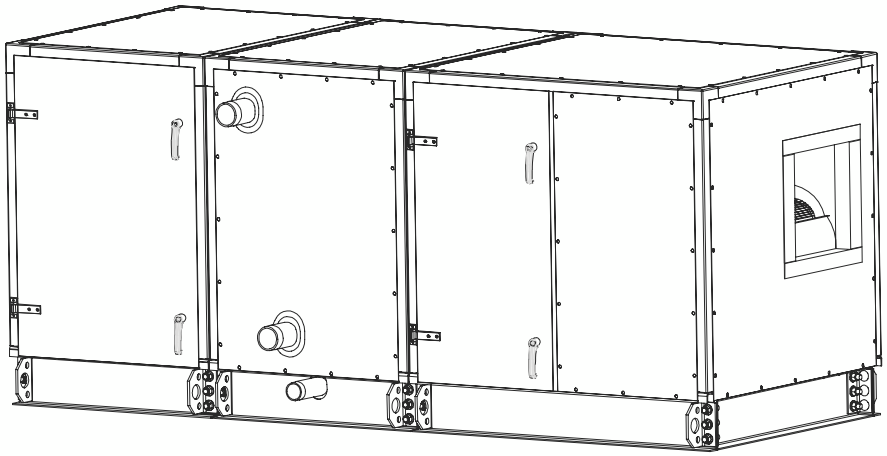
Model Number	Nominal Tonnage[4]	Motor HP[3]	Airflow (CFM)	Weights (lbs)		Dimensions			Connections[2]		
				Operating[1]	Shipping	A	H	B	Inlet	Outlet	Overflow
VT0-12-E	12	1.5	4,970	960	790	6’ 7-7/8”	7’ 6-1/8”	12-7/8”	3”	3”	2”
VT0-14-F	14	2	5,460	970	800	6’ 7-7/8”	7’ 6-1/8”	12-7/8”	3”	3”	2”
VT0-19-G	19	3	6,190	990	820	6’ 7-7/8”	7’ 6-1/8”	12-7/8”	3”	3”	2”
VT0-24-G	24	3	5,945	1,050	950	8’ 1-7/8”	9’ 0-1/8”	12-7/8”	3”	3”	2”
VT0-28-H	28	5	6,960	1,170	970	8’ 1-7/8”	9’ 0-1/8”	12-7/8”	3”	3”	2”
VT0-32-H	32	5	11,820	1,590	1,230	6’ 7-7/8”	7’ 6-1/8”	12-7/8”	3”	3”	2”
VT0-41-J	41	7.5	13,435	1,650	1,290	6’ 7-7/8”	7’ 6-1/8”	12-7/8”	3”	3”	2”
VT0-52-J	52	7.5	12,960	1,780	1,540	8’ 1-7/8”	9’ 0-1/8”	12-7/8”	3”	3”	2”
VT0-57-K	57	10	14,180	1, 790	1,550	8’ 1-7/8”	9’ 0-1/8”	12-7/8”	3”	3”	2”
VT0-65-J	65	7.5	16,860	2,580	2,000	8’ 1-7/8”	9’ 0-1/8”	12-7/8”	4”	4”	2”
VT0-75-K	75	10	18,435	2,590	2,010	8’ 1-7/8”	9’ 0-1/8”	12-7/8”	4”	4”	2”
VT0-78-K	78	10	17,990	2,710	2,130	9’ 7-1/8”	10’ 6-1/8”	12-7/8”	4”	4”	2”
VT0-88-L	88	15	20,420	2,770	2,190	9’ 7-1/8”	10’ 6-1/8”	12-7/8”	4”	4”	2”
VT0-102-L	102	15	25,060	3,310	2,500	8’ 1-7/8”	9’ 0-1/8”	12-7/8”	4”	4”	2”
VT0-107-L[5]	107	15	24,460	3,680	2,870	9’ 7-1/8”	10 ’6-1/8”	12-7/8”	4”	4”	2”
VT0-116-M[5]	116	20	26,670	3,740	2,930	9’ 7-1/8”	10’ 6-1/8”	12-7/8”	4”	4”	2”
VT0-132-L	132	15	30,600	5,190	3,820	10’ 9-7/8”	11’ 9-1/8”	23-1/4”	6”	6”	3”
VT0-145-M	145	20	33,670	5,200	3,830	10’ 9-7/8”	11’ 9-1/8”	23-1/4”	6”	6”	3”
VT0-155-N	155	25	36,240	5,250	3,880	10’ 9-7/8”	11’ 9-1/8”	23-1/4”	6”	6”	3”
VT0-166-N[5]	166	25	35,265	5,650	4,280	12’ 3-7/8”	13’ 3-1/8”	23-1/4”	6”	6”	3”
VT0-176-O[5]	176	30	37,330	5,680	4,310	12’ 3-7/8”	13’ 3-1/8”	23-1/4”	6”	6”	3”

Do not use for construction. Refer to factory certified dimensions.

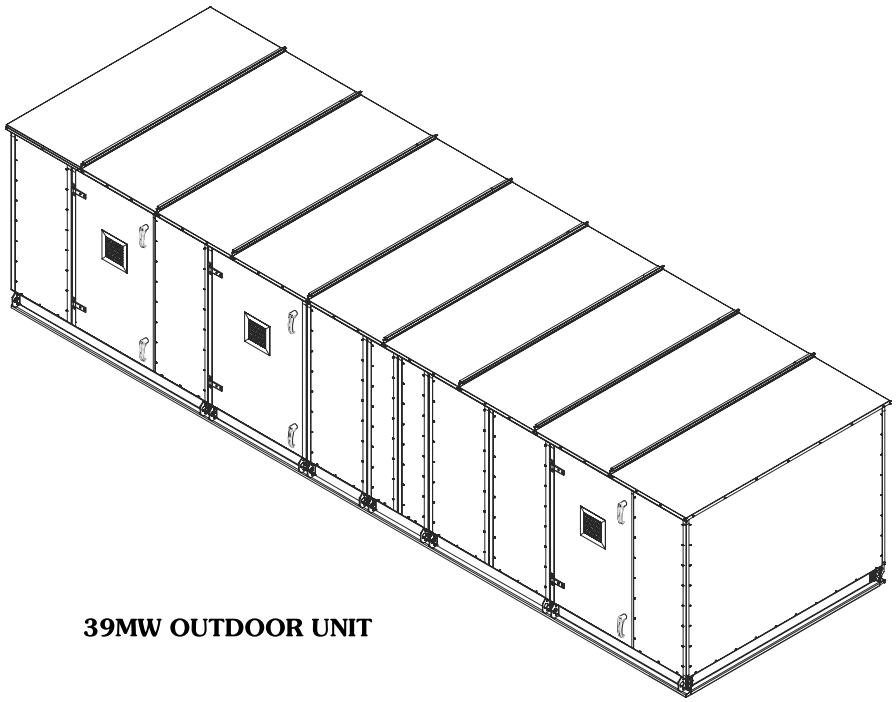
Product Data

AERO® 39MN,MW03-110 Indoor and Weathertight Outdoor Air Handlers

1,500 to 60,500 Nominal Cfm



39MN INDOOR UNIT



39MW OUTDOOR UNIT

Carrier's 39M air handlers offer:

- Units are shrink wrapped for complete protection while in transit
- Factory-supplied variable frequency drives that are programmed and started up at the factory
- Sealed panel double-wall R-13 insulation system
- Stacked indoor unit configurations for application versatility and maximum space utilization
- Outdoor weathertight cabinets have sloped roofs to prevent standing water, and are gasketed in all critical areas.
- Factory-installed integral face and bypass coils for extreme conditions
- Factory-installed humidifiers for precise indoor climate conditioning
- Available factory-mounted controls, starters, disconnects and variable frequency drives
- ***AHU*Builder®** software for easy unit selection
- Optional prepainted unit exterior
- Optional AgION® anti-microbial coated panel interior
- Optional factory-installed UV-C germicidal lamps

Features/Benefits

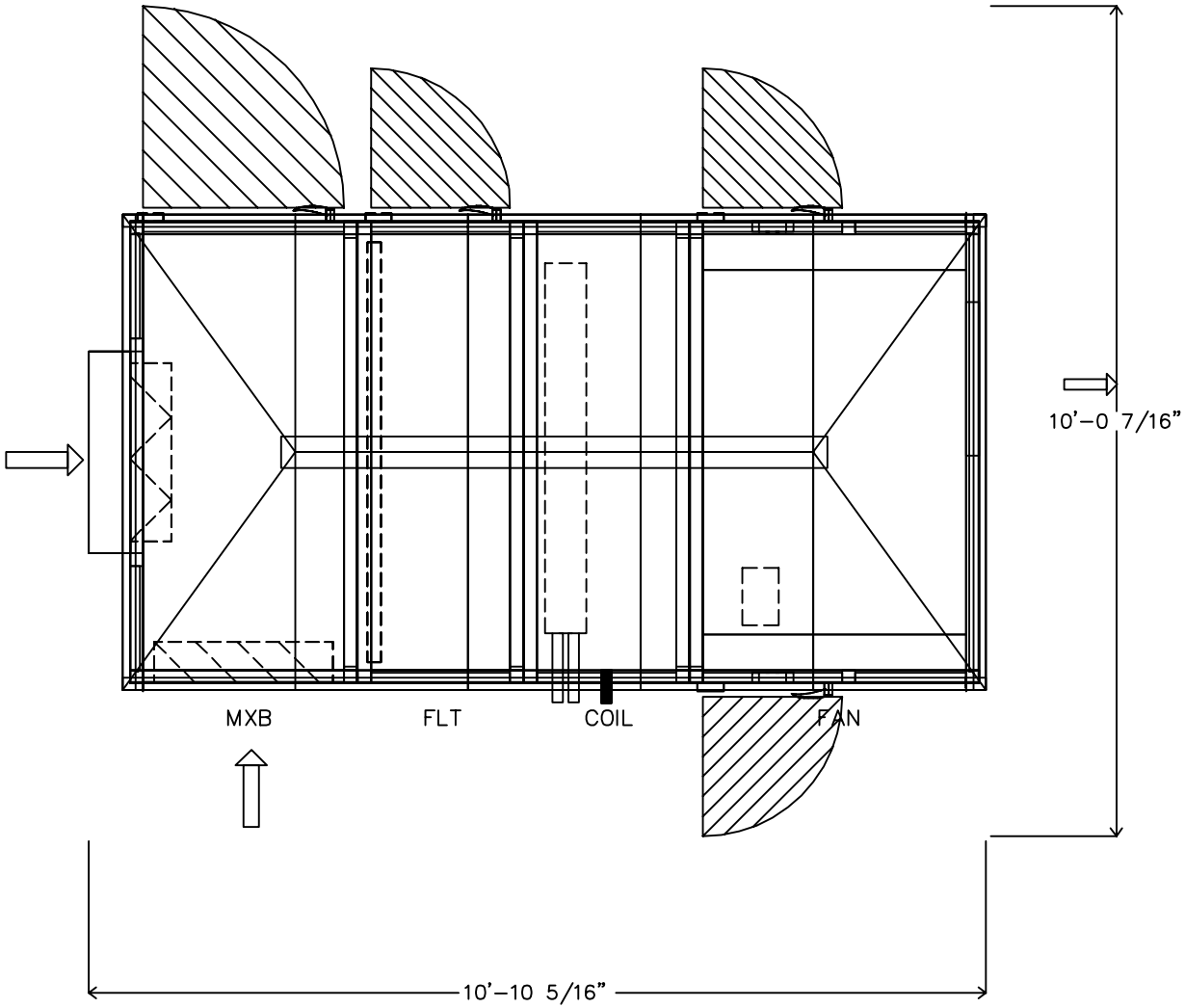
The Aero 39M air handler is the only unit on the market that practically installs itself.

Easy installation

Frames, corners and base rails of the 39M air handler are all easily disassembled and reassembled in minutes with as little as 3 standard tools. Carrier's 39M units can be ordered with shipping splits, which speed section to section assembly. All panels are easily removed in one piece for cleaning or access to components.

Unit height: 4'–0 7/8"
Bag Filter 6 – 12 IN. Side Loading
Qty (2) 24in. x 24in.
Qty (3) 12in. x 24in.
Pre Filter : 2In. Flat Filter
Qty (2) 24in. x 24in.
Qty (3) 12in. x 24in.

Chilled Water 4 Row 8 FPI Half Circuit (qty. 1)
Draw–Thru Supply Fan
7.5 HP Premium Efficiency TEFC 230 / 460 3Ph 60Hz 1800 RPM
Operating weight: 2557.0 lbs.
Upstream Corner Weight (each): 607.0 lbs.
Downstream Corner Weight (each): 671.0 lbs.



4-25

Carrier
A United Technologies Company

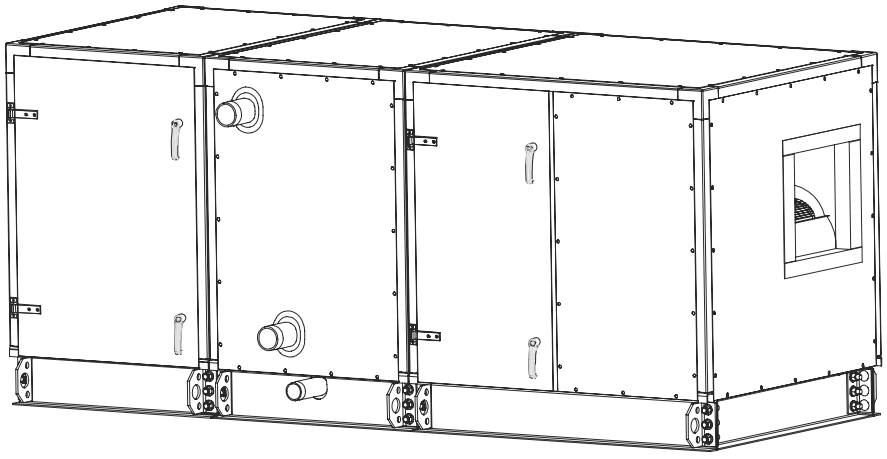
39MW

DATE	Configurator Ver.	39M Central Station Air–Handler, Size 12	REVISION
2/2/2012	v6.20 09/30/11	Clayton: Untitled JAN 31,2012 11–59–01 Assembly Drawing	Top View

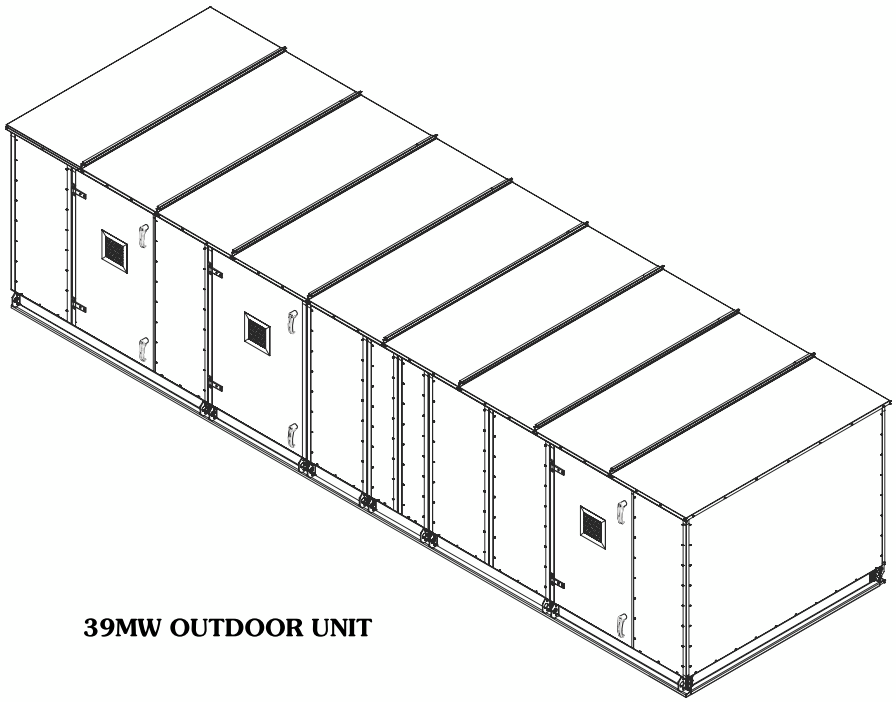
Product Data

AERO® 39MN,MW03-110 Indoor and Weathertight Outdoor Air Handlers

1,500 to 60,500 Nominal Cfm



39MN INDOOR UNIT



39MW OUTDOOR UNIT

Carrier's 39M air handlers offer:

- Units are shrink wrapped for complete protection while in transit
- Factory-supplied variable frequency drives that are programmed and started up at the factory
- Sealed panel double-wall R-13 insulation system
- Stacked indoor unit configurations for application versatility and maximum space utilization
- Outdoor weathertight cabinets have sloped roofs to prevent standing water, and are gasketed in all critical areas.
- Factory-installed integral face and bypass coils for extreme conditions
- Factory-installed humidifiers for precise indoor climate conditioning
- Available factory-mounted controls, starters, disconnects and variable frequency drives
- ***AHU*Builder®** software for easy unit selection
- Optional prepainted unit exterior
- Optional AgION® anti-microbial coated panel interior
- Optional factory-installed UV-C germicidal lamps

Features/Benefits

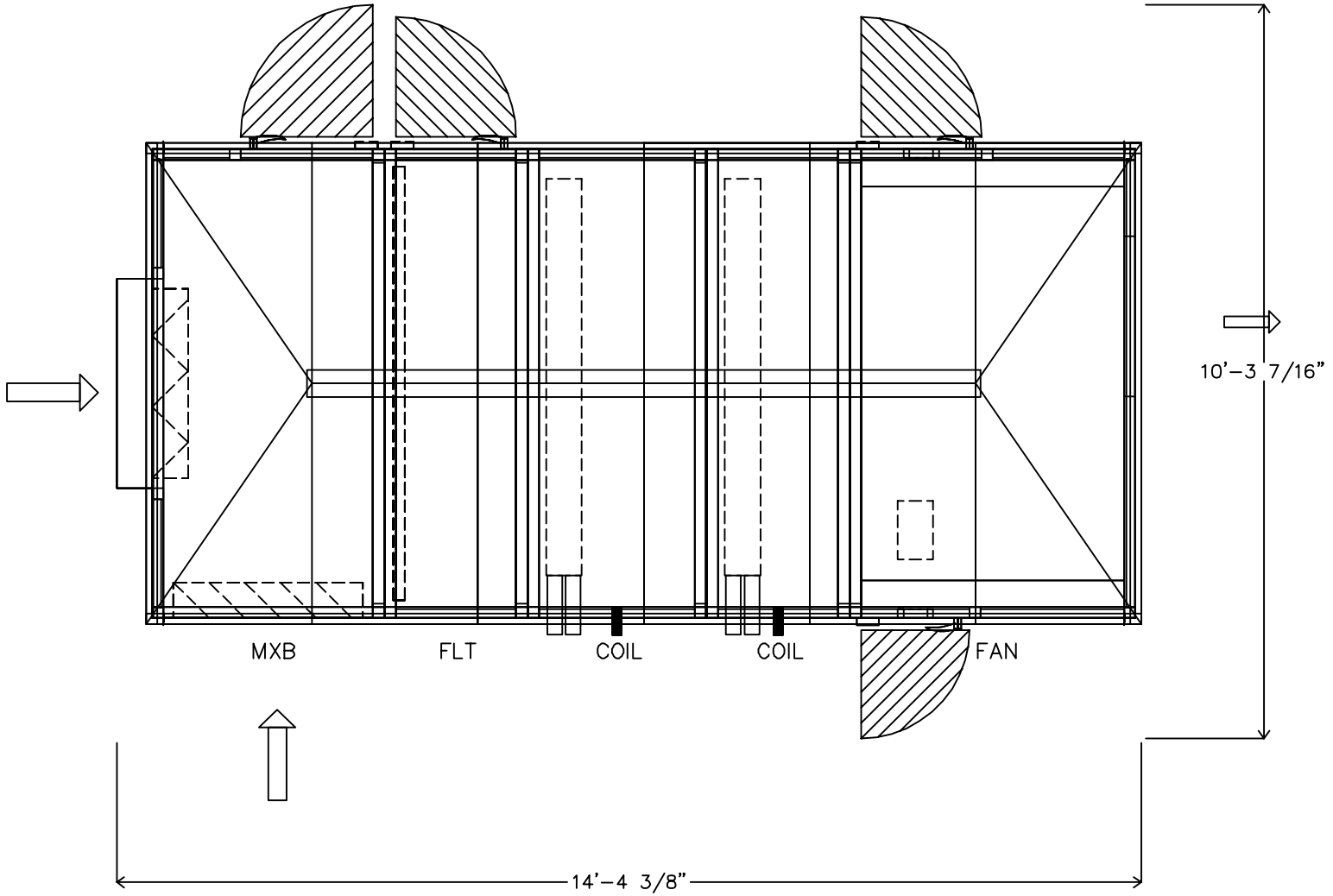
The Aero 39M air handler is the only unit on the market that practically installs itself.

Easy installation

Frames, corners and base rails of the 39M air handler are all easily disassembled and reassembled in minutes with as little as 3 standard tools. Carrier's 39M units can be ordered with shipping splits, which speed section to section assembly. All panels are easily removed in one piece for cleaning or access to components.

Unit height: 5'–1 7/8"
Bag Filter 6 – 12 IN. Side Loading
Qty (6) 24in. x 24in.
Pre Filter : 2In. Flat Filter
Qty (6) 24in. x 24in.
Hot Water 1 Row 8 FPI Half Circuit (qty. 1)
Chilled Water 4 Row 8 FPI Half Circuit (qty. 1)

Draw–Thru Supply Fan
20 HP Premium Efficiency TEFC 230 / 460 3Ph 60Hz 1800 RPM
Operating weight: 3995.0 lbs.
Upstream Corner Weight (each): 937.0 lbs.
Downstream Corner Weight (each): 1060.0 lbs.



DATE	Configurator Ver.	39M Central Station Air–Handler, Size 21	REVISION
1/31/2012	v6.20 09/30/11	Clayton: Untitled JAN 31,2012 11–59–01 Assembly Drawing	Top View

4-27

Carrier
A United Technologies Company

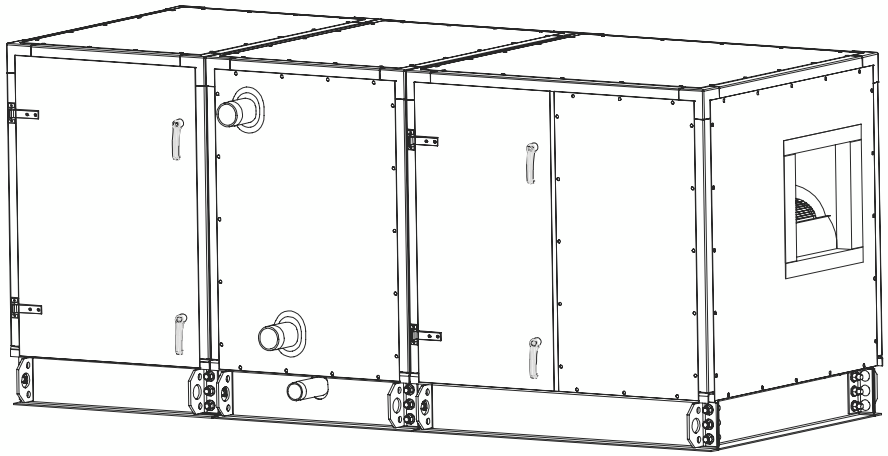
39MW

Product Data

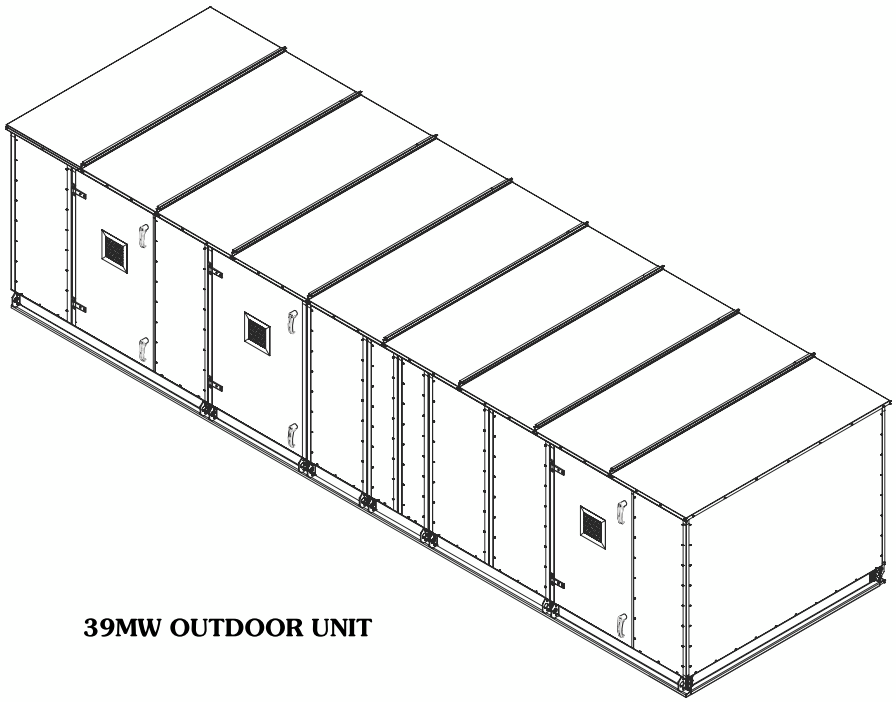
AERO® 39MN,MW03-110 Indoor and Weathertight Outdoor Air Handlers

1,500 to 60,500 Nominal Cfm

aero
the art of air handling



39MN INDOOR UNIT



39MW OUTDOOR UNIT

Carrier's 39M air handlers offer:

- Units are shrink wrapped for complete protection while in transit
- Factory-supplied variable frequency drives that are programmed and started up at the factory
- Sealed panel double-wall R-13 insulation system
- Stacked indoor unit configurations for application versatility and maximum space utilization
- Outdoor weathertight cabinets have sloped roofs to prevent standing water, and are gasketed in all critical areas.
- Factory-installed integral face and bypass coils for extreme conditions
- Factory-installed humidifiers for precise indoor climate conditioning
- Available factory-mounted controls, starters, disconnects and variable frequency drives
- ***AHU*Builder®** software for easy unit selection
- Optional prepainted unit exterior
- Optional AgION® anti-microbial coated panel interior
- Optional factory-installed UV-C germicidal lamps

Features/Benefits

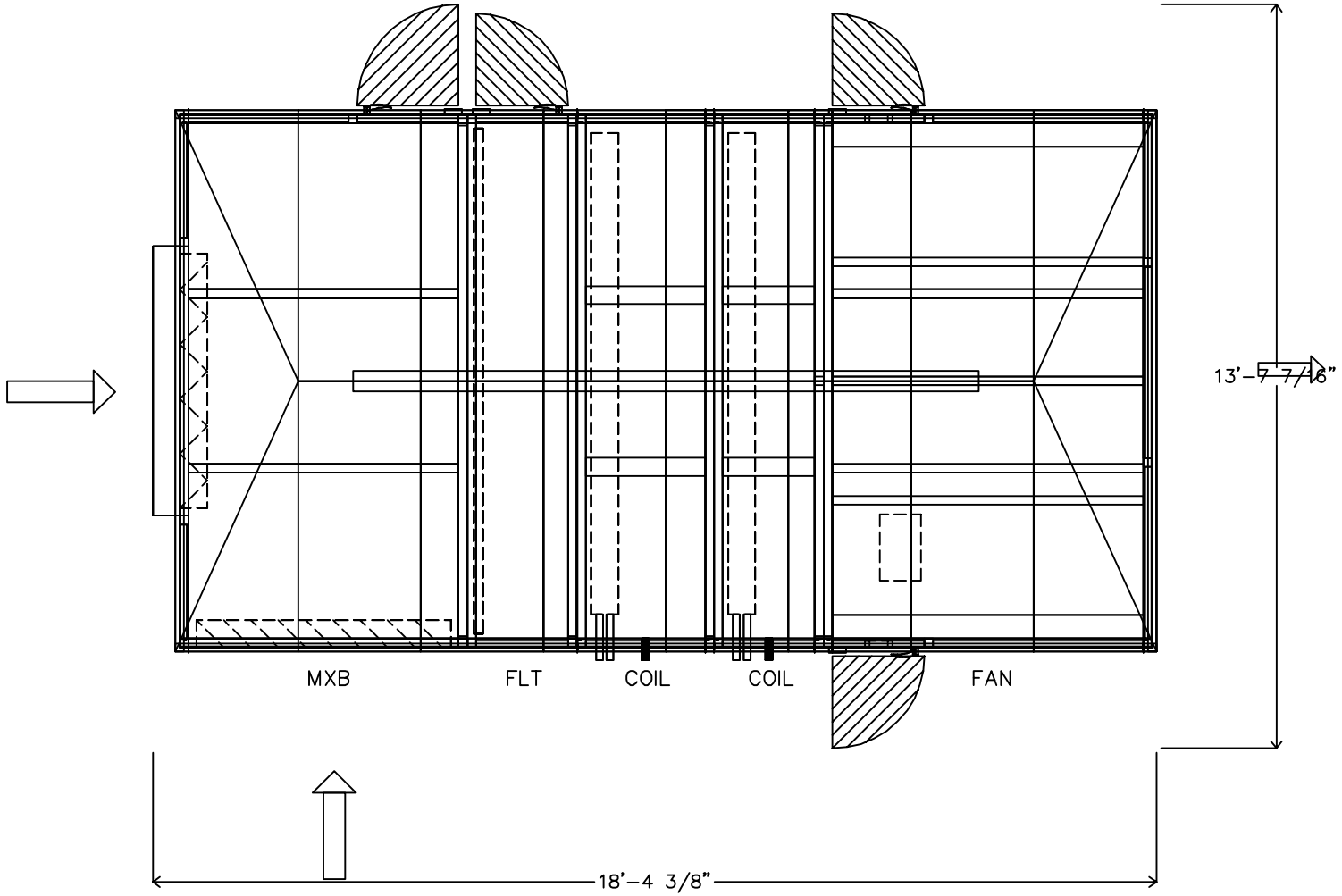
The Aero 39M air handler is the only unit on the market that practically installs itself.

Easy installation

Frames, corners and base rails of the 39M air handler are all easily disassembled and reassembled in minutes with as little as 3 standard tools. Carrier's 39M units can be ordered with shipping splits, which speed section to section assembly. All panels are easily removed in one piece for cleaning or access to components.

Unit height: 7'–5 3/8"
Bag Filter 6 – 12 IN. Side Loading
Qty (3) 12in. x 24in.
Qty (12) 24in. x 24in.
Pre Filter : 2In. Flat Filter
Qty (3) 12in. x 24in.
Qty (12) 24in. x 24in.
Hot Water 1 Row 8 FPI Half Circuit (qty. 2)

Chilled Water 4 Row 8 FPI Half Circuit (qty. 2)
Draw–Thru Supply Fan
25 HP Premium Efficiency TEFC 230 / 460 3Ph 60Hz 1800 RPM
Operating weight: 7917.0 lbs.
Upstream Corner Weight (each): 1812.0 lbs.
Downstream Corner Weight (each): 2146.0 lbs.



DATE	Configurator Ver.	39M Central Station Air–Handler, Size 50	REVISION
1/31/2012	v6.20 09/30/11	Clayton: Untitled JAN 31,2012 11–59–01 Assembly Drawing	Top View

4-29

Carrier
A United Technologies Company

39MW

POLY-THERM

Fiberglass Jacketed
Polyurethane Insulated Piping System

The premium-quality performance piping system for the distribution of liquids from -320°F to 250°F

PERMA-PIPE®

Domestic Hot Water Systems
Geothermal Collection & Distribution
Waste Heat Recovery
Cryogenic Piping
Solar Collection & DIstribution
District Heating and Cooling
Process Fluid Transport
Fuel & Heavy Oil Transport
Condensate Return
Chilled Water Distribution

Filament-Wound Fiberglass Jacket

PERMA-PIPE's multidirectional filament winding process produces a high strength fiberglass-reinforced polyester FRP resin jacket over the insulation for maximum insulation protection from the environment. PERMA-PIPE applies this high strength fiberglass jacket to systems having an outside insulation diameter as large as 48 inches. The POLY-THERM jacket is excellent for both below ground and aboveground installations as ultraviolet inhibitors can be added to the resin to retard U.V. degradation for aboveground applications.

Insulation Integrity

In contrast to foam injected insulated piping systems, the POLY-THERM spray process assures void-free insulation. By applying insulation before the jacket is applied, complete visual inspection of the insulation is performed, thus assuring void-free insulation and therefore, maximum thermal efficiency to provide optimum thermal performance for cryogenic and high-temperature distribution systems.

Piping Materials For Any Application

Steel, stainless steel, copper, ductile iron, HDPE, PVC and FRP can all be supplied with the POLY-THERM system. These materials can be supplied in a wide range of sizes with your exact insulation thickness to meet the needs of your application.

Fully Engineered

The POLY-THERM piping system is completely engineered by PERMA-PIPE's experienced engineering staff. Thermal stress, heat loss/gain, soil loading and piece part layout are all completed by PERMA-PIPE. The POLY-THERM system is engineered to reduce field costs by providing custom-made, factory-fabricated fittings to reduce field connections as compared to the field kit method. By using a factory-engineered and prefabricated system, the contractor's time is spent installing pipe, not figuring out where the fitting should be installed and how much pipe to cut.

Steel POLY-THERM
The POLY-THERM steel system can be custom fabricated to job site dimensions.

PVC POLY-THERM
POLY-THERM can be supplied with PVC pipe for chilled water applications.

FRP POLY-THERM
For condenstate return and low temperature hot water, POLY-THERM can be furnished with FRP service pipe.

Copper POLY-THERM
The POLY-THERM system can be supplied with Type K or L copper service pipe.

Electric Heat Traced (optional)

PERMA-PIPE provides a complete line of electric heat traced systems for freeze protection, temperature maintenance, heat up and reheat of the piping systems.

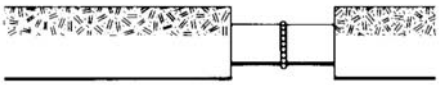
Heat traced systems ensure the cost effective, continuous flow of product through your pipeline. These systems supply only the heat necessary for the efficient flow of the product. Because variance is minimized, operating costs are significantly reduced and time consuming and costly purging of the lines are also eliminated.

PERMA-PIPE's designs incorporate the use of heat traced tubes attached to the product pipe. Maintenance of the heat traced system is minimal; removal of the insulation and jacket is only required at a minimum number of field joint locations.

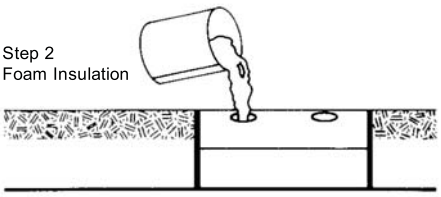
Contact PERMA-PIPE for more information on this option.

FIELD CLOSURE

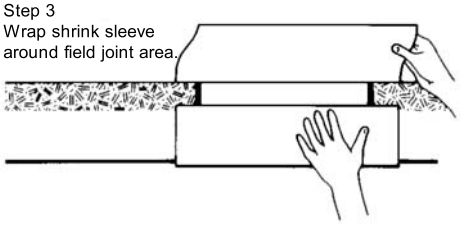
Step 1
Complete service pipe joint.

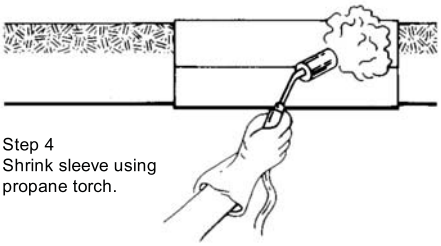


Step 2
Foam Insulation



Step 3
Wrap shrink sleeve around field joint area.





Step 4
Shrink sleeve using propane torch.

RECOMMENDED POLY-THERM INSULATION THICKNESS

PIPE SIZE (in)	1-6	8-14	16-24
INSULATION THICKNESS (in)			
CHILLED WATER	1	1	1.5
HOT WATER/CONDENSATE	1	1.5	2

TYPICAL PHYSICAL PROPERTIES OF POLYURETHANE AND FILAMENT WOUND FRP

POLYURETHANE		FILAMENT WOUND FRP	
Density	>2.0 lb/ft^3	Flexural Strength ASTM D-790	25,000 psi
Compressive Strength ASTM D-1621	30 psi	Compressive Strength ASTM D-695	60,000 psi
(Perpendicular to rise)	25 psi	Tensile Strength ASTM D-638	20,000 psi
K-factor (initial @ 73°F) ASTM C-518	.16 BTU-In hr-sq ft-°F	Heat Distortion Temp ASTM D-648	≥183°F
Closed Cell ASTM C-2856	90% Min	Izod Impact	40-60 ft-lb in notch

GENERAL

All underground and aboveground chilled water, condensate return and hot water lines with fluid temperatures up to 250°F shall be the POLY-THERM type, as manufactured by PERMA-PIPE. All straight sections, fittings, anchors and other accessories shall be factory fabricated to job dimensions and designed to minimize the number of field welds. Each system layout shall be computer analyzed by the piping system manufacturer to determine stress on the service pipe and anticipated thermal movement of the service pipe. The system design shall be in strict conformance with ANS1 B31.1, latest edition. Factory trained field technical assistance shall be provided for critical periods of installation; e.g., unloading, field joint instruction and testing.

SERVICE PIPE*

Internal piping shall be standard weight carbon steel, except for condensate return lines which shall be Schedule 80. All joints shall be butt-welded for 2.5 inches and greater, and socket or butt-welded for 2 inches and below. Where possible, straight sections shall be supplied in 40 foot random lengths with piping exposed at each end for field joint fabrication.

ACCESSORIES

End seals, gland seals and anchors shall be designed and factory fabricated to prevent the ingress of moisture into the system.

INSULATION

Service pipe insulation shall be spray applied nominal 4lb/ft^3 density, .16 initial k-factor, polyurethane foam for straight sections and preformed polyurethane foam for all fittings. All polyurethane foam insulation shall be minimum 90% closed cell. Open cell foams will not be allowed. To ensure no voids are present, all insulation shall be inspected by one of the following three methods: visually checked prior to application of the protective jacket, infrared inspection of the entire length, or x-ray inspection of the entire length. The insulation shall be applied to the minimum thickness specified below. The insulation thickness shall not be less than indicated in these specifications.

Pipe Size (in)	Insulation Thickness (in)	
	Chilled Water - Hot Water	
1 - 6	1	1
8 - 14	1	1.5
16 - 24	1.5	2

PROTECTIVE JACKET

All straight sections of the insulated piping system shall be filament wound, polyester resin/fiberglass reinforcement composite directly applied on the insulating foam. Thermoplastic casing material, e.g., PVC or PE, shall not be allowed.

The minimum thickness for FRP jacket shall be as follows:

Jacket Diameter	Thickness (in)
Up to 15 inches	.055
Between 15 & 24	.085
Between 24 & 30	.110
Between 30 & 48	.140

All fittings of the insulated piping system shall be prefabricated to minimize field joints and jacketed in a chopped spray-up, polyester resin/fiberglass-reinforced composite, directly applied onto the insulating foam to a thickness related to the filament-wound jacket thickness.

FIELD JOINTS

The internal pipe shall be hydrostatically tested to 150 psig or 1.5 times the operating pressure, whichever is greater. Insulation shall then be poured in place into the field weld area. All field applied insulation shall be placed only in straight sections. Field insulation of fittings shall not be acceptable. The installer shall seal the field joint area with a heat shrinkable adhesive-backed wrap or with wrappings of glass reinforcement fully saturated with a catalyzed resin identical in properties to the factory-applied resin. Backfilling shall not begin until the heat shrink wrap or the FRP lay-up has cured. All insulation and coating materials for making the field joints shall be furnished by PERMA-PIPE.

BACKFILL

A 4 inch layer of sand or fine gravel shall be placed and tamped in the trench to provide a uniform bedding for the pipe. The entire trench width shall be evenly backfilled with a similar material as the bedding in 6 inch compacted layers to a minimum height of 6 inches above the top of the insulated piping system. The remaining trench shall be evenly and continuously backfilled in uniform layers with suitable excavated soil.

*For alternative service pipe selections, contact PERMA-PIPE for specification details.

PERMA-PIPE®

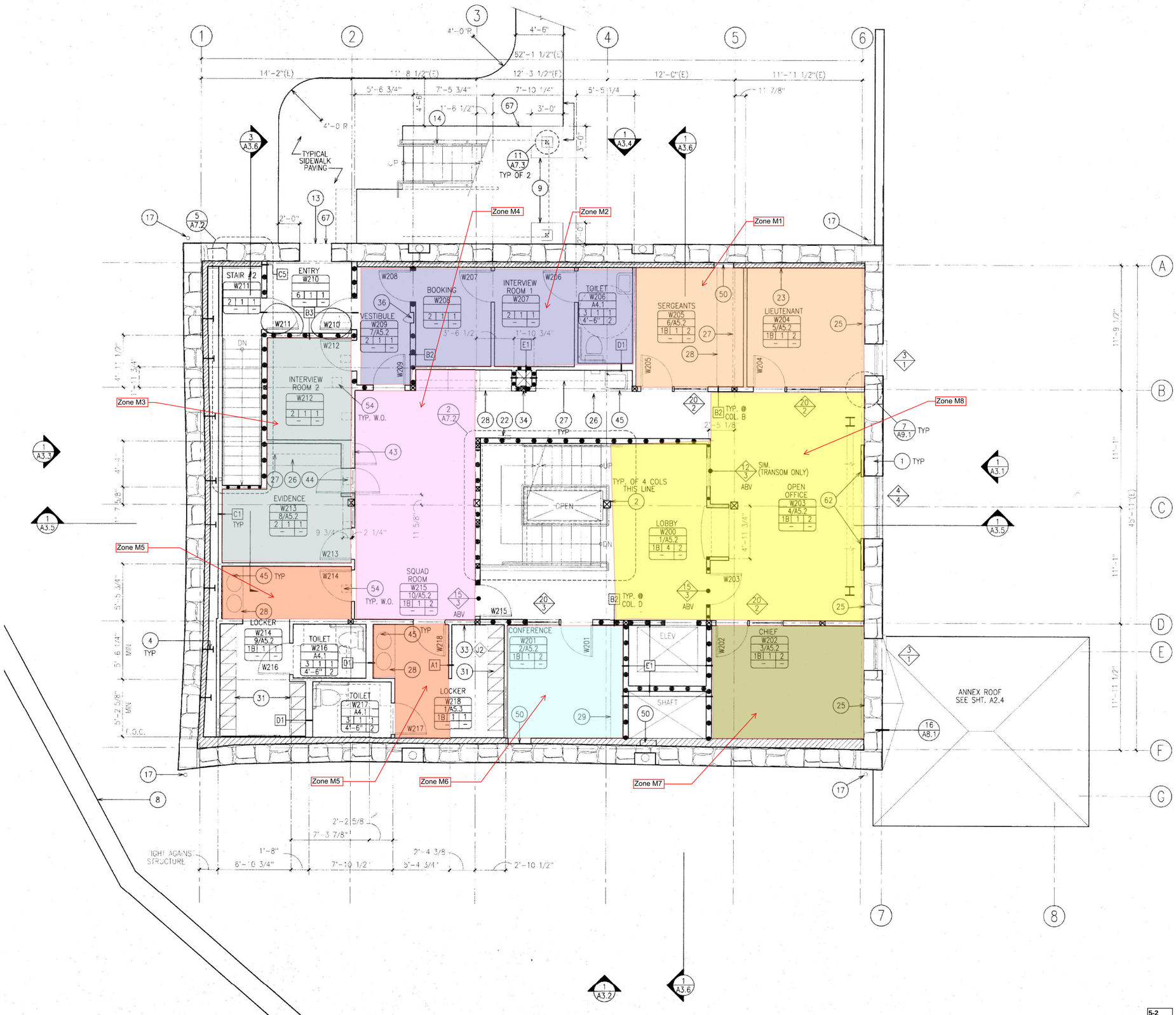
PERMA-PIPE, Inc.

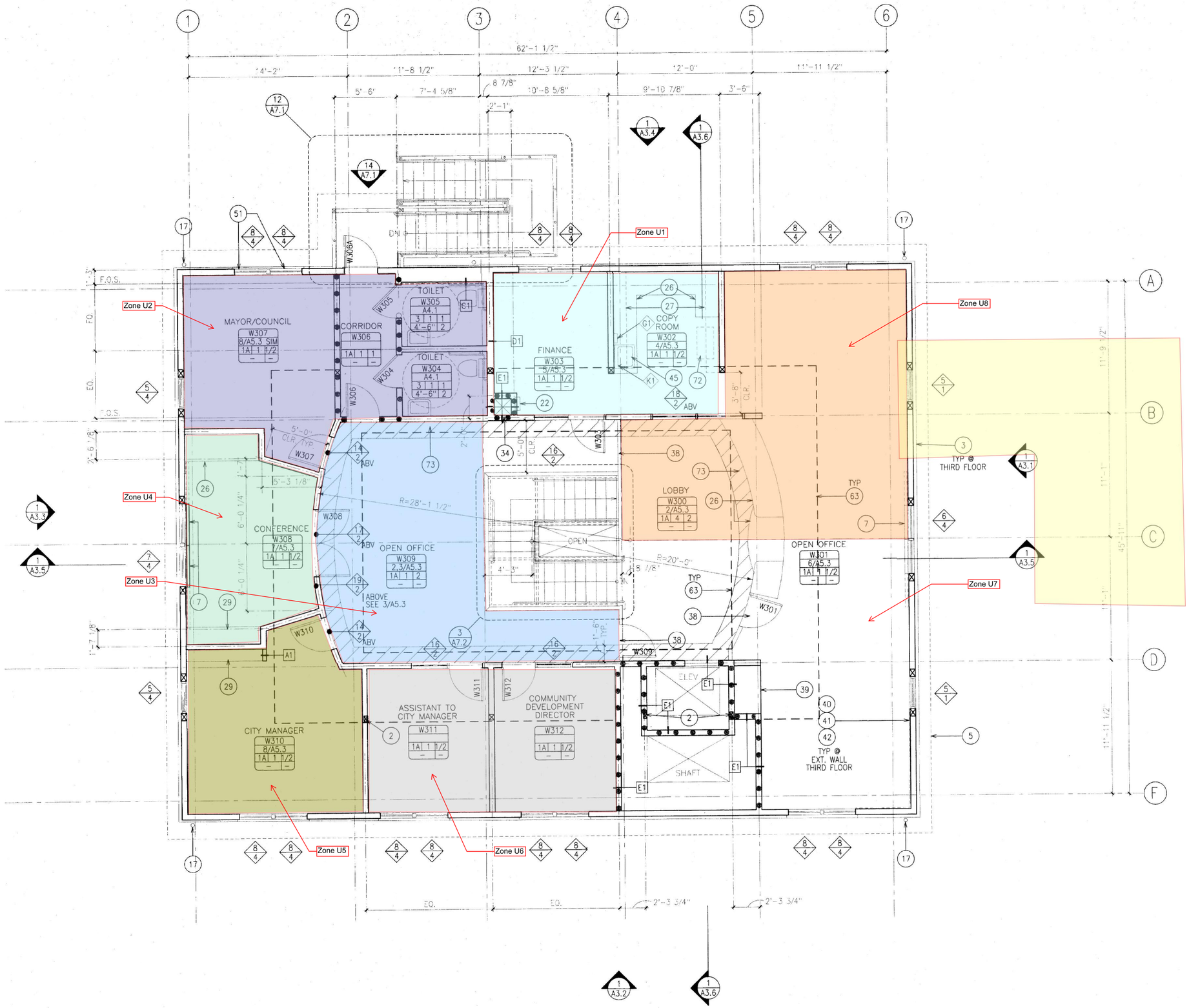
A Subsidiary of MFRI, Inc.
7720 North Lehigh Avenue
Niles, Illinois 60714-3491
Phone (847) 966-2190
Fax (847) 470-1204
www.permapipe.com

POLY (07/08 4M PG) Printed in the U.S.A.

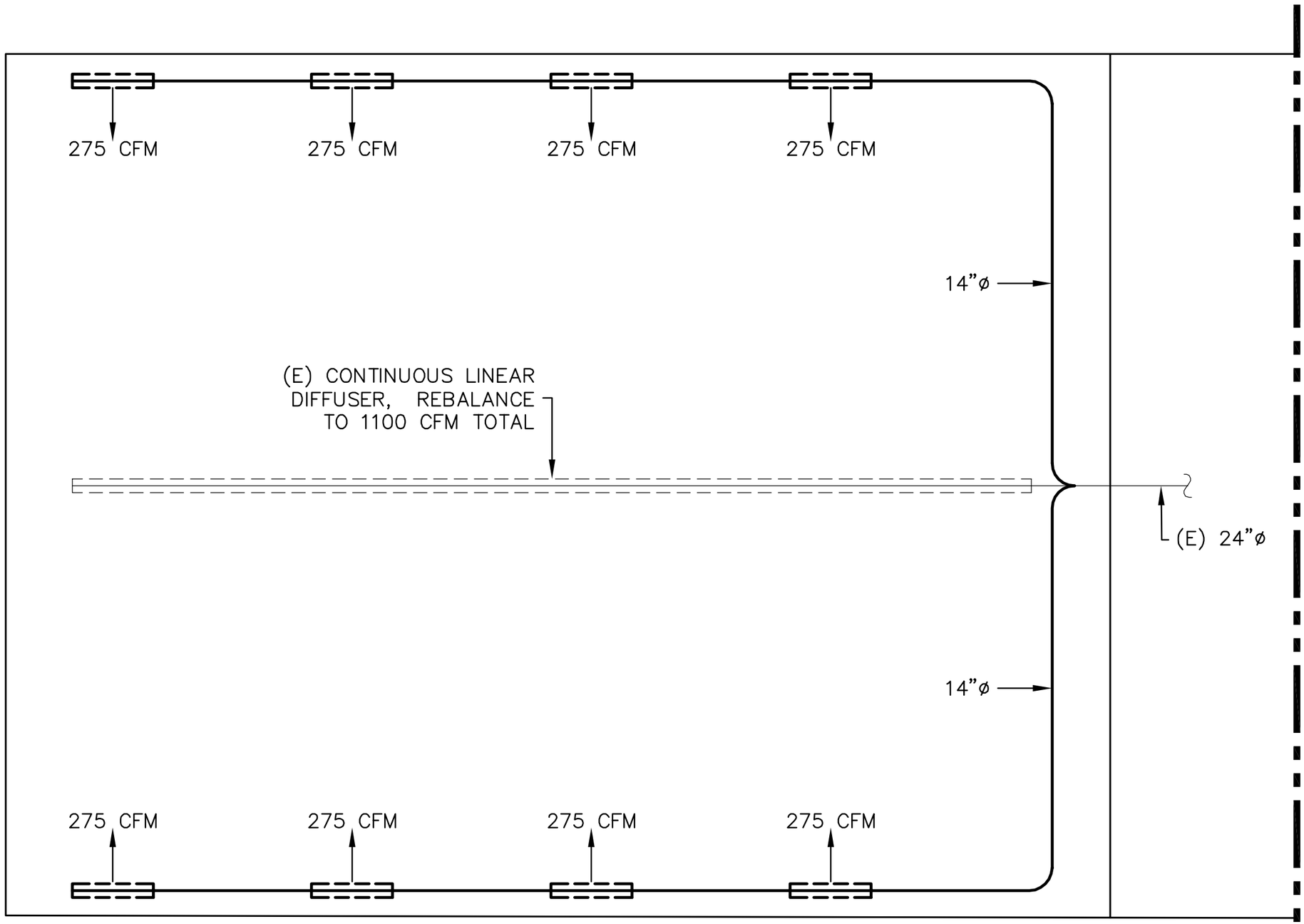
TAB 5 TABLE OF CONTENTS

Zone G3
Zone G2
Zone G1
Zone G4
LOCKER ROOM
EXERCISE ROOM
CONFERENCE
SHOWER
TOILET
LOCKER ROOM
ELEC/ TELE
LOBBY
ENTRY
STAIR 2
CORRIDOR
MECHANICAL ROOM
ELEVATOR MACH. ROOM
STORAGE
JANITOR
ELEV.
SHAFT
LUNCH ROOM
PUBLIC TOILETS
TOILET
TOILET
ANNEX
SEE L1.1 FOR COURTYARD
CONT. TO STORM DRAIN – S.C.D.
SLOPE CONC. FLRS. TO DRAINS
SLOPE PAD TO DRAIN OUT N.E. CORNER
62'-1 1/2"(E)
14'-2"(E)
11'-8 1/2"(E)
12'-3 1/2"(E)
12'-0"(E)
11'-11 1/2"(E)
45'-11"(E)
16'-3"(E)
45'-0"
5-1


Zone M1
Zone M2
Zone M3
Zone M4
Zone M5
Zone M5
Zone M5
Zone M6
Zone M7
Zone M8
STAIR #2
ENTRY
W210
VESTIBULE
W209
7/A5.2
BOOKING
W208
INTERVIEW ROOM 1
W207
TOILET
W206
A4.1
SERGEANTS
W205
6/A5.2
LIEUTENANT
W204
5/A5.2
INTERVIEW ROOM 2
W212
EVIDENCE
W213
8/A5.2
TYP. W.O.
LOBBY
W200
1/A5.2
OPEN OFFICE
W203
4/A5.2
SIM. (TRANSOM ONLY)
TYP. OF 4 COLS THIS LINE
OPEN
SQUAD ROOM
W215
10/A5.2
LOCKER
W214
9/A5.2
TOILET
W216
A4.1
TOILET
W217
A4.1
LOCKER
W218
1/A5.3
CONFERENCE
W201
2/A5.2
ELEV
SHAFT
CHIEF
W202
3/A5.2
ANNEX ROOF
SEE SHT. A2.4
TYPICAL SIDEWALK PAVING
TIGHT AGAINST STRUCTURE
TYP. @ COL. B
TYP. @ COL. D
ABV
TYP
T.O.C.
MIN
52'-1 1/2"(E)
14'-2"(L)
12'-3 1/2"(E)
12'-0"(E)
11'-7 1/2"(E)
45'-11"(E)


Zone U1
Zone U2
Zone U8
Zone U4
Zone U3
Zone U7
Zone U5
Zone U6
MAYOR/COUNCIL
W307
8/A5.3 SIM
CORRIDOR
W306
TOILET
W305
TOILET
W304
FINANCE
W303
5/A5.3
COPY ROOM
W302
4/A5.3
LOBBY
W300
2/A5.3
OPEN OFFICE
W301
6/A5.3
CONFERENCE
W308
7/A5.3
OPEN OFFICE
W309
2,3/A5.3
ABOVE SEE 3/A5.3
CITY MANAGER
W310
8/A5.3
ASSISTANT TO CITY MANAGER
W311
COMMUNITY DEVELOPMENT DIRECTOR
W312
ELEV.
SHAFT
OPEN
TYP @ THIRD FLOOR
TYP @ EXT. WALL THIRD FLOOR
62'-1 1/2"
F.O.S.
F.O.
E.O.
R=28'-1 1/2"
R=20'-0"

Zone VAV1
Zone VAV2
Zone VAV3
Zone VAV4
Zone VAV5
Zone VAV6
Zone VAV7
Zone VAV8
Zone VAV9
Zone FC1
Zone FC2
NOTE:
1. ALL DIMENSION TO FA
5-4



MODIFY AIR DISTRIBUTION SYSTEM – MEETING ROOM

NOT TO SCALE

REPLACE FC-1, 2, 3 WITH AHU

NOT TO SCALE

WATER-COOLED CHILLER AND TOWER

NOT TO SCALE

MINUTES
CLAYTON FINANCING AUTHORITY
REGULAR MEETING
JANUARY 15, 2013

Agenda Date: 3-19-13

Agenda Item: 4a FIN

1. **CALL TO ORDER AND ROLL CALL** - the meeting was called to order by President Pierce at 10:24 p.m. in Hoyer Hall of the Clayton Community Library, 6125 Clayton Road. Board Directors present: President Pierce, Vice President Stratford, Board Members Diaz, Geller, and Shuey. Staff members present: Executive Director, Secretary, and Legal Counsel.

2. **CLOSED SESSION** – None.

3. **PUBLIC COMMENTS** – None.

4. **CONSENT CALENDAR – It was moved by Vice President Stratford, seconded by Boardmember Shuey, to approve the item 4a (Passed; 4-1 vote; Diaz abstained). It was moved by Vice President Stratford, seconded by Boardmember Shuey, to approve the item 4b (Passed; 5-0 vote).**

(a) Approved the minutes of the regular meeting of January 17, 2012.

(b) Approved the Clayton Financing Authority Annual Report for Calendar Year 2012.

5. **ACTION ITEMS** - None.

6. **BOARD ITEMS** – None.

7. **ADJOURNMENT**- On call by President Pierce the meeting adjourned at 10:26 p.m.

Respectfully submitted,

Laci J. Jackson, Secretary

Approved by
Clayton Finance Authority Board of Directors

Julie K. Pierce, President

Agenda Date: 3-19-13

Agenda Item: 4b

CLAYTON FINANCING AUTHORITY

STAFF REPORT

TO: HONORABLE PRESIDENT AND BOARDMEMBERS

FROM: EXECUTIVE DIRECTOR

MEETING DATE: 19 MARCH 2013

SUBJECT: APPROVE TRANSFER OF $90,000 TO CITY CIP BUDGET FINANCIAL ASSISTANCE FOR REPAVING OF PUBLIC PARKING LOTS

RECOMMENDATION

It is recommended the Board of Directors of the Clayton Financing Authority by minute motion approve the transfer of $90,000 to the City of Clayton's Capital Improvement Project (CIP) Budget (CIP No. 10417) to pay for the repaving of the Clayton Community Library, City Hall and Lydia Lane Park public parking lots.

BACKGROUND

The Clayton Financing Authority once held title to the approximate one (1) acre vacant real property located at the southwest corner of the intersection of Clayton Road, Marsh Creek Road and Center Street. Following a competitive public bidding process for commercial development of that vacant corner, the Authority sold title to its one acre commercial real property on 31 October 2006 to Endashiian, LLC in the amount of $800,815. The Endashiian Corporation proceeded to lease the land for subsequent construction of a Longs Drugs Store, which now operates as a very successful CVS/Pharmacy at the location.

As a result of that land sale the Authority holds the cash proceeds. As of 30 June 2012 the current cash value is $769,458 (includes interest earnings posted on 30 June 2012 of $19,941).

PREVIOUS USE OF FUNDS

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

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

REQUESTED FINANCIAL ASSISTANCE

The municipal parking lots serving the Clayton Community Library, Clayton City Hall, and Lydia Lane Park are in various stages of moderate to significant stages of disrepair. None of these public parking lots have ever been resurfaced since original installation. In order to maintain these essential public infrastructures before sub-base disintegration occurs, making repairs ever more costly, the City recently went to competitive public works bid to receive construction bids to resurface these lots. At the Clayton City Council meeting held on March 5, 2013, the City Engineer indicated the low bid submitted by MCK Services, Inc., contained reasonable costs for the proposed work that would include an overlay of the lots, restriping and new pavement signage. The Engineer's Estimate for the work was $140,000 and the low bidder's price was $86,500 as illustrated below:

Parking Lot – Clayton Community Library	$ 52,912.20
Parking Lot – Clayton City Hall	$ 24,396.25
Parking Lot – Lydia Lane Park	$ 9,175.00
Total:	**$ 86,483.45**

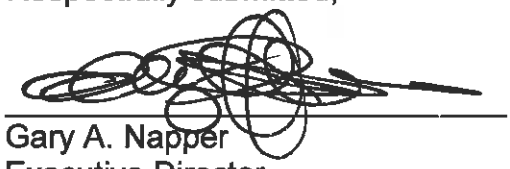
The City Engineer indicates there will be an additional $3,000 - $4,000 required on these three (3) projects for public works inspection and testing. Therefore, a total project budget of $90,000 is necessary to accomplish the work. The City of Clayton did not have a budgeted funding source for installation of this desired work and has requested the Clayton Financing Authority contribute monies to this capital improvement need.

FINANCIAL IMPACT

As noted above, contribution of monies from the Authority to assist the City on one-time capital improvement projects has previously occurred and the Authority does not have a financial plan established for use of its discretionary funds. Transfer of $90,000 to the City's CIP Budget for the stated purpose would leave the Authority with $679,458 in funds (approximately 85% of its original principal amount).

Without the Authority's assistance in this regard, the City would need to allocate a portion of its General Fund reserves to the project or not perform the capital improvement work.

Respectfully submitted,



Gary A. Napper
Executive Director

Attachments: None.