



AGENDA

REGULAR JOINT MEETINGS

* * *

CLAYTON CITY COUNCIL and OAKHURST GEOLOGICAL HAZARD ABATEMENT DISTRICT (GHAD)

TUESDAY, July 16, 2013

6:00 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 ***

July 16, 2013

6:00 P.M.

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

2. **CLOSED SESSION**

(a) Conference with Labor Negotiator
Government Code Section 54957.6

Instructions to City-designated labor negotiator: City Manager.

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

2. Employee Organization: Undesignated City Employees Unit.

Report out from Closed Session: Mayor Pierce.

7:00 P.M.

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

4. **CONSENT CALENDAR**

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

(a) Approve the minutes of the regular meeting of July 2, 2013. ([View Here](#))

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

(c) Adopt a Resolution ordering the annual levy of a Special Tax within the High Street Permanent Road Division (Fund 217) for FY 2013-2014. ([View Here](#))

(d) Adopt a Resolution ordering the annual levy of a Special Tax within the Oak Street Permanent Road Division (Fund 218) for FY 2013-2014. ([View Here](#))

(e) Adopt a Resolution authorizing the levy of annual assessments for the Lydia Lane Sewer Assessment District in FY 2013-2014. ([View Here](#))

(f) Adopt a Resolution authorizing the levy of annual assessments for the Oak Street Sewer Assessment District in FY 2013-2014. ([View Here](#))

(g) Adopt a Resolution authorizing the levy of annual tax assessments for Community Facility District No. 2007-1 (Landscape Maintenance District; Fund No. 210) in FY 2013-2014. ([View Here](#))

(h) Adopt a Resolution authorizing the levy of annual tax assessments for Community Facility District No. 2006-1 (Downtown Park O & M; Fund No. 211) in FY 2013-2014. ([View Here](#))

- (i) Accept a \$40,000.00 grant from the 511 Contra Costa County “Street Smarts Infrastructure Program” for the purchase and installation of two (2) solar-powered traffic signs with flashing beacons and speed readouts along Marsh Creek Road adjacent to the Diablo View Middle School with City agreement to maintain and repair the traffic control devices. ([View Here](#))

5. RECOGNITIONS AND PRESENTATIONS – None.

6. REPORTS

- (a) Planning Commission – Commissioner Gregg Manning.
- (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

- (a) Public Hearing to consider the Introduction and First Reading of Ordinance No. 448 amending Title 17 of the *Clayton Municipal Code* establishing Prohibited Uses and Activities, and specifically prohibiting medical marijuana dispensaries and certain cultivation activities (ZOA-02-13). ([View Here](#))
(Community Development Director)

Staff recommendations: **1)** Receive the staff report; **2)** Open Public Hearing; **3)** Receive public comments; **4)** Close the Public Hearing; **5)** Approve a motion to have the City Clerk read Ordinance No. 448 by title and number only and waive further reading; and **6)** By motion, approve Ordinance No. 448 for introduction.

- (b) Public Hearing to consider the adoption of a Resolution approving the Diablo Estates at Clayton Benefit Assessment District (BAD) proposed real property assessment and rates for FY 2013-2014. ([View Here](#))
(City Engineer)

Staff recommendations: **1)** Receive the staff report; **2)** Open the Public Hearing; **3)** Receive public comments; **4)** Close Public Hearing; **5)** If determined the lack of majority property owner protests exists, approve a motion to adopt the Resolution approving and authorizing the levy of the Diablo Estates at Clayton Benefit Assessment District rates for FY 2013-14.

- c) Public Hearing on the Engineer's Report and proposed levy of annual assessments on real property for operation and maintenance of street lights in the Street Lighting Assessment District for FY 2013-2014; pursuant to Streets and Highways Code 18070 and CA Government Code 54954.6. ([View Here](#))
(City Engineer)

Staff recommendations: **1)** Receive the staff report; **2)** Open the Public Hearing and receive public testimony; **3)** Close the Public Hearing; **4)** Adopt the Resolution setting the annual street lighting real property assessments for FY 2013-2014.

9. ACTION ITEMS

- (a) Introduction of the proposed City of Clayton Budgets for Fiscal Year 2013–2014 and the Capital Improvement Program (CIP) for Fiscal Years 2013-2018.
(City Manager) ([View Here](#))

Staff recommendation: Following presentation and public comments, receive the proposed City Budgets, provide any preliminary policy directions and amendments accordingly, and then by motion call and set a Special Meeting of the City Council for Tuesday, July 30th at 7:00 p.m. in Hoyer Hall of the Clayton Community Library and instruct the City Manager to prepare a Public Hearing on said date, time and location for adoption of the FY 2013-14 City Budgets.

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

- 11. ADJOURNMENT**– the City Council regular meeting of August 6, 2013 has been cancelled; therefore, the next regularly scheduled City Council meeting is August 20, 2013.

#

*** OAKHURST GEOLOGICAL HAZARD ABATEMENT DISTRICT ***
July 16, 2013

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

2. PUBLIC COMMENTS

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

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

3. CONSENT CALENDAR

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

- (a) Approve the Oakhurst Geological Hazard Abatement District Board minutes for its regular meeting of June 18, 2013. ([View Here](#))

4. PUBLIC HEARINGS

- (a) Public Hearing on the Geological Hazard Abatement District (GHAD) proposed real property assessments for Fiscal Year 2013-2014. ([View Here](#))
(District Manager)

Staff recommendations: **1)** Receive the District Manager's report; **2)** Open the Public Hearing and receive public comments; **3)** Close the Public Hearing; and **4)** By motion, adopt the Resolution approving and authorizing the District's levy of real property assessments for FY 2013-2014.

5. ACTION ITEMS – None.

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

7. ADJOURNMENT – the next meeting of the GHAD Board of Directors will be scheduled as needed.

#

MINUTES
OF THE
REGULAR MEETING
CLAYTON CITY COUNCIL

TUESDAY, July 2, 2013

Agenda Date: 7-16-13

Agenda Item: 4a

1. **CALL TO ORDER & ROLL CALL** – The meeting was called to order at 6:33 p.m. by Mayor Pierce in Hoyer Hall of the Clayton Community Library, 6125 Clayton Road, Clayton, CA. Councilmembers present: Mayor Pierce, Vice Mayor Stratford, Councilmembers Diaz and Geller. Councilmembers absent: Councilmember Shuey. Staff present: City Manager Gary Napper, City Attorney Mala Subramanian, and City Clerk Laci Jackson
2. **CLOSED SESSION** On call by Mayor Pierce the Council adjourned into Closed Session for the following purpose:
 - (a) *Government Code Section 54956.8*, Conference with Real Property Negotiator.
Real Properties: 1005-1007 Oak Street, Clayton (APNs 119-050-008, 119-050-009 and 119-050-034). Instructions to City Negotiator (City Manager) concerning price and terms of payment.
Negotiating Party: T&G 2009, LLC, a California Limited Liability Company.

7:00 p.m. Report out of Closed Session: Mayor Pierce stated the Council discussed and then gave direction to the City Negotiator.
3. **PLEDGE OF ALLEGIANCE** – led by Mayor Pierce.
4. **CONSENT CALENDAR**- It was moved by Councilmember Geller, seconded by Councilmember Diaz, to approve the Consent Calendar (Passed; 4-0 vote).
 - (a) Information Only – No Action.
 1. Receipt of Civil Grand Jury Report No. 1308, "Encouraging Citizens to Apply for Grand Jury Service – There is an Imbalance in District Applications".
 - (b) Approved the minutes of the regular meeting of June 18, 2013.
 - (c) Approved Financial Demands and Obligations of the City.
 - (d) Authorized a flat fee donation in the amount of \$176 from the Clayton Woman's Club for use of the Clayton Library Meeting Room (Hoyer Hall) for its Annual Craft Sale on November 9th and 10th, 2013.
 - (e) Approved the City's response letter to Civil Grand Jury Report No. 1302, "Outsourcing Municipal Services – An Alternative Cost-Efficient Approach," and authorize the Mayor to sign the letter.
 - (f) Adopted Resolution 18-2013 authorizing the levy of annual real property tax assessments for the Clayton Station Community Facility District (CFD) No. 1990-2R; Fund No. 421) in Fiscal Year 2013-2014.
 - (g) Adopted Resolution 19-2013 authorizing the levy of annual real property tax assessments for the Diablo View Middle School and Clayton Community Park Community Facility District (CFD) No. 1990-1R (2007) in Fiscal Year 2013-14.
5. **RECOGNITIONS AND PRESENTATIONS**- None.

6. REPORTS

- (a) Planning Commission- No report.
- (b) Trails and Landscaping Committee – No meeting held.
- (c) The City Manager had no report.
- (d) City Council

Councilmember Diaz attended the Library Foundation board meeting, the Concert in The Grove, a CBCA Rib Cook-off meeting, and CBCA membership meeting.

Vice Mayor Stratford attended an East Contra Costa Habitat Conservancy meeting where they approved recommending the fee changes which will come to the Council for consideration in the future.

Councilmember Geller attended the Clayton Family Faire and Picnic. He also attended the CBCA meeting and stated the last Concert in The Grove raised nearly \$2,700 in donations. He noted he met with John, the chef from Oakhurst Country Club, and he will be helping at the Mayors' Cook-off. Lastly, he attended the Clayton Club Saloon appreciation day.

Mayor Pierce attended ABAG meetings and joint meetings with MTC. She also attended a Transportation Authority meeting and a Central County Mayors' meeting where she suggested cities put together a single pavement contract each year to obtain more favorable bids.

- (e) Other

7. PUBLIC COMMENTS – None.

8. PUBLIC HEARINGS – None.

9. ACTION ITEMS- None.

10. COUNCIL ITEMS – None.

11. ADJOURNMENT– on call by Mayor Pierce the meeting adjourned at 7:06 p.m.

#

Respectfully submitted,

Laci J. Jackson, City Clerk

APPROVED BY CLAYTON CITY COUNCIL

Julie K. Pierce, Mayor



Agenda Date 7/16/2013

Agenda Item: 4b

Approved: 

Gary A. Napper
City Manager

STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: MERRY PELLETIER, FINANCE MANAGER

DATE: 7/16/2013

SUBJECT: INVOICE SUMMARY

RECOMMENDATION:

Approve the following Invoices:

7/12/2013 Cash Requirements Report	\$116,347.34
7/10/2013 Thursday Concert	7/11/2013 \$ 1,000.00

Total: \$117,347.34

Attachments:

Cash Requirements Report dated 7/12/2013 (4 pages)
Invoice/Check Copies – Thursday Concert (4 pages)

City of Clayton Cash Requirements Report

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
ALTEC Industries, Inc. ALTEC Industries, Inc.	7/16/2013	6/28/2013	5049803	service call order # 2638721 <i>Totals for ALTEC Industries, Inc.:</i>	\$648.94 \$648.94	\$0.00 \$0.00		\$648.94 \$648.94
American Fidelity Assurance Company American Fidelity Assurance Company	7/16/2013	7/5/2013	845256A	July Installment <i>Totals for American Fidelity Assurance Company:</i>	\$849.10 \$849.10	\$0.00 \$0.00		\$849.10 \$849.10
Arlene H. Kikkawa-Nielsen Arlene H. Kikkawa-Nielsen	7/16/2013	7/10/2013	July 2013	Library Volunteer Coordinator for July 2013 <i>Totals for Arlene H. Kikkawa-Nielsen:</i>	\$900.00 \$900.00	\$0.00 \$0.00		\$900.00 \$900.00
Bay Area Barricade Serv. Bay Area Barricade Serv. Bay Area Barricade Serv.	7/16/2013 7/16/2013	7/5/2013 6/26/2013	0295558-IN 0294696-IN	Driving Gloves metal signs <i>Totals for Bay Area Barricade Serv.:</i>	\$215.82 \$250.70 \$466.52	\$0.00 \$0.00 \$0.00		\$215.82 \$250.70 \$466.52
Best Best & Kreiger LLP Best Best & Kreiger LLP Best Best & Kreiger LLP	7/16/2013 7/16/2013	6/27/2013 7/8/2013	705060 705739	Services for May 2013 Services June 2013 <i>Totals for Best Best & Kreiger LLP:</i>	\$8,000.00 \$8,000.00 \$16,000.00	\$0.00 \$0.00 \$0.00		\$8,000.00 \$8,000.00 \$16,000.00
CalPERS Retirement CalPERS Retirement	7/16/2013	7/10/2013	07/07/2013	Retirement PPE 7/7/13 <i>Totals for CalPERS Retirement:</i>	\$23,624.05 \$23,624.05	\$0.00 \$0.00		\$23,624.05 \$23,624.05
CCC Department of Conservation and Development CCC Department of Conservation and D	7/16/2013	5/31/2013	SB1186 12/13	Business license fee through 6/30/13 <i>Totals for CCC Department of Conservation and Development:</i>	\$102.70 \$102.70	\$0.00 \$0.00		\$102.70 \$102.70
Clayton Bikes Stunt Team Clayton Bikes Stunt Team	7/16/2013	7/2/2013	07042013	performance at the Clayton Family Fair 6/29/1 <i>Totals for Clayton Bikes Stunt Team:</i>	\$500.00 \$500.00	\$0.00 \$0.00		\$500.00 \$500.00
Clean Street Clean Street	7/16/2013	6/30/2013	71120	monthly sweep fee - June 2013 <i>Totals for Clean Street:</i>	\$3,500.00 \$3,500.00	\$0.00 \$0.00		\$3,500.00 \$3,500.00
Cole Supply Company Cole Supply Company	7/16/2013	7/2/2013	923489	supplies <i>Totals for Cole Supply Company:</i>	\$689.30 \$689.30	\$0.00 \$0.00		\$689.30 \$689.30
Contra Costa Water Dist. Contra Costa Water Dist.	7/16/2013	7/11/2013	A Series	Water 5/7/13-7/9/13 <i>Totals for Contra Costa Water Dist.:</i>	\$43,880.87 \$43,880.87	\$0.00 \$0.00		\$43,880.87 \$43,880.87
De Lage Landen Financial Services, Inc.								

City of Clayton

Cash Requirements Report

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
De Lage Landen Financial Services, Inc.	7/16/2013	7/6/2013	18592960	service July 2013	\$432.68	\$0.00		\$432.68
				Totals for De Lage Landen Financial Services, Inc.:	\$432.68	\$0.00		\$432.68
Division of the State Architect								
Division of the State Architect	7/16/2013	5/30/2013	33113	Disability Access and Education Fee Through	\$47.40	\$0.00		\$47.40
				Totals for Division of the State Architect:	\$47.40	\$0.00		\$47.40
HUB Inter of CA Ins Svc								
HUB Inter of CA Ins Svc	7/16/2013	6/30/2013	#AR6360147	Insurance Policies June 2013	\$462.58	\$0.00		\$462.58
				Totals for HUB Inter of CA Ins Svc:	\$462.58	\$0.00		\$462.58
Jason Delmar								
Jason Delmar	7/16/2013	7/2/2013	218	services	\$225.00	\$0.00		\$225.00
				Totals for Jason Delmar:	\$225.00	\$0.00		\$225.00
John Deere Landscapes Inc								
John Deere Landscapes Inc	7/16/2013	6/27/2013	62228236	supplies	\$756.67	\$0.00		\$756.67
				Totals for John Deere Landscapes Inc:	\$756.67	\$0.00		\$756.67
LarryLogic Productions								
LarryLogic Productions	7/16/2013	7/2/2013	1342	City Council Meeting 7/2/13	\$300.00	\$0.00		\$300.00
				Totals for LarryLogic Productions:	\$300.00	\$0.00		\$300.00
Legal Defense Fund								
Legal Defense Fund	7/16/2013	6/6/2013	72736	dues	\$15.00	\$0.00		\$15.00
				Totals for Legal Defense Fund:	\$15.00	\$0.00		\$15.00
MailFinance (Neopost Leasing)								
MailFinance (Neopost Leasing)	7/16/2013	7/7/2013	N4082026	Lease Payment 8/7/13-9/6/13	\$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	7/16/2013	7/2/2013	113-17326	Service Call - Library	\$1,465.00	\$0.00		\$1,465.00
				Totals for Marken Mechanical Services Inc:	\$1,465.00	\$0.00		\$1,465.00
Martell Water Systems, Inc.								
Martell Water Systems, Inc.	7/16/2013	7/3/2013	19996	Service Call 6/29/13	\$1,345.29	\$0.00		\$1,345.29
				Totals for Martell Water Systems, Inc.:	\$1,345.29	\$0.00		\$1,345.29
Municipal Pooling Authority								
Municipal Pooling Authority	7/16/2013	7/10/2013	July 2013	LTD/Life July 2013	\$1,402.55	\$0.00		\$1,402.55
				Totals for Municipal Pooling Authority:	\$1,402.55	\$0.00		\$1,402.55
Peace Officers Research Assoc of CA								
Peace Officers Research Assoc of CA	7/16/2013	6/14/2013	64355	Current member dues	\$10.00	\$0.00		\$10.00
				Totals for Peace Officers Research Assoc of CA:	\$10.00	\$0.00		\$10.00
PERMCO, Inc.								

City of Clayton

Cash Requirements Report

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
PERMCO, Inc.	7/16/2013	7/8/2013	10021	Retainer-General Services	\$2,888.47	\$0.00		\$2,888.47
PERMCO, Inc.	7/16/2013	7/8/2013	10021	Retainer - General Services	\$2,888.46	\$0.00		\$2,888.46
PERMCO, Inc.	7/16/2013	7/8/2013	10022	CCWD Minor EP	\$31.13	\$0.00		\$31.13
PERMCO, Inc.	7/16/2013	7/8/2013	10022	CCWD Minor EP	\$31.12	\$0.00		\$31.12
PERMCO, Inc.	7/16/2013	7/8/2013	10023	General Stormwater Tasks	\$305.00	\$0.00		\$305.00
PERMCO, Inc.	7/16/2013	7/8/2013	10023	General Stormwater Tasks	\$305.00	\$0.00		\$305.00
PERMCO, Inc.	7/16/2013	7/8/2013	10024	Silver Oaks Estates Subdivision 8516	\$112.50	\$0.00		\$112.50
PERMCO, Inc.	7/16/2013	7/8/2013	10024	Silver Oaks Estates Subdivision 8516	\$112.50	\$0.00		\$112.50
PERMCO, Inc.	7/16/2013	7/8/2013	10025	Diablo Pointe Construction Inspection	\$363.13	\$0.00		\$363.13
PERMCO, Inc.	7/16/2013	7/8/2013	10025	Diablo Pointe Construction Inspection	\$363.12	\$0.00		\$363.12
PERMCO, Inc.	7/16/2013	7/8/2013	10026	Construction Activity Permit Inspection	\$41.50	\$0.00		\$41.50
PERMCO, Inc.	7/16/2013	7/8/2013	10026	Construction Activity Permit Inspection	\$41.50	\$0.00		\$41.50
PERMCO, Inc.	7/16/2013	7/8/2013	10027	Diablo Estates BAD - Admin	\$450.00	\$0.00		\$450.00
PERMCO, Inc.	7/16/2013	7/8/2013	10027	Diablo Estates BAD - Admin	\$450.00	\$0.00		\$450.00
PERMCO, Inc.	7/16/2013	7/8/2013	10028	2013 Pavement Rehabilitation Project	\$476.57	\$0.00		\$476.57
PERMCO, Inc.	7/16/2013	7/8/2013	10028	2013 Pavement Rehabilitation Project	\$476.56	\$0.00		\$476.56
PERMCO, Inc.	7/16/2013	7/8/2013	10029	PG&E Replace Gas Lines - Dana Hills	\$757.38	\$0.00		\$757.38
PERMCO, Inc.	7/16/2013	7/8/2013	10029	PG&E Replace Gas Lines - Dana Hills	\$757.37	\$0.00		\$757.37
				Totals for PERMCO, Inc.:	\$10,851.31	\$0.00		\$10,851.31
Pinnacle Construction Services, Inc								
Pinnacle Construction Services, Inc	7/16/2013	6/28/2013	1720	Management for Diablo Estates BAD July ,2	\$4,099.00	\$0.00		\$4,099.00
				Totals for Pinnacle Construction Services, Inc:	\$4,099.00	\$0.00		\$4,099.00
pmsigns								
pmsigns	7/16/2013	4/29/2013	18036A	farmer's market banners	\$55.00	\$0.00		\$55.00
pmsigns	7/16/2013	4/29/2013	18036B	Concert Banners	\$45.00	\$0.00		\$45.00
pmsigns	7/16/2013	7/2/2013	18047	Car Signs - 4th of July	\$208.32	\$0.00		\$208.32
				Totals for pmsigns:	\$308.32	\$0.00		\$308.32
Premier Pools & Spas								
Premier Pools & Spas	7/16/2013	7/2/2013	0076	Deposit Refund	\$1,904.55	\$0.00		\$1,904.55
				Totals for Premier Pools & Spas:	\$1,904.55	\$0.00		\$1,904.55
Rock & Waterfall Co								
Rock & Waterfall Co	7/16/2013	6/28/2013	112-41	maintenance	\$650.00	\$0.00		\$650.00
				Totals for Rock & Waterfall Co:	\$650.00	\$0.00		\$650.00
Sprint Comm (PW & ADM)								
Sprint Comm (PW & ADM)	7/16/2013	6/29/2013	531409315-134	service May 26 - June 25, 2013	\$454.91	\$0.00		\$454.91
				Totals for Sprint Comm (PW & ADM):	\$454.91	\$0.00		\$454.91
Western Exterminator								
Western Exterminator	7/16/2013	6/30/2013	1359999	June services	\$342.00	\$0.00		\$342.00
				Totals for Western Exterminator:	\$342.00	\$0.00		\$342.00

City of Clayton
Cash Requirements Report

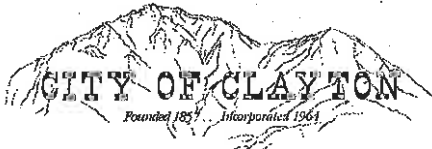
GRAND TOTALS: \$116,347.34 \$0.00 \$116,347.34

To: Corey D Justin (Tone Pony)
690 Teak Court
Walnut Creek, CA 94598

INVOICE NUMBER	DATE	DESCRIPTION	AMOUNT	DISCOUNT	NET AMOUNT
07112013	7/10/2013	Concert - Thursday 7/11/13	\$500.00	\$0.00	\$500.00
		Totals:	\$500.00	\$0.00	\$500.00

Form # F635 To reorder, please call Blackboard Forms at our toll free number, 866.422.3676

THIS DOCUMENT CONTAINS A TRUE WATERMARK. IT IS NOTED TO PROTECT YOUR RIGHT TO VERIFY WATERMARK.



BANK OF AMERICA, NA
11-35/1210

029575

6000 HERITAGE TRAIL, CLAYTON, CALIFORNIA 94517

CHECK DATE CHECK NO.

7/10/2013 29575

Five hundred and 00/100 Dollars

CHECK AMOUNT

PAY

\$** 500.00

TO THE
ORDER
OF

Corey D Justin (Tone Pony)
690 Teak Court
Walnut Creek, CA 94598

VOID AFTER 6 MONTHS

AUTHORIZED SIGNATURE

MP

⑈029575⑈ ⑆121000358⑆ 09825⑈04799⑈

AUTHORIZED BY Joe Jan DATE 7-10-13
VENDOR # 32162 ACCOUNT # 601-2750-00 # 7029
AMOUNT \$500.00 CITY MANAGER APPROVAL [Signature] 07-10-13



ENTERED



(925) 673-7300

In entering into this Music Performance Service Agreement ("Agreement"), the City of Clayton ("City") and Tone Pony [insert performers'/band's name] ("Band") (collectively, the "parties" and each individually a "party"), do mutually agree and promise as follows:

1.) Performance Information

A. The Band shall perform as specified in this Agreement ("Performance") on Thursday July 11, 2013 ("Performance Date") in the "The Grove," which is an approximately 1-acre outdoor public park located at 6100 Main St., on (old) Marsh Creek Road between Main and Center Streets, in Clayton, California ("Property").

B. Performance Time: 7:00 p.m. ("Performance Start Time") to 8:30 p.m. ("Performance End Time").

C. Performance Requirements: 2 sets, approximately 40 minutes each; 1 break of 10 minutes in duration between the two sets; and one encore of 15 minutes.

D. General Description of Music Genre: (i.e., Classical, Jazz, Rock and Roll, etc.)
Country / Rock & Roll

E. The Band includes: (i.e., singers/pieces/instruments/etc.)
Six (6) performers: Singer, Lead Guitar, Pedal Steel Guitar, Bass, Drums and Rhythm Guitar / Singer

F. Full Payment Amount: ~~\$500.00~~ ("Performance Fee")

Payee name (**must be same as that on W-9**)

Tone Pony / Corey Justin

Payee Address (**must be same as that on W-9**)

690 Teak Court

Walnut Creek, CA 94598

G. Band Address: 690 Teak Court, Walnut Creek, CA 94598

Phone: (925) 980-4770

Band Primary Contact Person:

Name Corey Justin Phone --- cell (925) 980-4770 email: tone.pony@yahoo.com

2.) Set Up and Clean Up. The Band shall arrive for set-up no earlier than 4:00 p.m. on the Performance Date. The Band shall completely remove all equipment from Property within one and one half hours following the Performance End Time, and in no event later than 9:30 p.m. on the Performance Date. The Band shall be solely responsible for its own set-up and tear-down of all personal property and

To: Ken Joiret
1542 Lavetta Way
Concord, CA 94521

INVOICE NUMBER	DATE	DESCRIPTION	AMOUNT	DISCOUNT	NET AMOUNT
07112013	7/10/2013	Sound Services Concert 7/11/13	\$500.00	\$0.00	\$500.00
		Totals:	\$500.00	\$0.00	\$500.00

Form # FB35 To reorder, please call Standard Forms at our toll free number 866.422.3676

THIS DOCUMENT CONTAINS A MICROFILM WATERMARK. HOLD TO LIGHT TO VIEW THE WATERMARK.



BANK OF AMERICA, NA

11-35/1210

029576

CHECK DATE

CHECK NO.

6000 HERITAGE TRAIL, CLAYTON, CALIFORNIA 94517

7/10/2013

29576

Five hundred and 00/100 Dollars

CHECK AMOUNT

PAY

\$** 500.00

TO THE
ORDER
OF

Ken Joiret
1542 Lavetta Way
Concord, CA 94521

VOID AFTER 6 MONTHS

AUTHORIZED SIGNATURE

MP

⑈029576⑈ ⑆121000358⑆ 09825⑈04799⑈

CITY OF CLAYTON

San Juan 7-10-13
AUTHORIZED BY DATE

☒ ENTERED

CONSULTING SERVICES AGREEMENT
(General)

3042 - 601-2750-00 # 7029
VENDOR # ACCOUNT #
601-2750-00
AMOUNT CITY MANAGER APPROVAL

1. Special Conditions:

- A) Consultant's Name & Address: Ken Joiret
Address: 1549 Lavetta Way, Concord, CA 94521-1739
- B) Effective Date: July 11, 2013 C) Payment Limit: \$2,500.00 D) Expense Limit: \$0
- E) Completion Date: September 19, 2013
- F) Federal Tax ID or SSN: W-9 Completed and on file with the City of Clayton Finance Dept.

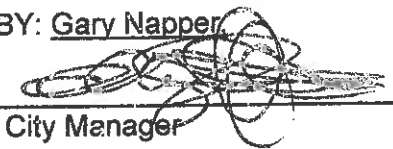
2. Signatures: These signatures attest the parties' agreement hereto:

CITY OF CLAYTON

CONSULTANT

BY: Gary Napper

BY: Ken Joiret


City Manager


(owner)

07-10-13

3. Parties: Effective on the above date, the City of Clayton ("City") and Consultant mutually agree and promise as follows.
4. Employment: City hereby employs MD Productions, as an independent agent, and Consultant accepts such employment, to perform the professional services described in Exhibit A included herein by reference, upon the terms and in consideration of the payments stated herein.
5. Scope of Service: Scope of services shall be as described in Proposal for 2013 Concerts in the Grove for the City of Clayton dated March 8, 2013 Exhibit A, attached hereto and made a part hereof by this reference.
6. Insurance: Consultant shall, at no cost to the City obtain and maintain during the term hereof: (a) Workers' Compensation Insurance as may be applicable pursuant to State Law (if applicable), and (b) Commercial General Liability Insurance and Automobile Liability Insurance including coverage for owned and non-owned automobiles. Both liability policy's shall have combined single limit coverage of at least \$1 million per occurrence for all damages due to bodily injury, sickness or disease, or death to any person and damage to property, including the loss of use thereof, arising out of each accident or occurrence. Consultant shall furnish evidence of such coverage, naming the City of Clayton, its agents, officers and employees as additional insured and requiring 30 days written notice of policy lapse or cancellation.
7. Payment: The City of Clayton shall pay the Consultant for professional services performed at the rate of ~~\$500~~ per concert per schedule shown on Exhibit B, which include all overhead and incidental expenses, for which no additional compensation shall be allowed. In no event shall the total amount paid to the Consultant exceed the payment limit specified in Sec. 1 C) and D) without prior written approval of the City Manager. Payment shall be provided by the City at each concert at the conclusion of each concert date.
8. Status: Ken Joiret and any of its assistants or independent assistants and independent contractor(s) shall not be considered an employee of the City of Clayton.



Agenda Date: 7-16-13

Agenda Item: 4c

STAFF REPORT

Approved:

Gary A. Napper
City Manager/Executive Director

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: RICK ANGRISANI, CITY ENGINEER

DATE: JULY 16, 2013

SUBJECT: CONSIDERATION OF A RESOLUTION ORDERING THE LEVY OF A SPECIAL TAX WITHIN THE HIGH STREET PERMANENT ROAD DIVISION FOR FY 2013-14

RECOMMENDATION

Approve the attached Resolution.

BACKGROUND

The High Street Permanent Road Division was formed in 1999 to provide a mechanism for the included property owners to repay the City for funds advanced for the reconstruction of the High Street Bridge over Mitchell Creek. In addition, a portion of the annual levy is set aside to provide funds for the maintenance of the bridge.

The City agreed to fund half the cost of the bridge and the remainder was to be paid by the property within the Division. The Successor Agency funded the reconstruction of the bridge and repayment was spread over 30 years with a 6% interest rate. In addition, the annual levy includes an amount of \$60 per parcel dedicated to future bridge maintenance. The City has absorbed all of the administrative costs. Through the end of FY 2012-13 (twelve years), we have collected \$56,980 towards the construction costs (including interest) and \$4,200.00 for future maintenance.

In the Resolution it is noted there are several different levies. These amounts were based on a formula negotiated with the property owners when the Division was formed.

The first assessment for the repayment of the bridge construction costs was levied in FY 1999/00 and the final assessment for construction costs will be levied in FY 2028/29. It should be noted that the portion of the assessment for maintenance will continue thereafter.

FISCAL IMPACT

The annual assessment will produce \$4,370.00 in FY 2013-14. If this Resolution is not approved, money owed to the Successor Agency by the property owners will not be repaid and funds will not be available for future bridge maintenance.

CONCLUSION

Based upon the above, staff recommends the City Council approve this Resolution levying a special tax on the parcels located within the High Street Permanent Road Division.

Attachments: Resolution levying a Special Tax [2 pp.]

RESOLUTION NO.

**A RESOLUTION ORDERING THE LEVYING OF A SPECIAL TAX FOR FY 2013-14
WITHIN THE HIGH STREET PERMANENT ROAD DIVISION FOR THE
REPAYMENT OF FUNDS ADVANCED FOR THE RECONSTRUCTION OF THE
BRIDGE AND FUTURE MAINTENANCE PURSUANT TO THE STREETS AND
HIGHWAY CODE, ARTICLE 3, SECTION 1173, et. seq.**

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

WHEREAS, by passage of Resolution 34-98, the City Council ordered the formation of the High Street Permanent Road Division for the purpose of reconstructing and maintaining the High Street Bridge over Mitchell Creek; and

WHEREAS, the City Council received petitions, signed by a majority of the property owners within the Division, requesting construction of a new bridge over Mitchell Creek and the levy of a special tax to pay for the construction and for the future maintenance of the bridge; and

WHEREAS, the City Council called for an election on February 26, 1999 to approve the levying of a special tax; and

WHEREAS, the City Clerk and City Engineer then certified that ballots approving the special tax were received from more than two-thirds of the property owners in both number and valuation; and

WHEREAS, said special tax approved must be re-levied each fiscal year;

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

1. The City Council hereby orders the levy of special taxes for FY 2013-14 on those parcels within the High Street Permanent Road Division for the reconstruction and maintenance of the bridge over Mitchell Creek.

2. The annual tax rates for each parcel for the reconstruction and maintenance shall be as follows:

APN	Current Owner	Reconstruction	Maintenance	Total
119-050-036	Frank	\$545.00	\$60.00	\$605.00
119-050-008	City of Clayton	\$2,071.00	\$60.00	\$2,131.00
119-040-023	Morgan	\$545.00	\$60.00	\$605.00
119-040-024	Davis	\$364.00	\$60.00	\$424.00
119-040-021	Utlely	\$545.00	\$60.00	\$605.00

3. Said special taxes shall be levied and collected by the County of Contra Costa along with the regular property taxes.

PASSED, APPROVED and ADOPTED by the City Council of Clayton, California at a regular public meeting thereof held on the 16th day of July 2013 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

THE CITY COUNCIL OF CLAYTON, CA

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 July 16, 2013.

Laci J. Jackson, City Clerk



Agenda Date: 7-16-13
Agenda Item: 4d

STAFF REPORT

Approved:

Gary A. Napper
City Manager/Executive Director

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: RICK ANGRISANI, CITY ENGINEER

DATE: JULY 16, 2013

SUBJECT: CONSIDERATION OF A RESOLUTION ORDERING THE LEVY OF A SPECIAL TAX WITHIN THE OAK STREET PERMANENT ROAD DIVISION FOR FY 2013-14

RECOMMENDATION

Approve the attached Resolution.

BACKGROUND

The Oak Street Permanent Road Division was formed in 2000 to provide a mechanism for the included property owners to repay the City for funds advanced for the reconstruction of the Oak Street Bridge over Mitchell Creek. In addition, a portion of the annual levy is set aside to provide funds for the maintenance of the private portion of Oak Street.

The Redevelopment Agency funded the reconstruction of the bridge and repayment was spread over 20 years with a 7% interest rate. In addition, the annual levy has included an amount of \$350 per parcel dedicated to future road maintenance and \$92.01 per parcel for City administrative fees (10% of the levy for bridge construction and maintenance). Through the end of FY 2012-13, we have collected \$60,065.72 (\$55,302.72 in annual assessments plus \$4,763.00 from Reuben Gonzalez in 2005/06 to pay off his bridge assessment) for construction repayment, \$20,000 for maintenance (deposited in a separate fund), and \$7,530.08 for administration (deposited in City General Fund).

Due to the repaving of Oak Street after construction of the sewer line, we revised the maintenance schedule to provide for slurry seal treatments at 10 and 20 years after formation (2010 and 2020, respectively), along with an overlay at 30 years (2030). This revised schedule reduced the required maintenance levy to \$200.00 per parcel per year. Since we had been collecting \$350.00 per parcel per year, we suspended the maintenance

assessment for five years (ending with the 2010-11 assessment). This year we are again including an annual assessment of \$200.00 per parcel for road maintenance. Since recent pavement rehabilitation projects have not included any slurry seal work, we are delaying the scheduled slurry seal treatment of Oak Street until we have other slurry seal work being bid.

In the Resolution, it is noted that six parcels have a levy of \$847.14, one parcel has a levy of \$220.00, and two have levies of \$423.58. The original Division included 8 parcels, all levied equally. Since that time, one parcel was subsequently subdivided (Caspar) and that levy was reapportioned equally between the two lots. In addition, Mr. Gonzalez paid off his bridge assessment in FY 2005/06 and is now being assessed only for the maintenance of the road.

The first assessment for the repayment of the bridge construction costs was levied in FY 2000/01 and the final assessment for construction costs will be levied in FY 2019/20. It should be noted that the portion of the assessment for maintenance and City administration will continue thereafter.

FISCAL IMPACT

If this Resolution is not approved, money owed the Successor Agency for construction of the bridge by the property owners will not be repaid. The annual assessment for this fiscal year will produce a total of \$6,150.00.

CONCLUSION

Based upon the above, staff recommends the City Council approve this Resolution levying a special tax on the parcels located within the Oak Street Permanent Road Division.

Attachments: Resolution levying a Special Tax [2 pp.]

RESOLUTION NO.

A RESOLUTION ORDERING THE LEVYING OF A SPECIAL TAX FOR FY 2013-14 WITHIN THE OAK STREET PERMANENT ROAD DIVISION FOR THE REPAYMENT OF FUNDS ADVANCED FOR THE RECONSTRUCTION OF THE BRIDGE AND FUTURE MAINTENANCE PURSUANT TO THE STREETS AND HIGHWAY CODE, ARTICLE 3, SECTION 1173, et. seq.

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

WHEREAS, by passage of Resolution 66-99, the City Council ordered the formation of the Oak Street Permanent Road Division for the purpose of reconstructing and maintaining the Oak Street Bridge over Mitchell Creek and maintaining the private portion of Oak Street; and

WHEREAS, the City Council received petitions, signed by a majority of the property owners within the Division, requesting construction of a new bridge over Mitchell Creek and the levy of a special tax to pay for the construction and for the future maintenance of the bridge and road; and

WHEREAS, the City Council called for an election on May 1, 2000, to approve the levying of a special tax; and

WHEREAS, the City Clerk and City Engineer then certified that ballots approving the special tax were received from more than two-thirds of the property owners in both number and valuation; and

WHEREAS, the special tax approved must be re-levied each fiscal year;

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

1. The Council hereby orders the levy of special taxes for FY 2013-14 on those parcels within the Oak Street Permanent Road Division for the reconstruction and maintenance of the bridge over Mitchell Creek and the maintenance of the private portion of Oak Street.

2. The annual tax rates for each parcel for the reconstruction and maintenance shall be as follows:

APN	Owner	Construction	Maintenance	City Admin.	Total
119-040-027	Law	\$570.13	\$200.00	\$77.01	\$847.14
119-040-028	Schwitters	\$570.13	\$200.00	\$77.01	\$847.14
119-040-029	Gonzalez	\$0.00	\$200.00	\$20.00	\$220.00
119-040-030	Ludlow	\$570.13	\$200.00	\$77.01	\$847.14
119-040-031	Mrozowski	\$570.13	\$200.00	\$77.01	\$847.14
119-040-032	Hemstalk	\$570.13	\$200.00	\$77.01	\$847.14
119-040-033	Webb	\$570.13	\$200.00	\$77.01	\$847.14
119-040-036	Caspar	\$285.07	\$100.00	\$38.51	\$423.58
119-040-037	Caspar	\$285.07	\$100.00	\$38.51	\$423.58

3. The special taxes shall be levied and collected by the County of Contra Costa, California along with the regular property taxes.

PASSED, APPROVED and ADOPTED by the City Council of Clayton, California at a regular meeting of said Council held on July 16, 2013 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

THE CITY COUNCIL OF CLAYTON, CA

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 July 16, 2013.

Laci J. Jackson, City Clerk



Agenda Date: 7-16-13
Agenda Item: 4e

STAFF REPORT

Approved:



Gary A. Napper
City Manager/Executive Director

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: RICK ANGRISANI, CITY ENGINEER

DATE: JULY 16, 2013

SUBJECT: CONSIDERATION OF A RESOLUTION CONFIRMING THE LEVYING OF ASSESSMENTS WITHIN THE LYDIA LANE SEWER ASSESSMENT DISTRICT FOR FY 2013-14

RECOMMENDATION

Approve the attached Resolution.

BACKGROUND

The Lydia Lane Sewer Assessment District was formed to undertake the installation of sanitary sewers and laterals in the Lydia Lane and Verna Way area south of Clayton Road.

The City issued and sold bonds to provide the funding for the formation of the district and the construction of the sewers. The bonds are to be repaid by the property owners through assessments levied each year and collected by the County with their property taxes. Along with principal and interest costs, the assessments also include an administrative fee of \$150.00 per parcel to cover the City's overhead costs.

The first assessment was levied in FY 2002/03 and the final assessment will be levied in FY 2031/32.

The attached resolution confirms the proposed assessments for fiscal year 2013-14.

FISCAL IMPACT

The annual assessments will yield approximately \$18,100 for the Lydia Lane Sewer Assessment District for FY 2013-14. If this Resolution is not approved, the City would have

Subject: Lydia Lane Sewer Assessment District – Levy of Assessments

Date: July 16, 2013

Page 2 of 2

to pursue separate action against each assessed property owners to collect the monies due or default on the bonds.

CONCLUSION

Based upon the above, staff recommends the City Council approve this Resolution confirming the levying of annual assessments in the Lydia Lane Sewer Assessment District.

Attachments: Resolution Confirming Assessments [3 pp.]

RESOLUTION NO.

**A RESOLUTION CONFIRMING THE LEVYING OF ASSESSMENTS FOR
FY 2013-14 WITHIN THE LYDIA LANE SEWER ASSESSMENT DISTRICT
FOR THE REPAYMENT OF BONDS ISSUED FOR THE CONSTRUCTION OF
MUNICIPAL SANITARY SEWERS.**

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

WHEREAS, by passage of Resolution 36-2002, the City Council ordered the formation of the Lydia Lane Sewer Assessment District in accordance with and pursuant to the Municipal Improvement Act of 1913; and

WHEREAS, the City of Clayton issued and sold bonds in the amount of \$228,332.00 to fund the construction of municipal sanitary sewers in the Lydia Lane Assessment District which must be repaid by the real property owners within the assessment district; and

WHEREAS, the repayment of the bond costs by the real property owners is provided through the levying and inclusion of an annual assessment, for principal, interest and administrative costs, on each real property owner's County property tax bill; and

WHEREAS, the proposed assessments for Fiscal Year 2013-14 are shown on Exhibit A attached hereto;

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

1. The City Council hereby orders the levy of assessments for FY 2013-14 on those parcels within the Lydia Lane Sewer Assessment District for repayment of bonds issued for the construction of municipal sanitary sewers within the assessment district.
2. The annual assessment for each parcel in each assessment district shall be as shown on Exhibit A attached hereto.
3. The assessments shall be levied and collected by the County of Contra Costa along with the regular property taxes.

PASSED, APPROVED and ADOPTED by the City Council of Clayton, California at a regular public meeting thereof held on the 16th day of July 2013 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

THE CITY COUNCIL OF CLAYTON, CA

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 July 16, 2013.

Laci J. Jackson, City Clerk

EXHIBIT A

ANNUAL ASSESSMENT AMOUNTS FOR FY 2013-14 FOR THE LYDIA LANE SEWER ASSESSMENT DISTRICT

Lydia Lane Sewer Assessment District	
Parcel ID (APN)	Amount
120-042-005	\$956.96
120-042-006	\$956.96
120-043-007	\$956.96
120-043-009	\$956.96
120-051-007	\$1,189.32
120-051-008	\$1,189.32
120-051-010	\$1,189.32
120-052-003	\$1,189.32
120-052-004	\$1,189.32
120-052-005	\$1,189.32
120-052-006	\$1,189.32
120-052-009	\$1,189.32
120-052-011	\$1,189.32
120-052-015	\$1,189.32
120-052-016	\$1,189.32
120-052-017	\$1,189.32
Total Assessment	\$18,099.68



Agenda Date: 7-16-13

Agenda Item: 4F

STAFF REPORT

Approved:

Gary A. Napper
City Manager/Executive Director

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: RICK ANGRISANI, CITY ENGINEER

DATE: JULY 16, 2013

SUBJECT: CONSIDERATION OF A RESOLUTION CONFIRMING THE LEVYING OF ASSESSMENTS WITHIN THE OAK STREET SEWER ASSESSMENT DISTRICT FOR FY 2013-14

RECOMMENDATION

Approve the attached Resolution.

BACKGROUND

The Oak Street Sewer Assessment District was formed to undertake the installation of sanitary sewers and laterals in their respective neighborhoods.

The City issued and sold bonds to provide the funding for the formation of the district and the construction of the sewers. The bonds are to be repaid by the property owners through assessments levied each year and collected by the County with their property taxes. Along with principal and interest costs, the assessments also include an administrative fee of \$150.00 per parcel to cover the City's overhead costs.

The first assessment was levied in FY 2003/04 and the final assessment will be levied in FY 2026/27.

The attached resolution confirms the proposed assessments for fiscal year 2013-14.

FISCAL IMPACT

The annual assessments will yield approximately \$12,400 for the Oak Street Sewer Assessment District for FY 2013-14. If this Resolution is not approved, the City would have

Subject: Oak Street Sewer Assessment District – Levy of Assessments

Date: July 16, 2013

Page 2 of 2

to pursue separate action against each of the assessed property owners for collection or default on the bonds.

CONCLUSION

Based upon the above, staff recommends the City Council approve this Resolution confirming the levying of annual assessments in the Oak Street Sewer Assessment District.

Attachments: Resolution Confirming Assessments [3 pp.]

RESOLUTION NO.

**A RESOLUTION CONFIRMING THE LEVYING OF ASSESSMENTS FOR
FY 2013-14 WITHIN THE OAK STREET SEWER ASSESSMENT DISTRICT
FOR THE REPAYMENT OF BONDS ISSUED FOR THE CONSTRUCTION OF
MUNICIPAL SANITARY SEWERS.**

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

WHEREAS, by passage of Resolution 62-2002, the City Council ordered the formation of the Oak Street Sewer Assessment District in accordance with and pursuant to the Municipal Improvement Act of 1913; and

WHEREAS, the City of Clayton issued and sold bonds in the amount of \$187,000.00 to fund the construction of municipal sanitary sewers in the Oak Street Assessment District which must be repaid by the real property owners within the assessment district; and

WHEREAS, the repayment of the bond costs by the real property owners is provided through the levying and inclusion of an annual assessment, for principal, interest and administrative costs, on each property owner's County property tax bill; and

WHEREAS, the proposed assessments for Fiscal Year 2013-14 are shown on Exhibit A attached hereto;

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

1. The Council hereby orders the levy of assessments for FY 2013-14 on those parcels within the Oak Street Sewer Assessment Districts for repayment of bonds issued for the construction of municipal sanitary sewers within the assessment district.

2. The annual assessment for each parcel in each assessment district shall be as shown on Exhibit A attached hereto.

3. The assessments shall be levied and collected by the County along with the regular property taxes.

PASSED, APPROVED and ADOPTED by the City Council of Clayton, California at a regular public meeting thereof held on July 16, 2013 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

THE CITY COUNCIL OF CLAYTON, CA

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 Clayton, California at a regular public meeting thereof held on July 16, 2013.

Laci J. Jackson, City Clerk

EXHIBIT A

ANNUAL ASSESSMENT AMOUNTS FOR FY 2013-14 FOR THE OAK STREET SEWER ASSESSMENT DISTRICT

Oak Street Sewer Assessment District	
Parcel ID (APN)	Amount
119-040-021	\$1,124.56
119-040-023	\$1,124.56
119-040-024	\$1,124.56
119-040-027	\$1,124.56
119-040-028	\$1,124.56
119-040-030	\$1,124.56
119-040-032	\$1,124.56
119-040-033	\$1,124.56
119-040-036	\$1,124.56
119-040-037	\$1,124.56
119-050-036	\$1,124.56
Total Assessment	\$12,370.16



Agenda Date: 7-13-16

Agenda Item: 4g

Approved:

Gary A. Napper, City Manager

STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: Laura Hoffmeister, Asst. to the City Manager

MEETING DATE: July 16, 2013

SUBJECT: Approval of resolution ordering the levy and collection of special taxes and setting forth the special tax amount for Community Facilities District (CFD) 2007-1 (City Wide Landscape Maintenance) on the fiscal year 2013-2014 Tax Assessment

RECOMMENDATION

Adoption of Resolution No. __-2013 ordering the levy and collection of special taxes and setting forth the special tax amount for Community Facilities District (CFD) 2007-1 (City Wide Public Landscape Maintenance) on the fiscal year 2013 - 2014 Tax Assessment Roll.

BACKGROUND

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

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

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

The collection of the tax is done by the County, and property owners' payments for this new District first occurred in November/December 2007. Established in the voter approved tax is

Meeting Date: July 16, 2013

Page 2 of 2

an ability after the initial year, to increase the assessment by the CPI with a maximum of 3% annually. The Citizens Oversight Committee for this District, [known as the Trails and Landscape Committee (TLC)] recommended an increase based upon the CPI, which is 2.38% (\$5.18 increase per residential unit - equivalent). The CPI adjustment is reflected in the proposed City budget for FY 13-14, which a draft was previously reviewed and recommended by the Trails and Landscape Committee at their May 20, 2013 meeting.

FISCAL IMPACT

For the 2013-14 fiscal year the levy amount is \$223.04 per residential parcel, or per non residential acre or fraction thereof. For fiscal year 2013-14 there are 4,100 parcels that will be subject to the special tax. Of these 4,038 are residential and 62 are non-residential. The total amount of revenue estimated to be received from this tax for FY 2013-14 is \$978,034.42. These tax revenues are placed into a Special Revenue Fund (No.210) through which all eligible expenses are tracked, paid and audited. Allowable expenses include only that for the purposes of the Landscape District Maintenance materials, supplies, equipment, utilities, labor, and administration. There is still apx. \$2.5 million in desired major landscape replacements/repairs and enhancements that are not funded through this tax amount. Cost savings from water reductions during the drought along with other District costs savings have been used to for reinvestment in the Landscape District on a pay go basis. In FY 07-08 an irrigation repair vehicle truck was purchased, apx. \$36,000. In FY 10-11 Landscape Maintenance District savings of \$260,000 were used for hardscape of median island narrow noses, Clayton fountain area replanting and other targeted tree and shrub replanting. In FY 11-12 \$304,173 in Landscape Maintenance District funds were used for Clayton Road median work (Oakhurst to Mitchell Canyon) and planting of the retaining wall. An additional \$60,000 for trail repairs/resurfacing, additional \$10,000 for tree trimming and \$30,000 for computer based irrigation control. Finished in FY 12-13 was the Daffodil Hill replanting (equal cost sharing with CBCA) with the Landscape Maintenance District funding being \$26,800, and \$50,000 in trail resurfacing. To date over \$750,000 has been reinvested into the Landscape District.

The Citizens Oversight Committee will soon begin its preparation of the 5th Annual Report covering the period FY 12-13. This report is expected to be provided to the City Council at its meeting in September/October. This report will include the highlights of the District and future direction as well as the District budget.

CONCLUSION

The City Council, by Ordinance 409, as authorized by Section 53340 of the Government Code of the State of California, has authorized the levy of a special tax to pay for costs and expenses related to Community Facilities District 2007-1. This resolution authorizes the Contra Costa County auditor to place unpaid direct bill taxes for the 2013 -2014 fiscal year on the next assessment roll.

Attachments:

- 1) Resolution No. ___-2012
- 2) Summary of Exhibit A to Resolution ___-2012
- 3) Annual Special Tax Levy Report
- 4) Ordinance 409
- 5) Resolution No. 06-2007
- 6) Resolution No. 07-2007
- 7) Resolution No. 17-2007
- 8) Landscape District Budget FY 13-14

RESOLUTION NO. ____-2013

**A RESOLUTION ORDERING THE LEVY AND COLLECTION OF
SPECIAL TAXES AND SETTING THE SPECIAL
TAX AMOUNT FOR FISCAL YEAR 2013-14
FOR COMMUNITY FACILITIES DISTRICT NO. 2007-1
(CITYWIDE LANDSCAPE MAINTENANCE)**

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

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

WHEREAS, this legislative body, by Ordinance No. 409 as authorized by Section 53340 of the Government Code of the State of California, has authorized the levy of a special tax to pay for costs and expenses related to said District, and this legislative body is desirous to establish the specific rate of the special tax to be collected for fiscal year 2013 -14; and,

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

NOW THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

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

SECTION 2. That the specific rate and amount of the special tax to be collected to pay for the costs and expenses for the next fiscal year (2013 -14) for the referenced

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

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

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

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

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

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

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

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

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

PASSED, APPROVED, AND ADOPTED by the City Council of Clayton, California at a regular public meeting of thereof held on July 16, 2013 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

THE CITY COUNCIL OF CLAYTON, CA

Julie K. Pierce, Mayor

ATTEST:

Laci J. Jackson, City Clerk

Laura/fy13-14 reso cfd 2007-01city lscp

Summary of EXHIBIT A to Resolution ____ -2013

CFD 2007-1 Citywide Landscape Maintenance District Special Tax

For fiscal year 2013-2014 the assessor's parcel numbers and the special tax amounts are as set forth in the Community Facilities District No.2007-1 (Citywide Landscape Maintenance) Preliminary Billing Levy Detail Report for FY 2012-13 on file in the City Clerk's office, City Hall, 6000 Heritage Trail, Clayton, CA.

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

In general all residential parcels, (single family, condo, and townhouse) shall have a rate for FY 13-14 of \$223.04 per parcel. All non-residential parcels shall have a rate for FY 13-14 of \$223.04 per acre or fraction thereof, based on parcel size as shown on the most recent County tax and parcel records.

There are a total of 4100 parcels to be levied:

There are 4038 residential levies.

There are 62 non-residential levies comprising 349 acres.

\$900,635.52 est. total revenue from residential

\$77,398.90 est. total revenue from non-residential

\$978,034.42 est. revenue for FY 13-14



City of Clayton

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

Annual Report

June 2013

Main Office

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

Regional Office

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

Attachment 3

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

City Council

Julie K. Pierce, Mayor
Hank Stratford, Vice Mayor
Jim Diaz, Councilmember
Howard Geller, Councilmember
David Shuey, Councilmember

City Staff

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

Special Tax Administrator

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

EXECUTIVE SUMMARY/SPECIAL ISSUES

General Information Summary

Maturity	2013/14 Levy (1)	Parcel Count	Delinquency Rate (2)
Fiscal Year 2016/17	\$978,034.42	4,299	1.36%

(1) Includes a rounding adjustment for County tax submittal purposes.

(2) Delinquency Rate for Fiscal Year 2012/13.

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

For Fiscal Year 2013/14, all taxable parcels within this District will be levied at 100% of their respective Maximum Special Tax. The Maximum Special Tax rates for Fiscal Year 2013/14, which have been escalated by 2.3809%, are as follows:

Residential Parcels:	\$223.05 per parcel
Non-residential Parcels:	\$223.05 per acre or fraction thereof

The delinquency rate for the District was 1.36% for Fiscal Year 2012/13. With the City's authorization, NBS sent reminder and demand letters to delinquent property owners to encourage the immediate payment of delinquent property tax bills.

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1. 2013/14 LEVY

1.1. Special Tax Spread

All taxable parcels within the District were levied at 100% of their respective Maximum Special Tax rate for Fiscal Year 2013/14. The details of the Special Tax, spread amongst the 4,299 parcels within the District, are as follows:

Parcel Classification	Parcel Count	Maximum Rate	Total Maximum Special Tax	Total Amount Levied (3)
Residential (1)	4,038	\$223.05	\$900,675.90	\$900,635.52
Non-Residential (2)	62	223.05	77,399.36	77,398.90
Exempt	199	0.00	0.00	0.00
Total	4,299		\$978,075.26	\$978,034.42

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

The table below shows the Fiscal Year 2012/13 Maximum Special Tax for the District:

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

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

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

2. DELINQUENCY MANAGEMENT

2.1. Delinquency Summary

The following table shows the Fiscal Year 2012/13 delinquency rate for the District:

2012/13 Levy	2012/13 Delinquencies	2012/13 Delinquency Rate	Delinquency Management Steps Taken
\$955,317.82	\$12,962.67	1.36%	Reminder and Demand Letters Sent

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

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

2.2. Delinquency Summary Report

The following page summarizes delinquencies for 2012/13 and prior fiscal years.

City of Clayton

Delinquency Summary Report

As of: 06/12/2013

District	Due Date	Billed Amount	Paid Amount	Delinquent Amount	Delinquent Amount %	Billed Installments	Paid Installments	Delinquent Installments	Delinquent Installments %
CFD 2007-1									
	8/1/2007 Billing:								
	12/10/2007	\$430,512.48	\$430,512.48	\$0.00	0.00 %	4,071	4,071	0	0.00 %
	4/10/2008	430,512.48	430,512.48	0.00	0.00 %	4,071	4,071	0	0.00 %
	Subtotal:	\$861,024.96	\$861,024.96	\$0.00	0.00 %	8,142	8,142	0	0.00 %
	8/1/2008 Billing:								
	12/10/2008	\$443,649.10	\$443,649.10	\$0.00	0.00 %	4,078	4,078	0	0.00 %
	4/10/2009	443,649.10	443,446.66	202.44	0.05 %	4,078	4,076	2	0.05 %
	Subtotal:	\$887,298.20	\$887,095.76	\$202.44	0.02 %	8,156	8,154	2	0.02 %
	8/1/2009 Billing:								
	12/10/2009	\$447,607.48	\$447,301.39	\$306.09	0.07 %	4,102	4,099	3	0.07 %
	4/10/2010	447,607.48	447,301.39	306.09	0.07 %	4,102	4,099	3	0.07 %
	Subtotal:	\$895,214.96	\$894,602.78	\$612.18	0.07 %	8,204	8,198	6	0.07 %
	8/1/2010 Billing:								
	12/10/2010	\$455,285.26	\$455,181.48	\$103.78	0.02 %	4,102	4,101	1	0.02 %
	4/10/2011	455,285.26	454,973.92	311.34	0.07 %	4,102	4,099	3	0.07 %
	Subtotal:	\$910,570.52	\$910,155.40	\$415.12	0.05 %	8,204	8,200	4	0.05 %
	8/1/2011 Billing:								
	12/10/2011	\$467,925.19	\$467,178.21	\$746.98	0.16 %	4,100	4,094	6	0.15 %
	4/10/2012	467,925.19	466,964.79	960.40	0.21 %	4,100	4,092	8	0.20 %
	Subtotal:	\$935,850.38	\$934,143.00	\$1,707.38	0.18 %	8,200	8,186	14	0.17 %
	8/1/2012 Billing:								
	12/10/2012	\$477,658.91	\$474,064.22	\$3,594.69	0.75 %	4,100	4,067	33	0.80 %
	4/10/2013	477,658.91	468,290.93	9,367.98	1.96 %	4,100	4,015	85	2.07 %
	Subtotal:	\$955,317.82	\$942,355.15	\$12,962.67	1.36 %	8,200	8,082	118	1.44 %
CFD 2007-1	Total:	\$5,445,276.84	\$5,429,377.05	\$15,899.79	0.29 %	49,106	48,962	144	0.29 %
Agency Grand Total:									
		\$5,445,276.84	\$5,429,377.05	\$15,899.79	0.29 %				

3. RATE AND METHOD OF APPORTIONMENT

3.1. Method of Apportionment

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

3.2. Definitions

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

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

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

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

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

3.3. Special Tax Formula

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

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

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

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

3.4. Special Tax Escalator Factor

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

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

The Special Tax Escalation Factor for Fiscal Year 2013/14 is 2.3809%.

3.5. Duration of Special Tax Levy

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

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

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

4. BACKGROUND INFORMATION

4.1. Project Description

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

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

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

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

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

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

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

Definitions

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

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

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

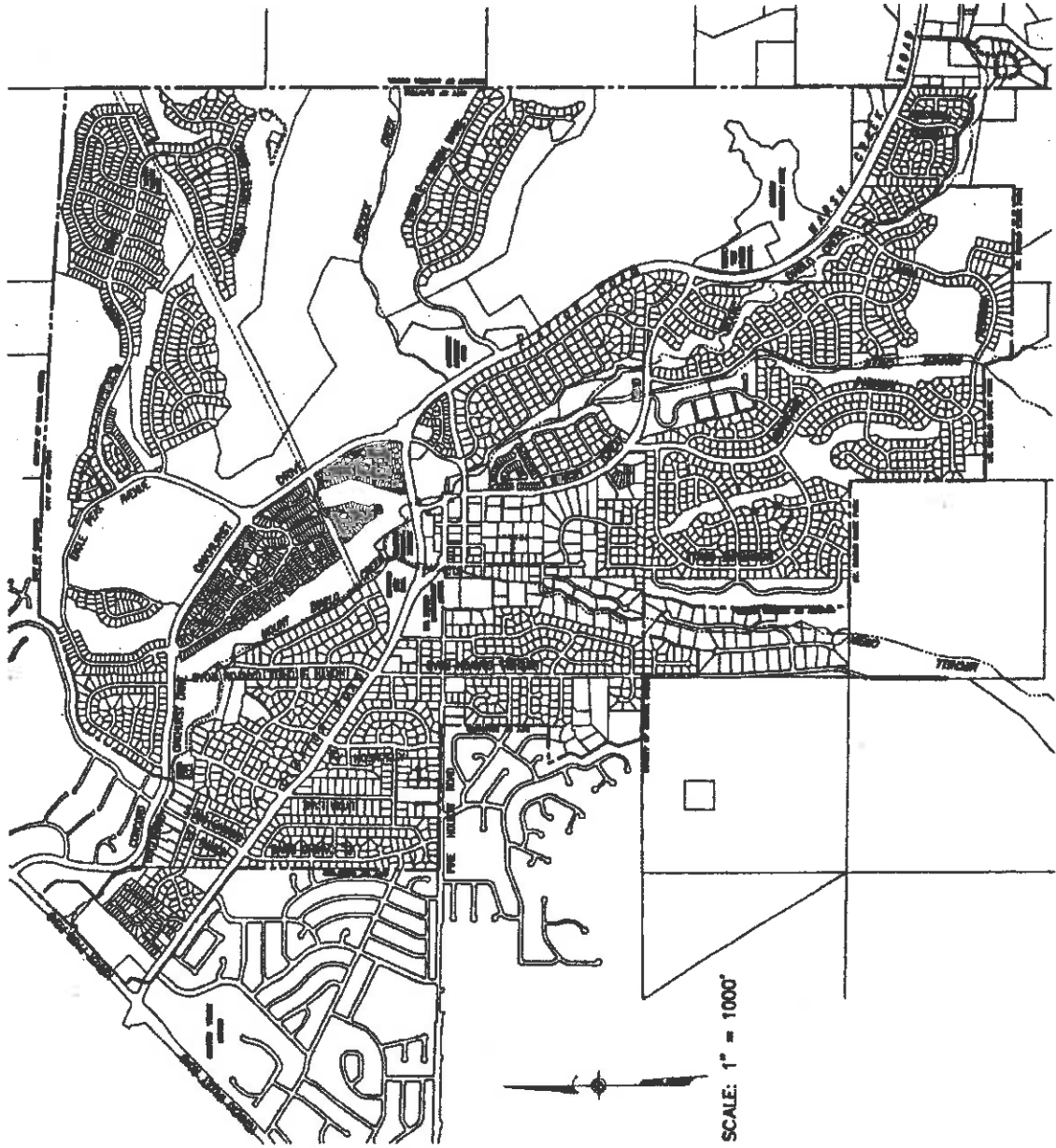
4.2. Resolution

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

4.3. *Boundary Map*

The following page shows the boundaries of the District.

PROPOSED BOUNDARIES OF
COMMUNITY FACILITIES DISTRICT NO. 2007-1
(CITYWIDE LANDSCAPE MAINTENANCE DISTRICT)
 CITY OF CLAYTON, COUNTY OF CONTRA COSTA
 STATE OF CALIFORNIA



CITY RECORDER'S STATEMENT:
 FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF CLAYTON, THIS 14th DAY OF January, 2007.

BY: [Signature]
 CITY CLERK
 CITY OF CLAYTON

CITY CLERK'S STATEMENT:
 I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING THE PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NUMBER 2007-1 IN THE CITY OF CLAYTON, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF CLAYTON AT A REGULAR MEETING THEREOF, HELD ON THE 16th DAY OF January, 2007, BY ITS RESOLUTION NO. 204-2007

BY: [Signature]
 CITY CLERK
 CITY OF CLAYTON

RECORDER'S CERTIFICATE:
 FILED THIS 23rd DAY OF January, 2007, AT THE HOUR OF 2:00 O'CLOCK P.M. IN BOOK 87 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AT PAGE 16, AND AS INSTRUMENT NUMBER 27-28617 IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA.

BY: [Signature] L. WEIR
 COUNTY RECORDER
 COUNTY OF CONTRA COSTA

BY: [Signature]
 DEPUTY COUNTY RECORDER

LEGEND:
 _____ CITY LIMIT LINE AND
 _____ COMMUNITY FACILITY DISTRICT BOUNDARY

5. DELINQUENCY DETAIL

The following pages detail delinquencies for 2012/13 and prior fiscal years.

City of Clayton
CFD 2007-1 Citywide Landscaping Tax
Delinquency Detail Report
Late Charges Calculated Through 06/12/2013

Account ID	Owner	Due Date	Amount	Penalty	Interest	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
118-053-006	HUSTON JEFFREY J & JANINE TRE 1531 N MITCHELL CANYON RD CLAYTON, CA 94517	12/10/2012 04/10/2013	108.93 108.93	10.89 10.89	0.00 0.00	0.00 0.00	119.82 119.82		
	Account Subtotal:		\$217.86	\$21.78	\$0.00	\$0.00	\$239.64		
118-072-011	HOWE MICHAEL V & ELIZABETH P 39 WESTBROOK CT CLAYTON, CA 94517	04/10/2013	108.93	10.89	0.00	0.00	119.82		
	Account Subtotal:		\$108.93	\$10.89	\$0.00	\$0.00	\$119.82		
118-082-001	GREGERSON JOHN D 1588 N MITCHELL CANYON RD CLAYTON, CA 94517	04/10/2013	108.93	10.89	0.00	0.00	119.82		
	Account Subtotal:		\$108.93	\$10.89	\$0.00	\$0.00	\$119.82		
118-093-001	COUCHOT G RICHARD & JANET TRE 5974 CARDINET DR CLAYTON, CA 94517	12/10/2012 04/10/2013	108.93 108.93	10.89 10.89	0.00 0.00	0.00 0.00	119.82 119.82		
	Account Subtotal:		\$217.86	\$21.78	\$0.00	\$0.00	\$239.64		
118-163-002	KERR HERBERT & BARBARA 1504 HAVILAND CT CLAYTON, CA 94517	12/10/2012 04/10/2013	108.93 108.93	10.89 10.89	0.00 0.00	0.00 0.00	119.82 119.82		
	Account Subtotal:		\$217.86	\$21.78	\$0.00	\$0.00	\$239.64		
118-164-025	BASAVARAJ BHARATUR & SHIVAMALA 1531 OHARA CT CLAYTON, CA 94517	12/10/2012 04/10/2013	108.93 108.93	10.89 10.89	0.00 0.00	0.00 0.00	119.82 119.82		
	Account Subtotal:		\$217.86	\$21.78	\$0.00	\$0.00	\$239.64		
118-164-047	HENDRICKS-BOTSFORD LYNETTE R & BOTSFORD 1537 HAVILAND PL CLAYTON, CA 94517	04/10/2013	108.93	10.89	0.00	0.00	119.82		
	Account Subtotal:		\$108.93	\$10.89	\$0.00	\$0.00	\$119.82		

(1) Fees: The amount excludes Delinquency Management fees that were or will be collected in a subsequent billing.
(2) Delinquency Management Codes: RL=Reminder Sent; DL=Demand Letter Sent; SR=Tax Roll Removal Requested; SC=Tax Roll Removal Confirmed; FL=Foreclosure Letter Sent; OL=Other Letter Sent; FI=Judicial Foreclosure Initiated; CF=County Payment Plan; PH=Judicial Foreclosure on Hold/Special Case; PC=Foreclosure Complete; LTR=Litigation Guarantee; LG=Legal Fees and Costs; O=Other Fees; SC=Tax Roll Removal County Fee; PP=Payment Plan.
(3) Miscellaneous Codes: DB=Direct Bill Sent; BK=Declared Bankruptcy; PM=Partial Payment made; remainder delinquent.

City of Clayton
CFD 2007-1 Citywide Landscaping Tax
Delinquency Detail Report
Late Charges Calculated Through 06/12/2013

Account ID	Owner	Due Date	Amount	Penalty	Interest	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
118-164-056	ZIMMERMAN IRVING H & PATRICIA 1542 HAVILAND PL CLAYTON, CA 94517	04/10/2013	108.93	10.89	0.00	0.00	119.82		
	Account Subtotal:		\$108.93	\$10.89	\$0.00	\$0.00	\$119.82		
118-212-015	MILLER GEORGE MICHAEL 8 RACHEL RANCH CT CLAYTON, CA 94517	04/10/2013	108.93	10.89	0.00	0.00	119.82		
	Account Subtotal:		\$108.93	\$10.89	\$0.00	\$0.00	\$119.82		
118-222-004	KHACHADORIAN GARY 121 JEFFRY RANCH CT CLAYTON, CA 94517	12/10/2012 04/10/2013	108.93 108.93	10.89 10.89	0.00 0.00	0.00 0.00	119.82 119.82		
	Account Subtotal:		\$217.86	\$21.78	\$0.00	\$0.00	\$239.64		
118-222-011	HENDRICK IVAN L & CHRISALEE C PO BOX 950 CLAYTON, CA 94517	04/10/2009 12/10/2009 04/10/2010 04/10/2011 12/10/2011 04/10/2012 12/10/2012 04/10/2013	101.22 102.03 102.03 103.78 106.71 106.71 108.93 108.93	10.12 10.20 10.20 10.38 10.67 10.67 10.89 10.89	72.88 55.10 55.10 37.36 19.21 19.21 0.00 0.00	0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00	184.22 167.33 167.33 151.52 136.59 136.59 119.82 119.82	RL DL RL DL RL DL RL DL DL DL DL DL	
	Account Subtotal:		\$840.34	\$84.02	\$258.86	\$0.00	\$1,183.22		
118-230-005	HOLLINGSWORTH PATRICIA L & MILLER JEFFRE 415 DIABLO CREEK PL CLAYTON, CA 94517	12/10/2012 04/10/2013	108.93 108.93	10.89 10.89	0.00 0.00	0.00 0.00	119.82 119.82		
	Account Subtotal:		\$217.86	\$21.78	\$0.00	\$0.00	\$239.64		
118-321-005	MY NV REALTY A CALIFORNIA CO 43160 OSGOOD RD FREMONT, CA 94539	04/10/2013	108.93	10.89	0.00	0.00	119.82		
	Account Subtotal:		\$108.93	\$10.89	\$0.00	\$0.00	\$119.82		

This amount excludes Delinquency Management fees that were or will be collected in a subsequent billing.

RL=Reminder Sent; DL=Demand Letter Sent; SR=Tax Roll Removal Requested; SC=Tax Roll Removal Confirmed; FL=Foreclosure Letter Sent; CL=Other Letter Sent; FI=Judicial Foreclosure Initiated; CP=County Payment Plan; PH=Judicial Foreclosure on Hold/Special Case; FC=Foreclosure Complete; LT=Litigation Guarantee; LG=Legal Fees and Costs; CO=Other Fees; SO=Tax Roll Removal County Fee; PP=Payment Plan.

DB=Direct Bill Sent; BK=Declared Bankruptcy; PM=Partial Payment made; remainder delinquent.

- (1) Fees:
(2) Delinquency Management Codes:
(3) Miscellaneous Codes:

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Account ID	Owner	Due Date	Amount	Penalty	Interest	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
118-323-009	CREMEEN ALFRED L & WENDY K TRE 1859 YOLANDA CIR CLAYTON, CA 94517	12/10/2012 04/10/2013	108.93 108.93	10.89 10.89	0.00 0.00	0.00 0.00	119.82 119.82		
	Account Subtotal:		\$217.86	\$21.78	\$0.00	\$0.00	\$239.64		
118-401-042	KWOCK-LAU JENNIFER 401 CHUPCAN PL CLAYTON, CA 94517	12/10/2012 04/10/2013	108.93 108.93	10.89 10.89	0.00 0.00	0.00 0.00	119.82 119.82		
	Account Subtotal:		\$217.86	\$21.78	\$0.00	\$0.00	\$239.64		
118-410-023	RUBINO MARY KATHRYN 1648 CORTE DE CALLAS SAN JOSE, CA 95124	04/10/2013	108.93	10.89	0.00	0.00	119.82		
	Account Subtotal:		\$108.93	\$10.89	\$0.00	\$0.00	\$119.82		
118-410-020	PEREZ EDWARD RAPHAEL & PICKOLICK CHERYL 1355 SHELL LN CLAYTON, CA 94517	12/10/2012 04/10/2013	108.93 108.93	10.89 10.89	0.00 0.00	0.00 0.00	119.82 119.82		
	Account Subtotal:		\$217.86	\$21.78	\$0.00	\$0.00	\$239.64		
118-410-025	VANESSEN CARYLON J 1345 SHELL LN CLAYTON, CA 94517	04/10/2013	108.93	10.89	0.00	0.00	119.82		
	Account Subtotal:		\$108.93	\$10.89	\$0.00	\$0.00	\$119.82		
118-410-049	FREEL SYLVIA 1171 SHELL LN CLAYTON, CA 94517	04/10/2013	108.93	10.89	0.00	0.00	119.82		
	Account Subtotal:		\$108.93	\$10.89	\$0.00	\$0.00	\$119.82		
118-422-003	RIGOLI DANIELA & DIANA D 352 BLUE OAK LN CLAYTON, CA 94517	04/10/2013	108.93	10.89	0.00	0.00	119.82		
	Account Subtotal:		\$108.93	\$10.89	\$0.00	\$0.00	\$119.82		

(1) Fees: This amount excludes Delinquency Management fees that were or will be collected in a subsequent billing.
 (2) Delinquency Management Codes: RU=Reminder Sent; DU=Demand Letter Sent; SFC=Tax Roll Removal Requested; SC=Tax Roll Removal Confirmed; FL=Foreclosure Letter Sent; OL=Other Letter Sent; FI=Judicial Foreclosure Initiated; CP=County Payment Plan; FH=Judicial Foreclosure on Hold/Special Case; FC=Foreclosure Complete; LIT=Litigation Guarantee; LG=Legal Fees and Costs; OO=Other Fees; SO=Tax Roll Removal County Fee; PP=Payment Plan.
 (3) Miscellaneous Codes: DB=Direct Bill Sent; BK=Declared Bankruptcy; PM=Partial Payment made; remainder delinquent.

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Account ID	Owner	Due Date	Amount	Penalty	Interest	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
118-443-007	MCNULTY STEPHEN & SHARON 3010 WINDMILL CANYON DR CLAYTON, CA 94517	12/10/2012 04/10/2013	108.93 108.93	10.89 10.89	0.00 0.00	0.00 0.00	119.82 119.82		
	Account Subtotal:		\$217.86	\$21.78	\$0.00	\$0.00	\$239.64		
118-460-005	KHAN FAROOQ H 608 JULPUN LOOP CLAYTON, CA 94517	12/10/2012 04/10/2013	108.93 108.93	10.89 10.89	0.00 0.00	0.00 0.00	119.82 119.82		
	Account Subtotal:		\$217.86	\$21.78	\$0.00	\$0.00	\$239.64		
118-470-047	CAMPORA ERNIE P & TAMI TRE 1174 MOCCASIN CT CLAYTON, CA 94517	04/10/2013	108.93	10.89	0.00	0.00	119.82		
	Account Subtotal:		\$108.93	\$10.89	\$0.00	\$0.00	\$119.82		
118-470-109	SCHMIDT CHARLES J & MARILYN R 456 OBSIDIAN WAY CLAYTON, CA 94517	12/10/2012 04/10/2013	108.93 108.93	10.89 10.89	0.00 0.00	0.00 0.00	119.82 119.82		
	Account Subtotal:		\$217.86	\$21.78	\$0.00	\$0.00	\$239.64		
118-480-015	OTTESON ROBERT L & ANNETTE M 115 FOREST HILL DR CLAYTON, CA 94517	04/10/2013	108.93	10.89	0.00	0.00	119.82		
	Account Subtotal:		\$108.93	\$10.89	\$0.00	\$0.00	\$119.82		
118-480-024	WILLIAMS CHRISTOPHER L TRE 1010 PEBBLE BEACH DR CLAYTON, CA 94517	04/10/2013	108.93	10.89	0.00	0.00	119.82		
	Account Subtotal:		\$108.93	\$10.89	\$0.00	\$0.00	\$119.82		
118-510-031	LALLY KENNETH & KIM 163 SILVERADO CT CLAYTON, CA 94517	04/10/2013	108.93	10.89	0.00	0.00	119.82		
	Account Subtotal:		\$108.93	\$10.89	\$0.00	\$0.00	\$119.82		

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

(2) Delinquency Management Codes:

RL-Reminder Sent, DL-Demand Letter Sent, SB-Tax Roll Removal Requested, SC-Tax Roll Removal Confirmed, FL-Foreclosure Letter Sent, OL-Other Letter Sent, FI-Judicial Foreclosure Initiated, CP-County Payment Plan, PR-Judicial Foreclosure on Hold/Spent Case, P-P Foreclosure Complete, LT-Litigation Guarantee, LCL-Legal Fees and Costs, CO-Other Fees, SO-Tax Roll Removal County Fee, PF-Payment Plan.

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

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118-530-016	BECK SUSAN M 1431 INDIANHEAD WAY CLAYTON, CA 94517	12/10/2012 04/10/2013	108.93 108.93	10.89 10.89	0.00 0.00	0.00 0.00	119.82 119.82		
	Account Subtotal:		\$217.86	\$21.78	\$0.00	\$0.00	\$239.64		
118-550-015	DANGINA JOSEPH R 512 RAVEN PL CLAYTON, CA 94517	12/10/2012 04/10/2013	108.93 108.93	10.89 10.89	0.00 0.00	0.00 0.00	119.82 119.82		
	Account Subtotal:		\$217.86	\$21.78	\$0.00	\$0.00	\$239.64		
118-570-006	WHITE RICK DUANE 373 BLUE OAK LN CLAYTON, CA 94517	04/10/2013	108.93	10.89	0.00	0.00	119.82		
	Account Subtotal:		\$108.93	\$10.89	\$0.00	\$0.00	\$119.82		
118-590-024	MULLIN JOSEPH P & DENISE L TRE 256 LOS FELICAS AVE WALNUT CREEK, CA 94598	04/10/2013	108.93	10.89	0.00	0.00	119.82		
	Account Subtotal:		\$108.93	\$10.89	\$0.00	\$0.00	\$119.82		
118-600-039	CRIBADO EDWARD F TRE PO BOX 302 CLAYTON, CA 94517	12/10/2012 04/10/2013	108.93 108.93	10.89 10.89	0.00 0.00	0.00 0.00	119.82 119.82		
	Account Subtotal:		\$217.86	\$21.78	\$0.00	\$0.00	\$239.64		
118-610-021	KADING MICHAEL & CATHERINE 3807 COYOTE CIR CLAYTON, CA 94517	04/10/2013	108.93	10.89	0.00	0.00	119.82		
	Account Subtotal:		\$108.93	\$10.89	\$0.00	\$0.00	\$119.82		
118-620-034	SIMONS DAVID B & SEPANCHY-SIMONS MELISSA 7011 MOLLUK WAY CLAYTON, CA 94517	04/10/2013	108.93	10.89	0.00	0.00	119.82		
	Account Subtotal:		\$108.93	\$10.89	\$0.00	\$0.00	\$119.82		

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

(2) Delinquency Management Codes:

RL-Reminder Sent; DL-Demand Letter Sent; BR-Tax Roll Removal Requested; SC-Tax Roll Removal Confirmed; FL-Forfeiture Letter Sent; OL-Other Letter Sent; FH-Judicial Foreclosure Initiated; CP-County Payment Plan; PH-Judicial Foreclosure on Hold/Special Case; PC-Forfeiture Complete; LTT-Litigation Guarantee; LCL-Legal Fees and Costs; CO-Other Fees; SC-For Roll Removal County Fee; PP - Payment Plan.

(3) Miscellaneous Codes:

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118-640-019	ELGAZZAR ANDREW J & CARRIE M 721 ACORN DR CLAYTON, CA 94517	04/10/2013	108.93	10.89	0.00	0.00	119.82		
	Account Subtotal:		\$108.93	\$10.89	\$0.00	\$0.00	\$119.82		
118-640-042	SARNA PETER C & SHERRIE 8002 KELOK WAY CLAYTON, CA 94517	04/10/2012 12/10/2012 04/10/2013	106.71 108.93 108.93	10.67 10.89 10.89	19.21 0.00 0.00	0.00 0.00 0.00	136.59 119.82 119.82		
	Account Subtotal:		\$324.57	\$32.45	\$19.21	\$0.00	\$376.23		
118-670-044	ADELA ANTERO P JR & AIDA S TRE 8013 KELOK WAY CLAYTON, CA 94517	04/10/2013	108.93	10.89	0.00	0.00	119.82		
	Account Subtotal:		\$108.93	\$10.89	\$0.00	\$0.00	\$119.82		
118-690-007	CADEMARTORI DAVID & STEPHANIE 303 COAL MINE CT CLAYTON, CA 94517	12/10/2011 04/10/2012 04/10/2013	106.71 106.71 108.93	10.67 10.67 10.89	19.21 19.21 0.00	0.00 0.00 0.00	136.59 136.59 119.82		
	Account Subtotal:		\$322.35	\$32.23	\$38.42	\$0.00	\$393.00		
118-700-010	ROGAN JOHN J & JILL M 1220 BRIDLEWOOD CT CLAYTON, CA 94517	04/10/2013	108.93	10.89	0.00	0.00	119.82		
	Account Subtotal:		\$108.93	\$10.89	\$0.00	\$0.00	\$119.82		
119-021-013	CAPELLA RAYMOND A & ELIZABETH 6490 MARSH CREEK RD CLAYTON, CA 94517	12/10/2012 04/10/2013	108.93 108.93	10.89 10.89	0.00 0.00	0.00 0.00	119.82 119.82		
	Account Subtotal:		\$217.86	\$21.78	\$0.00	\$0.00	\$239.64		
119-022-001	MATHEWS JOHN W EST OF c/o: VIOLET CHURCHILL 11507 SILVERGATE DR DUBLIN, CA 94568	12/10/2011 04/10/2012 12/10/2012 04/10/2013	106.71 106.71 108.93 108.93	10.67 10.67 10.89 10.89	19.21 19.21 0.00 0.00	0.00 0.00 0.00 0.00	136.59 RL 136.59 RL 119.82 RL 119.82 RL		
	Account Subtotal:		\$431.28	\$43.12	\$38.42	\$0.00	\$512.82		

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

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119-022-006	MCMILLEN RICKEY L & DARLENE J 973 OAK ST CLAYTON, CA 94517	12/10/2012	108.93	10.89	0.00	0.00	119.82		
		04/10/2013	108.93	10.89	0.00	0.00	119.82		
		Account Subtotal:	\$217.86	\$21.78	\$0.00	\$0.00	\$239.64		
119-111-007	LINVILLE KATHRYN 11 NEWMAN CT CLAYTON, CA 94517	04/10/2012	106.71	10.67	19.21	0.00	136.59		
		12/10/2012	108.93	10.89	0.00	0.00	119.82		
		04/10/2013	108.93	10.89	0.00	0.00	119.82		
		Account Subtotal:	\$324.57	\$32.45	\$19.21	\$0.00	\$376.23		
119-111-010	MARTINEZ ALEJANDRO & DELACERDA CECILIA 1019 KENSTON DR CLAYTON, CA 94517	04/10/2013	108.93	10.89	0.00	0.00	119.82		
		Account Subtotal:	\$108.93	\$10.89	\$0.00	\$0.00	\$119.82		
119-113-014	DEHM DELPHINE J 2 ROLEN CT CLAYTON, CA 94517	12/10/2012	108.93	10.89	0.00	0.00	119.82		
		04/10/2013	108.93	10.89	0.00	0.00	119.82		
		Account Subtotal:	\$217.86	\$21.78	\$0.00	\$0.00	\$239.64		
119-130-001	BRADLEY SUSAN & ORNEILLAS DAN S 1 WIDMAR CT CLAYTON, CA 94517	12/10/2012	108.93	10.89	0.00	0.00	119.82		
		04/10/2013	108.93	10.89	0.00	0.00	119.82		
		Account Subtotal:	\$217.86	\$21.78	\$0.00	\$0.00	\$239.64		
119-201-004	MORANO MICHAEL J & STEPHANIE 30 MT SCOTT CT CLAYTON, CA 94517	04/10/2013	108.93	10.89	0.00	0.00	119.82		
		Account Subtotal:	\$108.93	\$10.89	\$0.00	\$0.00	\$119.82		
119-212-025	SPARKS THOMAS A & JODY 372 MT WASHINGTON WAY CLAYTON, CA 94517	04/10/2009	101.22	10.12	72.88	0.00	184.22		
		Account Subtotal:	\$101.22	\$10.12	\$72.88	\$0.00	\$184.22		

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

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119-232-021	BUTTICCI ARMAND IV 2 LONG CREEK CIR CLAYTON, CA 94517	04/10/2013	108.93	10.89	0.00	0.00	119.82		
	Account Subtotal:		\$108.93	\$10.89	\$0.00	\$0.00	\$119.82		
119-232-024	LOVEGREEN MATTHEW S 5 LONG CREEK CIR CLAYTON, CA 94517	04/10/2013	108.93	10.89	0.00	0.00	119.82		
	Account Subtotal:		\$108.93	\$10.89	\$0.00	\$0.00	\$119.82		
119-232-029	AYSON LAWRENCE L 4420 SUGARLAND CT CONCORD, CA 94521	04/10/2013	108.93	10.89	0.00	0.00	119.82		
	Account Subtotal:		\$108.93	\$10.89	\$0.00	\$0.00	\$119.82		
119-232-043	ROUSSEAU GLORIA M 19 MT WILSON WAY CLAYTON, CA 94517	04/10/2013	108.93	10.89	0.00	0.00	119.82		
	Account Subtotal:		\$108.93	\$10.89	\$0.00	\$0.00	\$119.82		
119-274-001	MORGAN TIMOTHY J 1285 PARKSIDE DR WALNUT CREEK, CA 94596	12/10/2012	108.93	10.89	0.00	0.00	119.82		
	Account Subtotal:		\$108.93	\$10.89	\$0.00	\$0.00	\$119.82		
119-275-014	SANNA BRIEN L & RASHEL S TRE 21 WEATHERLY DR CLAYTON, CA 94517	04/10/2013	108.93	10.89	0.00	0.00	119.82		
	Account Subtotal:		\$108.93	\$10.89	\$0.00	\$0.00	\$119.82		
119-312-009	LYNCH VANESSA D 137 MT ETNA DR CLAYTON, CA 94517	04/10/2013	108.93	10.89	0.00	0.00	119.82		
	Account Subtotal:		\$108.93	\$10.89	\$0.00	\$0.00	\$119.82		
119-322-020	ISAKSON DAVID O & ALICE J TRE 2 MIRANGO CT CLAYTON, CA 94517	12/10/2012	108.93	10.89	0.00	0.00	119.82		
	Account Subtotal:		\$108.93	\$10.89	\$0.00	\$0.00	\$119.82		
	Account Subtotal:		\$217.86	\$21.78	\$0.00	\$0.00	\$239.64		

(1) Fees: This amount excludes Delinquency Management fees that were or will be collected in a subsequent billing.
 (2) Delinquency Management Codes: RL-Reminder Sent; DL-Demand Letter Sent; SRTax Roll Removal Confirmed; FL-Foreclosure Letter Sent; OL-Other Letter Sent; FI-Judicial Foreclosure Initiated; CP-County Payment Plan; FH-Judicial Foreclosure on Hold/Special Case; FC-Foreclosure Complete; LIT-Litigation Guarantee; LG-Legal Fees and Costs; O-Other Fees; SC-Tax Roll Removal County Fee; PP = Payment Plan.
 (3) Miscellaneous Codes: DB-Ord Direct Bill Sent; BIC-Declared Bankruptcy; PM-Partial Payment made; remainder delinquent.

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119-353-012	HAHN MICHAEL & KUEK-HAHN KRISTINA 91 REGENCY DR CLAYTON, CA 94517	12/10/2009 04/10/2010 12/10/2010 04/10/2011 12/10/2011 04/10/2012 12/10/2012 04/10/2013	102.03 102.03 103.78 103.78 106.71 106.71 108.93 108.93	10.20 10.20 10.38 10.38 10.87 10.87 10.89 10.89	55.10 55.10 37.36 37.36 19.21 19.21 0.00 0.00	0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00	167.33 167.33 151.52 151.52 136.59 136.59 119.82 119.82	RL DL RL DL RL DL RL DL DL DL DL DL	
	Account Subtotal:		\$842.90	\$84.28	\$223.34	\$0.00	\$1,150.52		
119-372-007	DJAJAKUSUMA MOHAMMAD & ANDREA 137 MOUNTAINE PKWY CLAYTON, CA 94517	12/10/2012 04/10/2013	108.93 108.93	10.89 10.89	0.00 0.00	0.00 0.00	119.82 119.82		
	Account Subtotal:		\$217.86	\$21.78	\$0.00	\$0.00	\$239.64		
119-392-017	GOODSHAW JAMES BRADLEY & KAREN 321 ROUNDHILL PL CLAYTON, CA 94517	12/10/2012 04/10/2013	108.93 108.93	10.89 10.89	0.00 0.00	0.00 0.00	119.82 119.82		
	Account Subtotal:		\$217.86	\$21.78	\$0.00	\$0.00	\$239.64		
119-400-003	ALARCON ROY & MELANIE C TRE 3658 MORGAN TERRITORY RD CLAYTON, CA 94517	12/10/2011 04/10/2012 04/10/2013	213.43 213.43 217.86	21.34 21.34 21.79	38.42 38.42 0.00	0.00 0.00 0.00	273.19 273.19 239.65	RL DL DL DL	
	Account Subtotal:		\$544.72	\$64.47	\$76.84	\$0.00	\$786.03		
119-400-022	WILLER JEFFREY R & DORY TRE 1414 GREYSTONE LN CLAYTON, CA 94517	04/10/2013	108.93	10.89	0.00	0.00	119.82		
	Account Subtotal:		\$108.93	\$10.89	\$0.00	\$0.00	\$119.82		
119-423-001	TINTORI BARBARA TRE 4125 W HOOD AVE UNIT 103 BURBANK, CA 91505	04/10/2013	108.93	10.89	0.00	0.00	119.82		
	Account Subtotal:		\$108.93	\$10.89	\$0.00	\$0.00	\$119.82		

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 (2) Delinquency Management Codes: RL-Reminder Sent; DL-Demand Letter Sent; SC-Tax Roll Removal Requested; SC-Tax Roll Removal Confirmed; FL-Enclosure Letter Sent; OL-Other Letter Sent; FI-Judicial Foreclosure Initiated; CF-County Payment Plan; FH-Judicial Foreclosure on Hold/Special Case; FC-Foreclosure Complete; LIT-Litigation Guarantee; LG-Legal Fees and Costs; OO-Other Fees; SOTax Roll Removal County Fee PP - Payment Plan.
 (3) Miscellaneous Codes: DB-Direct Bill Sent; BK-Declared Bankruptcy; PW-Partial Payment made; remainder delinquent.

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119-451-021	COVERDALE BRUCE P & HELEN 517 E MYRICK CT CLAYTON, CA 94517	04/10/2013	108.93	10.89	0.00	0.00	119.82		
	Account Subtotal:		\$108.93	\$10.89	\$0.00	\$0.00	\$119.82		
119-452-007	TARANTINO JOSEPH P & DANA M 608 W MYRICK CT CLAYTON, CA 94517	04/10/2013	108.93	10.89	0.00	0.00	119.82		
	Account Subtotal:		\$108.93	\$10.89	\$0.00	\$0.00	\$119.82		
119-463-004	RICO JACK A & ROSA A TRE 817 EBERHARDT CT CLAYTON, CA 94517	04/10/2013	108.93	10.89	0.00	0.00	119.82		
	Account Subtotal:		\$108.93	\$10.89	\$0.00	\$0.00	\$119.82		
119-464-001	XIARI ANDREAS 701 BLOCHING CIR CLAYTON, CA 94517	04/10/2013	108.93	10.89	0.00	0.00	119.82		
	Account Subtotal:		\$108.93	\$10.89	\$0.00	\$0.00	\$119.82		
119-464-004	ENGLUND DERRY L & SALLY A 717 BLOCHING CIR CLAYTON, CA 94517	04/10/2013	108.93	10.89	0.00	0.00	119.82		
	Account Subtotal:		\$108.93	\$10.89	\$0.00	\$0.00	\$119.82		
119-472-008	BENNING HENRY & MICHELLE 107 SALAZAR CT CLAYTON, CA 94517	12/10/2012 04/10/2013	108.93 108.93	10.89 10.89	0.00 0.00	0.00 0.00	119.82 119.82		
	Account Subtotal:		\$217.86	\$21.78	\$0.00	\$0.00	\$239.64		
119-472-017	WIGGENHAUSER UWE 114 SAMUEL CT CLAYTON, CA 94517	04/10/2013	108.93	10.89	0.00	0.00	119.82		
	Account Subtotal:		\$108.93	\$10.89	\$0.00	\$0.00	\$119.82		

(1) Fees: This amount excludes Delinquency Management fees that were or will be collected in a subsequent billing.
(2) Delinquency Management Codes: RL-Reminder Sent; DU-Demand Letter Sent; SR-Tax Roll Removal Requested; SC-Tax Roll Removal Confirmed; FL-Forfeiture Letter Sent; OL-Other Letter Sent; FI-Judicial Foreclosure Initiated; CP-County Payment Plan; PJ-Judicial Foreclosure on Hold/Special Case; FC-Forfeiture Complete; LIT-Litigation Guarantee; LG-Legal Fees and Costs; O-Other Fees; SOR-Tax Roll Removal County Fee; PP= Payment Plan;
(3) Miscellaneous Codes: DB-Direct Bill Sent; BK-Declared Bankruptcy; PM-Partial Payment made; remainder delinquent.

City of Clayton
CFD 2007-1 Citywide Landscaping Tax
Delinquency Detail Report
Late Charges Calculated Through 06/12/2013

Account ID	Owner	Due Date	Amount	Penalty	Interest	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
119-480-008	MINGAY BRUCE M & MARY K 7246 MARSH CREEK CIR CLAYTON, CA 94517	12/10/2011 04/10/2012 12/10/2012 04/10/2013	106.71 106.71 108.93 108.93	10.67 10.67 10.89 10.89	19.21 19.21 0.00 0.00	0.00 0.00 0.00 0.00	136.59 136.59 119.82 119.82	RL RL RL RL	
	Account Subtotal:		\$431.28	\$43.12	\$38.42	\$0.00	\$512.82		
119-490-010	VEATCH JAMES JEFFREY 108 SKELLY HERCULES, CA 94547	04/10/2013	108.93	10.89	0.00	0.00	119.82		
	Account Subtotal:		\$108.93	\$10.89	\$0.00	\$0.00	\$119.82		
119-490-055	LAM PRITCHARD YEE KANG & JOAN 609 MT OLIVET CT CLAYTON, CA 94517	12/10/2012 04/10/2013	108.93 108.93	10.89 10.89	0.00 0.00	0.00 0.00	119.82 119.82		
	Account Subtotal:		\$217.86	\$21.78	\$0.00	\$0.00	\$239.64		
119-542-001	ESPINOZA JAVIER & LETICIA 533 HAMBURG CIR CLAYTON, CA 94517	04/10/2013	108.93	10.89	0.00	0.00	119.82		
	Account Subtotal:		\$108.93	\$10.89	\$0.00	\$0.00	\$119.82		
119-555-009	CORDOVA CARMEN 1077 NURSERY LN CONCORD, CA 94520	04/10/2013	108.93	10.89	0.00	0.00	119.82		
	Account Subtotal:		\$108.93	\$10.89	\$0.00	\$0.00	\$119.82		
119-600-043	VANVAERENBERGH RANDOLPH A TRE 121 LA ENCINAL CT CLAYTON, CA 94517	04/10/2013	108.93	10.89	0.00	0.00	119.82		
	Account Subtotal:		\$108.93	\$10.89	\$0.00	\$0.00	\$119.82		
119-610-017	GALLI FABRIZIO & CLAUDIA L 133 EL PORTAL PL CLAYTON, CA 94517	04/10/2013	108.93	10.89	0.00	0.00	119.82		
	Account Subtotal:		\$108.93	\$10.89	\$0.00	\$0.00	\$119.82		

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

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

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

City of Clayton
CFD 2007-1 Citywide Landscaping Tax
Delinquency Detail Report
Late Charges Calculated Through 06/12/2013

Account ID	Owner	Due Date	Amount	Penalty	Interest	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
119-620-023	BAKER DAVID G & GERRI L 244 STRANAHAN CIR CLAYTON, CA 94517	04/10/2013	108.93	10.89	0.00	0.00	119.82		
	Account Subtotal:		\$108.93	\$10.89	\$0.00	\$0.00	\$119.82		
119-620-045	DICKIE DARREN & KATHLEEN 257 STRANAHAN CIR CLAYTON, CA 94517	12/10/2012 04/10/2013	108.93 108.93	10.89 10.89	0.00 0.00	0.00 0.00	119.82 119.82		
	Account Subtotal:		\$217.86	\$21.78	\$0.00	\$0.00	\$239.64		
119-640-001	JOSHI GAUTAM & NEHA TIWARI 6 SEMINARY RIDGE PL CLAYTON, CA 94517	04/10/2013	108.93	10.89	0.00	0.00	119.82		
	Account Subtotal:		\$108.93	\$10.89	\$0.00	\$0.00	\$119.82		
120-013-002	HARE DAVID M TRE 5832 FOUR OAKS LN CLAYTON, CA 94517	12/10/2012 04/10/2013	108.93 108.93	10.89 10.89	0.00 0.00	0.00 0.00	119.82 119.82		
	Account Subtotal:		\$217.86	\$21.78	\$0.00	\$0.00	\$239.64		
120-024-007	SKINNER STEVEN K 67 NOTTINGHAM CIR CLAYTON, CA 94517	04/10/2013	108.93	10.89	0.00	0.00	119.82		
	Account Subtotal:		\$108.93	\$10.89	\$0.00	\$0.00	\$119.82		
120-025-009	HART RUTH A TRE & GOLDSTEIN DAVID & BREN PO BOX 164 CLAYTON, CA 94517	04/10/2013	108.93	10.89	0.00	0.00	119.82		
	Account Subtotal:		\$108.93	\$10.89	\$0.00	\$0.00	\$119.82		
120-032-004	TREMAINE RICHARD E & MARY J 20 NOTTINGHAM CIR CLAYTON, CA 94517	04/10/2013	108.93	10.89	0.00	0.00	119.82		
	Account Subtotal:		\$108.93	\$10.89	\$0.00	\$0.00	\$119.82		

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

(2) Delinquency Management Codes: RU=Rentier Sent, DU=Demand Letter Sent, SR=Tax Roll Removal Requested, SC=Tax Roll Removal Confirmed, TL=Foreclosure Letter Sent, OL=Other Letter Sent, FL=Judicial Foreclosure Initiated, CP=County Payment Plan, FH=Judicial Foreclosure on Hold/Speed Case, FC=Foreclosure Complete, LI=Lienation Guarantee, LGL=Legal Fees and Costs, O=Other Fees, SO=Tax Roll Removal County Fee, PP = Payment Plan.

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

City of Clayton
CFD 2007-1 Citywide Landscaping Tax
Delinquency Detail Report
 Late Charges Calculated Through 06/12/2013

Account ID	Owner	Due Date	Amount	Penalty	Interest	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
120-043-028	SAMADANI MAHIN M & TAHIRA & SHAH MIR JAF 5 PARDI LN CLAYTON, CA 94517	04/10/2013	108.93	10.89	0.00	0.00	119.82		
	Account Subtotal:		\$108.93	\$10.89	\$0.00	\$0.00	\$119.82		
120-052-017	HILL JEFFREY B & KERRY TRE 1491 LYDIA LN CLAYTON, CA 94517	04/10/2013	108.93	10.89	0.00	0.00	119.82		
	Account Subtotal:		\$108.93	\$10.89	\$0.00	\$0.00	\$119.82		
121-082-024	SHINGLETON ARTHUR JR & ELAINE PO BOX 653 CLAYTON, CA 94517	12/10/2009 04/10/2010 04/10/2011 04/10/2013	102.03 102.03 103.78 108.93	10.20 10.20 10.38 10.89	55.10 55.10 37.36 0.00	0.00 0.00 0.00 0.00	167.33 167.33 151.52 119.82	RL DL RL DL RL DL DL	
	Account Subtotal:		\$416.77	\$41.87	\$147.56	\$0.00	\$606.00		
District Totals:	86 Accounts		\$15,899.79	\$1,589.60	\$933.16	\$0.00	\$18,422.55		
Report Totals:	86 Accounts		\$15,899.79	\$1,589.60	\$933.16	\$0.00	\$18,422.55		

(1) Fees: This amount excludes Delinquency Management fees that were or will be collected in a subsequent billing.
 RL=Renitiate Sent; DL=Demand Letter Sent; SR=Tax Roll Removal Requested; SC=Tax Roll Removal Confirmed; FL=Foreclosure Letter Sent; OL=Other Letter Sent; FH=Judicial Foreclosure Initiated; CP=County Payment Plan;
 PH=Judicial Foreclosure on Hold/Special Case; FC=Foreclosure Complete; LT=Litigation Guarantee; COL=Legal Fees and Costs; O=Other Fees; SC=Tax Roll Removal County Fee; PP=Payment Plan.
 DB=Direct Bill Sent; BK=Declared Bankruptcy; PM=Partial Payment made; remainder delinquent.

6. 2012/13 SPECIAL TAX ROLL

CFD 2007-1 Citywide Landscape Maintenance District Special Tax

For fiscal year 2013-2014 the assessor's parcel numbers and the special tax amounts are as set forth in the Community Facilities District No.2007-1 (Citywide Landscape Maintenance) Preliminary Billing Levy Detail Report for FY 2012-13 on file in the City Clerk's office, City Hall, 6000 Heritage Trail, Clayton, CA.

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

In general all residential parcels, (single family, condo, and townhouse) shall have a rate for FY 13-14 of \$223.04 per parcel. All non-residential parcels shall have a rate for FY 13-14 of \$223.04 per acre or fraction thereof, based on parcel size as shown on the most recent County tax and parcel records.

There are a total of 4100 parcels to be levied:

There are 4038 residential levies.

There are 62 non-residential levies comprising 349 acres.

\$900,635.52 est. total revenue from residential
\$77,398.90 est. total revenue from non-residential
\$978,034.42 est. revenue for FY 13-14

ORDINANCE NO. 409

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

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

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

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

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

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

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

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

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

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

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

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

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

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

financial obligations of the CFD in each fiscal year until the City shall cease to collect the special taxes and provision has been made for payment of all of the administrative costs of the CFD.

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

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

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

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

* * * * *

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

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

AYES: Mayor Walcutt, Vice Mayor Manning, Councilmembers Pierce and Stratford

NOES: None

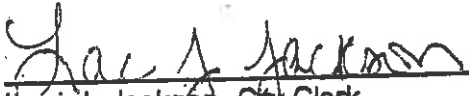
ABSENT: Councilmember Shuey

ABSTAIN: None

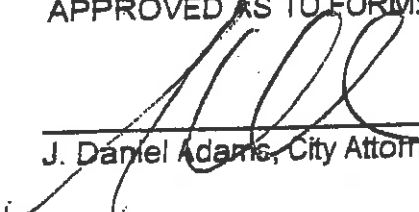
THE CITY COUNCIL OF CLAYTON, CA


WILLIAM R. WALCUTT, Mayor

ATTEST:


Laci J. Jackson, City Clerk

APPROVED AS TO FORM:

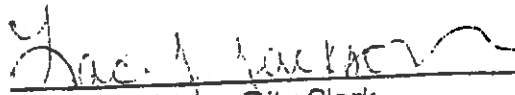

J. Daniel Adams, City Attorney

APPROVED BY ADMINISTRATION:

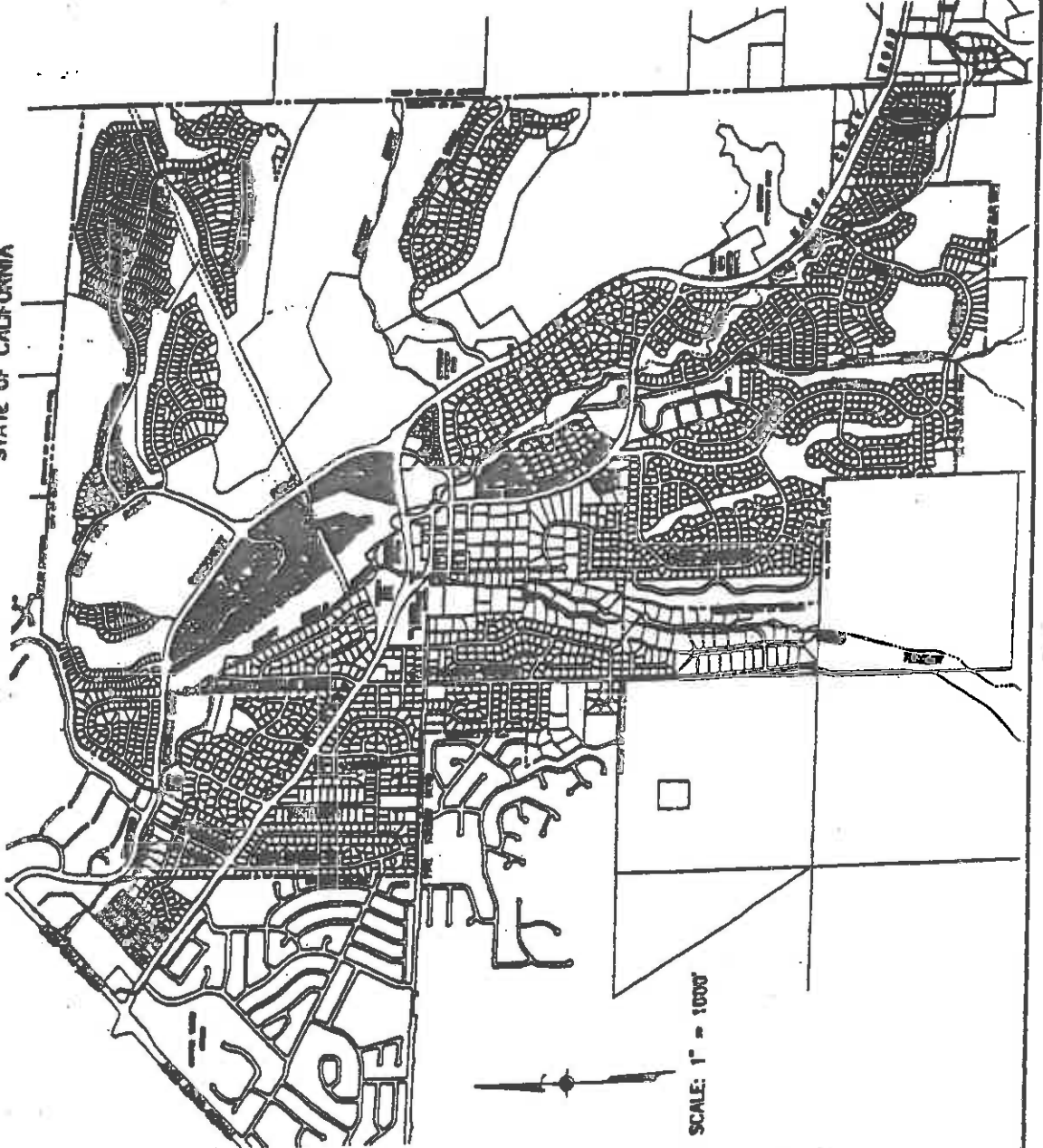

Gary A. Napper, City Manager

* * * * *

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


Laci J. Jackson, City Clerk

**BOUNDARIES OF
COMMUNITY FACILITIES DISTRICT NO. 2007-1
(CITYWIDE LANDSCAPE MAINTENANCE DISTRICT)
CITY OF CLAYTON, COUNTY OF CONTRA COSTA
STATE OF CALIFORNIA**



CITY RECORDER'S STATEMENT:

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

BY: Debi J. Jackson
CITY CLERK
CITY OF CLAYTON

CITY CLERK'S STATEMENT:

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING THE PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NUMBER 2007-1 IN THE CITY OF CLAYTON, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF CLAYTON AT A REGULAR MEETING THEREOF, HELD ON THE 14th DAY OF January, 2007, BY ITS RESOLUTION NO. 07-001.

BY: Debi J. Jackson
CITY CLERK
CITY OF CLAYTON

RECORDER'S CERTIFICATE:

FILED THIS 20th DAY OF JANUARY, 2007, AT THE HOUR OF 2:00 O'CLOCK P.M. IN BOOK 87 OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS, AT PAGE 16, AND AS INSTRUMENT NUMBER 07-001 IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA.

BY: Stephane L. Weir
COUNTY RECORDER
COUNTY OF CONTRA COSTA

BY: Shirley
DEPUTY COUNTY RECORDER

LEGEND:

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

RESOLUTION NO. 06-2007

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

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

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

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

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

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

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

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

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

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

1. Recitals. The foregoing recitals are true and correct.
2. No Majority Protest. The proposed special tax to be levied within the CFD has not been precluded by majority protest pursuant to Section 53324 of the Act.
3. Prior Proceedings. All prior proceedings taken by this City Council in connection with the establishment of the CFD and the levy of the special tax have been duly considered and are hereby found and determined to be valid and in conformity with the requirements of the Act. This City Council hereby finds and determines that the CFD is in conformity with the goals and policies heretofore adopted by this City Council with respect to the formation of the CFD.
4. CFD Established. The community facilities district designated "City of Clayton, Community Facilities CFD No. 2007-1 (Citywide Landscape Maintenance)" is hereby established pursuant to the Act.
5. Boundaries Described. The boundaries of the CFD, as set forth in the map of the CFD heretofore recorded in the Contra Costa County Recorder's Office on 23 January 2007 in Book 81 at page 15 of Maps of Assessment and Community Facilities Districts, are hereby approved and incorporated herein by reference and shall be the boundaries of the CFD.
6. Services. The type of public Services proposed to be financed by the CFD and pursuant to the Act shall consist of those items listed as Services on Exhibit A attached hereto and by this reference incorporated herein (the "Services").
7. Special Taxes. Except to the extent that funds are otherwise available to the CFD to pay for the Services, a special tax sufficient to pay the costs thereof, secured by a continuing lien against all non-exempt real property in the CFD, will be levied annually within the CFD, and collected in the same manner as ordinary *ad valorem* property taxes or in such other manner as this City Council or its designee shall determine, including direct billing of the affected property owners. The proposed rate and method

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

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

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

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

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

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

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

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

NOES: None

ABSENT: None

ABSTAIN: None

THE CITY COUNCIL OF CLAYTON, CA

W R Walcutt
William R. Walcutt, Mayor

ATTEST:

Laci J. Jackson
Laci J. Jackson
City Clerk

####

EXHIBIT A

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

DESCRIPTION OF SERVICES TO BE FINANCED BY THE CFD

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

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

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

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

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

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

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

Definitions

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

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

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

EXHIBIT B

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

RATE AND METHOD OF LEVY OF SPECIAL TAX

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

Definitions

Taxable Parcels:

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

Exempt Parcels:

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

Residential Parcels:

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

Non-residential Parcels:

Taxable parcels that are not classified as "Residential Parcels".

Special Tax:

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

Special Tax Formula

A. Residential Parcels:

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

Residential Parcel Annual Special Tax Rate: \$196.77

B. Non-residential Parcels:

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

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

Duration of Special Tax Levy

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

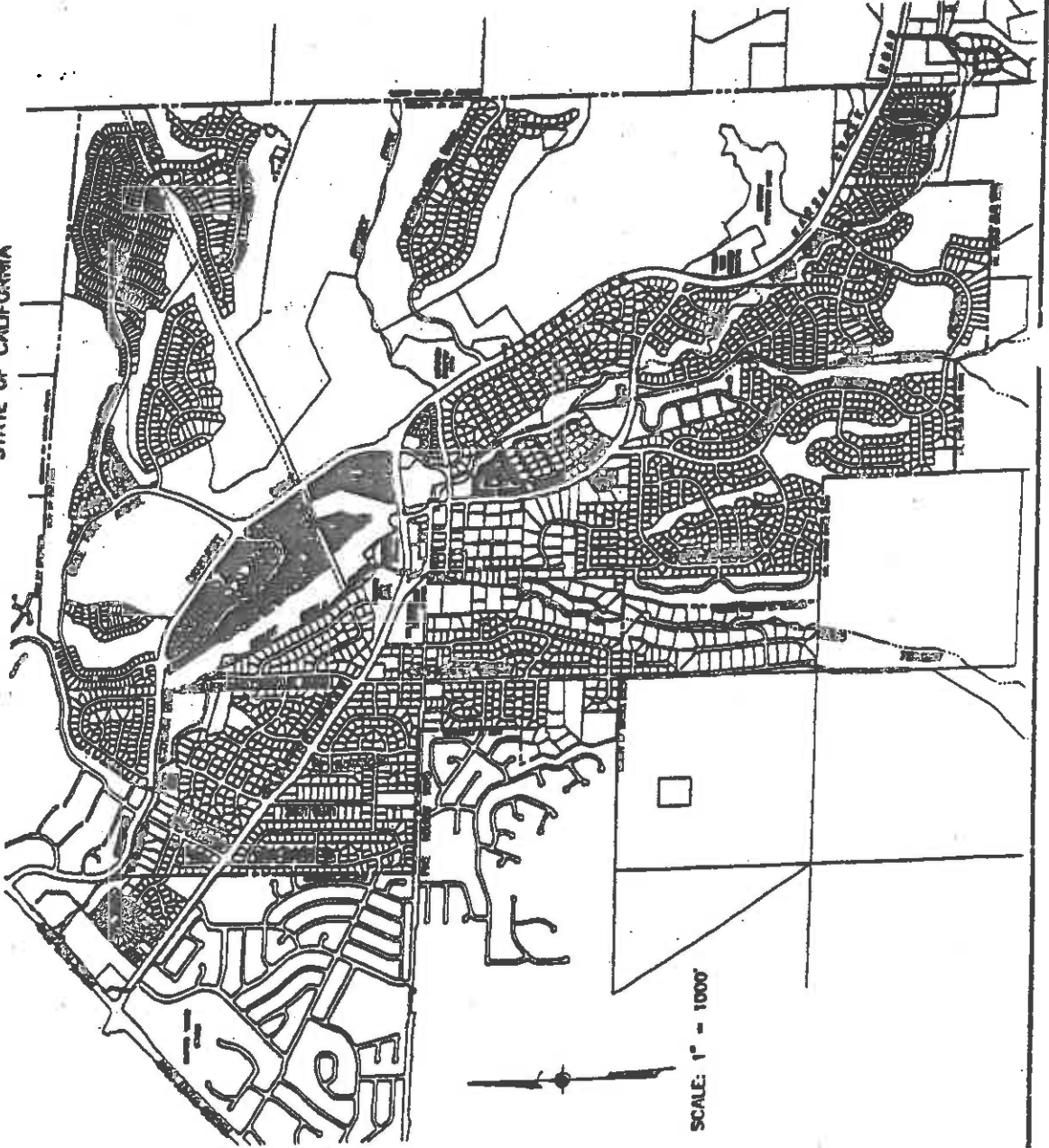
Special Tax Escalator Factor

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

Relationship to Special Tax of Community Facilities District 1997-1

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

PROPOSED BOUNDARIES OF
COMMUNITY FACILITIES DISTRICT NO. 2007-1
(CITYWIDE LANDSCAPE MAINTENANCE DISTRICT)
CITY OF CLAYTON, COUNTY OF CONTRA COSTA
STATE OF CALIFORNIA



CITY RECORDER'S STATEMENT:

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF CLAYTON, THIS 14th DAY OF January, 2007.

BY: Debi J. Jackson
CITY CLERK
CITY OF CLAYTON

CITY CLERK'S STATEMENT:

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING THE PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NUMBER 2007-1 IN THE CITY OF CLAYTON, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF CLAYTON AT A REGULAR MEETING THEREOF, HELD ON THE 14th DAY OF January, 2007, BY ITS RESOLUTION NO. 02C-0002

BY: Debi J. Jackson
CITY CLERK
CITY OF CLAYTON

RECORDER'S CERTIFICATE:

FILED THIS 25th DAY OF January, 2007, AT THE HOUR OF 4:00 O'CLOCK P.M. IN BOOK 87 OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AT PAGE 18, AND AS INSTRUMENT NUMBER 02C-0002 IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA.

BY: Stephan L. Weir
COUNTY RECORDER
COUNTY OF CONTRA COSTA

BY: Shirley
DEPUTY COUNTY RECORDER

LEGEND:

____ CITY LIMIT LINE AND
____ COMMUNITY FACILITY DISTRICT BOUNDARY

1-23-07 2:04 PM

01-15

RESOLUTION NO. 07- 2007

**A RESOLUTION CALLING SPECIAL ELECTION
IN A COMMUNITY FACILITIES DISTRICT**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

NOES: None

ABSENT: None

ABSTAIN: None

THE CITY COUNCIL OF CLAYTON, CA

W R Walcutt
William R. Walcutt, Mayor

ATTEST:

Laci J. Jackson
Laci J. Jackson
City Clerk

RESOLUTION NO. 17-2007

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

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

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

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

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

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

1. The issues presented at said special election were the levy of a special tax within the CFD to be levied in accordance with the formula heretofore approved by the City Council by its Resolution No. 06-2007 adopted February 20, 2007 entitled "A Resolution of Formation of a Community Facilities District (Citywide Landscape Maintenance District) For a Period of Ten Years, and Authorizing the Levy of a Special Tax Therein and Preliminarily Establishing an Appropriations Limit Therefor."
2. The issues presented at said special election were approved by the qualified electors of the CFD by more than two-thirds (2/3) of the votes cast at said special election, as evidenced by the Canvass performed by the Contra Costa County Elections Office with a copy of the official results thereof attached hereto as "Exhibit A" and incorporated herein by such reference, the original being on file with the City Clerk.
3. Pursuant to said voter approval, the CFD is hereby ordered and declared to be fully formed with the authority to levy special taxes as heretofore provided in these proceedings and in the Act.

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

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

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

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

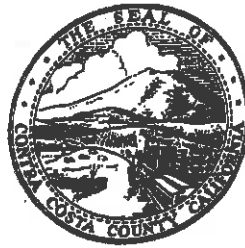
THE CITY COUNCIL OF CLAYTON, CA


William R. Walcutt, Mayor

ATTEST:


Laci J. Jackson
City Clerk

STEPHEN L. WEIR
COUNTY CLERK



CANDY LOPEZ
ASSISTANT COUNTY REGISTRAR

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

June 12, 2007

City of Clayton
6000 Heritage Trail
Clayton, CA 94517

Attn: Lacy Jackson, City Clerk

Re: Measure B / June 5, 2007 Special Election

Dear Ms. Jackson,

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

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

Sincerely,

STEPHEN L. WEIR, County Clerk

A handwritten signature in cursive script that reads "Rosa M. Mena".

Rosa M. Mena
Election Services Specialist

Enclosures

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

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

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

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

STEPHEN L. WEIR, County Clerk



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

SUMMARY REPT-GROUP DETAIL

CONTRA COSTA COUNTY
SPECIAL ELECTION
JUNE 5, 2007

Official Results

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

REPORT-EL45A

001

	TOTAL VOTES	%	Election Day	Absentee
PRECINCTS COUNTED (OF 18)	18	100.00		
REGISTERED VOTERS - TOTAL	34,604			
BALLOTS CAST - TOTAL	15,577		4.127	11.450
VOTER TURNOUT - TOTAL		45.02		

Measure B CITY OF CLAYTON

Vote for One 1

(WITH 4 OF 4 PRECINCTS COUNTED)

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

Measure C CITY OF LAFAYETTE

Vote for One 1

(WITH 9 OF 9 PRECINCTS COUNTED)

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

Measure D CITY OF LAFAYETTE

Vote for One 1

(WITH 9 OF 9 PRECINCTS COUNTED)

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

Measure E CITY OF ORINDA

Vote for One 1

(WITH 5 OF 5 PRECINCTS COUNTED)

Yes/Si	4,346	63.57	917	3,429
No/No.	2,491	36.43	601	1,890

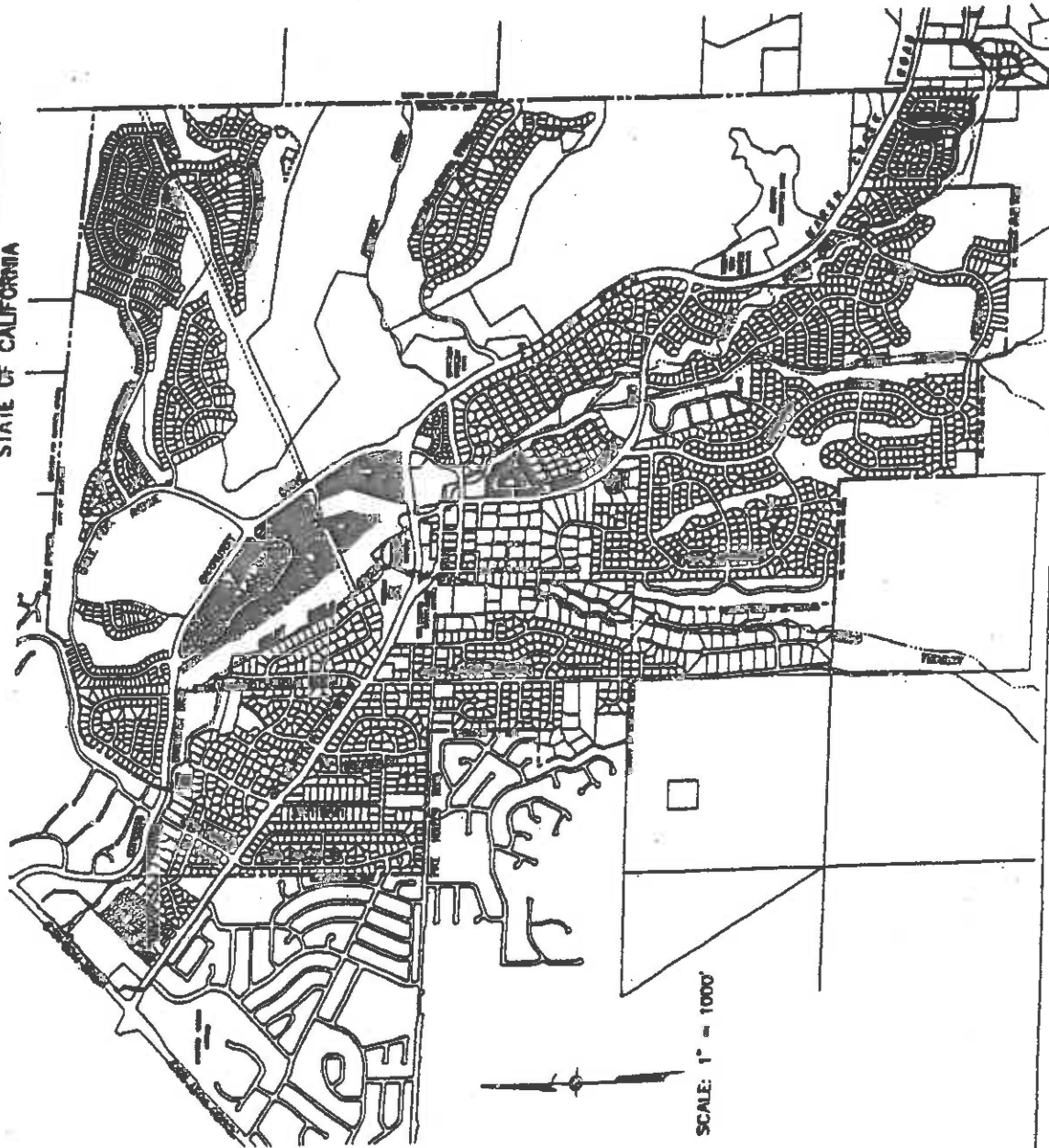
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		R V	B C	T P	Measure B CITY OF CLAYTON	
		E O	A A	U E	Y	N
		G T	L S	R R	e	o
		I E	L T	N C	s	/
		S R	O	O E	/	N
		T S	T	U N	S	o
		E	G	T T	i	(NON)
		R	E	A	(NON)	(NON)
		E	S	G		
		D	S	E		
4 PRECINCTS						
0000001 CL 1	A	1699	478	28.13	354	123
0000001 CL 1	V	1699	236	13.89	196	40
0000002 CL 1	A	2320	641	27.63	545	96
0000002 CL 1	V	2320	293	12.63	278	15
0000003 CL 1	A	930	242	26.02	204	38
0000003 CL 1	V	930	148	15.91	133	15
0000004 CL 1	A	1961	595	30.34	477	118
0000004 CL 1	V	1961	316	16.11	258	58
GRAND TOTALS		6910	2949	42.68	2445	503
ABSENTEES		6910	1956	28.31	1580	375
VOTING PRECINCTS		6910	993	14.37	865	128

BALLOT MEASURE

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

PROPOSED BOUNDARIES OF
COMMUNITY FACILITIES DISTRICT NO. 2007-1
(CITYWIDE LANDSCAPE MAINTENANCE DISTRICT)
CITY OF CLAYTON, COUNTY OF CONTRA COSTA
STATE OF CALIFORNIA



CITY RECORDER'S STATEMENT:

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

Dei J. Jackson
CITY CLERK
CITY OF CLAYTON

CITY CLERK'S STATEMENT:

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING THE PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NUMBER 2007-1 IN THE CITY OF CLAYTON, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF CLAYTON AT A REGULAR MEETING THEREOF, HELD ON THE 14th DAY OF January, 2007, BY ITS RESOLUTION NO. 07-01.

Dei J. Jackson
CITY CLERK
CITY OF CLAYTON

RECORDER'S CERTIFICATE:

FILED THIS 20th DAY OF JANUARY, 2007, AT THE HOUR OF 4:20 CLOCK P.M. IN BOOK 17 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS, AT PAGE 18, AS INSTRUMENT NUMBER 02-2007-01 IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA.

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

BY: Dei J. Jackson
DEPUTY COUNTY RECORDER

LEGEND:

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

1-23-07 2:04 PM

81-15

Projected Budget 13-14**Total Expenses**

Annual Balance (Shortfall)
Beginning Fund Balance
Ending Fund Balance

City of Clayton
Landscape Mtn District CFD 2007-1 Fund 210
Projected Budget 13-14

Account Number	Account Name	2011-12 Actual	2012-13 Adopted Budget	2012-13 Actual 6/26/2013	2012-13 Projected 6/30/2013	2013-14 Proposed Budget
Account Number	Account Name	2011-12 Actual 6/30/2012	2012-13 Adopted Budget	2012-13 Actual 6/25/2013	2012-13 Projected 6/30/2013	2013-14 Proposed Budget
7419	Wildland Resource Mgmt	46,550	1,600	5,900	5,900	-
	Envirotech Enterprises	44,708	53,416	21,999	53,416	59,000
	Permco - RFQ Noxious Weed Abatement	-	-	4,838	4,838	-
	Warner Brothers -Tree trimming	15,300	15,000	14,650	14,650	25,000
	Warner Bros Svc 1 x per yr+2 x trails	30,385	35,000	29,500	35,000	30,385
	NBS Admin Fees+Del letters	3,868	3,800	3,744	3,824	3,800
	Martel Water Systems	475	1,000	-	1,000	-
	Rodent Control	8,151	7,500	4,800	7,500	9,500
	Advertising for TEMP labor/Live Scans	146	2,000	512	2,000	2,000
	Sprayer Sales Company (wv treatment)	-	2,241	1,483	2,241	2,241
	Water Feature Extra + repair contingency	1,157	5,000	13,625	13,625	5,000
	Water Feature \$650x12 (maintenance)	7,800	7,800	7,150	7,800	8,000
	Sub Division/City Entry Signs	-	8,000	1,976	8,000	4,000
	Daffodil Hill Landscape Mtn Supplies/water	-	12,830	-	-	12,830
	CCC Fire Protection - Operation Permit	-	-	231	231	231
	EBRCSA-Radio Mtn PW radio's	-	1,368	-	-	1,368
	Total	158,540	156,555	110,409	160,025	163,355
7311	Herbicides	-	16,000	-	-	16,000
	Fertilizer	-	7,000	-	-	7,000
	Irrigation	-	15,000	-	-	15,000
	Misc Supplies	-	5,000	-	-	5,000
		-	43,000	31,306	33,000	43,000
7520	Reserve Projects	-	-	-	50,000	-
	Trail Resurface - Bruce Lee Trail \$50k	-	50,000	-	-	-
	Trail Crack sealing/repair \$10k	-	10,000	-	10,000	-
	CL Rd Median/Roadway Re-Landscape \$328,011k	-	181,900	-	328,011	-
	Irrigation Central Controller System \$30k	-	30,000	-	30,000	-
	Tree Replacement Trimming \$10k	-	10,000	-	10,000	-
	Jeffrey Ranch Relandscaping \$2.5K	-	2,500	-	2,500	-
	Keller Ridge Tree Replacement \$16.6K	-	16,600	-	16,600	-
	Open Space Fire Prevention Tree/Shrub Trim (one time)	-	-	-	-	30,000
	Keller Ridge Landscaping	-	-	-	-	29,400
	Jeffrey Ranch Relandscaping	-	-	-	-	3,500
	Replace Irrigation Central Control Field Panel	-	-	-	-	20,000
	Daffodil Hill \$29k	-	29,000	-	29,000	-
		-	330,000	11,329	476,111	82,900



Agenda Date: 7-16-13

Agenda Item: 4h

Approved:

Gary A. Napper, City Manager

STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: Laura Hoffmeister, Asst. to the City Manager

MEETING DATE: July 16, 2013

SUBJECT: Approval of resolution ordering the levy and collection of special taxes and setting forth the special tax amount for Community Facilities District (CFD) 2006-1 (Downtown "The Grove" Park Maintenance) on the fiscal year 2013-2014 Tax Assessment

RECOMMENDATION

Adoption of Resolution No. __-2013 ordering the levy and collection of special taxes and setting forth the special tax amount for Community Facilities District (CFD) 2006-1 (Downtown "The Grove" Park Operation and Maintenance) on the fiscal year 2013-2014 Tax Assessment Roll.

BACKGROUND

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

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

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

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

Established in the voter approved tax is an ability after the initial year, to increase the assessment by the CPI with a maximum of 3% annually. It is recommended and included in the proposed levy rates to apply the annual CPI increase of 2.38%. This CPI adjustment is also reflected in the City proposed budget for FY 13-14.

FISCAL IMPACT

For fiscal year 2013-14 fiscal year the levy amount proposed is \$18.56 per residential parcel (an increase of 42 cents from last year rate of \$18.14). The non-residential parcels for 2013-14 fiscal year are to be levied as follows: Downtown Core, \$250.56 per ¼ acre or fraction thereof (an increase of \$5.82); Other Commercial \$109.84 per ¼ acre or fraction thereof (an increase of \$2.54); Recreation Open Space \$54.92 per ¼ acre or fraction thereof (an increase of \$1.28); Multifamily Residential Care Facilities \$57.72 per ¼ acre or fraction thereof (an increase of \$1.34)

For fiscal year 2013-14 there apx. 4103 parcels that are subject to the special tax; of these 4043 are residential and apx. 60 are non residential. The total amount of revenue estimated to be received from this tax for FY 2013-14 is \$116,834 (an increase of \$2,670 over FY 12-13). These tax revenues are placed into a Special Revenue Fund (No. 211) through which all eligible expenses are tracked, paid and audited. Allowable expenses include only that for the purposes of the Downtown Park Operation and Maintenance District such as materials, supplies, equipment, utilities, labor, and administration.

CONCLUSION

The City Council, by Ordinance 401, as authorized by Section 53340 of the Government Code of the State of California, has authorized the levy of a special tax to pay for costs and expenses related to Community Facilities District 2006-1. This resolution authorizes the Contra Costa County Auditor to place the taxes for the 2013-2014 fiscal year on the next assessment roll.

Attachments:

- 1) Resolution No. ____ - 2013
- 2) Summary of Exhibit A to Reso. No ____ - 2013
- 3) Annual Special Tax Levy Report
- 4) Ordinance 401
- 5) Resolution No. 23-2006
- 6) Resolution No. 24-2006
- 7) Resolution No. 19-2006
- 8) Resolution No. 59-2006
- 9) Resolution No. 13-2007
- 10) Downtown "The Grove" Park Maintenance (CFD 2006-1) proposed Budget 2013-14

RESOLUTION NO. ____-2013

**A RESOLUTION ORDERING THE LEVY AND COLLECTION OF
SPECIAL TAXES AND SETTING THE SPECIAL
TAX AMOUNT FOR FISCAL YEAR 2013-14
FOR COMMUNITY FACILITIES DISTRICT NO. 2006-1
(DOWNTOWN "Grove" PARK OPERATIONS AND MAINTENANCE)**

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

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

WHEREAS, this legislative body, by Ordinance No. 401 as authorized by Section 53340 of the Government Code of the State of California, has authorized the levy of a special tax to pay for costs and expenses related to said District, and this legislative body is desirous to establish the specific rate of the special tax to be collected for fiscal year 2013-14; and,

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

NOW THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

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

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

Attachment 1

to pay for the costs and expenses for the next fiscal year (2013-2014) for the referenced District is hereby determined and established as set forth in the attached, referenced and incorporated Exhibit "A".

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

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

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

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

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

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

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

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

PASSED, APPROVED, AND ADOPTED by the City Council of Clayton, California at a regular public meeting thereof held on July 16, 2013 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

THE CITY COUNCIL OF CLAYTON, CA

Julie K. Pierce, Mayor

ATTEST:

Laci J. Jackson, City Clerk

Summary of EXHIBIT A to Resolution ____-2013

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

For fiscal year 2013-2014 the assessor's parcel numbers and the special tax amounts are as set forth in the Community Facilities District No.2006-1 (Downtown "The Grove" Park Maintenance) Preliminary Billing Levy Detail Report for FY 2013-2014 on file in the City Clerk's office, City Hall, 6000 Heritage Trail, Clayton, CA.

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

For FY 2013-2014 the following shall be levied:

Residential parcels, (single family, condo, and townhouse) shall have a rate of \$18.14 per parcel.

Downtown Core Area shall have a rate of \$250.56 per ¼ acre or fraction thereof.

Other Commercial Parcels shall have a rate of \$109.84 per ¼ acre or fraction thereof.

Recreation Open Space parcels shall have a rate of \$54.92 per ¼ acre or fraction thereof.

Multifamily residential parcels shall have a rate of \$57.72 per ¼ acre or fraction thereof

Parcel size as shown on the most recent County tax and parcel records.

There are a total of 4103 parcels to be levied:

There are 4043 residential levies

There are 31 downtown core levies comprising 16 acres (or 77 ¼ unit acres)

There are 21 other commercial levies comprising 28 acres (or 125 ¼ unit acres)

There are 6 recreation levies comprising 31 acres (or 125 ¼ unit acres)

There are 2 multifamily levies comprising 8 acres (or 33 ¼ unit acres)

\$75,038.08 est. total revenue from residential

\$19,294.34 est. total revenue from downtown core

\$13,731.96 est. total revenue from other commercial

\$6,85.38 est. total revenue from recreation and open space

\$1,904.80 est. total revenue from multifamily

116,834.22 est. revenue for FY 13-14

laure/Exhibit A rescfd2006-1 fy13-14

Attachment 2



City of Clayton

**Community Facilities District No. 2006-1
Downtown Park Operation and Maintenance Tax**

Annual Report

June 2013

Main Office

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

Regional Office

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

Attachment 3

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

City Council

Julie K. Pierce, Mayor
Hank Stratford, Vice Mayor
Jim Diaz, Councilmember
Howard Geller, Councilmember
David Shuey, Councilmember

City Staff

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

Special Tax Administrator

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

EXECUTIVE SUMMARY/SPECIAL ISSUES

General Information Summary

Maturity	2013/14 Levy (1)	Parcel Count	Delinquency Rate (2)
Fiscal Year 2016/17	\$116,834.22	4,299	1.16%

(1) Includes a rounding adjustment for County tax submittal purposes.

(2) Delinquency Rate for Fiscal Year 2012/13.

Community Facilities District No. 2006-1, Downtown Park Operation and Maintenance Tax (the "District") was created to finance the costs of operation, maintenance, repair and replacement of an approximate 1-acre public park (APN 119-015-005 and 006) adjacent to the western edge of (old) March Creek Road between Main and Center Streets located in Town Center Clayton.

For Fiscal Year 2013/14, all taxable parcels within this District will be levied at 100% of their respective Maximum Special Tax. The Maximum Special Tax rates for Fiscal Year 2013/14, which have been escalated by 2.3809%, are as follows:

Residential Parcels:	\$18.57 per parcel
Downtown Core Parcels:	\$250.57 per ¼ acre or fraction thereof
Other Commercial Parcels:	\$109.85 per ¼ acre or fraction thereof
Recreational Open Space Parcels:	\$54.92 per ¼ acre or fraction thereof
Multi-Family Residential Care Facilities Parcels:	\$57.72 per ¼ acre or fraction thereof

The delinquency rate for the District was 1.16% for Fiscal Year 2012/13. With the City's authorization, NBS sent reminder and demand letters to delinquent property owners to encourage the immediate payment of delinquent property tax bills.

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1. 2013/14 LEVY

1.1. Special Tax Spread

All taxable parcels within the District were levied at 100% of their respective Maximum Special Tax rate for Fiscal Year 2013/14. The details of the Special Tax, spread amongst the 4,299 parcels within the District, are as follows:

Parcel Classification	Parcel Count	Maximum Rate	Total Maximum Special Tax	Total Amount Levied (3)
Residential (1)	4,043	\$18.57	\$75,078.51	\$75,038.08
Downtown Core (2)	31	250.57	19,294.21	19,294.00
Other Commercial (2)	21	109.58	13,732.11	13,731.96
Recreational Open Space (2)	6	54.92	6,865.39	6,865.38
Multi-Family Residential Care Facilities (2)	2	57.72	1,904.81	1,904.80
Exempt	196	0.00	0.00	0.00
Total	4,299		\$116,875.03	\$116,834.22

- (1) Per the Rate and Method of Apportionment, the maximum special tax for residential parcels is calculated on a per parcel basis.
- (2) Per the Rate and Method of Apportionment, the maximum special tax for Downtown Core, other commercial, recreational open space and multi-family residential care facilities is calculated per ¼ acre or fraction thereof.
- (3) Includes a rounding adjustment for County tax submittal purposes.

The table below shows the Fiscal Year 2012/13 Maximum Special Tax within each of the six classifications of the District:

Parcel Classification	Parcel Count	Maximum Rate	Total Maximum Special Tax
Residential (1)	4,043	\$18.14	\$73,340.02
Downtown Core (2)	31	244.74	18,845.44
Other Commercial (2)	21	107.30	13,412.77
Recreational Open Space (2)	6	53.64	6,705.74
Multi-Family Residential Care Facilities (2)	2	56.38	1,860.51
Exempt	196	0.00	0.00
Total	4,299		\$114,164.48

- (1) Per the Rate and Method of Apportionment, the maximum special tax for residential parcels is calculated on a per parcel basis.
- (2) Per the Rate and Method of Apportionment, the maximum special tax for Downtown Core, other commercial, recreational open space and multi-family residential care facilities is calculated per ¼ acre or fraction thereof.

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

2. DELINQUENCY MANAGEMENT

2.1. Delinquency Summary

The following table shows the Fiscal Year 2012/13 delinquency rate for the District:

2012/13 Levy	2012/13 Delinquencies	2012/13 Delinquency Rate	Delinquency Management Steps Taken
\$114,164.26	\$1,329.44	1.16%	Reminder and Demand Letters Sent

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

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

2.2. Delinquency Summary Report

The following page summarizes delinquencies for the 2012/13 and prior fiscal years.

City of Clayton Delinquency Summary Report

As of: 06/12/2013

District	Due Date	Billed Amount	Paid Amount	Delinquent Amount	Delinquent Amount %	Billed Installments	Paid Installments	Delinquent Installments	Delinquent Installments %
CFD 2006-1	8/1/2007 Billing:								
	12/10/2007	\$50,888.87	\$50,888.87	\$0.00	0.00 %	4,074	4,074	0	0.00 %
	4/10/2008	50,888.87	50,888.87	0.00	0.00 %	4,074	4,074	0	0.00 %
	Subtotal:	\$101,777.74	\$101,777.74	\$0.00	0.00 %	8,148	8,148	0	0.00 %
	8/1/2008 Billing:								
	12/10/2008	\$52,481.16	\$52,481.16	\$0.00	0.00 %	4,081	4,081	0	0.00 %
	4/10/2009	52,481.16	52,464.30	16.86	0.03 %	4,081	4,079	2	0.05 %
	Subtotal:	\$104,962.32	\$104,945.46	\$16.86	0.02 %	8,162	8,160	2	0.02 %
	8/1/2009 Billing:								
	12/10/2009	\$53,567.86	\$53,542.39	\$25.47	0.05 %	4,105	4,102	3	0.07 %
	4/10/2010	53,567.86	53,542.39	25.47	0.05 %	4,105	4,102	3	0.07 %
	Subtotal:	\$107,135.72	\$107,084.78	\$50.94	0.05 %	8,210	8,204	6	0.07 %
	8/1/2010 Billing:								
	12/10/2010	\$54,504.71	\$54,496.07	\$8.64	0.02 %	4,105	4,104	1	0.02 %
	4/10/2011	54,504.71	54,478.79	25.92	0.05 %	4,105	4,102	3	0.07 %
	Subtotal:	\$109,009.42	\$108,974.86	\$34.56	0.03 %	8,210	8,206	4	0.05 %
	8/1/2011 Billing:								
	12/10/2011	\$55,898.46	\$55,591.27	\$307.19	0.55 %	4,103	4,097	6	0.15 %
	4/10/2012	55,898.46	55,573.51	324.95	0.58 %	4,103	4,095	8	0.19 %
	Subtotal:	\$111,796.92	\$111,164.78	\$632.14	0.57 %	8,206	8,192	14	0.17 %
	8/1/2012 Billing:								
	12/10/2012	\$57,082.13	\$56,782.82	\$299.31	0.52 %	4,103	4,070	33	0.80 %
	4/10/2013	57,082.13	56,052.00	1,030.13	1.80 %	4,103	4,018	85	2.07 %
	Subtotal:	\$114,164.26	\$112,834.82	\$1,329.44	1.16 %	8,206	8,088	118	1.44 %
CFD 2006-1	Total:	\$648,846.38	\$646,782.44	\$2,063.94	0.32 %	49,142	48,998	144	0.29 %
Agency Grand Total:		\$648,846.38	\$646,782.44	\$2,063.94	0.32 %				

3. RATE AND METHOD OF APPORTIONMENT

3.1. Method of Apportionment

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

3.2. Definitions

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

Exempt Parcels - Parcels of land owned by a public school district, and parcels of land owned by the City of Clayton or the Clayton Redevelopment Agency outside the boundaries of the defined Downtown Core area.

Residential Parcels - Taxable Parcels of land in the District that are classified in the City of Clayton General Plan as either single-family, multi-family or rural estate residential parcels.

Downtown Core Parcels - Taxable Parcels within the Downtown Core area that are not classified as "Residential Parcels."

Other Commercial Parcels - Taxable Parcels outside the boundaries of the Downtown Core area that are not classified as "Residential Parcels," "Recreational Open Space Parcels" or "Multi-Family Residential Care Facilities Parcels."

Recreational Open Space Parcels - Taxable Parcels classified as "Private Golf Course" in the City of Clayton General Plan.

Multi-Family Residential Care Facilities Parcels - Taxable Parcels having institutional or congregate care residential units within a facility with an on-site manager.

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

3.3. Special Tax Formula

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

Residential Parcel Annual Special Tax Rate for Fiscal Year 2007/08: \$16.39 per parcel.

- B. **Downtown Core Parcels** - An annual Special Tax will be levied on all non-Residential Parcels within the Downtown Core area, as defined above, at the per ¼ acre or fraction thereof, parcel rate shown below for each Fiscal Year 2007/08 through 2016/17:

Downtown Core Parcel Annual Special Tax Rate for Fiscal Year 2007/08: \$221.05 per ¼ acre or fraction thereof parcel size as shown on the County tax roll.

- C. **Other Commercial Parcels** - An annual Special Tax will be levied on all non-Residential Parcels outside the Downtown Core area, as defined above, at the per ¼ acre or fraction thereof parcel rate shown below for each Fiscal Year 2007/08 through 2016/07:

Other Commercial Parcel Annual Special Tax Rate for Fiscal Year 2007/08: \$96.92 per ¼ acre or fraction thereof parcel size as shown on the County tax roll.

- D. **Recreational Open Space Parcels** - An annual Special Tax will be levied on all Private Golf Course Parcels, as defined above, at the per ¼ acre or fraction thereof parcel rate shown below for each Fiscal Year 2007/08 through 2016/17:

Recreational Open Space Parcel Annual Special Tax Rate for Fiscal Year 2007/08: \$48.46 per ¼ acre or fraction thereof parcel size as shown on the County tax roll.

- E. **Multi-Family Residential Care Facilities Parcels** - An annual Special Tax will be levied on all Multi-Family Residential Care Facilities Parcels, as defined above, at the per ¼ acre or fraction thereof parcel rate shown below for each Fiscal Year 2007/08 through 2016/17:

Multi-Family Residential Care Facilities Parcel Annual Special Tax Rate for Fiscal Year 2007/08: \$50.92 per ¼ acre or fraction thereof parcel size as shown on the County tax roll.

3.4. Special Tax Escalator Factor

In Fiscal Years 2008/09 through 2016/17, each annual Special Tax rate may be increased annually by the City of Clayton City Council in an amount not to exceed the full annual adjustment (April to April) in the Consumer Price Index – All Urban Consumers, San Francisco-Oakland-San Jose, CA Area (Base Period 1982-84 =100). This escalation factor is applicable if determined by the City to be necessary due to expected or actual increases in the operational, maintenance, repair and replacement expenses attributable to the District. In no event shall each annual Special Tax rate in any fiscal year increase by more than three percent (3%) over the previous year.

The Special Tax Escalation Factor for Fiscal Year 2013/14 is 2.3809%.

3.5. Duration of Special Tax Levy

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

4. BACKGROUND INFORMATION

4.1. Project Description

The services that are proposed to be financed by the District shall include the attributable costs of operation, maintenance, repair and replacement of:

Downtown Park – which includes, but is not limited to:

Costs of operation, maintenance, repair and replacement of an approximate 1-acre public park (APN 119-015-005, 006) abutting the western edge of (old) Marsh Creek Road between Main and Center Streets located in Town Center Clayton.

Definitions

“Costs of Operation, Maintenance, Repair and Replacement” of the foregoing public park improvements means the furnishing of services and materials for the ordinary and usual operation, maintenance and care of a downtown public park with its appurtenant facilities, public restroom, gazebo, playground equipment and improvements, including repair, removal or replacement of all or part of any landscaping or turf or appurtenant facilities providing for the life, growth, health and beauty of the landscaping, including cultivation, irrigation, trimming, pruning, spraying, fertilizing and treating for disease or injury; the removal of trimmings, rubbish, debris, litter and other solid wastes; and the eradication of landscape pests, including but not limited to vermin and rodents, ground squirrels, gophers, and moles.

“Maintenance” also means the furnishing of water for public health purposes and irrigation of the park turf, trees and landscaping, and the supply of the electricity to operate the attendant irrigation systems, park lights and electrical outlets. In addition, allowable expenses include the County's cost to levy and collect the District's assessment through the annual property tax bill, the City's shared equipment and facilities charges, City prorated overhead charges to administer and manage the District, and District reserve funds for capital replacements, vandalism and major repairs.

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

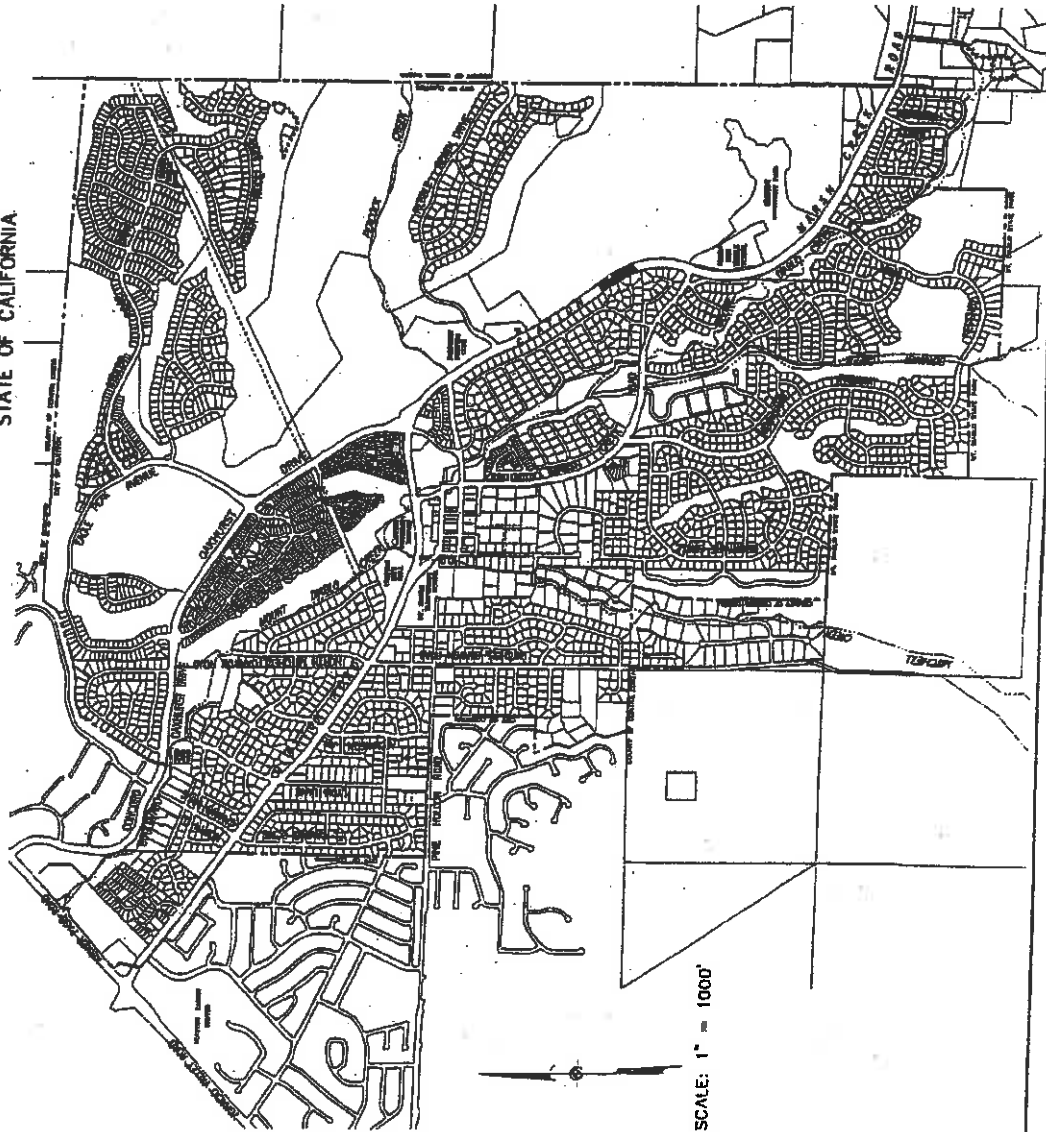
4.2. Resolutions

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

4.3. *Boundary Map*

The following pages show the boundaries of the District.

PROPOSED BOUNDARIES OF
COMMUNITY FACILITIES DISTRICT NO. 2008-1
(DOWNTOWN PARK OPERATION AND MAINTENANCE DISTRICT)
CITY OF CLAYTON, COUNTY OF CONTRA COSTA
STATE OF CALIFORNIA



CITY RECORDER'S STATEMENT:

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF CLAYTON, THIS _____ DAY OF _____, 2008.

BY: _____
CITY CLERK
CITY OF CLAYTON

CITY CLERK'S STATEMENT:

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING THE PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NUMBER 2008-1 IN THE CITY OF CLAYTON, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF CLAYTON AT A REGULAR MEETING THEREOF, HELD ON THE _____ DAY OF _____, 2008, BY ITS RESOLUTION NO. _____

BY: _____
CITY CLERK
CITY OF CLAYTON

RECORDER'S CERTIFICATE:

FILED THIS _____ DAY OF _____, 2008, AT THE _____ HOUR OF _____ O'CLOCK _____ M. IN BOOK _____ OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS, AT PAGE _____ AND AS INSTRUMENT NUMBER _____ IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA.

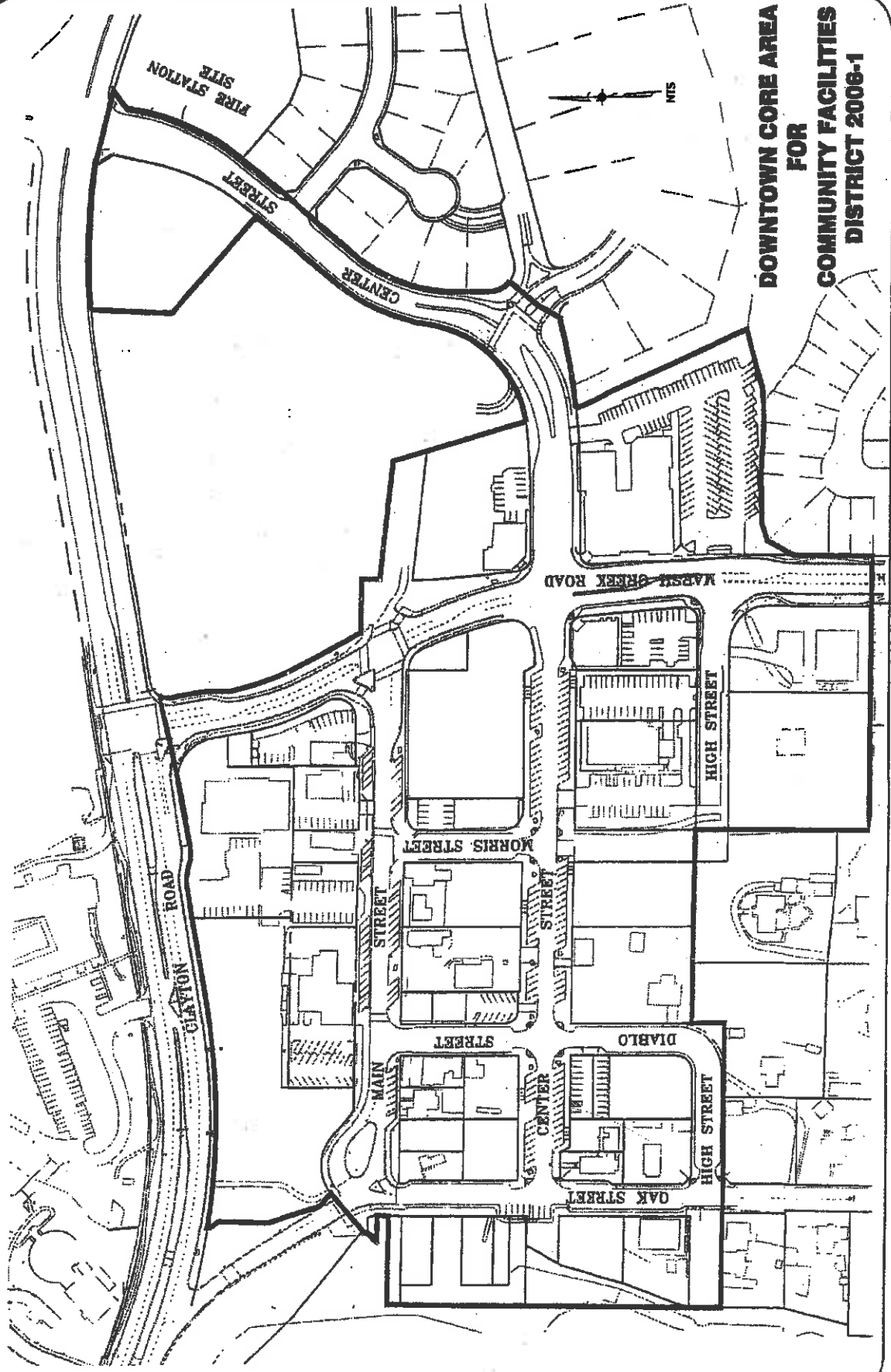
BY: _____
COUNTY RECORDER
COUNTY OF CONTRA COSTA

BY: _____
DEPUTY COUNTY RECORDER

LEGEND:

CITY LIMIT LINE AND
COMMUNITY FACILITY DISTRICT BOUNDARY

**DOWNTOWN CORE AREA
FOR
COMMUNITY FACILITIES
DISTRICT 2006-1**



5. DELINQUENCY DETAIL

The following pages detail delinquencies for the 2012/13 and prior fiscal years.

City of Clayton
CFD 2006-1 Downtown Park Tax
Delinquency Detail Report
 Late Charges Calculated Through 06/12/2013

Account ID	Owner	Due Date	Amount	Penalty	Interest	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
118-063-006	HUSTON JEFFREY J & JANINE TRE 1531 N MITCHELL CANYON RD CLAYTON, CA 94517	12/10/2012 04/10/2013	9.07 9.07	0.91 0.91	0.00 0.00	0.00 0.00	9.98 9.98		
	Account Subtotal:		\$18.14	\$1.82	\$0.00	\$0.00	\$19.96		
118-072-011	HOWE MICHAEL V & ELIZABETH P 39 WESTBROOK CT CLAYTON, CA 94517	04/10/2013	9.07	0.91	0.00	0.00	9.98		
	Account Subtotal:		\$9.07	\$0.91	\$0.00	\$0.00	\$9.98		
118-082-001	GREGGSON JOHN D 1588 N MITCHELL CANYON RD CLAYTON, CA 94517	04/10/2013	9.07	0.91	0.00	0.00	9.98		
	Account Subtotal:		\$9.07	\$0.91	\$0.00	\$0.00	\$9.98		
118-093-001	COUCHOT G RICHARD & JANET TRE 5974 CARDINET DR CLAYTON, CA 94517	12/10/2012 04/10/2013	9.07 9.07	0.91 0.91	0.00 0.00	0.00 0.00	9.98 9.98		
	Account Subtotal:		\$18.14	\$1.82	\$0.00	\$0.00	\$19.96		
118-163-002	KERR HERBERT & BARBARA 1504 HAVILAND CT CLAYTON, CA 94517	12/10/2012 04/10/2013	9.07 9.07	0.91 0.91	0.00 0.00	0.00 0.00	9.98 9.98		
	Account Subtotal:		\$18.14	\$1.82	\$0.00	\$0.00	\$19.96		
118-164-025	BASAVARAJ BHARATUR & SHIVAMALA 1531 OHARA CT CLAYTON, CA 94517	12/10/2012 04/10/2013	9.07 9.07	0.91 0.91	0.00 0.00	0.00 0.00	9.98 9.98		
	Account Subtotal:		\$18.14	\$1.82	\$0.00	\$0.00	\$19.96		
118-164-047	HENDRICKS-BOTSFORD LYNETTE R & BOTSFORD 1537 HAVILAND PL CLAYTON, CA 94517	04/10/2013	9.07	0.91	0.00	0.00	9.98		
	Account Subtotal:		\$9.07	\$0.91	\$0.00	\$0.00	\$9.98		

(1) Fees: This amount excludes Delinquency Management fees that were or will be collected in a subsequent billing.
 RL=Reminder Sent; DL=Demand Letter Sent; SRTax Roll Removal Requested; SO=Tax Roll Removal Confirmed; FL=Foreclosure Letter Sent; OL=Other Letter Sent; FL=Judicial Foreclosure Initiated; CP=County Payment Plan;
 FH=Judicial Foreclosure on Hold/Special Case; FC=Foreclosure Complete; LTI=Litigation Guarantee; LGL=Legal Fees and Costs; On-Other Fees; SO=Tax Roll Removal County Fee; PP = Payment Plan;
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118-164-056	ZIMMERMAN IRVING H & PATRICIA 1542 HAVILAND PL CLAYTON, CA 94517	04/10/2013	9.07	0.91	0.00	0.00	9.98		
	Account Subtotal:		\$9.07	\$0.91	\$0.00	\$0.00	\$9.98		
118-212-015	MILLER GEORGE MICHAEL 8 RACHEL RANCH CT CLAYTON, CA 94517	04/10/2013	9.07	0.91	0.00	0.00	9.98		
	Account Subtotal:		\$9.07	\$0.91	\$0.00	\$0.00	\$9.98		
118-222-004	KHACHADOORIAN GARY 121 JEFFRY RANCH CT CLAYTON, CA 94517	12/10/2012 04/10/2013	9.07 9.07	0.91 0.91	0.00 0.00	0.00 0.00	9.98 9.98		
	Account Subtotal:		\$18.14	\$1.82	\$0.00	\$0.00	\$19.96		
118-222-011	HENDRICK IVAN L & CHRISALEE C PO BOX 860 CLAYTON, CA 94517	04/10/2009 12/10/2009 04/10/2010 04/10/2011 12/10/2011 04/10/2012 12/10/2012 04/10/2013	8.43 8.49 8.49 8.64 8.88 8.88 9.07 9.07	0.84 0.85 0.85 0.86 0.89 0.89 0.91 0.91	6.07 4.58 4.58 3.11 1.60 1.60 0.00 0.00	0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00	15.34 13.92 13.92 12.61 11.37 11.37 9.98 9.98	RL DL RL DL RL DL RL DL DL DL DL DL	
	Account Subtotal:		\$69.95	\$7.00	\$21.54	\$0.00	\$98.49		
118-230-005	HOLLINGSWORTH PATRICIA L & MILLER JEFFRE 415 DIABLO CREEK PL CLAYTON, CA 94517	12/10/2012 04/10/2013	9.07 9.07	0.91 0.91	0.00 0.00	0.00 0.00	9.98 9.98		
	Account Subtotal:		\$18.14	\$1.82	\$0.00	\$0.00	\$19.96		
118-321-005	MY NV REALTY A CALIFORNIA CO 43160 OSGOOD RD FREMONT, CA 94539	04/10/2013	9.07	0.91	0.00	0.00	9.98		
	Account Subtotal:		\$9.07	\$0.91	\$0.00	\$0.00	\$9.98		

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

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Account ID	Owner	Due Date	Amount	Penalty	Interest	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
118-323-009	GREMEEN ALFRED L & WENDY K TRE 1859 YOLANDA CIR CLAYTON, CA 94517	12/10/2012 04/10/2013	9.07 9.07	0.91 0.91	0.00 0.00	0.00 0.00	9.98 9.98		
	Account Subtotal:		\$18.14	\$1.82	\$0.00	\$0.00	\$19.96		
118-401-042	KWOCK-LAU JENNIFER 401 CHUPCAN PL CLAYTON, CA 94517	12/10/2012 04/10/2013	9.07 9.07	0.91 0.91	0.00 0.00	0.00 0.00	9.98 9.98		
	Account Subtotal:		\$18.14	\$1.82	\$0.00	\$0.00	\$19.96		
118-402-023	RUBINO MARY KATHRYN 1648 CORTE DE CALLAS SAN JOSE, CA 95124	04/10/2013	9.07	0.91	0.00	0.00	9.98		
	Account Subtotal:		\$9.07	\$0.91	\$0.00	\$0.00	\$9.98		
118-410-020	PEREZ EDWARD RAPHAEL & PICKOLICK CHERYL 1355 SHELL LN CLAYTON, CA 94517	12/10/2012 04/10/2013	9.07 9.07	0.91 0.91	0.00 0.00	0.00 0.00	9.98 9.98		
	Account Subtotal:		\$18.14	\$1.82	\$0.00	\$0.00	\$19.96		
118-410-025	VANESSEN CARYLON J 1345 SHELL LN CLAYTON, CA 94517	04/10/2013	9.07	0.91	0.00	0.00	9.98		
	Account Subtotal:		\$9.07	\$0.91	\$0.00	\$0.00	\$9.98		
118-410-049	FREEL SYLVIA 1171 SHELL LN CLAYTON, CA 94517	04/10/2013	9.07	0.91	0.00	0.00	9.98		
	Account Subtotal:		\$9.07	\$0.91	\$0.00	\$0.00	\$9.98		
118-422-003	RIGOLI DANIEL A & DIANA D 352 BLUE OAK LN CLAYTON, CA 94517	04/10/2013	9.07	0.91	0.00	0.00	9.98		
	Account Subtotal:		\$9.07	\$0.91	\$0.00	\$0.00	\$9.98		

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118-443-007	MCNULTY STEPHEN & SHARON 3010 WINDMILL CANYON DR CLAYTON, CA 94517	12/10/2012 04/10/2013	9.07 9.07	0.91 0.91	0.00 0.00	0.00 0.00	9.98 9.98		
	Account Subtotal:		\$18.14	\$1.82	\$0.00	\$0.00	\$19.96		
118-460-005	KHAN FAROOQ H 608 JULPUN LOOP CLAYTON, CA 94517	12/10/2012 04/10/2013	9.07 9.07	0.91 0.91	0.00 0.00	0.00 0.00	9.98 9.98		
	Account Subtotal:		\$18.14	\$1.82	\$0.00	\$0.00	\$19.96		
118-470-047	CAMPORA ERNIE P & TAMMI TRE 1174 MOCCASIN CT CLAYTON, CA 94517	04/10/2013	9.07	0.91	0.00	0.00	9.98		
	Account Subtotal:		\$9.07	\$0.91	\$0.00	\$0.00	\$9.98		
118-470-109	SCHMIDT CHARLES J & MARILYN R 456 OBSIDIAN WAY CLAYTON, CA 94517	12/10/2012 04/10/2013	9.07 9.07	0.91 0.91	0.00 0.00	0.00 0.00	9.98 9.98		
	Account Subtotal:		\$18.14	\$1.82	\$0.00	\$0.00	\$19.96		
118-480-015	OTTESON ROBERT L & ANNETTE M 115 FOREST HILL DR CLAYTON, CA 94517	04/10/2013	9.07	0.91	0.00	0.00	9.98		
	Account Subtotal:		\$9.07	\$0.91	\$0.00	\$0.00	\$9.98		
118-480-024	WILLIAMS CHRISTOPHER L TRE 1010 PEBBLE BEACH DR CLAYTON, CA 94517	04/10/2013	9.07	0.91	0.00	0.00	9.98		
	Account Subtotal:		\$9.07	\$0.91	\$0.00	\$0.00	\$9.98		
118-510-031	LALLY KENNETH & KIM 163 SILVERADO CT CLAYTON, CA 94517	04/10/2013	9.07	0.91	0.00	0.00	9.98		
	Account Subtotal:		\$9.07	\$0.91	\$0.00	\$0.00	\$9.98		

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 (3) Miscellaneous Codes: FI=Judicial Foreclosure on Hold/Special Case; FD=Foreclosure Complete; LT=Litigation Guarantee; LGL=Legal Fees and Costs; O=Other Fees; SC=Tax Roll Removal County Fee; PP=Payment Plan;
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118-530-016	BECK SUSAN M 1431 INDIANHEAD WAY CLAYTON, CA 94517	12/10/2012 04/10/2013	9.07 9.07	0.91 0.91	0.00 0.00	0.00 0.00	9.98 9.98		
	Account Subtotal:		\$18.14	\$1.82	\$0.00	\$0.00	\$19.96		
118-550-015	DANCINA JOSEPH R 512 RAVEN PL CLAYTON, CA 94517	12/10/2012 04/10/2013	9.07 9.07	0.91 0.91	0.00 0.00	0.00 0.00	9.98 9.98		
	Account Subtotal:		\$18.14	\$1.82	\$0.00	\$0.00	\$19.96		
118-570-006	WHITE RICK DUANE 373 BLUE OAK LN CLAYTON, CA 94517	04/10/2013	9.07	0.91	0.00	0.00	9.98		
118-590-024	MULLIN JOSEPH P & DENISE L TRE 256 LOS FELICAS AVE WALNUT CREEK, CA 94598	04/10/2013	9.07	0.91	0.00	0.00	9.98		
	Account Subtotal:		\$9.07	\$0.91	\$0.00	\$0.00	\$9.98		
118-600-039	CRADIO EDWARD F TRE PO BOX 302 CLAYTON, CA 94517	12/10/2012 04/10/2013	9.07 9.07	0.91 0.91	0.00 0.00	0.00 0.00	9.98 9.98		
	Account Subtotal:		\$18.14	\$1.82	\$0.00	\$0.00	\$19.96		
118-610-021	KADING MIHAEL & CATHERINE 3807 COYOTE CIR CLAYTON, CA 94517	04/10/2013	9.07	0.91	0.00	0.00	9.98		
	Account Subtotal:		\$9.07	\$0.91	\$0.00	\$0.00	\$9.98		
118-620-034	SIMONS DAVID B & SEPANCHY-SIMONS MELISSA 7011 MOLLUK WAY CLAYTON, CA 94517	04/10/2013	9.07	0.91	0.00	0.00	9.98		
	Account Subtotal:		\$9.07	\$0.91	\$0.00	\$0.00	\$9.98		

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118-640-019	ELGAZZAR ANDREW J & CARRIE M 721 ACORN DR CLAYTON, CA 94517	04/10/2013	9.07	0.91	0.00	0.00	9.98		
	Account Subtotal:		\$9.07	\$0.91	\$0.00	\$0.00	\$9.98		
118-640-042	SARNA PETER C & SHERRIE 8002 KELOK WAY CLAYTON, CA 94517	04/10/2012 12/10/2012 04/10/2013	8.88 9.07 9.07	0.89 0.91 0.91	1.60 0.00 0.00	0.00 0.00 0.00	11.37 9.98 9.98		
	Account Subtotal:		\$27.02	\$2.71	\$1.60	\$0.00	\$31.33		
118-670-044	ADELA ANTERO P JR & AIDA S TRE 8013 KELOK WAY CLAYTON, CA 94517	04/10/2013	9.07	0.91	0.00	0.00	9.98		
	Account Subtotal:		\$9.07	\$0.91	\$0.00	\$0.00	\$9.98		
118-690-007	CADENMARTORI DAVID & STEPHANIE 303 COAL MINE CT CLAYTON, CA 94517	12/10/2011 04/10/2012 04/10/2013	8.88 8.88 9.07	0.89 0.89 0.91	1.60 1.60 0.00	0.00 0.00 0.00	11.37 11.37 9.98		
	Account Subtotal:		\$26.83	\$2.69	\$3.20	\$0.00	\$32.72		
118-700-010	ROGAN JOHN J & JILL M 1220 BRIDLEWOOD CT CLAYTON, CA 94517	04/10/2013	9.07	0.91	0.00	0.00	9.98		
	Account Subtotal:		\$9.07	\$0.91	\$0.00	\$0.00	\$9.98		
119-021-013	CAPELLA RAYMOND A & ELIZABETH 6490 MARSH CREEK RD CLAYTON, CA 94517	12/10/2012 04/10/2013	9.07 9.07	0.91 0.91	0.00 0.00	0.00 0.00	9.98 9.98		
	Account Subtotal:		\$18.14	\$1.82	\$0.00	\$0.00	\$19.96		
119-022-001	MATHEWS JOHN WEST OF c/o: VIOLET CHURCHILL 11507 SILVERGATE DR DUBLIN, CA 94568	12/10/2011 04/10/2012 12/10/2012 04/10/2013	8.88 8.88 9.07 9.07	0.89 0.89 0.91 0.91	1.60 1.60 0.00 0.00	0.00 0.00 0.00 0.00	11.37 RL 11.37 RL 9.98 RL 9.98 RL		
	Account Subtotal:		\$36.90	\$3.60	\$3.20	\$0.00	\$42.70		

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119-022-006	MCMILLEN RICKEY L & DARLENE J 973 OAK ST CLAYTON, CA 94517	12/10/2012	9.07	0.91	0.00	0.00	9.98		
		04/10/2013	9.07	0.91	0.00	0.00	9.98		
		Account Subtotal:	\$18.14	\$1.82	\$0.00	\$0.00	\$19.96		
119-111-007	LINVILLE KATHRYN 11 NEWMAN CT CLAYTON, CA 94517	04/10/2012	8.88	0.89	1.60	0.00	11.37		
		12/10/2012	9.07	0.91	0.00	0.00	9.98		
		04/10/2013	9.07	0.91	0.00	0.00	9.98		
		Account Subtotal:	\$27.02	\$2.71	\$1.60	\$0.00	\$31.33		
119-111-010	MARTINEZ ALEJANDRO & DELACERDA CECILIA 1019 KENSTON DR CLAYTON, CA 94517	04/10/2013	9.07	0.91	0.00	0.00	9.98		
		Account Subtotal:	\$9.07	\$0.91	\$0.00	\$0.00	\$9.98		
119-113-014	DEHM DELPHINE J 2 ROLAN CT CLAYTON, CA 94517	12/10/2012	9.07	0.91	0.00	0.00	9.98		
		04/10/2013	9.07	0.91	0.00	0.00	9.98		
		Account Subtotal:	\$18.14	\$1.82	\$0.00	\$0.00	\$19.96		
119-130-001	BRADLEY SUSAN & ORNELLAS DAN S 1 WIDMAR CT CLAYTON, CA 94517	12/10/2012	9.07	0.91	0.00	0.00	9.98		
		04/10/2013	9.07	0.91	0.00	0.00	9.98		
		Account Subtotal:	\$18.14	\$1.82	\$0.00	\$0.00	\$19.96		
119-201-004	MORANO MICHAEL J & STEPHANIE 30 MT SCOTT CT CLAYTON, CA 94517	04/10/2013	9.07	0.91	0.00	0.00	9.98		
		Account Subtotal:	\$9.07	\$0.91	\$0.00	\$0.00	\$9.98		
119-212-025	SPARKS THOMAS A & JODY 372 MT WASHINGTON WAY CLAYTON, CA 94517	04/10/2009	8.43	0.84	6.07	0.00	15.34		
		Account Subtotal:	\$8.43	\$0.84	\$6.07	\$0.00	\$15.34		

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119-232-021	BUTTICCI ARMAND IV 2 LONG CREEK CIR CLAYTON, CA 94517	04/10/2013	9.07	0.91	0.00	0.00	9.98		
	Account Subtotal:		\$9.07	\$0.91	\$0.00	\$0.00	\$9.98		
119-232-024	LOVEGREEN MATTHEW S 5 LONG CREEK CIR CLAYTON, CA 94517	04/10/2013	9.07	0.91	0.00	0.00	9.98		
	Account Subtotal:		\$9.07	\$0.91	\$0.00	\$0.00	\$9.98		
119-232-029	AYSON LAWRENCE L 4420 SUGARLAND CT CONCORD, CA 94521	04/10/2013	9.07	0.91	0.00	0.00	9.98		
	Account Subtotal:		\$9.07	\$0.91	\$0.00	\$0.00	\$9.98		
119-232-043	ROUSSEAU GLORIA M 19 MT WILSON WAY CLAYTON, CA 94517	04/10/2013	9.07	0.91	0.00	0.00	9.98		
	Account Subtotal:		\$9.07	\$0.91	\$0.00	\$0.00	\$9.98		
119-274-001	MORGAN TIMOTHY J 1285 PARKSIDE DR WALNUT CREEK, CA 94596	12/10/2012 04/10/2013	9.07 9.07	0.91 0.91	0.00 0.00	0.00 0.00	9.98 9.98		
	Account Subtotal:		\$18.14	\$1.82	\$0.00	\$0.00	\$19.96		
119-275-014	SANNA BRIEN L & RASHEL S TRE 21 WEATHERLY DR CLAYTON, CA 94517	04/10/2013	9.07	0.91	0.00	0.00	9.98		
	Account Subtotal:		\$9.07	\$0.91	\$0.00	\$0.00	\$9.98		
119-312-009	LYNCH VANESSA D 137 MT ETNA DR CLAYTON, CA 94517	04/10/2013	9.07	0.91	0.00	0.00	9.98		
	Account Subtotal:		\$9.07	\$0.91	\$0.00	\$0.00	\$9.98		
119-322-020	ISAKSON DAVID O & ALICE J TRE 2 MIRANGO CT CLAYTON, CA 94517	12/10/2012 04/10/2013	9.07 9.07	0.91 0.91	0.00 0.00	0.00 0.00	9.98 9.98		
	Account Subtotal:		\$18.14	\$1.82	\$0.00	\$0.00	\$19.96		

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119-353-012	HAHN MICHAEL & KUEK-HAHN KRISTINA 91 REGENCY DR CLAYTON, CA 94517	12/10/2009 04/10/2010 12/10/2010 04/10/2011 12/10/2011 04/10/2012 12/10/2012 04/10/2013	8.49 8.49 8.64 8.64 8.88 8.88 9.07 9.07	0.85 0.85 0.86 0.86 0.89 0.89 0.91 0.91	4.58 4.58 3.11 3.11 1.60 1.60 0.00 0.00	0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00	13.92 13.92 12.61 12.61 11.37 11.37 9.98 9.98	RL DL RL DL RL DL RL DL DL DL DL DL	
	Account Subtotal:		\$70.16	\$7.02	\$18.58	\$0.00	\$95.76		
119-372-007	DJAJAKUSUMA MOHAMMAD & ANDREA 137 MOUNTAIRE PKWY CLAYTON, CA 94517	12/10/2012 04/10/2013	9.07 9.07	0.91 0.91	0.00 0.00	0.00 0.00	9.98 9.98		
	Account Subtotal:		\$18.14	\$1.82	\$0.00	\$0.00	\$19.96		
119-392-017	GOODSHAW JAMES BRADLEY & KAREN 321 ROUNDHILL PL CLAYTON, CA 94517	12/10/2012 04/10/2013	9.07 9.07	0.91 0.91	0.00 0.00	0.00 0.00	9.98 9.98		
	Account Subtotal:		\$18.14	\$1.82	\$0.00	\$0.00	\$19.96		
119-400-003	ALARCON ROY & MELANIE C TRE 3658 MORGAN TERRITORY RD CLAYTON, CA 94517	12/10/2011 04/10/2012 04/10/2013	262.79 262.79 268.25	26.28 26.28 26.83	47.30 47.30 0.00	0.00 0.00 0.00	336.37 336.37 295.08	RL DL DL DL	
	Account Subtotal:		\$793.83	\$79.39	\$94.60	\$0.00	\$967.82		
119-400-022	WILLER JEFFREY R & DORY TRE 1414 GREYSTONE LN CLAYTON, CA 94517	04/10/2013	9.07	0.91	0.00	0.00	9.98		
	Account Subtotal:		\$9.07	\$0.91	\$0.00	\$0.00	\$9.98		
119-423-001	TINTORI BARBARA TRE 4125 W HOOD AVE UNIT 103 BURBANK, CA 91505	04/10/2013	9.07	0.91	0.00	0.00	9.98		
	Account Subtotal:		\$9.07	\$0.91	\$0.00	\$0.00	\$9.98		

(1) Fees: This amount excludes Delinquency Management fees that were or will be collected in a subsequent billing.
(2) Delinquency Management Codes: RL=Reminder Sent; DL=Demand Letter Sent; SR=For Roll Removal Requested; SC=Tax Roll Removal Confirmed; FL=Foreclosure Letter Sent; OL=Other Letter Sent; FI=Judicial Foreclosure Initiated; CP=County Payment Plan; FH=Judicial Foreclosure on Hold/Special Case; FC=Foreclosure Complete; LT=Litigation Guarantee; LGL=Legal Fees and Costs; O=Other Fees; SO=Tax Roll Removal County Fee; PP = Payment Plan.
(3) Miscellaneous Codes: DB=Direct Bill Sent; BK=Declared Bankruptcy; PM=Partial Payment made, remainder delinquent.

City of Clayton
CFD 2006-1 Downtown Park Tax
Delinquency Detail Report
Late Charges Calculated Through 06/12/2013

Account ID	Owner	Due Date	Amount	Penalty	Interest	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
119-451-021	COVERDALE BRUCE P & HELEN 517 E MYRICK CT CLAYTON, CA 94517	04/10/2013	9.07	0.91	0.00	0.00	9.98		
	Account Subtotal:		\$9.07	\$0.91	\$0.00	\$0.00	\$9.98		
119-452-007	TARANTINO JOSEPH P & DANA M 608 W MYRICK CT CLAYTON, CA 94517	04/10/2013	9.07	0.91	0.00	0.00	9.98		
	Account Subtotal:		\$9.07	\$0.91	\$0.00	\$0.00	\$9.98		
119-463-004	RICO JACK A & ROSA A TRE 817 EBERHARDT CT CLAYTON, CA 94517	04/10/2013	9.07	0.91	0.00	0.00	9.98		
	Account Subtotal:		\$9.07	\$0.91	\$0.00	\$0.00	\$9.98		
119-464-001	XIARI ANDREAS 701 BLOCHING CIR CLAYTON, CA 94517	04/10/2013	9.07	0.91	0.00	0.00	9.98		
	Account Subtotal:		\$9.07	\$0.91	\$0.00	\$0.00	\$9.98		
119-464-004	ENGLUND DERRY L & SALLY A 717 BLOCHING CIR CLAYTON, CA 94517	04/10/2013	9.07	0.91	0.00	0.00	9.98		
	Account Subtotal:		\$9.07	\$0.91	\$0.00	\$0.00	\$9.98		
119-472-008	BENNING HENRY & MICHELLE 107 SALAZAR CT CLAYTON, CA 94517	12/10/2012 04/10/2013	9.07 9.07	0.91 0.91	0.00 0.00	0.00 0.00	9.98 9.98		
	Account Subtotal:		\$18.14	\$1.82	\$0.00	\$0.00	\$19.96		
119-472-017	WIGGENHAUSER UWE 114 SAMUEL CT CLAYTON, CA 94517	04/10/2013	9.07	0.91	0.00	0.00	9.98		
	Account Subtotal:		\$9.07	\$0.91	\$0.00	\$0.00	\$9.98		

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

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

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

City of Clayton
CFD 2006-1 Downtown Park Tax
Delinquency Detail Report
Late Charges Calculated Through 06/12/2013

Account ID	Owner	Due Date	Amount	Penalty	Interest	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
119-480-008	MINGAY BRUCE M & MARY K 7246 MARSH CREEK CIR CLAYTON, CA 94517	12/10/2011 04/10/2012 12/10/2012 04/10/2013 Account Subtotal:	8.88 8.88 9.07 9.07 \$36.90	0.89 0.89 0.91 0.91 \$3.60	1.60 1.60 0.00 0.00 \$3.20	0.00 0.00 0.00 0.00 \$0.00	11.37 11.37 9.98 9.98 \$42.70	RL RL RL RL	
119-490-010	VEATCH JAMES JEFFREY 109 SKELLY HERCULES, CA 94547	04/10/2013 Account Subtotal:	9.07 \$9.07	0.91 \$0.91	0.00 \$0.00	0.00 \$0.00	9.98 \$9.98		9.98
119-490-055	LAM PRITCHARD YEE KANG & JOAN 809 MT OLIVET CT CLAYTON, CA 94517	12/10/2012 04/10/2013 Account Subtotal:	9.07 9.07 \$18.14	0.91 0.91 \$1.82	0.00 0.00 \$0.00	0.00 0.00 \$0.00	9.98 9.98 \$19.96		9.98
119-542-001	ESPINOZA JAVIER & LETICIA 533 HAMBURG CIR CLAYTON, CA 94517	04/10/2013 Account Subtotal:	9.07 \$9.07	0.91 \$0.91	0.00 \$0.00	0.00 \$0.00	9.98 \$9.98		9.98
119-555-009	CORDOVA CARMEN 1077 NURSERY LN CONCORD, CA 94520	04/10/2013 Account Subtotal:	9.07 \$9.07	0.91 \$0.91	0.00 \$0.00	0.00 \$0.00	9.98 \$9.98		9.98
119-600-043	VANVAERENBERGH RANDOLPH A TRE 121 LA ENCINAL CT CLAYTON, CA 94517	04/10/2013 Account Subtotal:	9.07 \$9.07	0.91 \$0.91	0.00 \$0.00	0.00 \$0.00	9.98 \$9.98		9.98
119-610-017	GALLI FABRIZIO & CLAUDIA L 133 EL PORTAL PL CLAYTON, CA 94517	04/10/2013 Account Subtotal:	9.07 \$9.07	0.91 \$0.91	0.00 \$0.00	0.00 \$0.00	9.98 \$9.98		9.98

(1) Fees: This amount excludes Delinquency Management fees that were or will be collected in a subsequent billing.
(2) Delinquency Management Codes: RL=Reminder Sent; DL=Demand Letter Sent; SR=Tax Roll Removal Requested; SC=Tax Roll Removal Confirmed; FL=Foreclosure Letter Sent; OL=Other Letter Sent; FI=Judicial Foreclosure Initiated; CP=County Payment Plan; FH=Judicial Foreclosure on Hold/Special Case; FC=Foreclosure Complete; UT=Urgent Guarantees; LGL=Legal Fees and Costs; On=Other Fees; SO=Tax Roll Removal County Fee; PP=Payment Plan.
(3) Miscellaneous Codes: DB=Direct Bill Sent; BK=Declared Bankruptcy; PIR=Partial Payment made, remainder delinquent.

City of Clayton
CFD 2006-1 Downtown Park Tax
Delinquency Detail Report
Late Charges Calculated Through 06/12/2013

Account ID	Owner	Due Date	Amount	Penalty	Interest	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
119-620-023	BAKER DAVID G & GERRI L 244 STRANAHAN CIR CLAYTON, CA 94517	04/10/2013	9.07	0.91	0.00	0.00	9.98		
	Account Subtotal:		\$9.07	\$0.91	\$0.00		\$9.98		
119-620-045	DICKIE DARREN & KATHLEEN 257 STRANAHAN CIR CLAYTON, CA 94517	12/10/2012 04/10/2013	9.07 9.07	0.91 0.91	0.00 0.00	0.00 0.00	9.98 9.98		
	Account Subtotal:		\$18.14	\$1.82	\$0.00	\$0.00	\$19.96		
119-640-001	JOSHI GAUTAM & NEHA TIWARI 6 SEMINARY RIDGE PL CLAYTON, CA 94517	04/10/2013	9.07	0.91	0.00	0.00	9.98		
	Account Subtotal:		\$9.07	\$0.91	\$0.00	\$0.00	\$9.98		
120-013-002	HARE DAVID M TRE 5832 FOUR OAKS LN CLAYTON, CA 94517	12/10/2012 04/10/2013	9.07 9.07	0.91 0.91	0.00 0.00	0.00 0.00	9.98 9.98		
	Account Subtotal:		\$18.14	\$1.82	\$0.00	\$0.00	\$19.96		
120-024-007	SKINNER STEVEN K 67 NOTTINGHAM CIR CLAYTON, CA 94517	04/10/2013	9.07	0.91	0.00	0.00	9.98		
	Account Subtotal:		\$9.07	\$0.91	\$0.00	\$0.00	\$9.98		
120-025-009	HART RUTH A TRE & GOLDSTEIN DAVID & BREN PO BOX 164 CLAYTON, CA 94517	04/10/2013	9.07	0.91	0.00	0.00	9.98		
	Account Subtotal:		\$9.07	\$0.91	\$0.00	\$0.00	\$9.98		
120-032-004	TREMAINE RICHARD E & MARY J 20 NOTTINGHAM CIR CLAYTON, CA 94517	04/10/2013	9.07	0.91	0.00	0.00	9.98		
	Account Subtotal:		\$9.07	\$0.91	\$0.00	\$0.00	\$9.98		

(1) Fees: This amount excludes Delinquency Management fees that were or will be collected in a subsequent billing.
(2) Delinquency Management Codes: RU=Reminder Sent; DL=Demand Letter Sent; SR=For Roll Removal Requested; SC=Tax Roll Removal Confirmed; FL=Foreclosure Letter Sent; OL=Other Letter Sent; FI=Judicial Foreclosure Initiated; CP=County Payment Plan; FH=Judicial Foreclosure on Hold/Special Case; FC=Foreclosure Complete; LI=Litigation Guarantees; LBL=Legal Fees and Costs; O=Other Fees; SO=Tax Roll Removal County Fee; PP = Payment Plan.
(3) Miscellaneous Codes: DB=Direct Bill Sent; BK=Declared Bankruptcy; PW=Partial Payment made, remainder delinquent.

City of Clayton
CFD 2006-1 Downtown Park Tax
Delinquency Detail Report
 Late Charges Calculated Through 06/12/2013

Account ID	Owner	Due Date	Amount	Penalty	Interest	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
120-043-028	SAMADANI MAHIN M & TAHIRA & SHAH MIR JAF 5 PARDI LN CLAYTON, CA 94517	04/10/2013	9.07	0.91	0.00	0.00	9.98		
	Account Subtotal:		\$9.07	\$0.91	\$0.00	\$0.00	\$9.98		
120-052-017	HILL JEFFREY B & KERRY TRE 1491 LYDIA LN CLAYTON, CA 94517	04/10/2013	9.07	0.91	0.00	0.00	9.98		
	Account Subtotal:		\$9.07	\$0.91	\$0.00	\$0.00	\$9.98		
121-082-024	SHINGLETON ARTHUR JR & ELAINE PO BOX 653 CLAYTON, CA 94517	12/10/2009 04/10/2010 04/10/2011 04/10/2013	8.49 8.49 8.64 9.07	0.85 0.85 0.86 0.91	4.58 4.58 3.11 0.00	0.00 0.00 0.00 0.00	13.92 13.92 12.61 9.98	RL DL RL DL RL DL DL	
	Account Subtotal:		\$34.69	\$3.47	\$12.27	\$0.00	\$50.43		

District Totals: 85 Accounts **\$2,063.94** **\$206.76** **\$165.86** **\$0.00** **\$2,436.56**

Report Totals: 86 Accounts **\$2,063.94** **\$206.76** **\$165.86** **\$0.00** **\$2,436.56**

(1) Fees: This amount excludes Delinquency Management fees that were or will be collected in a subsequent billing.
 RL=Remitter Sent; DL=Demand Letter Sent; SR=Tax Roll Removal Requested; SC=Tax Roll Removal Confirmed; FL=Foreclosure Letter Sent; OL=Other Letter Sent; FJ=Judicial Foreclosure Initiated; CP=County Payment Plan;
 FH=Judicial Foreclosure on Hold/Special Case; FC=Foreclosure Complete; LIT=Litigation Guarantee; LGL=Legal Fees and Costs; O=Other Fees; SOTax Roll Removal County Fee; PP = Payment Plan.
 (2) Delinquency Management Codes:
 (3) Miscellaneous Codes: DB=Direct Bill Sent; BK=Declared Bankruptcy; FIM=Partial Payment made; remainder delinquent.

6. 2013-2014 SPECIAL TAX ROLL

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

For fiscal year 2013-2014 the assessor's parcel numbers and the special tax amounts are as set forth in the Community Facilities District No.2006-1 (Downtown "The Grove" Park Maintenance) Preliminary Billing Levy Detail Report for FY 2013-2014 on file in the City Clerk's office, City Hall, 6000 Heritage Trail, Clayton, CA.

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

For FY 2013-2014 the following shall be levied:

Residential parcels, (single family, condo, and townhouse) shall have a rate of \$18.14 per parcel.

Downtown Core Area shall have a rate of \$250.56 per ¼ acre or fraction thereof.

Other Commercial Parcels shall have a rate of \$109.84 per ¼ acre or fraction thereof.

Recreation Open Space parcels shall have a rate of \$54.92 per ¼ acre or fraction thereof.

Multifamily residential parcels shall have a rate of \$57.72 per ¼ acre or fraction thereof

Parcel size as shown on the most recent County tax and parcel records.

There are a total of 4103 parcels to be levied:

There are 4043 residential levies

There are 31 downtown core levies comprising 16 acres (or 77 ¼ unit acres)

There are 21 other commercial levies comprising 28 acres (or 125 ¼ unit acres)

There are 6 recreation levies comprising 31 acres (or 125 ¼ unit acres)

There are 2 multifamily levies comprising 8 acres (or 33 ¼ unit acres)

\$75,038.08 est. total revenue from residential

\$19,294.34 est. total revenue from downtown core

\$13,731.96 est. total revenue from other commercial

\$6,85.38 est. total revenue from recreation and open space

\$1,904.80 est. total revenue from multifamily

116,834.22 est. revenue for FY 13-14

ORDINANCE NO. 401

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLAYTON LEVYING SPECIAL TAXES WITHIN COMMUNITY FACILITIES DISTRICT NO. 2006-1
(Downtown Park Operation and Maintenance District)**

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

WHEREAS, on May 16, 2006, the City Council (the "Council") of the City of Clayton (the "City") adopted City Resolution No. 19-2006 entitled *"A Resolution of Intention to Establish a Community Facilities District to fund the Annual Operation and Maintenance of a Downtown Park for the time period of Ten Years, and to Authorize the Levy of Special Taxes Therein"* (the "Resolution of Intention") stating its intent to establish City of Clayton Community Facilities District No. 2006-1 (Downtown Park Operation and Maintenance District) (the "CFD") pursuant to the Mello-Roos Community Facilities Act of 1982, Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing with Section 53311, of the California Government Code (the "Act"), to finance certain services (the "Services"); and

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

WHEREAS, this Council held a noticed public hearing on June 20, 2006 as required by Act relative to the determination to proceed with the formation of the CFD and the rate and method of apportionment of the special tax to be levied within the CFD to finance the costs of the Services; and

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

WHEREAS, subsequent to said public hearing, on June 20, 2006 this Council adopted City Resolution No. 23-2006 entitled *"A Resolution of Formation of a Community Facilities District, Authorizing the Levy of a Special Tax Therein and Preliminarily Establishing an Appropriations Limit Therefor"* (the "Resolution of Formation"), and further adopted City Resolution No. 24-2006 entitled *"A Resolution Calling a Special Election in a Community Facilities District,"* which resolutions established the CFD, authorized the levy of a special tax with the CFD, and called an election within the CFD on the propositions of levying a special tax and establishing an appropriations limit within the CFD, respectively; and

WHEREAS, the November 7, 2006 election was held within the CFD in which the eligible registered voters approved the propositions presented by more than the two-thirds vote required by the Act, which approval was confirmed by City Resolution No. 59-2006 of this Council.

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

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

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

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

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

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

Notwithstanding the foregoing, the Collection Official may collect the special taxes by means of direct billing by the City to the property owners within the CFD if, in the judgment of

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

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

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

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

The foregoing Ordinance was introduced at a regular public meeting of the City Council of the City of Clayton held on December 19, 2006.

PASSED, ADOPTED and ORDERED posted at a regular public meeting of the City Council of the City of Clayton, California held on January 2, 2007, by the following vote:

AYES: Mayor Walcutt, Vice Mayor Manning, Councilmembers Pierce, Shuey, and Stratford

NOES: None

ABSENT: None

ABSTAIN: None

THE CITY COUNCIL OF CLAYTON, CA


WILLIAM R. WALCUTT, Mayor

ATTEST:


Laci J. Jackson, City Clerk

RESOLUTION NO. 23-2006

**A RESOLUTION OF FORMATION OF A COMMUNITY FACILITIES DISTRICT,
AUTHORIZING THE LEVY OF A SPECIAL TAX THEREIN AND PRELIMINARILY
ESTABLISHING AN APPROPRIATIONS LIMIT THEREFOR**

**City of Clayton, California
Community Facilities District 2006-1
(Downtown Park Operation and Maintenance District)**

WHEREAS, on May 16, 2006, this Council adopted Resolution No. 19-2006 entitled "A Resolution of Intention to Establish a Community Facilities District to Fund the Annual Operation and Maintenance of a Downtown Park for a Time Period of Ten Years, and to Authorize the Levy of Special Taxes Therein" (the "Resolution of Intention"), stating its intention to form the City of Clayton Community Facilities District No. 2006-1 (Downtown Park Operation and Maintenance District) (the "CFD"), pursuant to the Mello-Roos Community Facilities Act of 1982, Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing with Section 53311, of the California Government Code (the "Act"); and

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

WHEREAS, on June 20, 2006, this City Council held a noticed public hearing as required by the Act and the Resolution of Intention relative to the proposed formation of the CFD; and

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

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

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

WHEREAS, the special tax proposed to be levied in the CFD to pay for the proposed Services to be provided therein, as set forth in Exhibit A hereto, has not been

eliminated by protest by fifty percent (50%) or more of the registered voters residing within the territory of the CFD or the owners of one-half (1/2) or more of the area of land within the CFD and not exempt from the special tax.

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

1. Recitals. The foregoing recitals are true and correct.
2. No Majority Protest. The proposed special tax to be levied within the CFD has not been precluded by majority protest pursuant to Section 53324 of the Act.
3. Prior Proceedings. All prior proceedings taken by this Council in connection with the establishment of the CFD and the levy of the special tax have been duly considered and are hereby found and determined to be valid and in conformity with the requirements of the Act. This Council hereby finds and determines that the CFD is in conformity with the goals and policies heretofore adopted by this Council with respect to the formation of the CFD.
4. CFD Established. The community facilities district designated "City of Clayton Community Facilities CFD No. 2006-1 (Downtown Park Operation and Maintenance District)" is hereby established pursuant to the Act.
5. Boundaries Described. The boundaries of the CFD, as set forth in the map of the CFD heretofore recorded in the Contra Costa County Recorder's Office on May 31, 2006 in Book 79 at page 50 of Maps of Assessment and Community Facilities Districts, are hereby approved and incorporated herein by reference and shall be the boundaries of the CFD.
6. Services. The type of public Services proposed to be financed by the CFD and pursuant to the Act shall consist of those items listed as Services on Exhibit A attached hereto and by this reference incorporated herein (the "Services").
7. Special Taxes. Except to the extent that funds are otherwise available to the CFD to pay for the Services, a special tax sufficient to pay the costs thereof, secured by a continuing lien against all non-exempt real property in the CFD, will be levied annually within the CFD, and collected in the same manner as ordinary *ad valorem* property taxes or in such other manner as this Council or its designee shall determine, including direct billing of the affected property owners. The proposed rate and method of apportionment of the special tax among the parcels of real property within the CFD, in sufficient detail to allow each landowner within the proposed CFD to estimate the probable maximum amount such owner will have to pay, are described in Exhibit B attached hereto and by this reference incorporated herein.
8. Tax Collector City. The City Manager, 6000 Heritage Trail, Clayton, California, 94517 telephone number (925) 673-7300 is the officer of the City who will be responsible for preparing annually a current roll of special tax levy obligations by assessor's parcel number and who will be responsible for estimating future special tax levies pursuant to Section 53340.2 of the Act.
9. Tax Lien. Upon recordation of a notice of special tax lien pursuant to Section 3114.5 of the California Streets and Highways Code, a continuing lien to secure each

levy of the special tax shall attach to all nonexempt real property in the CFD and this lien shall continue in force and effect until the special tax obligation ceases and the lien canceled in accordance with law or until collection of the tax by the City ceases.

10. Appropriations Limit. In accordance with Section 53325.7 of the Act, the annual appropriations limit, as defined by subdivision (h) of Section 8 of Article XIII B of the California Constitution, of the CFD is hereby preliminarily established at \$100,600.00 and said appropriations limit shall be submitted to the voters of the CFD as hereafter provided. The proposition establishing said annual appropriations limit shall become effective if approved by the qualified electors voting thereon and shall be adjusted in accordance with the applicable provisions of Section 53325.7 of the Act.

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

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

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California at a regular public meeting thereof held the 20th day of June 2006, on the following vote:

AYES: Councilmember Laurence, Manning, Pierce, Vice Mayor Walcutt and Mayor Shuey.

NOES: None.

ABSENT: None.

ABSTAIN: None.

THE CITY COUNCIL OF CLAYTON, CA



DAVID T. SHUEY, MAYOR

ATTEST:



Rhonda K. Basore, City Clerk

EXHIBIT A

CITY OF CLAYTON Community Facilities District 2006-1 (Downtown Park Operation and Maintenance District)

DESCRIPTION OF SERVICES TO BE FINANCED BY THE CFD

The Services that are proposed to be financed by the City of Clayton Community Facilities District 2006-1 (Downtown Park Operation and Maintenance District) (the "CFD") shall include the attributable costs of operation, maintenance, repair and replacement of:

A. Downtown Park – which includes but is not limited to:

Costs of operation, maintenance, repair and replacement of an approximate 1-acre public park (APN 119-015-005,006) abutting the western edge of (old) Marsh Creek Road between Main and Center Streets located in Town Center Clayton.

Definition

"Costs of Operation, Maintenance, Repair and Replacement" of the foregoing public park improvements means the furnishing of services and materials for the ordinary and usual operation, maintenance and care of a downtown public park with its appurtenant facilities, public restroom, gazebo, playground equipment and improvements, including repair, removal or replacement of all or part of any landscaping or turf or appurtenant facilities providing for the life, growth, health and beauty of the landscaping, including cultivation, irrigation, trimming, pruning, spraying, fertilizing and treating for disease or injury; the removal of trimmings, rubbish, debris, litter and other solid wastes; and the eradication of landscape pests, including but not limited to vermin and rodents, ground squirrels, gophers, and moles.

"Maintenance" also means the furnishing of water for public health purposes and irrigation of the park turf, trees and landscaping, and the supply of electricity to operate the attendant irrigation systems, park lights and electrical outlets. In addition, allowable expenses include the County's cost to levy and collect the District's assessment through the annual property tax bill, the City's shared equipment and facilities charges, City prorated overhead charges to administer and manage the District, and District reserve funds for capital replacements, vandalism and major repairs.

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

EXHIBIT B

CITY OF CLAYTON Community Facilities District 2006-1 (Downtown Park Operation and Maintenance District)

RATE AND METHOD OF LEVY OF SPECIAL TAX

A special tax will be levied annually on each taxable parcel of land not defined below as an "Exempt Parcel" within the Community Facilities District 2006-1 (Downtown Park Operation and Maintenance District) (the "CFD") and collected in the same manner as ordinary ad-valorem property taxes or in such manner as the City of Clayton City Council or its designee shall determine, including City-originated billing of the affected property owners.

Definitions

Taxable Parcels:

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

Exempt Parcels:

Parcels of land owned by a public school district, and parcels of land owned by the City of Clayton or the Clayton Redevelopment Agency outside the boundaries of the defined Downtown Core area (see map, Attachment 1 of Exhibit B).

Residential Parcels:

Taxable Parcels of land in the District that are classified in the City of Clayton General Plan as either single-family, multi-family or rural estate residential parcels.

Downtown Core Parcels:

Taxable Parcels within the Downtown Core area that are not classified as "Residential Parcels".

Other Commercial Parcels:

Taxable Parcels outside the boundaries of the Downtown Core area that are not classified as "Residential Parcels", "Recreational Open Space Parcels" or "Multi-Family Residential Care Facilities".

Recreational Open Space Parcels:

Taxable Parcels classified as "Private Golf Course" in the City of Clayton General Plan.

Multi-Family Residential Care Facilities Parcels:

Taxable Parcels having institutional or congregate care residential units within a facility with an on-site manager.

Special Tax:

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

Special Tax Formula

A. Residential Parcels:

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

Residential Parcel Annual Special Tax Rate: \$16.39 per parcel.

B. Downtown Core Parcels:

An annual special tax will be levied on all non-Residential Parcels within the Downtown Core area (see map, Attachment 1), at the per $\frac{1}{4}$ -acre or fraction thereof parcel rate shown below for each fiscal year 2007-2008 through 2016-2017:

Downtown Core Parcel Annual Special Tax Rate: \$221.05 per $\frac{1}{4}$ -acre or fraction thereof parcel size as shown on the County tax roll.

C. Other Commercial Parcels:

An annual special tax will be levied on all non-Residential Parcels outside the Downtown Core area, as defined above, at the per $\frac{1}{4}$ -acre or fraction thereof parcel rate shown below for each fiscal year 2007-2008 through 2016-2017:

Other Commercial Parcel Annual Special Tax Rate: \$96.92 per $\frac{1}{4}$ -acre or fraction thereof parcel size as shown on the County tax roll.

D. Recreational Open Space Parcels:

An annual special tax will be levied on all Private Golf Course Parcels, as defined above, at the per $\frac{1}{4}$ -acre or fraction thereof parcel rate shown below for each fiscal year 2007-2008 through 2016-2017:

Recreational Open Space Parcel Annual Special Tax Rate: \$48.46 per $\frac{1}{4}$ -acre or fraction thereof parcel size as shown on the County tax roll.

E. Multi-Family Residential Care Facilities Parcels:

An annual special tax will be levied on all Multi-Family Residential Care Facilities Parcels, as defined above, at the per $\frac{1}{4}$ -acre or fraction thereof parcel rate shown below for each fiscal year 2007-2008 through 2016-2017:

Multi-Family Residential Care Facilities Parcel Annual Special Tax Rate: \$50.92 per $\frac{1}{4}$ -acre or fraction thereof parcel size as shown on the County tax roll.

Duration of Special Tax Levy

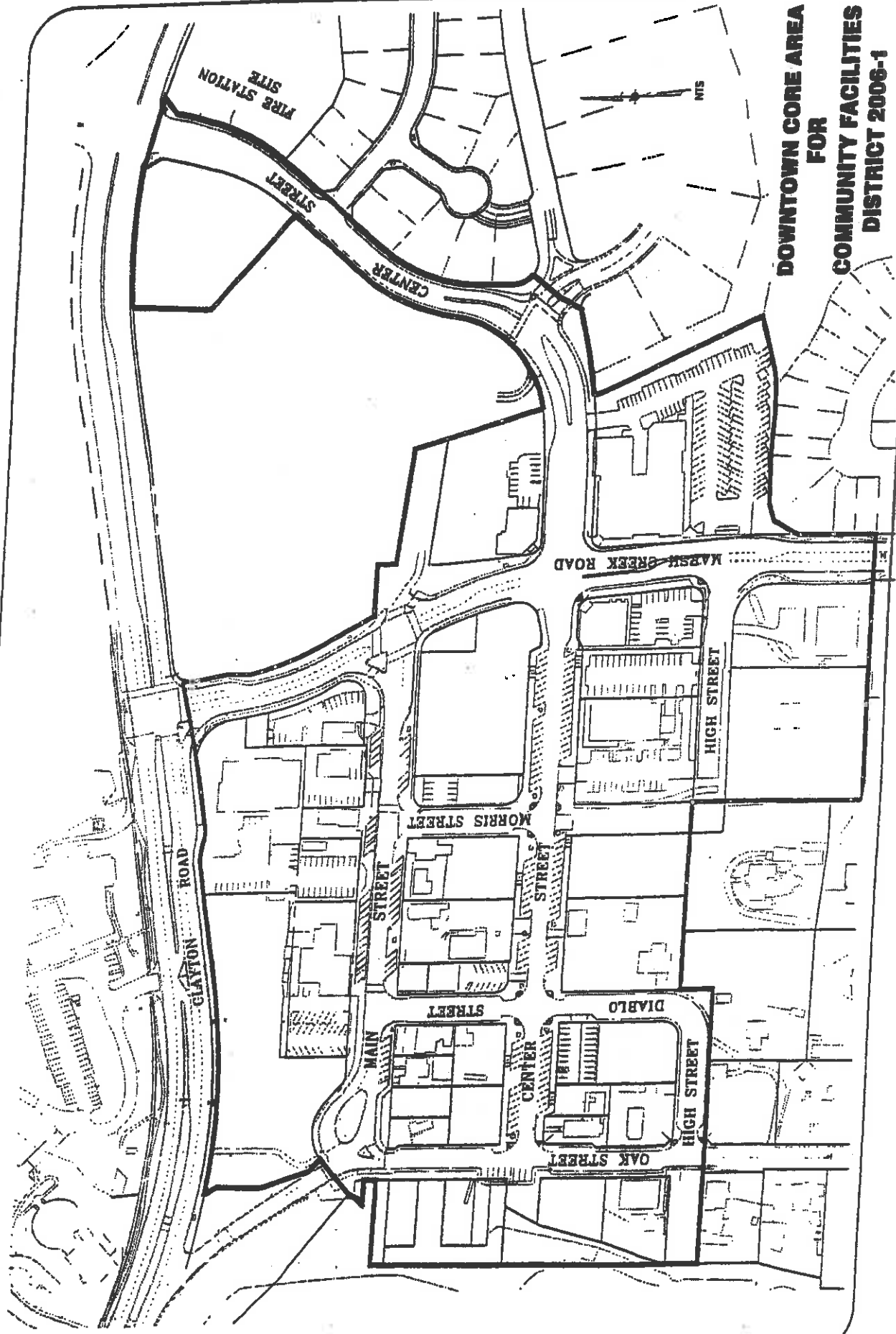
The special tax will be levied annually for a period of ten (10) years commencing in fiscal year 2007-2008 (July - June) through and including fiscal year 2016-2017. After the ten (10) year duration has expired the special tax may no longer be levied or collected unless extended pursuant to applicable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

Special Tax Escalator Factor

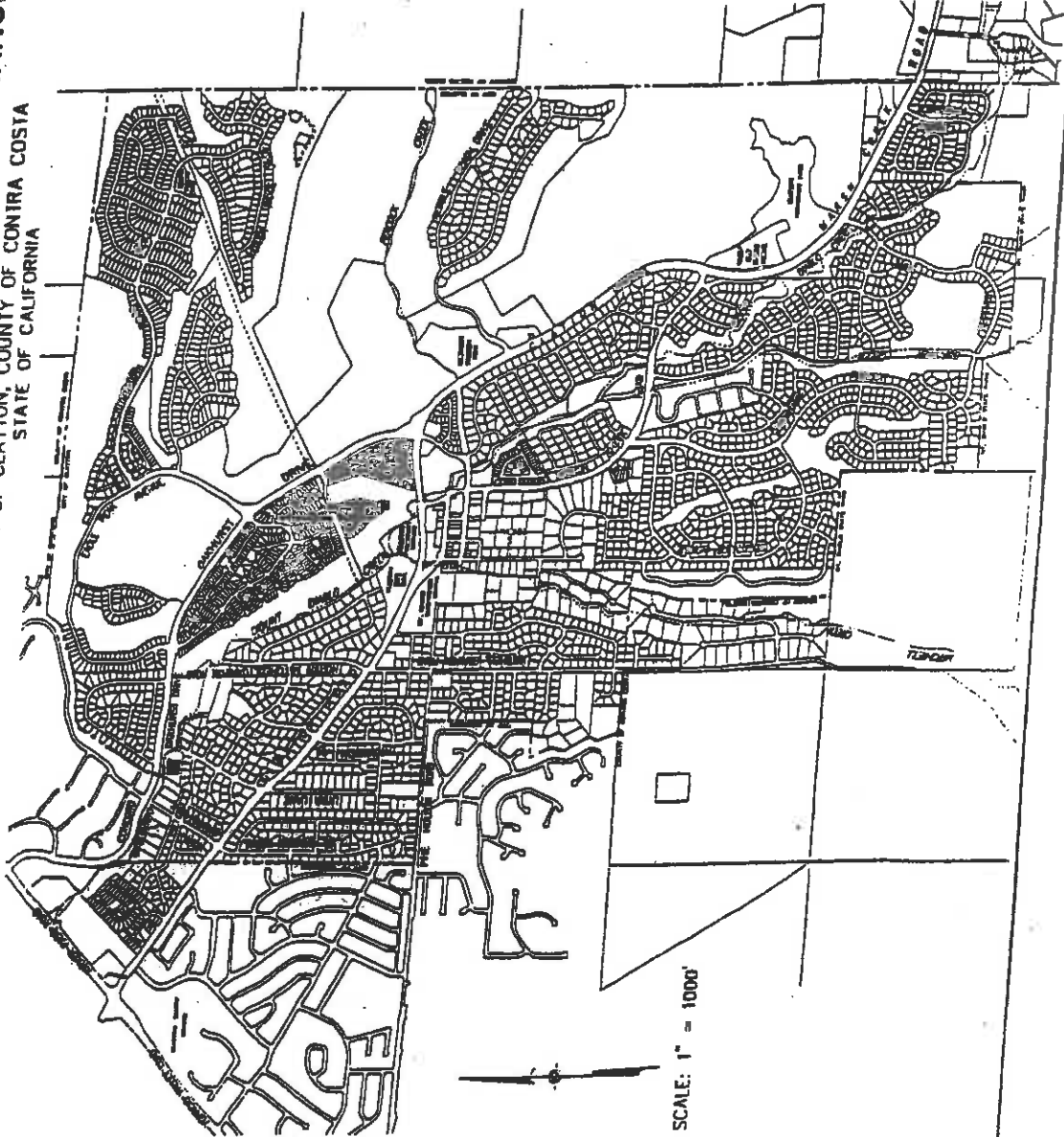
In fiscal years 2008-2009 through 2016-2017, each special annual tax rate may be increased annually by the Clayton City Council in an amount not to exceed the most recent full annual adjustment (April to April) in the Consumer Price Index - All Urban Consumers, San Francisco-Oakland-San Jose, CA Area (Base Period 1982-84 = 100). This escalator factor is applicable if determined by the City to be necessary due to expected or actual increases in the operational, maintenance, repair and replacement expenses funded by the CFD. In no event shall each annual special tax rate in any fiscal year increase by more than three percent (3%) over the previous year.

Attachment 1: Map of Downtown Core area [1 pg.]

**DOWNTOWN CORE AREA
FOR
COMMUNITY FACILITIES
DISTRICT 2006-1**



PROPOSED BOUNDARIES OF
COMMUNITY FACILITIES DISTRICT NO. 2006-1
(DOWNTOWN PARK OPERATION AND MAINTENANCE DISTRICT)
CITY OF CLAYTON, COUNTY OF CONTRA COSTA
STATE OF CALIFORNIA



CITY RECORDER'S STATEMENT:
FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF CLAYTON, THIS _____ DAY OF _____, 2006.

BY: _____
CITY CLERK
CITY OF CLAYTON

CITY CLERK'S STATEMENT:
I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING THE PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NUMBER 2006-1 IN THE CITY OF CLAYTON, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF CLAYTON AT A REGULAR MEETING HEREOF, HELD ON THE _____ DAY OF _____, 2006, BY ITS RESOLUTION NO. _____

BY: _____
CITY CLERK
CITY OF CLAYTON

RECORDER'S CERTIFICATE:
FILED THIS _____ DAY OF _____, 2006, AT THE _____ O'CLOCK _____ M. IN BOOK _____ OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS, AT PAGE _____, AND AS INSTRUMENT NUMBER _____ IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA.

BY: _____
COUNTY RECORDER
COUNTY OF CONTRA COSTA
BY: _____
DEPUTY COUNTY RECORDER

LEGEND

CITY LIMIT LINE AND
COMMUNITY FACILITY DISTRICT BOUNDARY

RESOLUTION NO. 24-2006

**A RESOLUTION CALLING A SPECIAL ELECTION
IN A COMMUNITY FACILITIES DISTRICT**

**CITY OF CLAYTON
Community Facilities District 2006-1
(Downtown Park Operation and Maintenance District)**

WHEREAS, on this date, this Council adopted its Resolution No. 23-2006 entitled "A Resolution of Formation of a Community Facilities District, Authorizing the Levy of Special Taxes Therein and Preliminarily Establishing an Appropriations Limit Therefor" (the "Resolution of Formation"), ordering the formation of the City of Clayton Community Facilities District No. 2006-1 (Downtown Park Operation and Maintenance District) (the "CFD"), authorizing the levy of a special tax on real property within the CFD and preliminarily establishing an appropriations limit for the CFD, all pursuant to the Mello-Roos Community Facilities Act of 1982, Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing with Section 53311, of the California Government Code (the "Act"); and

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

WHEREAS, this Council desires that the special election be consolidated with the statewide general election to occur on November 7, 2006 and that the proposition be included on the ballot for the statewide general election which ballot is prepared by the officer charged with the duty of conducting the statewide general election for the County of Contra Costa, such official being the Registrar of Voters of the County of Contra Costa (the "Election Official"); and

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

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

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

Shall the Downtown Park's annual operation and maintenance expenses be funded for a period of 10 years by the formation of a citywide Community Facilities District with an initial appropriations limit of \$100,600 and an annual levy of special taxes?

The full text of the measure to be printed in the Voter Pamphlet shall include the "Description of Services to Be Financed by the CFD" and the "Rate and Method of Levy of Special Tax", attached as Exhibits "A" and "B"; respectively, to the Resolution of Formation of a Community Facilities District (Resolution No. 23-2006).

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

3. Conduct of Election. This Council hereby calls a special election (the "Election") to consider the measure described in paragraph 1 above, which election shall be held in the next general election on November 7, 2006, and conducted by the Election Official. Within three business days of the adoption of this Resolution, the City Clerk shall provide to the Election Official a copy of this Resolution, a certified map of the proposed boundaries of the CFD, and a sufficient description to allow the Election Official to determine the boundaries of the CFD.

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

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

(a) Impartial Analysis. The City Clerk is hereby directed to submit to the City Attorney a certified copy of the measure set forth above. The City Attorney is hereby authorized and directed to prepare an impartial analysis of the measures showing the effect of the measures on the existing law and the operation of the measures, said analysis to be submitted by the City Attorney to the Election Official for printing before the arguments for and against the measure. The analysis shall not exceed 500 words in length and shall otherwise comply in all respects with the applicable provisions of the Elections Code of the State of California. The deadline date for the submittal of the analysis and primary arguments shall be August 14, 2006.

5. Filing of Primary and Rebuttal Arguments. The deadline for filing primary arguments concerning the ballot measure is August 14, 2006. Provisions for Rebuttal arguments have been previously adopted by the Council. Rebuttal arguments must be filed by August 21, 2006.

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

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California at a regular public meeting thereof held the 20th day of June 2006 on the following vote:

AYES: Councilmember Laurence, Manning, Pierce, Vice Mayor Walcutt and Mayor Shuey.

NOES: None.

ABSENT: None.

ABSTAIN: None.

THE CITY COUNCIL OF CLAYTON, CA

David T. Shuey
DAVID T. SHUEY, MAYOR

ATTEST:

Rhonda K. Basore
Rhonda K. Basore, City Clerk

RESOLUTION NO. 19-2006

A RESOLUTION OF INTENTION TO ESTABLISH A COMMUNITY FACILITIES DISTRICT TO FUND THE ANNUAL OPERATION AND MAINTENANCE OF A DOWNTOWN PARK FOR A TIME PERIOD OF TEN YEARS, AND TO AUTHORIZE THE LEVY OF SPECIAL TAXES THEREIN

**The City Council
City of Clayton, California
Community Facilities District 2006-1
(Downtown Park Operation and Maintenance District)**

WHEREAS, under the Mello-Roos Community Facilities Act of 1982, as amended (the "Act") Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing at Section 53311, of the California Government Code (the "Act"), this City Council may be the legislative body for the proposed community facilities district and is empowered with the authority to establish the community facilities district; and

WHEREAS, this City Council now desires to proceed with the establishment of a community facilities district in order to finance the costs of operation, maintenance, repair and replacement services at an approximate 1-acre public park (APN 119-015-005,006) located in the Clayton Town Center (the "Services");

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

1. Recitals. The City Council does hereby find and affirm the above noted Recitals are true and correct facts and information relative to the proceedings at hand.

2. Authority. This Council proposes to conduct proceedings to establish a community facilities district pursuant to the Act.

3. Name of CFD. The name proposed for the community facilities district is City of Clayton Community Facilities District No. 2006-1 (Downtown Park Operation and Maintenance District) (the "CFD").

4. Boundaries Described. The proposed boundaries of the CFD are as shown on the map of it (Exhibit C) on file with the City Clerk, dated 28 April 2006, which boundaries are hereby preliminarily approved and to which map reference is hereby made for further particulars. The City Clerk is hereby directed to record, or cause to be recorded, said map of the boundaries of the CFD in the office of the County Recorder of the County of Contra Costa (the County) within fifteen days of the date of adoption of this Resolution, but in any event at least fifteen days prior to the public hearing specified in paragraph 10 below. The boundaries of the CFD shall also include any parcels subsequently annexed to the City and the CFD.

5. Services. The types of public services proposed to be financed by the CFD and pursuant to the Act shall consist of all or a portion of those items listed on Exhibit A hereto and hereby incorporated herein.

6. Special Tax. Except to the extent that funds are otherwise available to the CFD to pay for the Services, a special tax (the "Special Tax") sufficient to pay the costs thereof, secured by recordation of a continuing lien against all non-exempt real property in the CFD, will be levied annually within the CFD, and collected in the same manner as ordinary *ad valorem* property taxes or in such other manner as this City Council or its designee shall determine, including direct billing of the affected property owners. The proposed rate and method of apportionment of the Special Tax among the parcels of real property within the CFD in sufficient detail to allow each landowner within the proposed CAD to estimate the maximum amount such owner will have to pay, are described in Exhibit B attached hereto and hereby incorporated herein.

This Council hereby finds that the provisions of Section 53313.6, 53313.7 and 53313.9 of the Act (relating to adjustments to *ad valorem* property taxes and schools financed by a community services district) are inapplicable to the proposed CFD.

7. Exempt Property. Except as may otherwise be provided by law or by the rate and method of apportionment of the Special Tax for the CFD specified in Exhibit B, all lands owned by any public entity, including the United States, the State of California, the County and/or the City or any departments or political subdivisions thereof, shall be omitted from the levy of the Special Tax to be made to cover the costs and expenses of the Services and the CFD. In the event that a portion of the property within the CFD shall become for any reason exempt, wholly or in part, from the levy of the Special Tax, this City Council will, on behalf of the CFD, increase the levy to the extent necessary upon the remaining property within the CFD which is not exempt in order to yield the required amounts to pay for the Services of the CFD, if any, subject to the provisions of the rate and method of apportionment of the Special Tax.

8. Voting Procedure. The levy of the Special Tax shall be subject to the approval of the qualified electors of the CFD in the next general election held in November 2006. The proposed voting procedure shall be by registered voters within the proposed CFD, with each voter having one vote.

9. CFD Report. The City Manager of the City as the officer having charge and control of the Services in and for the CFD, or his designee, is hereby directed to study said proposed Services and to make, or cause to be made, and file with the City Clerk a report in writing, (the "CFD Report") presenting the following:

(a) A description of the Services by type which will be required to adequately meet the needs of the CFD.

(b) An estimate of the fair and reasonable cost of the Services including incidental expenses in connection therewith.

The CFD Report shall be made a part of the record of the public hearing specified below.

10. Public Hearing. Tuesday, June 20, 2006, at 7:00 p.m., or as soon as possible thereafter, in the Community Library Meeting Room, 6125 Clayton Road, Clayton, California, be, and the same are hereby appointed and fixed as the time and place when and where this Council, as legislative body for the CFD, will conduct a public hearing on the establishment of the CFD and consider and finally determine whether the public interest, convenience and necessity require the formation of the CFD and the levy of the Special Tax.

11. Notice of Hearing. The City Clerk is hereby directed to cause notice of the public hearing to be given by publication one time in the *Contra Costa Times*, a newspaper circulated in the area of the CFD. The publication shall be completed at least seven days before the date herein set for the hearing. The notice shall be substantially in the form specified in Section 53322 of the Act, with the form summarizing the provisions hereof hereby specifically approved.

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California at a regular public meeting thereof held this 16th day of May 2006 on the following vote:

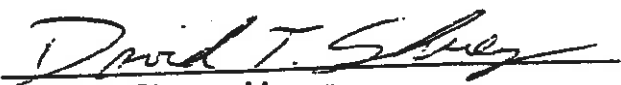
AYES: Councilmember Laurence, Manning, Pierce, Vice Mayor Walcutt and Mayor Shuey.

NOES: None.

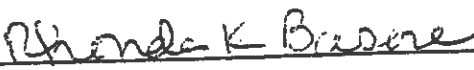
ABSENT: None.

ABSTAIN: None.

THE CITY COUNCIL OF CLAYTON, CA


David T. Shuey, Mayor

ATTEST:


Rhonda K. Basore
City Clerk

I hereby certify that Resolution No. 19-2006
was duly and regularly passed by the City
Council of the City Of Clayton at a regular
meeting held on May 16, 2006


Rhonda K. Basore, City Clerk

Exhibit A — Description of Services to be Financed by CFD
Exhibit B — Rate and Method of Levy of Special Tax
Exhibit C - Map of CFD 2006-1

EXHIBIT A

CITY OF CLAYTON Community Facilities District 2006-1 (Downtown Park Operation and Maintenance District)

DESCRIPTION OF SERVICES TO BE FINANCED BY THE CFD

The Services that are proposed to be financed by the City of Clayton Community Facilities District 2006-1 (Downtown Park Operation and Maintenance District) (the "CFD") shall include the attributable costs of operation, maintenance, repair and replacement of:

A. Downtown Park - which includes but is not limited to:

Costs of operation, maintenance, repair and replacement of an approximate 1-acre public park (APN 119-015-005,006) abutting the western edge of (old) Marsh Creek Road between Main and Center Streets located in Town Center Clayton.

Definition

"Costs of Operation, Maintenance, Repair and Replacement" of the foregoing public park improvements means the furnishing of services and materials for the ordinary and usual operation, maintenance and care of a downtown public park with its appurtenant facilities, public restroom, gazebo, playground equipment and improvements, including repair, removal or replacement of all or part of any landscaping or turf or appurtenant facilities providing for the life, growth, health and beauty of the landscaping, including cultivation, irrigation, trimming, pruning, spraying, fertilizing and treating for disease or injury; the removal of trimmings, rubbish, debris, litter and other solid wastes; and the eradication of landscape pests, including but not limited to vermin and rodents, ground squirrels, gophers, and moles.

"Maintenance" also means the furnishing of water for public health purposes and irrigation of the park turf, trees and landscaping, and the supply of electricity to operate the attendant irrigation systems, park lights and electrical outlets. In addition, allowable expenses include the County's cost to levy and collect the District's assessment through the annual property tax bill, the City's shared equipment and facilities charges, City prorated overhead charges to administer and manage the District, and District reserve funds for capital replacements, vandalism and major repairs.

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

EXHIBIT B

CITY OF CLAYTON Community Facilities District 2006-1 (Downtown Park Operation and Maintenance District)

RATE AND METHOD OF LEVY OF SPECIAL TAX

A special tax will be levied annually on each taxable parcel of land not defined below as an "Exempt Parcel" within the Community Facilities District 2006-1 (Downtown Park Operation and Maintenance District) (the "CFD") and collected in the same manner as ordinary ad-valorem property taxes or in such manner as the City of Clayton City Council or its designee shall determine, including City-originated billing of the affected property owners.

Definitions

Taxable Parcels:

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

Exempt Parcels:

Parcels of land owned by a public school district, and parcels of land owned by the City of Clayton or the Clayton Redevelopment Agency outside the boundaries of the defined Downtown Core area (see map, Attachment 1 of Exhibit B).

Residential Parcels:

Taxable Parcels of land in the District that are classified in the City of Clayton General Plan as either single-family, multi-family or rural estate residential parcels.

Downtown Core Parcels:

Taxable Parcels within the Downtown Core area that are not classified as "Residential Parcels".

Other Commercial Parcels:

Taxable Parcels outside the boundaries of the Downtown Core area that are not classified as "Residential Parcels", "Recreational Open Space Parcels" or "Multi-Family Residential Care Facilities".

Recreational Open Space Parcels:

Taxable Parcels classified as "Private Golf Course" in the City of Clayton General Plan.

Multi-Family Residential Care Facilities Parcels:

Taxable Parcels having institutional or congregate care residential units within a facility with an on-site manager.

Special Tax:

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

Special Tax Formula

A. Residential Parcels:

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

Residential Parcel Annual Special Tax Rate: \$16.39 per parcel.

B. Downtown Core Parcels:

An annual special tax will be levied on all non-Residential Parcels within the Downtown Core area (see map, Attachment 1), at the per $\frac{1}{4}$ -acre or fraction thereof parcel rate shown below for each fiscal year 2007-2008 through 2016-2017:

Downtown Core Parcel Annual Special Tax Rate: \$221.05 per $\frac{1}{4}$ -acre or fraction thereof parcel size as shown on the County tax roll.

C. Other Commercial Parcels:

An annual special tax will be levied on all non-Residential Parcels outside the Downtown Core area, as defined above, at the per $\frac{1}{4}$ -acre or fraction thereof parcel rate shown below for each fiscal year 2007-2008 through 2016-2017:

Other Commercial Parcel Annual Special Tax Rate: \$96.92 per $\frac{1}{4}$ -acre or fraction thereof parcel size as shown on the County tax roll.

D. Recreational Open Space Parcels:

An annual special tax will be levied on all Private Golf Course Parcels, as defined above, at the per $\frac{1}{4}$ -acre or fraction thereof parcel rate shown below for each fiscal year 2007-2008 through 2016-2017:

Recreational Open Space Parcel Annual Special Tax Rate: \$48.46 per $\frac{1}{4}$ -acre or fraction thereof parcel size as shown on the County tax roll.

E. Multi-Family Residential Care Facilities Parcels:

An annual special tax will be levied on all Multi-Family Residential Care Facilities Parcels, as defined above, at the per $\frac{1}{4}$ -acre or fraction thereof parcel rate shown below for each fiscal year 2007-2008 through 2016-2017:

Multi-Family Residential Care Facilities Parcel Annual Special Tax Rate: \$50.92 per $\frac{1}{4}$ -acre or fraction thereof parcel size as shown on the County tax roll.

Duration of Special Tax Levy

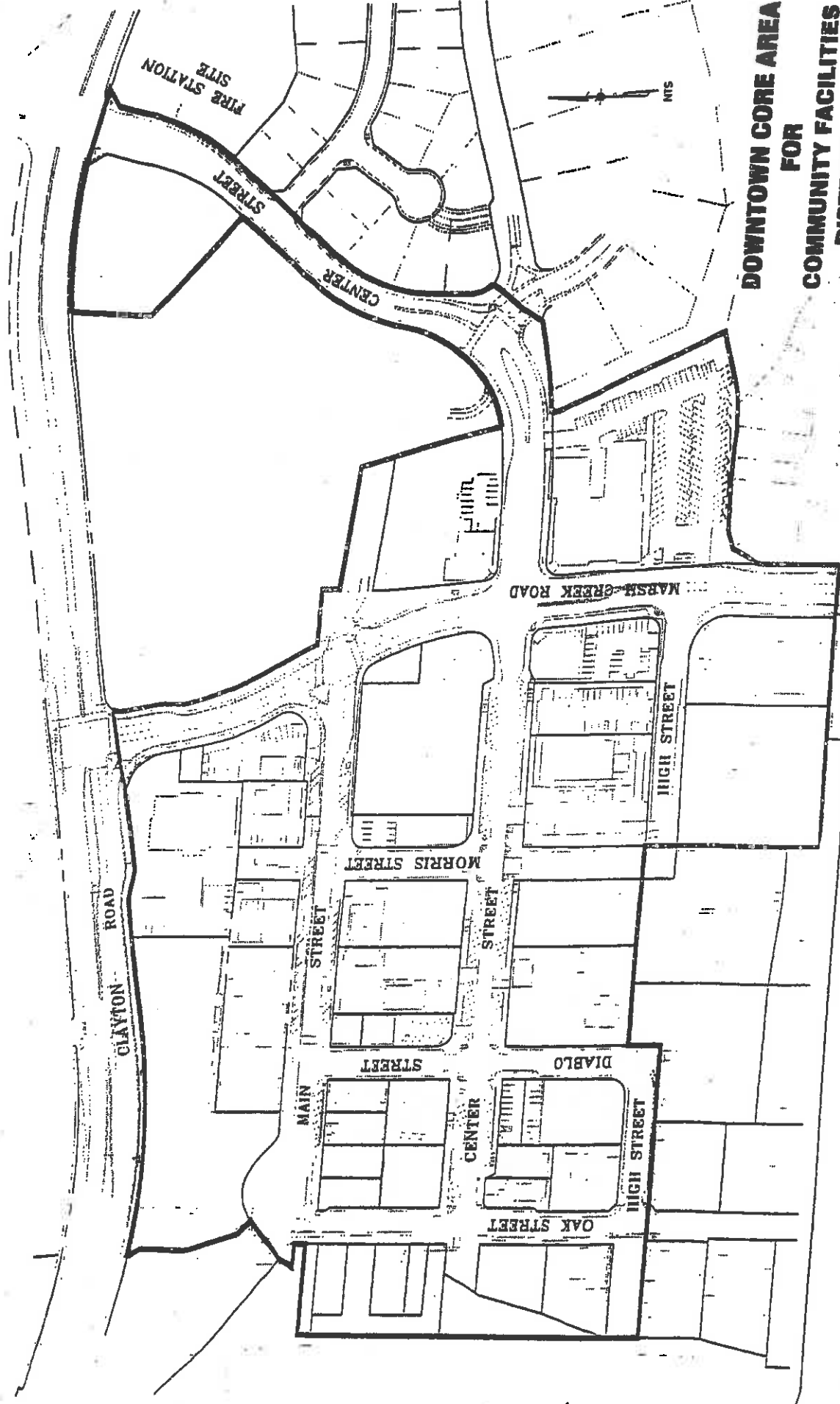
The special tax will be levied annually for a period of ten (10) years commencing in fiscal year 2007-2008 (July - June) through and including fiscal year 2016-2017. After the ten (10) year duration has expired the special tax may no longer be levied or collected unless extended pursuant to applicable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

Special Tax Escalator Factor

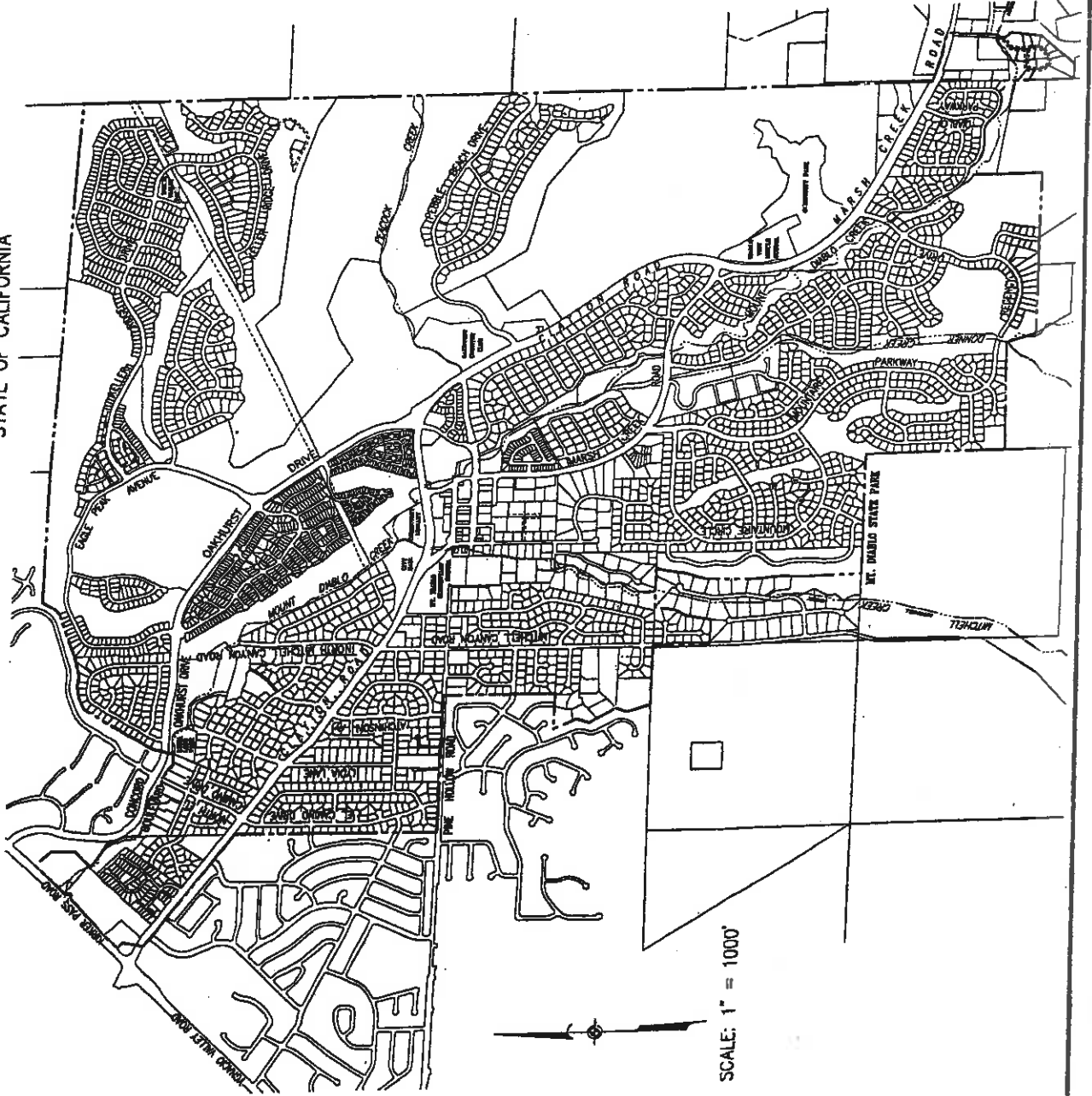
In fiscal years 2008-2009 through 2016-2017, each special annual tax rate may be increased annually by the Clayton City Council in an amount not to exceed the most recent full annual adjustment (April to April) in the Consumer Price Index - All Urban Consumers, San Francisco-Oakland-San Jose, CA Area (Base Period 1982-84 = 100). This escalator factor is applicable if determined by the City to be necessary due to expected or actual increases in the operational, maintenance, repair and replacement expenses funded by the CFD. In no event shall each annual special tax rate in any fiscal year increase by more than three percent (3%) over the previous year.

Attachment 1: Map of Downtown Core area [1 pg.]

**DOWNTOWN CORE AREA
FOR
COMMUNITY FACILITIES
DISTRICT 2006-1**



PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NO. 2006-1 (DOWNTOWN PARK OPERATION AND MAINTENANCE DISTRICT) CITY OF CLAYTON, COUNTY OF CONTRA COSTA STATE OF CALIFORNIA



CITY RECORDER'S STATEMENT:

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF CLAYTON, THIS 20th DAY OF April, 2006.

BY: Phonda K. Boone
CITY CLERK
CITY OF CLAYTON

CITY CLERK'S STATEMENT:

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING THE PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NUMBER 2006-1 IN THE CITY OF CLAYTON, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF CLAYTON AT A REGULAR MEETING THEREOF, HELD ON THE 16th DAY OF May, 2006, BY ITS RESOLUTION NO. 18-3006.

BY: Phonda K. Boone
CITY CLERK
CITY OF CLAYTON

RECORDER'S CERTIFICATE:

FILED THIS 21st DAY OF MAY, 2006, AT THE HOUR OF 12:00 P.M. IN BOOK 74 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS, AT PAGE 50, AND AS INSTRUMENT NUMBER 06-171762 IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA.

06-171762

BY: Stephen L. Wills
COUNTY RECORDER
COUNTY OF CONTRA COSTA

BY: Orlando
DEPUTY COUNTY RECORDER

LEGEND:

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

5-31-06

1:48 PM

74-50

RESOLUTION NO. 59-2006

**A RESOLUTION DECLARING RESULTS OF CANVASS OF RETURNS IN
THE 2006 GENERAL MUNICIPAL ELECTION, DECLARING THE PERSONS
ELECTED TO THE CITY COUNCIL OF THE CITY OF CLAYTON AND THE
RESULTS OF THE VOTE ON LOCAL BALLOT MEASURE "O", DOWNTOWN PARK
OPERATIONS AND MAINTENANCE DISTRICT SPECIAL TAX (CFD 2006-1)**

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

WHEREAS, a duly noticed general municipal election was held in the City of Clayton on November 7, 2006 for the purpose of voting for candidates for two (2) full-term offices of Council Member on the City Council of the City of Clayton and voter consideration of one (1) local ballot measure, Measure "O", a special tax to fund the annual operations and maintenance of the proposed Downtown Park for a period of ten (10) years; and

WHEREAS, following the canvass of returns by the Contra Costa County Clerk and receipt of his report by the City Clerk, the City Council met in a regular public meeting on December 5, 2006 and canvassed the returns of the election pursuant to and accordance with applicable provisions of the California Elections Code; and

WHEREAS, the City Council finds that the number of votes cast in the City of Clayton at the general municipal election was and is 5153, an 72.54% turnout; and

WHEREAS, the City Council finds that there were fourteen precincts in the City of Clayton established for holding the November 2006 general municipal election; and

WHEREAS, the City Council finds that the names of the persons voted for and the number of votes given said persons in the general municipal election at each of the above noted precincts and by absentee ballot as candidates for the offices of Council Member on the Clayton City Council and the total votes cast for each candidate, are as set forth in the computer printout from the Contra Costa County Election Department, attached hereto as "Exhibit A" and incorporated herein by such reference; and

WHEREAS, the City Council further finds that all of the votes in consideration of local ballot Measure "O" submitted to the Clayton voters in the general municipal election are also set forth in the computer printout from the Contra Costa County Election Department, attached hereto as "Exhibit A" and incorporated herein by such reference.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Clayton, California that the following candidates (listed alphabetically) for the two offices of Council Member of the City Council of the City of Clayton received the highest number of votes and are therefore declared to be the two (2) Council Members duly elected to serve on the

Clayton City Council until the results of the November 2010 General Municipal election are canvassed and accepted:

David T. Shuey
Ross "Hank" Stratford

BE IT FURTHER RESOLVED by the City Council that local Ballot Measure "O", the formation of a Community Facilities District and the levy of a special tax therein (Community Facilities District No. 2006-1, Downtown Park Operation and Maintenance District) did garner the requisite two-thirds voter approval and therefore Measure "O" did pass.

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California at a regular public meeting thereof held on the 5th day of December 2006 by the following vote:

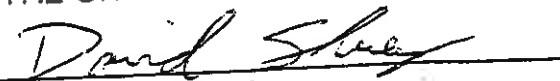
AYES: Mayor Shuey, Vice Mayor Walcutt, Councilmembers Laurence, Manning and Pierce

NOES: None

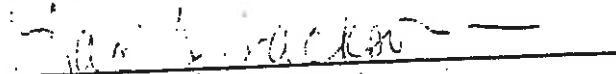
ABSTAIN: None

ABSENT: None

THE CITY COUNCIL OF CLAYTON, CA


David T. Shuey, Mayor

ATTEST:


Laci J. Jackson, City Clerk

DISTRICT CANVASS

CONTRA COSTA COUNTY
2006 GENERAL ELECTION
NOVEMBER 7, 2006

Official Results

PRINTED 12/04/06, 07:38 AM

PAGE

14 PRECINCTS

	R V E O G T I E S R T S E R E D	B C A A L S L T O T S	T P U E R R N C O E U N T T A G E	Y e s / S i	N o / N o
0081 0000081 CL081 54	880	291	33.07	169	106
0082 0000082 CL082 54	847	342	40.38	239	80
0083 0000083 CL083 54	954	380	39.83	296	78
0084 0000084 CL084 54	869	315	36.25	231	75
0085 0000085 CL085 54	1141	449	39.35	313	117
0086 0000086 CL086 54	1295	407	31.43	314	73
0087 0000087 CL087 54	1051	389	37.01	271	107
0543 0009069 CL9069 55 M	13	7	53.85	3	2
0544 0009070 CL9070 56 M	54	39	72.22	26	11
0545 0009071 CL9071 57 M	0	0		0	0
0803 8065 AB 54	0	2534		1652	815
0804 8066 AB 55	0	0		0	0
0805 8067 AB 56	0	0		0	0
0806 8068 AB 57	0	0		0	0
GRAND TOTALS	7104	5153	72.54	3514	1464

↑
68.19%
YES
↑

0-City of Clayton Park Funding Special Tax-2/3

RESOLUTION NO. 13-2007

**A RESOLUTION DESIGNATING THE NAME OF
"THE GROVE"
FOR THE DOWNTOWN PARK LOCATED BETWEEN
MAIN STREET, old MARSH CREEK ROAD and CENTER STREET**

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

WHEREAS, the City of Clayton has begun construction of a new un-named public park bordered by Main Street, old Marsh Creek Road, and Center Street, which is expected to be completed by the end of 2007; and

WHEREAS, the area at the intersection of old Marsh Creek Road, Main Street, and Center Street will be further improved to be a complement to the adjacent Black Diamond Plaza and a focal point in the historic downtown Clayton; and

WHEREAS, the Clayton City Council previously adopted a Park Naming Policy; and

WHEREAS, the Community Services Commission on February 8, 2007 considered names using their recommended Park Naming Policy and had split recommendations of the following names: Downtown Park; Joel Clayton Park; and Grove Park; and

WHEREAS, the City Council did consider the Community Services recommendations, and other names consistent with the Park Naming Policy during its regular meeting of April 17, 2007.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Clayton California, that the new downtown park located between Main Street, old Marsh Creek Road, and Center Streets shall be named "The Grove" and further resolves that this name meets the criteria of the City's Park Naming Policy as a historical site basis, as it was the location of historic eucalyptus grove community gathering place.

PASSED, APPROVED and ADOPTED by the City Council of Clayton California at a regular meeting thereof held on the 17th day of April 2007, by the following vote:

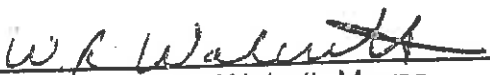
AYES: Mayor Walcutt, Vice Mayor Manning, Councilmembers Pierce and Stratford

NOES: None

ABSENT: Councilmember Shuey

ABSTAIN: None

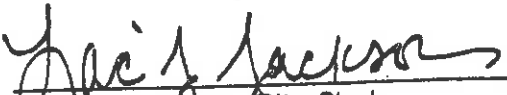
THE CITY COUNCIL OF CLAYTON, CA


William R. Walcutt, Mayor

ATTEST:


Laci J. Jackson, City Clerk

I hereby certify that the foregoing resolution was duly and regularly passed by the City Council of Clayton California at a regular meeting thereof held on April 17, 2007.


Laci J. Jackson, City Clerk

Laurapark name reso

City of Clayton
Grove Park CFD 2006-1 Fund 211
Proposed Budget 2013/14

Account Number	Account Name	2011-12 Actual	2012-13 Adopted Budget	2012-13 Actual 6/25/2013	2012-13 Projected 6/30/2013	2013-14 Proposed Budget
7111	Salaries/Regular	23,267	27,943	20,216	21,216	28,748
7112	Temporary Help	7,824	16,813	6,963	9,963	11,293
7218	LTD Insurance	101	196	168	196	227
7220	PERS Retirement	3,734	6,114	5,465	5,750	6,740
7231	Workers Comp Insurance	-	1,200	803	1,200	1,416
7232	Unemployment Insurance	986	974	974	974	692
7233	FICA and Medicare	839	1,691	720	627	1,281
7246	Benefit Insurance	3,472	5,590	4,650	4,650	4,751
7311	General Supplies	6,681	4,900	1,290	4,800	4,800
7331	Rentals/Leases	511	500	-	500	500
7335	Gas & Electric Serv.	1,136	1,200	1,276	1,378	1,300
7338	Water Service	2,265	4,000	6,700	6,677	6,677
7342	Machinery/ Equip Maint.	-	500	500	500	500
7343	Vehicle Maintenance	-	1,000	-	1,000	1,000
7344	Vehicle Gas, Oil, and Supplies	1,500	1,500	-	1,500	1,500
7361	Property Tax Admin Cost	3,738	3,900	3,551	3,738	3,900
7417	Janitorial Services	10,516	12,900	11,325	13,325	13,325
7419	Other Prof. Services	9,587	4,787	3,483	4,741	7,137
7420	Other Outside Services	4,335	3,800	3,749	3,800	3,800
7485	Capital Equipment	6,274	-	-	-	-
7486	CERF Charges/Depreciation	2,700	2,700	2,700	2,700	2,700
7615	Property Taxes	427	436	436	436	2,190
8101	Transfer to General Fund	6,267	6,399	6,399	6,399	6,533
	Asset Replacement	-	18,000	-	18,000	18,000
	Reserve Fund	-	5,000	-	5,000	5,000
	Total Expenses	96,160	132,043	81,366	129,033	134,010

4613 Downtown Park Assessment
5601 Interest
5602 Other Revenue
5606 Unrealized Inv Gain/Loss
5790 Misc Revenue

Total Revenue

Annual Balance (Shortfall)
Unreserved Fund Balance
Asset Replacement Reserve
Unallocated Reserve Fund
Total Fund Balance

111,797	114,145	107,801	114,145	116,834
6,082	2,000	6,042	5,188	2,000
-	-	472	472	-
-	-	-	-	-
10,000	10,000	10,000	10,000	10,000
127,879	126,145	124,315	129,805	128,834
31,719	(5,898)	42,949	772	(5,176)
125,433	83,049	168,383	169,155	169,928
67,858	103,858	85,858	85,858	103,858
20,000	25,000	25,000	25,000	30,000
245,011	206,009	322,190	280,786	298,609

Attachment 10

7/9/2013 4:22 PM

City of Clayton
Grove Park CFD 2006-1 Fund 211
Proposed Budget 2013/14

Account Number	Account Name	2011-12 Actual	2012-13 Adopted Budget	2012-13 Actual 6/25/2013	2012-13 Projected 6/30/2013	2013-14 Proposed Budget
7331	Equipment Rental	511	500	-	-	500
		511	500	-	-	500
7311	Garden Equipment	-	1,000	-	-	1,000
	Other Supplies	-	2,800	1,290	4,800	3,800
	Total	-	4,900	1,290	4,800	4,800
7417	Janitorial	9,300	12,000	11,000	12,000	12,000
	Supplies	1,216	900	325	1,325	1,325
	Total	10,516	12,900	11,325	13,325	13,325
7419	Sprayer Sales Co (wwater treatment)	292.39	297	366	366	331
	Miracle Play Systems	3,677.27	-	773	1,441	1,500
	PMT Pest Control	200.00	2,260	475	475	2,260
	Martell Water Services	-	440	669	669	440
	Electrical Services	2,595.00	-	-	-	-
	Warner Bros	1,950.00	1,550	1,200	1,550	2,400
	East Bay Brass-Plaque E Hoyer	452.00	-	-	-	-
	AVI-SPL Field Service	420.00	-	-	-	-
	EBRCSA-Radio Mtn PW radio's	-	240	-	240	206
		9,587	4,787	3,483	4,741	7,137
7420	NBS	4,335	3,800	3,749	3,800	3,800
	NBS Delinquency letters					



Agenda Date: 7-16-13
Agenda Item: 4i

STAFF REPORT

Approved:



Gary A. Napper
City Manager/Executive Director

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: RICK ANGRISANI, CITY ENGINEER

DATE: JULY 16, 2013

SUBJECT: ACCEPTANCE OF A \$40,000 GRANT FROM THE 511 CONTRA COSTA STREET SMARTS INFRASTRUCTURE PROGRAM FOR THE PURCHASE AND INSTALLATION OF TWO SOLAR-POWERED TRAFFIC SIGNS WITH FLASHING BEACONS AND SPEED READOUTS ALONG MARSH CREEK ROAD ADJACENT TO DIABLO VIEW MIDDLE SCHOOL ALONG WITH CITY AGREEMENT TO MAINTAIN AND REPAIR THE TRAFFIC CONTROL DEVICES.

RECOMMENDATION

Approve acceptance of the proposed grant, the installation of proposed signage and assumption of responsibility for the maintenance thereof.

BACKGROUND

The 511 Contra Costa Street Smarts Infrastructure Program ("511") has been meeting with the Diablo View Middle School ("DVMS") staff and the Police Chief to prepare recommendations to improve the safety of the students attending DVMS. The most significant concern has been the speed of vehicles on Marsh Creek Road.

The final recommendations included the following (see attached site plan):

- 1) Installation of a "School Ahead" sign on the northbound side of Marsh Creek Road east of Regency Drive.
- 2) Installation of a lighted (in-ground) crosswalk at the main entry into DVMS.
- 3) Installation of 2 solar-powered flashing school signs with radar to indicate the speed of the traffic.

Date: July 16, 2013

Page 2 of 2

The City Engineer met with Munni Krisha, Special Projects Coordinator for 511, and discussed the recommendations with the Police Chief. We all agreed that the costs (both installation and maintenance) for the lighted crosswalk far outweighed the benefits since the intersection is already controlled by a traffic signal.

Staff then investigated the types and cost of the solar-powered signs. The final choice was for a sign offered by Western Pacific Signal, LLC, which includes a programmable flashing light and radar display which will indicate the speed limit (25 mph during school commute times) and the speed of vehicles approaching the sign (see sign picture attached). The radar software also tracks the number of vehicles and their speeds 24/7 and will prepare reports for evaluation by City staff.

The cost of each sign is approximately \$10,000 delivered and an additional \$2,500 to install. The cost also includes a laptop computer for programming and downloading information. We spoke to other agencies who have installed these types of signs found that they were very pleased with them. We were warned that annual maintenance costs generally run between \$1,000 and \$2,500 apiece for part replacements and vandalism repairs. While these maintenance costs are paid by gas tax funds, we hope to minimize the vandalism costs by installing the signs in the median islands rather than behind the curb near sidewalks. The island locations also provide the best visibility due to vegetation and the speed of the vehicles.

We discussed the costs with 511 and they have agreed to fund up to \$40,000 to install the signs. This funding covers the complete installation costs as well as City staff costs. In order to minimize the time for installation and to have the signs installed, hopefully, prior to the start of the next school year, 511 is willing to pay the supplier directly in lieu of the City undertaking the public bid process. Therefore, the City just needs to find a contractor to install the pole and mount the equipment. Upon completion, the supplier will come out to program the equipment and show City staff how to operate everything.

FISCAL IMPACT

While the cost of installation is covered by the grant from 511, the ongoing maintenance cost of between \$2,000 and \$5,000 will be the City's responsibility. This cost will be paid by Gas Tax funds and will have no impact on the City's General Fund.

CONCLUSION

Based upon the above, staff recommends the City Council approve the acceptance of this \$40,000 grant from 511, authorize the installation of the proposed signage, and accept responsibility for the maintenance thereof.

Attachments: Layout Plan
 Proposed Sign
 Letter from 511 offering grant



DIABLO REGION

A Traffic Safety Program

July 8, 2013

Rick Angrisani
City Engineer, City of Clayton
5375 Clayton Road
Concord, CA 94521

Dear Mr. Angrisani,

Thank you for providing us with cost estimates for (2) solar powered signs with flashing beacons and speed readouts that would help to slow down high-speed commute traffic on Marsh Creek Road and improve access conditions for the Diablo View Middle School community. After meeting with the Diablo View Middle School Principal, Mt. Diablo Unified School District staff, and Chief of Clayton Police Chris Thorsen, we believe this project is crucial in supporting bicycle and pedestrian safety to and from campus.

It is our pleasure to inform you that 511 Contra Costa's *Street Smarts Infrastructure Program* has agreed to fund the entirety of this project, including purchased materials, installation costs, and City staff time, up to the amount of **\$40,000**. Our program is able to reimburse the City directly for these costs or provide direct payment to vendors. In return, we would ask that the City of Clayton assume responsibility for the continued maintenance of these instruments.

We are truly excited to be involved in this project and look forward to hearing from you for next steps. Please feel free to contact me or Munni Krishna (*Street Smarts Infrastructure Program* Coordinator) with any questions.

Sincerely,

Lynn Overcashier
Program Manager
511 Contra Costa

2300 Contra Costa Blvd., Suite 110, Pleasant Hill, CA 94523 | Phone 925-969-0841 | Fax 925-969-9135

Street Smarts Diablo Region is a Traffic Safety Program that educates pedestrians, cyclists and drivers in Central and East Contra Costa County.

*Street Smarts and SchoolPool are brought to you by 511 Contra Costa in cooperation with the cities of Antioch • Brentwood
Clayton • Concord • Martinez • Oakley • Pittsburg • Pleasant Hill • Walnut Creek • and Contra Costa County*

www.StreetSmartsDiablo.com



**Mount Diablo Unified School District
Diablo View Middle School (Clayton, CA)
Proposed School Safety Signage on Marsh Creek Road**



Principal Patti Bannister
300 Diablo Lane
Clayton, CA 94517

* Speed limit
radar



THE BEST IN THE BUSINESS

SPEEDCHECK™

Scheduler and TimeKeeper

SpeedCheck™ can support your traffic calming program throughout school and non-school hours, providing traffic calming 24 hours a day, and automatically adjusts for daylight savings time changes. SpeedCheck Scheduler offers sophisticated scheduling capability available in our speed display product which allows unlimited flexibility.



SpeedCheck Scheduler™ enables the user to tailor the sign operation for your particular traffic calming application such as:

- ✓ School hours
- ✓ Commuter Traffic
- ✓ Residential
- ✓ Day-time or Night-time hours
- ✓ Vacation Days

SpeedCheck Scheduler includes eight on/off events per day using a NetBook to set schedule parameters.

With the SpeedCheck Notebook/PC version you can program up to 16 on/off events per day and maintain a two-year calendar.

Scheduler enables 24-hour coverage even in a speed zone that has two different speeds based on time of day, such as school zones when children are present only part of the day.

In addition, the Scheduler can trigger or control external devices such as school zone flashers or strobes.

Also available is the SpeedCheck TimeKeeper™ for automatic daily time clock synchronization via GPS satellite signal.

School Zone example: violation alert can be set for two speed thresholds by time of day:

- ✓ First speed setting supports school speed limit when children are present; with the speed limit set to 25MPH and violation alert flashing begins at 26MPH.
- ✓ Second speed setting supports non-school hours; speed limit set to 45MPH, violation alert begins at 46MPH



Agenda Date: 7-13-14

Agenda Item: 8a

Approved:

Gary A. Napper
City Manager

STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: CHARLIE MULLEN, COMMUNITY DEVELOPMENT DIRECTOR *CM*

DATE: JULY 16, 2013

SUBJECT: PUBLIC HEARING TO CONSIDER AN ORDINANCE AMENDING THE CLAYTON MUNICIPAL CODE TITLE 17, ESTABLISHING PROHIBITED USES AND ACTIVITIES, AND SPECIFICALLY PROHIBITING MEDICAL MARIJUANA DISPENSARIES AND CERTAIN CULTIVATION ACTIVITIES (ZOA-02-13).

RECOMMENDATION

Staff recommends the City Council conduct a public hearing, receive and consider the staff report and any public comment; have the City Clerk read the Ordinance (see Attachment 1) by title and number only and waive further reading; and following the City Clerk's reading, the City Council approve the introduction and first reading of the Ordinance.

BACKGROUND

The discussion of prohibiting medical marijuana dispensaries was previously considered by the City in 2005, through the Introduction and First Reading of Ordinance No. 387 to similarly prohibit such dispensaries. However, the City deferred actual adoption of the Ordinance at that time due to the uncertainty of and risks associated with pending court cases and legal challenges. Since that time, a number of significant court cases have concluded and the federal government has more publicly clarified its enforcement position on medical marijuana.

On May 7, 2013 the City Council received an informational report from the City Attorney on a municipality's enhanced ability to exercise its land use authority to prohibit medical marijuana dispensaries pursuant to the recent California Supreme Court case of *City of Riverside v. Inland Empire Patients Health and Wellness Center, Inc.*, (2013) 56 Cal.4th 729. At that public meeting the Council subsequently instructed staff to prepare a local ordinance on the matter.

Planning Commission Action

On June 25, 2013, the Planning Commission conducted a public hearing and after considering the proposed Prohibited Uses and Activities Ordinance, adopted Resolution No. 03-13 recommending City Council approval of an Ordinance, amending the Clayton Municipal Code Title 17, establishing Prohibited Uses and Activities and specifically prohibiting medical marijuana dispensaries and certain cultivation activities. One member of the public, Mr. John Roskelley, spoke in general favor of the Ordinance, but suggested consideration be given to allow outdoor medical marijuana cultivation at the homes of qualified patients.

The City Council is referred to the attached June 25, 2013, Planning Commission staff report for a thorough and detailed history and discussion of medical marijuana, including but not limited to federal law, state law, community crime and community impacts, medical benefits or impacts, marijuana Impacts on children/teenagers, organizations supporting marijuana use, and organizations opposing marijuana use.

DISCUSSION

The purpose of the proposed City-initiated Ordinance to amend the Clayton Municipal Code Title 17, is to specifically prohibit medical marijuana dispensaries and certain cultivation activities to comprehensively address this issue and establish local control and regulation, as permitted by State and Federal law, and as supported by the recent California Supreme Court case of *City of Riverside v. Inland Empire Patients Health and Wellness Center, Inc.*, (2013) 56 Cal.4th 729.

Proposed Ordinance Prohibiting Uses And Activities

The City Attorney has prepared the attached Ordinance amending the Clayton Municipal Code Title 17, establishing Prohibited Uses and Activities and specifically relating to prohibiting medical marijuana dispensaries and certain cultivation activities.

The proposed Ordinance includes a new definition for “Medical Marijuana Dispensary” to be added as Section 17.04.138, and a new Section 17.36.080 “Prohibited Uses and Activities” to be added to the Clayton Municipal Code. The following are the new sections in their entirety:

“17.04.138 Medical Marijuana Dispensary. A facility or location where marijuana is made available for medical purposes in accordance with Health and Safety Code Section 11362.5 (Proposition 215)”; and

“17.36.080 Prohibited Uses and Activities.

The following uses and activities are prohibited in all zoning districts;

(a) Any use or activity which is prohibited by local, regional, State, or Federal law;

(b) Establishment or operation of medical marijuana dispensaries, as defined in Section 17.04.138;

- (c) Outdoor cultivation or production of medical marijuana;
- (d) Indoor cultivation or production of medical marijuana, excepting medical marijuana cultivation or production in residential zones within a detached, fully-enclosed, and secure secondary structure, or within a primary residential structure at a location legally inhabited by a qualified patient or primary caregiver as defined in Health and Safety Code section 11362.7; and
- (e) Other use or activities as may be determined by the Planning Commission to be of the same general character as those specifically prohibited.”

The above proposed Ordinance language does not prohibit personal medical marijuana use or indoor cultivation of medical marijuana by a qualified patient or primary caregiver in residential zones within a detached, fully-enclosed and secure secondary structure or within a primary residential structure at a location legally inhabited by a qualified patient or primary caregiver (as defined in Health and Safety Code section 11362.7).

It is the opinion of staff and the City Attorney the proposed Ordinance language is legally defensible and does not impinge on the personal individual rights of a qualified patient to use medical marijuana as envisioned under the Compassionate Use Act (Proposition 215). Further, after evaluation of the information accumulated on the controversial subject and in consideration of the recent California Supreme Court ruling upholding local authority to regulate or prohibit medical marijuana dispensaries and cultivation, it is staff's professional recommendation the proposed Ordinance should be approved for implementation in the City of Clayton.

CEQA

Pursuant to California Environmental Quality Act (CEQA) Guideline 15061(b)(3) it can be seen with certainty that there is no possibility that this zoning amendment to the Clayton Zoning Ordinance/Municipal Code may have a significant effect on the environment, and therefore it is not subject to CEQA.

FISCAL IMPACT

Negligible. Some staff time as well as printing cost have and will be associated with this Ordinance.

Attachments:

1. Ordinance No. 448 – Establishing Prohibited Use and Activities.
2. Planning Commission Resolution No. 03-13.
3. June 25, 2013, Planning Commission Staff Report (without attachments).
4. Clayton Chief of Police memo, dated May 23, 2013.

ORDINANCE NO. 448

**AN ORDINANCE AMENDING CLAYTON MUNICIPAL CODE
TITLE 17, ESTABLISHING PROHIBITED USES AND ACTIVITIES,
SPECIFICALLY PROHIBITING MEDICAL MARIJUANA DISPENSARIES AND
CERTAIN CULTIVATION ACTIVITIES**

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

WHEREAS, the voters of the State of California approved Proposition 215 (codified as Health & Safety Code 11362.5 and entitled the Compassionate Use Act of 1996 ("Prop. 215")); and

WHEREAS, the State enacted SB 420 (codified as Health & Safety Code 11362.7 *et seq.*) in 2003 to clarify the scope of Prop. 215; and

WHEREAS, Prop. 215 and SB 420 provide for a limited defense to state law prohibitions on marijuana use, cultivation and possession for qualified patients and their primary caregivers; and

WHEREAS, while SB 420 entitles qualified patients and their primary caregivers to collectively cultivate medical marijuana, no provision of Prop. 215 or SB 420 grants qualified patients and their primary caregivers an absolute right to medical marijuana or otherwise restricts cities' ability to prohibit medical marijuana uses, including medical marijuana dispensaries; and

WHEREAS, the sale and distribution of all marijuana remains prohibited by federal law, specifically the Controlled Substances Act (the "Act"); and

WHEREAS, the United States Supreme Court, in *Gonzales v. Raich*, 545 U.S. 1 (2005), confirmed the validity of the Act's prohibition of marijuana sale and distribution and the application of the Act in California, notwithstanding the possible medicinal uses of marijuana and the limited authorization for sale and distribution of marijuana created by California state law. The Court noted that California's system of limited decriminalization for medical marijuana is susceptible to abuse, and confirmed that California's medical marijuana laws are superseded by the Act to the extent that they conflict with the Act; and

WHEREAS, the United States Supreme Court, in *United States v. Oakland Cannabis Buyers' Cooperative*, 532 U.S. 483 (2001), concluded that there is no exemption for medical necessity from the Act's prohibition on the sale and distribution of marijuana; and

WHEREAS, the cities where medical marijuana dispensaries have been permitted to operate have experienced significant problems, including burglaries and takeover robberies of dispensaries, robberies of customers leaving dispensaries, an increase in crime (especially thefts and robberies) in the vicinity of dispensaries, illegal re-selling of marijuana obtained from dispensaries, physicians issuing apparently fraudulent recommendations for the use of marijuana, dispensary staff selling marijuana to customers with obviously counterfeit patient identification cards, street dealers attempting to sell marijuana to dispensary customers, dispensary customers

using marijuana and then driving under the influence of marijuana, the sale of illegal drugs other than marijuana in the dispensaries and sales of marijuana to minors; and

WHEREAS, after studying the regulation of medical marijuana dispensaries, considering testimony from members of the public and reviewing the legal status of medical marijuana dispensaries under applicable law, the City Council finds that adoption of a ban on the establishment and operation of medical marijuana dispensaries is necessary to protect the public health, safety, and welfare; and

WHEREAS, the City Council's ability to exercise its land use authority to prohibit medical marijuana dispensaries was recently recognized by the California Supreme Court in *City of Riverside v. Inland Empire Patients Health and Wellness Center, Inc.*, (2013) 56 Cal.4th 729; and

WHEREAS, the City Council also wishes to regulate the cultivation of medical marijuana as set forth in this Ordinance; and

WHEREAS, medical marijuana cultivation, without certain safeguards, increases the risk of criminal activity, degradation of the natural environment and malodorous smells; and

WHEREAS, as marijuana plants begin to flower, and for a period of approximately two months or more during the growing season, they produce an extremely strong odor that is offensive to many people and detectable well beyond property boundaries upon which they are grown; and

WHEREAS, the strong odor of marijuana may create an attractive nuisance, alerting individuals to the location of plants, thereby creating the risk of potential crimes such as burglary, robbery, armed robbery, assault, attempted murder, and murder; and

WHEREAS, the limited right of qualified patients and their primary caregivers under state law to cultivate marijuana for medical purposes does not confer upon them the right to create or maintain a public nuisance or otherwise exempt these persons from local land use regulations; and

WHEREAS, it is the City Council's intention that nothing in this Ordinance shall be deemed to conflict with federal law as contained in the Act, nor to otherwise permit any activity that is prohibited under that Act. It is further the City Council's intention that nothing in this Ordinance shall be construed to (1) allow persons to engage in conduct that endangers others or causes a public nuisance, (2) allow the use of marijuana for non-medical purposes, or (3) allow any activity relating to the cultivation, distribution, or consumption of marijuana that is illegal under state law.

THE CITY COUNCIL OF THE CITY OF CLAYTON DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. The above recitals are hereby incorporated into this Ordinance.

Section 2. Section 17.04.137 of the Clayton Municipal Code, entitled "Lot, Through" is hereby renumbered as Section 17.04.136.

Section 3. Section 17.04.138 of the Clayton Municipal Code, entitled “Manufactured Home” is hereby renumbered as Section 17.04.137.

Section 4. Section 17.04.138 of the Clayton Municipal Code is hereby added to read in full as follows:

“17.04.138 Medical Marijuana Dispensary. A facility or location where marijuana is made available for medical purposes in accordance with Health and Safety Code Section 11362.5 (Proposition 215).”

Section 5. Section 17.36.080 of the Clayton Municipal Code is hereby added to read in full as follows:

“17.36.080 Prohibited Uses and Activities.

The following uses and activities are prohibited in all zoning districts;

- (a) Any use or activity which is prohibited by local, regional, state, or federal law;
- (b) Establishment or operation of medical marijuana dispensaries, as defined in Section 17.04.138;
- (c) Outdoor cultivation or production of medical marijuana;
- (d) Indoor cultivation or production of medical marijuana, excepting medical marijuana cultivation or production in residential zones within a detached, fully-enclosed and secure secondary structure or within a primary residential structure at a location legally inhabited by a qualified patient or primary caregiver as defined in Health and Safety Code section 11362.7; and
- (e) Other use or activities as may be determined by the Planning Commission to be of the same general character as those specifically prohibited.”

Section 6. 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 its effective date.

Section 7. 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 8. 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 9. CEQA

Pursuant to California Environmental Quality Act (CEQA) Guideline 15061(b)(3) it can be seen with certainty that there is no possibility that this zoning amendment to the Clayton Zoning Ordinance/Municipal Code may have a significant effect on the environment, and therefore it is not subject to CEQA.

Section 10. Notice of Exemption

The City Council directs staff to prepare and file a Notice of Exemption no more than five (5) working days after adoption of this ordinance.

Section 11. 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 16th day of July 2013.

PASSED, ADOPTED AND ORDERED posted at a regular meeting of the City Council of the City of Clayton on the ____th day of _____ 2013, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

The City Council of Clayton, California

Julie K. Pierce, Mayor

ATTEST:

Laci J. Jackson, City Clerk

APPROVED AS TO FORM:

APPROVED AS TO ADMINISTRATION:

Malathy Subramanian, City Attorney

Gary A. Napper, City Manager

I hereby certify that the foregoing Ordinance was duly introduced at a regular meeting of the City Council of the City of Clayton held on the ____th day of _____ and was duly adopted and ordered posted at a regular meeting of the City Council held on the ____th day of _____, 2013.

Laci J. Jackson, City Clerk

**CITY OF CLAYTON
PLANNING COMMISSION
RESOLUTION NO. 03-13**

**RECOMMENDING CITY COUNCIL APPROVAL OF
AN ORDINANCE AMENDING CLAYTON MUNICIPAL CODE
TITLE 17, ESTABLISHING PROHIBITED USES AND ACTIVITIES,
SPECIFICALLY PROHIBITING MEDICAL MARIJUANA DISPENSARIES
AND CERTAIN CULTIVATION ACTIVITIES
(ZOA-02-13)**

WHEREAS, the City of Clayton Planning Commission held a duly noticed public hearing at a regular meeting on June 25, 2013 to review and consider an Ordinance amending the Clayton Municipal Code Title 17, establishing Prohibiting Uses and Activities and specifically prohibiting Medical Marijuana Dispensaries and certain cultivation activities; and

WHEREAS, the voters of the State of California approved Proposition 215 (codified as Health & Safety Code 11362.5 and entitled the Compassionate Use Act of 1996 ("Prop. 215")); and

WHEREAS, the State enacted SB 420 (codified as Health & Safety Code 11362.7 *et seq.*) in 2003 to clarify the scope of Prop. 215; and

WHEREAS, Prop. 215 and SB 420 provide for a limited defense to state law prohibitions on marijuana use, cultivation and possession for qualified patients and their primary caregivers; and

WHEREAS, while SB 420 entitles qualified patients and their primary caregivers to collectively cultivate medical marijuana, no provision of Prop. 215 or SB 420 grants qualified patients and their primary caregivers an absolute right to medical marijuana or otherwise restricts cities' ability to prohibit medical marijuana uses, including medical marijuana dispensaries; and

WHEREAS, the sale and distribution of all marijuana remains prohibited by federal law, specifically the Controlled Substances Act (the "Act"); and

WHEREAS, the United States Supreme Court, in *Gonzales v. Raich*, 545 U.S. 1 (2005), confirmed the validity of the Act's prohibition of marijuana sale and distribution and the application of the Act in California, notwithstanding the possible medicinal uses of marijuana and the limited authorization for sale and distribution of marijuana created by California state law. The Court noted that California's system of limited decriminalization for medical marijuana is susceptible to abuse, and confirmed that California's medical marijuana laws are superseded by the Act to the extent that they conflict with the Act; and

WHEREAS, the United States Supreme Court, in *United States v. Oakland Cannabis Buyers' Cooperative*, 532 U.S. 483 (2001), concluded that there is no exemption for medical necessity from the Act's prohibition on the sale and distribution of marijuana; and

WHEREAS, the cities where medical marijuana dispensaries have been permitted to operate have experienced significant problems, including burglaries and takeover robberies of dispensaries, robberies of customers leaving dispensaries, an increase in crime (especially thefts and robberies) in the vicinity of dispensaries, illegal re-selling of marijuana obtained from dispensaries, physicians issuing apparently fraudulent recommendations for the use of marijuana, dispensary staff selling marijuana to customers with obviously counterfeit patient identification cards, street dealers attempting to sell marijuana to dispensary customers, dispensary customers using marijuana and then driving under the influence of marijuana, the sale of illegal drugs other than marijuana in the dispensaries and sales of marijuana to minors; and

WHEREAS, after studying the regulation of medical marijuana dispensaries, considering testimony from members of the public and reviewing the legal status of medical marijuana dispensaries under applicable law, the Planning Commission finds that adoption of a ban on the establishment and operation of medical marijuana dispensaries is necessary to protect the public health, safety, and welfare; and

WHEREAS, the City Council's ability to exercise its land use authority to prohibit medical marijuana dispensaries was recently recognized by the California Supreme Court in *City of Riverside v. Inland Empire Patients Health and Wellness Center, Inc.*, Cal.4th (2013); and

WHEREAS, the Planning Commission also wishes to regulate the cultivation of medical marijuana as set forth in this Ordinance; and

WHEREAS, medical marijuana cultivation, without certain safeguards, increases the risk of criminal activity, degradation of the natural environment and malodorous smells; and

WHEREAS, as marijuana plants begin to flower, and for a period of approximately two months or more during the growing season, they produce an extremely strong odor that is offensive to many people and detectable well beyond property boundaries upon which they are grown; and

WHEREAS, the strong odor of marijuana may create an attractive nuisance, alerting individuals to the location of plants, thereby creating the risk of potential crimes such as burglary, robbery, armed robbery, assault, attempted murder, and murder; and

WHEREAS, the limited right of qualified patients and their primary caregivers under state law to cultivate marijuana for medical purposes does not confer upon them the right to create or maintain a public nuisance or otherwise exempt these persons from local land use regulations; and

WHEREAS, it is the Planning Commission's intention that nothing in this Ordinance shall be deemed to conflict with federal law as contained in the Act, nor to otherwise permit any activity that is prohibited under that Act. It is further the Planning Commission's intention that nothing in this Ordinance shall be construed to (1) allow persons to engage in conduct that endangers others or causes a public nuisance, (2) allow the use of marijuana for non-medical purposes, or (3) allow any activity relating to the cultivation, distribution, or consumption of marijuana that is illegal under state law.

WHEREAS, pursuant to California Environmental Quality Act (CEQA) Guideline 15061(b)(3) it can be seen with certainty that there is no possibility that this zoning amendment to the Clayton Zoning Ordinance/Municipal Code may have a significant effect on the environment, and therefore it is not subject to CEQA.

WHEREAS, proper notice of this public hearing was given in all respects as required by law; and

WHEREAS, the Planning Commission has reviewed all written evidence and oral testimony presented to date; and

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Clayton based on substantial evidence in the administrative record of proceedings and pursuant to its independent review and consideration, does hereby recommend City Council approval an Ordinance (ZOA-02-13) amending the Clayton Municipal Code Title 17, establishing Prohibiting Uses and Activities and specifically prohibiting Medical Marijuana Dispensaries and certain cultivation activities.

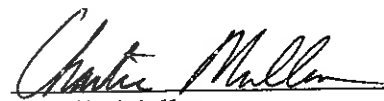
PASSED AND ADOPTED by the Planning Commission of the City of Clayton at a Regular meeting on the 25th day of June, 2013.

APPROVED:



Keith Haydon
Chair

ATTEST:



Charlie Mullen
Community Development Director

ATTACHMENT: Ordinance

**CITY OF CLAYTON
PLANNING COMMISSION
STAFF REPORT**

Meeting Date: June 25, 2013

From: Charlie Mullen
Community Development Director



Subject: Public Hearing to Consider An Ordinance Amending the Clayton Municipal Code Title 17, Establishing Prohibited Uses and Activities, and Specifically Prohibiting Medical Marijuana Dispensaries and Certain Cultivation Activities (ZOA-02-13)

REQUEST

Public Hearing to consider a City-initiated Ordinance amending the Clayton Municipal Code Title 17, establishing Prohibited Uses and Activities and specifically prohibiting medical marijuana dispensaries and certain cultivation activities.

PROJECT INFORMATION

Applicant/Location: City/Citywide

General Plan Designation: Citywide

Zoning Classification: Citywide

Public Notice: On June 14, 2013, a public hearing notice was published in the Contra Costa Times and posted at designated locations in the city.

BACKGROUND

On May 7, 2013 the Clayton City Council received an informational update from the City Attorney on the City's enhanced ability to exercise its land use authority to prohibit medical marijuana dispensaries pursuant to the recent California Supreme Court case of *City of Riverside v. Inland Empire Patients Health and Wellness Center, Inc.*, Cal.4th (2013). At that public meeting the Council subsequently instructed staff to prepare an Ordinance on the matter.

The discussion of prohibiting medical marijuana dispensaries was previously considered by the City in 2005, through the Introduction and First Reading of Ordinance No. 387 to similarly prohibit such dispensaries. However, the City deferred actual adoption of the Ordinance at that time due to the uncertainty of and risks associated with pending court cases and legal challenges. Since that time, a number of significant court cases have concluded and the Federal government has more publicly stated their position on medical marijuana.

DISCUSSION

The purpose of this staff report is to help inform the Planning Commission on the highly controversial topic of medical marijuana, and to thereby empower the Commission to make informed decisions on this topic. Staff can professionally testify that this has been one of the more complicated and constantly changing topics that cities have recently been facing. In fact, new information and opinions from Federal agencies and the court systems are ongoing. Adding the conflict and controversy between the Federal and State laws, the topic has become a constantly moving target.

In addition, there are many view points and opinions, both for and against, marijuana and medical marijuana. This report attempts to present a balance of credible information to assist the Commission in obtaining a better overall understanding of the topic. Under the following topic headings, staff has discussed, raised, or identified key issues and information for consideration. This discussion and content are based on volumes of reference material and published documents that staff has researched and used in reporting on this topic.

Federal Law

Federal law through the Controlled Substances Act (CSA) of 1970, established a federal regulatory system designed to combat recreational drug abuse by making it unlawful to manufacture, distribute, dispense or possess any controlled substance. The CSA reflects the federal government's view that *"marijuana is a drug with no currently accepted medical use."* Accordingly, the manufacture, distribution, or possession of marijuana is a federal criminal offense.

The CSA established five categories, known as schedules, to which different levels of requirements, restrictions, and prohibitions are attached. A drug's classification in a specific schedule is determined by its abuse and dependence potentials on the one hand, and by the evidence of its safety and therapeutic effectiveness on the other. Substances in both Schedules I and II are subject to the greatest restrictions because they have a *"high potential for abuse."*

Marijuana (cannabis) is classified as a Schedule I substance under the CSA which prohibits the use of raw marijuana for either medical or recreational use. Under the CSA marijuana cannot be legally prescribed as medicine by a physician. From a governmental hierarchical standpoint, Federal regulation supersedes any state regulation such that under Federal Law, the California medical marijuana statutes do not provide a legal defense for cultivating or possessing marijuana – even with a physician's recommendation for medical use.

Many states, counties, cities, communities, organizations, law enforcement organizations and individual persons consider the State medical marijuana laws to be in direct conflict with and in violation of Federal laws. Others say there is no conflict with the CSA because State laws do not "legalize" medical marijuana but, instead, chose not to punish certain marijuana offenses under State law.

The Federal agencies that enforce Federal laws on marijuana include the Department of Justice (DOJ) and the Drug Enforcement Administration (DEA). Regarding enforcement, these agencies have made it very clear that they will continue to primarily focus their efforts and resources on the arrest and prosecution of significant traffickers of illegal drugs, including marijuana. This priority will also include targeting marijuana dispensaries that are exposed as fronts for drug trafficking. The DOJ's position is that State laws or local ordinances are not a defense to civil or criminal enforcement of Federal law with respect to such conduct, including enforcement of the CSA. Those who engage in transactions involving the proceeds of such activity may also be in violation of federal money laundering statutes and other federal financial laws.

The DOJ previously advised that it is likely not an efficient use of federal resources to focus enforcement efforts on individuals with cancer or other serious illnesses who use marijuana as part of a recommended treatment regimen consistent with applicable state law, or their caregivers. However, a recent DOJ Attorney General correspondence states: *"The term 'caregiver' meant just that: individuals providing care to individuals with cancer or other serious illnesses, not commercial operations cultivating, selling or distributing marijuana."* Another recent DOJ correspondence sent to the State of Washington included the following statements: *"Accordingly, the Department could consider civil and criminal legal remedies regarding those who set up marijuana growing facilities and dispensaries as they will be doing so in violation of Federal law."....."In addition, State employees who conduct activities mandated by the Washington legislative proposals would not be immune from liability under the CSA."*

These recent correspondences from the DOJ appear to be sending a clear message that Federal agencies are not looking the other way on State medical marijuana laws anymore and they even intend to hold State legislators and government employees potentially liable for violations of Federal law.

It is staff's position the current Federal law and the recent indicators from the DOJ need to be taken under serious consideration, and appear to provide very clear support for those communities desiring to establish local prohibitions on medical marijuana.

State Law

Under California Law (with the exceptions for medical use), the possession, sale, cultivation, or transportation of marijuana is ordinarily a crime. State law establishes the following as misdemeanors: the possession of marijuana; possession of less than 1 oz. of marijuana while driving; transporting, selling, or giving away marijuana in California under 28.5 grams. State law establishes the following as felonies: cultivation of marijuana; possession with intent to sell any amount of marijuana; transporting, selling, or giving away marijuana in California over 28.5 grams; selling marijuana to minors, or using a minor to transport, sell or give away marijuana.

In 1996, California voters approved the Compassionate Use Act (Proposition 215), which decriminalized the cultivation and use of marijuana for medical purposes by seriously ill

individuals. The Act removed State level criminal penalties on the use, possession and cultivation of marijuana by qualified patients who possess a “*written or oral recommendation*” from their physician that he or she “*would benefit from medicinal marijuana in the treatment of cancer, anorexia, AIDS, chronic pain, spasticity, glaucoma, arthritis, migraine, or other illness for which marijuana provides relief.*”

In 2004, Senate Bill (SB) 420 (Medical Marijuana Program Act, or MMP) became State law and imposed statewide guidelines outlining how much medicinal marijuana patients may grow and possess. SB 420 also prohibits the smoking of medical marijuana within 1,000 feet of a school, recreation center, or youth center (unless the medical use occurs within a residence). SB 420 allows qualified patients and primary caregivers who possess a State-issued identification card to possess 8 oz. of dried marijuana and to cultivate/possess not more than 6 mature or 12 immature plants, per qualified patient. SB 420 also defines “Primary Caregiver” as “*the individual, designated by a qualified patient or by a person with an identification card, who has consistently assumed responsibility for the housing, health, or safety of that patient or person*” It is also important to note the Law requires both the qualified patient and the designated primary caregiver to reside in the same city or county. SB 420 defined certain terms and recognized the collective and cooperative cultivation of medical marijuana.

In 2008, the State Attorney General issued “Guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use” (Guidelines). The Guidelines sought to further clarify the State law/Federal law discrepancy and to establish compliance guidelines for individual qualified patients, primary caregivers, and collectives and cooperatives. Under California law, medical marijuana patients and primary caregivers may “*associate within the State of California in order collectively or cooperatively to cultivate marijuana for medical purposes.*” The Guidelines established that “*Any group that is collectively or cooperatively cultivating and distributing marijuana for medical purposes should be organized and operated in a manner that ensures the security of the crop and safeguards against diversion for non-medical purposes.*” The Guidelines further directed cooperatives and collectives to be organized and run like “*nonprofit corporate entities*” and that they “*should not purchase marijuana from, or sell to, non-members; instead, it should only provide a means for facilitating or coordinating transactions between members.*”

Under the section “Storefront Dispensaries” the Guidelines state: “*Although medical marijuana dispensaries have been operating in California for years, dispensaries, as such are not recognized under the law*”;.....“*the only recognized group entities are cooperatives and collectives*”;.....“*dispensaries that merely require patients to complete a form summarily designating the business owner as their primary caregiver – and then offering marijuana in exchange for cash “donations” – are likely unlawful.*”

Regarding the discrepancy between State law and Federal law the Guidelines state: “*The incongruity between Federal and State law has given rise to understandable confusion, but no legal conflict exists merely because state law and federal law treat marijuana differently..... Congress has provided that states are free to regulate in the area of controlled substances,*

including marijuana, provided that State law does not positively conflict with the Controlled Substances Act (CSA). (21 U.S.C. § 903.) Neither Proposition 215, nor the Medical Marijuana Program Act (MMP), conflict with the CSA because, in adopting these laws, California did not legalize medical marijuana, but instead exercised the State's reserved powers to not punish certain marijuana offenses under State law when a physician has recommended its use to treat a serious medical condition."

In 2011, Assembly Bill (AB) 2650, became State law and established that *"No medical marijuana cooperative, collective, dispensary, operator, establishment, or provider who possesses, cultivates or distributes medical marijuana pursuant to this article shall be located within a 600-foot radius of a school."* This Bill also established that *"nothing in the Bill shall prohibit a city, county, or city and county from adopting ordinances that further restrict the location or establishment of these medical marijuana establishments."* This last cited provision recognizes the rights of individual cities and counties to establish more restrictive distance separation standards for medical marijuana establishments, to limit or restrict their location, or to outright ban and prohibit medical marijuana cooperatives, collectives or dispensary establishments.

In staff's opinion, the clear discrepancy between State law and Federal law and the uncertainties and possible legal exposure that this creates need to be taken under serious consideration. In the hierarchy of government, staff believes taking a conservative stance on marijuana is clearly supported by Federal Law. And now, pursuant to the California Supreme Court in *City of Riverside v. Inland Empire Patients Health and Wellness Center, Inc.*, Cal.4th (2013), a local ban on facilities that distribute medical marijuana is not preempted by California's medical marijuana statutes.

Terms Used Under California Law

The Compassionate Use Act (Proposition 215) and subsequent amendments are codified in the California Health and Safety Code Sections 11362.5 – 11362.83, with further clarifications of terms also being contained in the State Attorney General's Guidelines. The following are some key terms of the State law and/or the Guidelines.

"Qualified Patient" – means a seriously ill person who possesses a "written or oral recommendation" from their physician that he or she "would benefit from medicinal marijuana in the treatment of cancer, anorexia, AIDS, chronic pain, spasticity, glaucoma, arthritis, migraine, or other illness for which marijuana provides relief."

An individual obtaining, growing and/or using marijuana for recreational pleasure use would not be classified as a "Qualified Patient."

"Primary Caregiver" – means "the individual, designated by a qualified patient or by a person with an identification card, who has consistently assumed responsibility for the housing, health, or safety of that patient or person." The only facilities authorized under State law to serve as primary caregivers are licensed clinics, health care facilities, residential care facilities, home

health agencies and hospices which actually provide medical care or supportive services to qualified patients. It is important to note that State law also requires both the qualified patient and the designated primary caregiver to reside in the same city or county and for the primary caregiver person to be 18 years of age or older.

“Medical Marijuana Cooperatives and Collectives” – are not defined under State law but are addressed under the Attorney General Guidelines. The Guidelines state: *cooperatives and collectives should be organized and run like “nonprofit corporate entities” and that they “should not purchase marijuana from, or sell to, non-members; instead, it should only provide a means for facilitating or coordinating transactions between members.”*

What is not clear and what is not addressed in State law or the Guidelines is how cooperatives and collectives can actually be designated as or meet the criteria of a primary caregiver. Cooperatives and collectives operations do not consistently assume responsibility for the housing, health or safety of the qualified patients. There appears to be internal inconsistencies within and between State Law and the Guidelines. In staff’s opinion this internal inconsistency raises concern and doubt as to whether medical marijuana cooperatives and collectives can or should be allowed to establish such operations, unless they meet the definition of primary caregiver.

“Medical Marijuana Storefront Dispensaries (Dispensaries)” - are not defined under State law but are addressed under the Attorney General Guidelines. The Guidelines state: *“Although medical marijuana dispensaries have been operating in California for years, dispensaries, as such are not recognized under the law”;..... “the only recognized group entities are cooperatives and collectives”;..... “dispensaries that merely require patients to complete a form summarily designating the business owner as their primary caregiver — and then offering marijuana in exchange for cash “donations” – are likely unlawful.”*

The Attorney General Guidelines make it clear that typical dispensaries do not meet the criteria of a Primary Caregiver and therefore they are not legal establishments under State law.

Community Crime and Community Impacts

Information published and/or endorsed by the California Police Chiefs Association, California Narcotic Officers Association and California Peace Officers Association document and/or indicate that Medical Marijuana Storefront Dispensaries/Cooperatives/Collectives do in fact have both direct and indirect community crime and impacts. The following is a list of typical crime and impacts identified by these organizations:

- Increased armed robberies and murders
- Increased burglaries
- Increased organized crime and money laundering
- Increased firearms violations
- Increased Drug dealings
- Increased proliferation of grow houses

- Increased life safety hazards by grow houses
- Increased exposure of minors to drugs
- Loss of Business Tax Revenue
- Blight and deterioration of business districts and residential neighborhoods

In this regard, Clayton's top law enforcement official, Clayton Chief of Police Chris Thorsen, in the attached memo dated May 28, 2013 further validates these impacts and "whole heartedly supports" the prohibition of medical marijuana dispensaries.

Conversely a recent report published by the RAND Corporation evaluated crime just before and after the closure of large dispensaries in Los Angeles and concluded there was an increase in crime in neighborhoods with closed dispensaries. However, even this study says "Researchers say their findings should be interpreted cautiously, given that they studied a relatively short period of time and that the margin of error was high." In addition, this study did not evaluate crime before and after the opening of new dispensaries, so there is no baseline crime level from which to gauge the decrease in crime at the closed dispensary locations. In other words, we do not know if crime levels had already risen due to the opening of a dispensary and then lowered again with their closure.

Based on law enforcement agency information and statements, community crime and negative impacts appear to increase with the establishment of marijuana dispensaries.

Medical Benefits or Impacts

The issue of medical benefits or impacts associated with marijuana is also highly debated among groups and individuals. There have been both positive and negative medical reports on the subject. Based on staff's analysis and research the overall negative health impact of smoked or consumed raw marijuana appears to outweigh the limited positive health benefits.

The position that smoked or consumed raw marijuana is overall a negative health impact, is rigorously enforced and supported by the top Federal government agencies, coupled by acts that oversee and are in charge of protecting the health and safety of the general public. The following are the primary agencies and acts:

- Food and Drug Administration (FDA)
- Drug Enforcement Administration (DEA)
- Controlled Substances Act (CSA)
- Food, Drug and Cosmetic Act (FDCA)
- Department of Health and Human Services
- National Institute on Drug Abuse (NIDA)

The above agencies and acts all play a critical role in ensuring that medications are properly tested and produce rigorous scientific data before they are legalized and made available for appropriate medical use. Before a medical product may be approved by the FDA and be released for marketing to the public, it must be assessed in various nonclinical and preclinical laboratory

tests, including drug-drug and drug-food interaction tests. Its final formulation must be analyzed for batch consistency, stability, and absence of dangerous contaminants. Its manufacturing process must be validated and quality-controlled. Even after extensive preclinical studies have demonstrated the likely safety of the product for human use, several phases of clinical (human) research must be conducted. If a product is intended to be used for a chronic condition, carcinogenicity and reproductive toxicity tests must be performed. Adverse events must be reported and described in the product label. The research is published in peer-reviewed journals, enabling physicians to judge the quality of the research, as well as the relative safety and efficacy of the project. The FDA also inspects and supervises the pharmaceutical manufacturer's facility. This thorough and dynamic process reduces the likelihood that patients will be exposed to dangerous or ineffective products, and provides important data to allow physicians to conduct meaningful dialogues with and give informed advice to patients regarding treatment options.

Under the FDA, some marijuana (cannabis) derived medications have and are working their way through this rigorous scientific testing process to become available medications for prescribed consumer medical use. One such FDA approved medicine is Marinol (Dronabinol).

"Dronabinol is used to treat nausea and vomiting caused by chemotherapy in people who have already taken other medications to treat this type of nausea and vomiting without good results. Dronabinol is also used to treat loss of appetite and weight loss in people who have acquired immunodeficiency syndrome (AIDS). Dronabinol is in a class of medications called cannabinoids. It works by affecting the area of the brain that controls nausea, vomiting, and appetite."

While the FDA process may be rigorous and time consuming, it is the only legal process for establishing and creating medications derived from marijuana (cannabis).

The FDA and DEA believe that by individual states (including California) allowing the establishment of marijuana dispensaries, they are undermining FDA efforts to bring properly tested marijuana derived medications to market, a result at odds with the Administration's positions that its policies should be based on sound science.

Marijuana Impacts on Children/Teenagers

The overwhelming information and research that accumulated by staff document and show an overall negative direct or indirect impact of smoked or consumed marijuana on children and teenagers. Some of the negative impacts include the following:

- Brain impacts – short and long term problems with memory and learning
- Brain impacts – decreased serotonin leading to depression and anxiety
- Distorted perception (sights, sounds, time, touch)
- Trouble with thinking and problem solving
- Loss of motor coordination
- Lack of motivation
- Increased heart rate

- Exposure to cancer-causing chemicals
- Increased breathing/lung problems (coughing, wheezing, lung infections)
- Increased risk of infections due to immune system breakdown
- Increased risk of driving accidents while under the influence
- Increased health risk to unborn babies of pregnant women

Staff was unable to find credible information or research to contradict the negative impacts listed above.

Some Organizations Supporting Marijuana Use

The following lists some of the organization in support of legalizing marijuana for both medical and recreational use:

- Americans for Safe Access
- California Cannabis Coalition
- The National Organization for the Reform of Marijuana Laws (NORML)
- Medical MJ.org
- 1800 Medical Marijuana.com
- Medical Marijuana ProCon.org

Some Organizations Opposing Marijuana Use

The following lists some of the organization in opposition to legalizing and using marijuana:

- California Peace Officers Association
- California Police Chiefs Association
- California Narcotic Officers Association
- Californians for Drug Free Youth
- Californians for Drug Free Schools
- Coalition for Drug Free California
- STAND – Students Taking Action Not Drugs
- Drug Free America Foundation
- National Drug-Free Workplace Alliance
- SOS – Save our Society From Drugs
- Educating Voices
- Dads Against Drug Dealers
- Inland Valley Drug Free Community Coalition
- Friends of the DEA

PROPOSED ORDINANCE PROHIBITING USES AND ACTIVITIES

In order to comprehensively address this issue and establish local control and regulation as permitted by State and Federal law, the City Attorney has prepared the attached Ordinance amending the Clayton Municipal Code Title 17, establishing Prohibited Uses and Activities and

specifically relating to prohibiting medical marijuana dispensaries and certain cultivation activities.

The proposed Ordinance includes a new definition for "Medical Marijuana Dispensary" to be added as Section 17.04.138, and a new Section 17.36.080 "Prohibited Uses and Activities" to be added to the Clayton Municipal Code. The following are the new sections in their entirety:

"17.04.138 Medical Marijuana Dispensary. A facility or location where marijuana is made available for medical purposes in accordance with Health and Safety Code Section 11362.5 (Proposition 215)"; and

"17.36.080 Prohibited Uses and Activities.

The following uses and activities are prohibited in all zoning districts;

- (a) Any use or activity which is prohibited by local, regional, State, or Federal law;
- (b) Establishment or operation of medical marijuana dispensaries, as defined in Section 17.04.138;
- (c) Outdoor cultivation or production of medical marijuana;
- (d) Indoor cultivation or production of medical marijuana, excepting medical marijuana cultivation or production in residential zones within a detached, fully-enclosed, and secure secondary structure, or within a primary residential structure at a location legally inhabited by a qualified patient or primary caregiver as defined in Health and Safety Code section 11362.7; and
- (e) Other use or activities as may be determined by the Planning Commission to be of the same general character as those specifically prohibited."

It should be noted the above proposed Ordinance language does not prohibit personal medical marijuana use or indoor cultivation of medical marijuana by a qualified patient or primary caregiver in residential zones within a detached, fully-enclosed and secure secondary structure or within a primary residential structure at a location legally inhabited by a qualified patient or primary caregiver as defined in Health and Safety Code section 11362.7.

It is the opinion of staff and the City Attorney the proposed Ordinance language is legally defensible and does not impinge on the personal individual rights of a qualified patient to use medical marijuana as envisioned under the Compassionate Use Act (Proposition 215). Further, after evaluation of the information accumulated on the controversial subject and in consideration of the recent California Supreme Court ruling upholding local authority to regulate or prohibit medical marijuana dispensaries and cultivation, it is staff's professional recommendation the proposed Ordinance should be approved for implementation in the City of Clayton.

CEQA

Pursuant to California Environmental Quality Act (CEQA) Guideline 15061(b)(3) it can be seen with certainty that there is no possibility that this zoning amendment to the Clayton Zoning Ordinance/Municipal Code may have a significant effect on the environment, and therefore it is not subject to CEQA.

RECOMMENDATION

Staff recommends the Planning Commission consider all information provided and submitted, take and consider all public testimony and, if determined to be appropriate, adopt Resolution No. 03-13, recommending City Council approval of an Ordinance amending the Clayton Municipal Code Title 17, establishing Prohibiting Uses and Activities and specifically prohibiting Medical Marijuana Dispensaries and certain cultivation activities.

ATTACHMENTS

- 1 Planning Commission Approval Resolution No. 03-13
- 2 Proposed Ordinance Establishing Prohibited Use and Activities
- 3 Clayton Chief of Police memo, dated May 23, 2013

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**City of Clayton
Police Department
6000 Heritage Trail
Clayton, Ca. 94517**



**Chris Thorsen
Chief of Police**

DATE: May 28th, 2013

TO: Gary Napper, City Manager

FROM: Chris Thorsen, Chief of Police

SUBJECT: Medical Marijuana Dispensaries

It's come to my attention the City of Clayton is considering a ban on medical marijuana dispensaries within our boundaries. I whole heartedly support the pending legislation. I have been a law enforcement officer for over 26 years. During my career, I have personally made or been personally involved in the arrest of hundreds if not thousands of drug offenders. Of those arrests, many involved the possession and sales of marijuana.

In 1996 California passed the Compassionate Use Act which allowed citizens to obtain a prescription to possess and use marijuana for medicinal purposes. What followed was the rapid proliferation of "marijuana cards" issued by doctors for a plethora of "chronic illnesses". A simple internet search for marijuana cards will reveal any number of "doctors" willing to provide a prescription or card for a minimal fee.

On the heels of this new freedom to possess marijuana came a desire to lend credibility to its sale. These "dispensaries", according to the proprietors, are a means for law abiding citizens who need marijuana for treatment, a safe and secure place to obtain the drug. My experiences are different than those described by the people wanting to establish these businesses.

There are no legal commercial growers of marijuana to supply the sales outlets. As such, the growing and processing of the marijuana takes place in clandestine operations. Many times these operations are established in residential neighborhoods. Typically a home is rented from an absentee landlord. The operation is established inside the residence.

The growers bypass electrical service panels, construct irrigation systems and make other modifications to the residences. Often these modifications result in fire or other significant damage to the homes. These homes become targets for those seeking to obtain the marijuana grown at the location or the money derived from the sale of the marijuana. In other jurisdictions I worked, this resulted in armed robberies, burglaries, shootings and assaults at the properties.

The proponents of the dispensaries claim they are providing a vital service to those who need marijuana for medicinal purposes. Again my experience is different. For two years during my career, I was assigned as the supervisor of the Sheriff's Office Special Enforcement Team (J-Team). Our stated mission was to proactively address criminal behavior with specific emphasis on drugs, guns, gangs and crimes of violence. In this capacity, I personally made or supervised arrests of subjects who were selling marijuana on street corners in the most violent neighborhoods in the county. On several occasions our investigations revealed the marijuana was obtained at a local dispensary then broken into smaller quantities for street sales. In each case, the drug dealer was in possession of a medical marijuana card authorizing the possession of marijuana for personal use.

I have responded to the areas surrounding medical marijuana dispensaries for any number of calls. The details ranged from fights to robberies. In many cases, the victims were reluctant to cooperate with law enforcement.

In my professional opinion, the banning of marijuana dispensaries in Clayton is the best approach to deal with this matter.



Agenda Date: 7-16-13
Agenda Item: 8b

STAFF REPORT

Approved:



Gary A. Napper
City Manager/Executive Director

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: RICK ANGRISANI, CITY ENGINEER

DATE: JULY 16, 2013

SUBJECT: PUBLIC HEARING ON PROPOSED ASSESSMENTS FOR THE DIABLO ESTATES AT CLAYTON BENEFIT ASSESSMENT DISTRICT; DETERMINATION OF LACK OF MAJORITY PROTEST, ORDERING IMPROVEMENTS AND CONFIRMING ASSESSMENTS FOR FY 2013-14

RECOMMENDATION

Open Public Hearing, receive public comments, close the Public Hearing, and, assuming a majority protest does not exist, approve the attached Resolution.

BACKGROUND

The City Council, AT ITS June 18th meeting, approved the Engineer's Report, dated June 18th, including the proposed assessment amounts which included an allowable 2.4% increase over FY 2012-13 assessments..

As required by law, a notice regarding the public hearing was mailed to the property owners. Tonight, the City Council will hold the required public hearing to hear any comments or protests from the assessed property owners. Upon completion of public testimony, the City Council should close the public hearing. If a majority protest does not exist, the City Council may then consider any public comments received and proceed to act on this Resolution levying assessments on the properties within the District for FY 2013-14.

FISCAL IMPACT

If the annual assessment is approved, the City will continue to be responsible for the maintenance duties specified in the Engineer's Report upon acceptance of the various improvements. The BAD fund balance will cover the District's costs through December. Therefore, this action will not impact the City's General Fund.

Subject: Diablo Estates at Clayton BAD – Confirmation of Assessments

Date: July 16, 2013

Page 2 of 2

CONCLUSION

Assuming a majority protest does not exist, Staff recommends the City Council approve this Resolution confirming the levy of assessments within the Diablo Estates at Clayton Benefit Assessment District FY 2013-14.

Attachments: Resolution confirming Assessments [2 pp.]
Engineer's Report

RESOLUTION NO. - 2013

A RESOLUTION DETERMINING LACK OF MAJORITY PROTEST AND CONFIRMING ASSESSMENTS FOR THE OPERATION AND MAINTENANCE OF IMPROVEMENTS WITHIN THE DIABLO ESTATES AT CLAYTON BENEFIT ASSESSMENT DISTRICT FOR FISCAL YEAR 2013-14.

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

WHEREAS, by adoption of Resolution No. XX-2013, the Clayton City Council approved the Engineer's Report on the proposed assessment levy for maintaining various improvements within the Diablo Estates at Clayton Benefit Assessment District during fiscal year 2013-14, and set a public hearing thereon for July 16, 2013, to be held at the regular meeting place of the Clayton City Council; and

WHEREAS, notice of said hearing and the adoption of Resolution No. XX-2013 was duly given as required by Section 54954.6 of the Government Code; and

WHEREAS, on July 16, 2013, the City Council held the public hearing on the proposed assessment for the fiscal year 2013-14 and heard and considered all oral statements and written communications made and filed thereon by interested persons;

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Clayton as follows:

1. The Council hereby finds and determines that a majority protest does not exist, inasmuch as the protests received against the assessments do not represent property owners subject to more than fifty percent (50%) of the total annual assessment proposed for the District.

2. The City Council hereby orders the levy of an assessment in the amount of \$3,100.26 on each lot within the Diablo Estates at Clayton Benefit Assessment District and this Resolution shall constitute the levy and confirmation of such assessment for fiscal year 2013-14.

3. The City Clerk shall immediately file a certified copy of this resolution, together with any required diagrams and a list of lots so assessed, with both the Tax Collector and the Auditor of Contra Costa County, with the Assessment to thereafter be collected in the same manner as the property taxes are collected.

PASSED, APPROVED and ADOPTED by the City Council of the City of Clayton at a regular public meeting thereof held on July 16, 2013 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

THE CITY COUNCIL OF CLAYTON, CA

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 public meeting held on July 16, 2013.

Laci J. Jackson, City Clerk

Diablo Estates at Clayton Benefit Assessment District

NOTICE TO PROPERTY OWNERS FOR LEVY OF ASSESSMENT

Reason for Assessment

At the request of the project developer, Toll Bros., Inc., the City of Clayton City Council ("Council") approved Resolution No. 04-2012 on February 7, 2012, forming the Diablo Estates at Clayton Benefit Assessment District ("District") to pay for the oversight and maintenance of certain facilities such as the stormwater treatment facilities, storm drain collection system, common landscape and irrigation, street lighting and weed abatement of natural slope areas, all as described in the Engineer's Report approved by the Council on March 20, 2012.

Notice

This notice informs you, as a property owner within the Diablo Estates at Clayton Benefit Assessment District, that on June 18, 2013, the Clayton City Council adopted Resolution No. 15-2013 approving an Engineer's Report, declaring its intention to levy assessments for fiscal year 2013-14 and setting a public hearing on the issue of the proposed assessments:

PUBLIC HEARING:	7:00 p.m. July 16, 2013
Hoyer Hall (Library Meeting Room)	6125 Clayton Road

Assessment Information

1. Total District Assessment for the fiscal year beginning on July 1, 2013 and ending June 30, 2014: \$74,406.
2. Proposed assessment per parcel: The assessment for each parcel is proposed to be \$3,100.26 which is a 2.4% increase in the existing assessment of \$3,027.62 per year in accordance with the annual increase in the Consumer Price Index as allowed by property owner balloting in 2012.
3. Duration of assessment: The assessment will be levied annually at the above proposed rate. The assessment may only be increased (other than the annual CPI-U increase described above) in the future by again seeking the approval of a majority of the property owners.

Questions

If you have any questions about the assessments, please contact the City Engineer Rick Angrisani, he may be reached at 363-7433.

ENGINEER'S REPORT

DATE: JUNE 18, 2013

TO: CITY COUNCIL

FROM: CITY ENGINEER

**RE: DIABLO ESTATES AT CLAYTON BENEFIT ASSESSMENT DISTRICT -
FISCAL YEAR 2013-14**

This report has been prepared in accordance with the requirements of the Landscaping & Lighting Act of 1972 (Section 22500 et seq. of the Government Code).

HISTORICAL REVIEW

In 2012, at the request of Toll Brothers, the developer of the Diablo Estates at Clayton project (Subd. 8719), the City Council formed the Diablo Estates at Clayton Benefit Assessment District ("District" per Resolution No. 04-2012). The purpose of the District was to generate funding for the maintenance of various improvements constructed as part of the development. The duties specified in the original Engineer's Report (prepared by SCI Consulting Group, dated March 2012) included maintenance of landscaping and irrigation, weed abatement, storm drainage facilities, and street lighting.

The District was formed under the auspices of the Landscaping and Lighting act of 1972 (Section 22500 et seq. of the Government Code) and the Benefit Assessment Act of 1982 (Section 54703 et seq. of the Government Code). The initial per lot annual assessment, approved by the property owner (Toll Bros.), was \$3,027.62. The approval also allowed for an annual increase in the assessment amount equal to the annual increase in the Consumer Price Index ("CPI"), not to exceed 4% in any one year.

While the Benefit Assessment Act of 1982 does not require further action prior to levying of annual assessments, the Landscaping and Lighting Act of 1972 requires the preparation of an Engineer's Report and notice to property owners of a public hearing each year. Since no increase, other than the already approved CPI increase, is proposed, the provisions of Proposition 218 do not apply.

DETERMINATION OF SPECIAL BENEFIT, METHOD OF ASSESSMENT AND DESCRIPTION OF DISTRICT IMPROVEMENTS

See original Engineer's Report attached hereto and made a part hereof.

ESTIMATED COSTS

The original budget included maintenance and administrative costs, as well as reserve funds for future replacement of the maintained items. The CPI: increase for this past year was 2.4%. Following is a breakdown of the anticipated District costs including the CPI increase:

Item	FY 2012-13 Budget	CPI Increase (2.4%)	FY 2013-14 Budget
Maintenance:			
Common Landscaping	\$17,801	\$427	\$18,228
Weed Abatement	\$11,910	\$286	\$12,196
Storm Drain System	\$5,500	\$132	\$5,632
Street Lighting	\$1,210	\$29	\$1,239
Subtotal Maintenance	\$36,421	\$874	\$37,295
Administration	\$16,900	\$406	\$17,306
Reserves	\$19,341	\$464	\$19,805
Totals Budget	\$72,662	\$1,744	\$74,406

RESERVE FUNDS

The fund balance at the end of FY 2012/13 will be approximately \$19,340. This balance will increase to approximately \$39,000 at the end of FY 2013/14.

PER UNIT ALLOCATION

Based upon the proposed budget, the per unit assessment will be \$3,100.26 (\$74,406/24 units).

ASSESSMENT HISTORY

Proposed FY 13-14	\$3,100.26
FY 12-13	\$3,027.62

Attachment: Original Engineer's Report (19 pp.)

CITY OF CLAYTON

**DIABLO ESTATES AT CLAYTON BENEFIT ASSESSMENT
DISTRICT**

FOR LANDSCAPE AND LIGHTING AND BENEFIT ASSESSMENT

ENGINEER'S REPORT

FISCAL YEAR 2012-13

MARCH 2012

PURSUANT TO
THE LANDSCAPING AND LIGHTING ACT OF 1972,
THE BENEFIT ASSESSMENT ACT OF 1982, AND
ARTICLE XIID OF THE CALIFORNIA CONSTITUTION

ENGINEER OF WORK:

SCIConsultingGroup

4745 MANGELS BOULEVARD

FAIRFIELD, CALIFORNIA 94534

PHONE 707.430.4300

FAX 707.430.4319

www.sci-cg.com

CITY OF CLAYTON

MAYOR

Howard Geller

CITY COUNCIL

Joseph A. Medrano

Julie K. Pierce

David T. Shuey

Hank Stratford

CITY MANAGER

Gary Napper

CITY ENGINEER

Rick Angrisani

CITY ATTORNEY

Malathy Subramanian

CITY CLERK

Laci Jackson

ENGINEER OF WORK

SCI Consulting Group

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INTRODUCTION

BACKGROUND

Formation of the "Diablo Estates at Clayton Benefit Assessment District" (the "Assessment District") within the City of Clayton (the "City") is proposed to provide funding for the maintenance, operation and improvement of the landscaping, street lighting, drainage and stormwater treatment facilities to benefit the properties in the Diablo Estates at Clayton subdivision that forms the Assessment District. The Diablo Estates at Clayton subdivision consists of 24 parcels east of Regency Drive and north of Rialto Drive with an approximate area of 19 acres.

This Engineer's Report (the "Report") was prepared to establish the budget for the services and improvements that would be funded by the proposed 2012-13 assessments and to determine the benefits received from the maintenance and improvements by property within the Assessment District and the method of assessment apportionment to lots and parcels. This Report and the proposed assessments have been made pursuant to the Landscaping and Lighting Act of 1972 and the Benefit Assessment Act of 1982 (the "Acts") and Article XIII D of the California Constitution (the "Article").

Following submittal of this Report to the City of Clayton City Council (the "City Council") for preliminary approval, the City Council may call for an assessment ballot proceeding and Public Hearing on the proposed establishment of assessments for the improvements.

If it is determined at the public hearing that the assessment ballots submitted in opposition to the proposed assessments do not exceed the assessment ballots submitted in favor of the assessments (weighted by the proportional financial obligation of the property for which ballots are submitted), the City Council may take action to form the Assessment District and approve the levy of the assessments for fiscal year 2012-13. If the assessments are so confirmed and approved, the levies would be submitted to the County Auditor/Controller in August 2012 for inclusion on the property tax roll for Fiscal Year 2012-13.

LEGISLATIVE ANALYSIS

PROPOSITION 218

The Right to Vote on Taxes Act was approved by the voters of California on November 6, 1996, and is now Article XIIC and XIID of the California Constitution. Proposition 218 provides for benefit assessments to be levied to fund the cost of providing services, improvements, as well as maintenance and operation expenses to a public improvement which benefits the assessed property. This Assessment District will be balloted and approved by property owners in accordance with Proposition 218.

SILICON VALLEY TAXPAYERS ASSOC., INC. V SANTA CLARA COUNTY OPEN SPACE AUTHORITY

In July of 2008, the California Supreme Court issued its ruling on the Silicon Valley Taxpayers Association, Inc. vs. Santa Clara County Open Space Authority (SVTA). This ruling is the most significant court case in further legally clarifying the substantive assessment requirements of Proposition 218. Several of the most important elements of the ruling included further emphasis that:

- Benefit assessments are for special benefits to property, not general benefits.
- The services and/or improvements funded by assessments must be clearly defined.
- Assessment districts must be drawn to contain all parcels that receive a special benefit from a proposed public improvement.
- Assessments paid in the assessment district must be proportional to the special benefit received by each such parcel from the improvements and services funded by the assessment.

This Engineer's Report and the process used to establish these proposed assessments for fiscal year 2012/2013 are consistent with the SVTA decision and with the requirements of Article XIIC and XIID of the California Constitution based on the following factors:

1. The Assessment District is narrowly drawn to include only the properties that receive special benefit from the specific Improvements and Services. Thus, zones of benefit are not required and the assessment revenue derived from real property in each Assessment District is extended only on the Services in the Assessment District.
2. The Improvements which are constructed and/or maintained with assessment proceeds in the Assessment District are located in close proximity to the real property subject to the assessment. The Improvements and Services provide illumination to streets and sidewalks

enabling improved access to the owners, residents, and guests of such assessed property. The proximity of the Improvements to the assessed parcels and the improved access and increased safety provided to of the residents of the assessed parcels by the Improvements provides a special benefit to the parcels being assessed pursuant to the factors outlined by the Supreme Court in that decision.

3. Due to their proximity to the assessed parcels, the Improvements and Services financed with assessment revenues in the Assessment District benefit the properties in the Assessment District in a manner different in kind from the benefit that other parcels of real property in the City derive from such Improvements and Services, and the benefits conferred on such property in the Assessment District are more extensive than a general increase in property values.
4. The assessments paid in the Assessment District are proportional to the special benefit that each parcel within that Assessment District receives from the Services because:
 - a. The specific lighting Improvements and maintenance Services and utility costs thereof in the Assessment District and the costs thereof are specified in this Report; and
 - b. The cost of the Services in the Assessment District is allocated among different types of property located within the Assessment District, and equally among those properties which have similar characteristics, such as single-family residential parcels, multi-family residential parcels, commercial parcels, or industrial parcels.

DAHMS V. DOWNTOWN POMONA PROPERTY

On June 8, 2009, the 4th Court of Appeal amended its original opinion upholding a benefit assessment for property in the downtown area of the City of Pomona. On July 22, 2009, the California Supreme Court denied review. On this date, Dahms became good law and binding precedent for assessments. In Dahms the Court upheld an assessment that was 100% special benefit (i.e. 0% general benefit) on the rationale that the services and improvements funded by the assessments were directly provided to property in the assessment district. The Court also upheld discounts and exemptions from the assessment for certain properties.

BONANDER V. TOWN OF TIBURON

On December 31, 2009, the 1st District Court of Appeal overturned a benefit assessment approved by property owners to pay for placing overhead utility lines underground in an area of

the Town of Tiburon. The Court invalidated the assessments on the grounds that the assessments had been apportioned to assessed property based in part on relative costs within sub-areas of the assessment district instead of proportional special benefits.

BEUTZ V. COUNTY OF RIVERSIDE

On May 26, 2010 the 4th District Court of Appeal issued a decision on the Steven Beutz v. County of Riverside ("Beutz") appeal. This decision overturned an assessment for park maintenance in Wildomar, California, primarily because the general benefits associated with improvements and services were not explicitly calculated, quantified and separated from the special benefits.

COMPLIANCE WITH CURRENT LAW

This Engineer's Report is consistent with the requirements of Article XIIC and XIID of the California Constitution and with the SVTA decision because the Improvements to be funded are clearly defined; the Improvements are directly available to and will directly benefit property in the Assessment District; and the Improvements and Services provide a direct advantage to property in the Assessment District that would not be received in absence of the Assessments.

This Engineer's Report is consistent with Beutz and Dahms because the Improvements and Services will directly benefit property in the Assessment District and the general benefits have been explicitly calculated and quantified and excluded from the Assessments. The Engineer's Report is consistent with Bonander because the Assessments have been apportioned based on the overall cost of the Improvements and Services and proportional special benefit to each property.

PLANS & SPECIFICATIONS

The work and improvements proposed to be undertaken by the City of Clayton and the Diablo Estates at Clayton Benefit Assessment District (the "Assessment District"), and the costs thereof paid from the levy of the annual assessments, provide special benefit to Assessor Parcels within the Assessment District as defined in the Method of Assessment herein. Consistent with the Landscaping and Lighting Act of 1972 and the Benefit Assessment Act of 1982 (the "Acts"), the work, services and improvements are generally described as follows:

Maintenance and servicing of public improvements, including but not limited to, storm drain system, landscaping and lighting and all necessary appurtenances, and labor, materials, supplies, utilities and equipment, and incidental costs as applicable, for property within the Assessment District that is owned or maintained by the City of Clayton (the "Improvements"). Any plans and specifications for these improvements will be filed with the City Engineer of the City of Clayton and are incorporated herein by reference. More specifically the improvements and associated plans are the storm drain system in the Improvement Plans, Diablo Pointe by David Evans and Associates Inc., the lighting in the Joint Trench Composite Plan, Diablo Pointe by Lighthouse Design Inc., and the shared landscaping, fencing, irrigation and entry monument in the Diablo Estates at Clayton Landscape Improvements plan by Thomas Bank and Associates LLP.

As applied herein, "maintenance" means the furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of any improvement, including repair, removal or replacement of all or any part of any improvement; providing for the life, health, and beauty of landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, or treating for disease or injury; the removal of trimmings, rubbish, debris, and other solid waste; the cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti; the cleaning and replacement of storm drain pipes, drop inlets, catch basins and manholes.

"Servicing" means the cost of maintaining any facility used to provide any service, the furnishing of electric current, or energy, gas or other illuminating agent for any public lighting facilities or for the lighting or operation of any other improvements; or water for the irrigation of any landscaping, or the maintenance of any other improvements.

The figure shown below displays the improvements, maintenance, replacement costs and services to be provided with the Diablo Estates at Clayton Benefit Assessment District.

FIGURE 1 – SUMMARY OF ESTIMATED ANNUAL COSTS FOR DIABLO ESTATES AT CLAYTON

CITY OF CLAYTON Diablo Estates at Clayton Benefit Assessment District Summary of Estimated Annual Cost Fiscal Year 2012-13	
Installation, Maintenance & Servicing Costs	
Common Landscaping	\$19,426.99
Weed Abatement (On-lot)	\$11,910.00
Storm Drain System	\$27,966.00
Street Lighting	\$1,460.00
Subtotal - Installation, Maintenance and Servicing	\$60,762.99
Incidental Expenses and Administration Costs	\$11,900.00
Totals for Installation, Maintenance, Servicing and Incidentals	\$72,662.99
Net Cost of Maintenance, Servicing and Incidentals (Net Amount to be Assessed)	\$72,662.99
Budget Allocation to Property	
Total Assessment Budget	\$72,662.99
Single Family Equivalent Benefit Units	24
Assessment per Single Family Equivalent Unit	\$3,027.62

ESTIMATE OF COST AND BUDGET -- FISCAL YEAR 2012-13

FIGURE 2 -- COST ESTIMATE BREAKDOWN FOR DIABLO ESTATES AT CLAYTON

CITY OF CLAYTON Diablo Estates at Clayton Benefit Assessment District Estimate of Maintenance, Replacement, and Administrative Costs					
Item	Units	Unit Cost	Service Life (years)	Annual Cost	Annual Cost per Lot
Common Landscaping					
Landscape Maintenance	24,600 SF	\$0.30		\$7,380.00	
Landscape Replacement	24,600 SF	\$0.05		\$1,230.00	
Tree Maintenance	33 EA	\$95.00		\$3,135.00	
Tree Replacement - Materials	33 EA	\$285.00	40	\$235.13	
Water Usage	1,476 100CF	\$2.86		\$4,221.36	
Meter Charges	12 Mo	\$51.00		\$612.00	
Irrigation Maintenance & Repair	24,600 SF	\$0.03		\$738.00	
Fence Maintenance & Repair	1,870 LF	\$0.65		\$1,215.50	
Entry Monument Maintenance	1 EA	\$500.00		\$500.00	
Entry Monument Repair	1 LF	\$4,000.00	25	\$160.00	
				\$19,426.99	\$809.46
Weed Abatement (On-lot)					
Weed Abatement	397,000 SF	\$0.03		\$11,910.00	
				\$11,910.00	\$496.25
Storm Drain System					
Ditch - debris removal & maint	1 LS	\$1,000.00		\$1,000.00	
Ditch Repair	2,038 LF	\$50.00	25	\$4,076.00	
Vorsentry Maintenance	1 LS	\$1,500.00		\$1,500.00	
Vorsentry Replacement	1 LS	\$100,000.00	100	\$1,000.00	
Bio-Retention Basin Maintenance*	48 EA	\$		\$0.00	
Bio-Retention Basin Replacement	48 EA	\$2,000.00	10	\$9,600.00	
Stormwater Reporting Fee	1 LS	\$5,000.00		\$5,000.00	
Annual City Report Fee	1 LS	\$2,000.00		\$2,000.00	
Catch Basin/Manhole Cleaning	15 EA	\$200.00		\$3,000.00	
CB/MH/pipe repair	1 LS	\$79,000.00	100	\$790.00	
				\$27,966.00	\$1,165.25
Street Lighting					
Maintenance and Repair	1 LS	\$500.00		\$500.00	
Electricity	4 EA	\$240.00		\$960.00	
				\$1,460.00	\$60.83
Annual Administration					
Property Manager	12 Mo	\$600.00		\$7,200.00	
Annual City Engineer Services	1 LS	\$2,500.00		\$2,500.00	
Legal Notice/Mailing	1 LS	\$100.00		\$100.00	
County Collection	1 LS	\$100.00		\$100.00	
General Reserve	1 LS	\$2,000.00		\$2,000.00	
				\$11,900.00	\$495.83
Total				\$72,662.99	\$3,027.62
Number of Lots:				24	
Cost per Lot:				\$3,027.62	

* homeowner responsibility

** assumes covenant with Toll Brothers, Inc. for 5 year maintenance period

Unit costs per direction of City of Clayton City Engineer

METHOD OF APPORTIONMENT

METHOD OF APPORTIONMENT

This section of the Engineer's Report includes an explanation of the benefits to be derived from the installation, maintenance and servicing of improvements and the methodology used to apportion the total assessment to properties within the Assessment District.

The Diablo Estates at Clayton Benefit Assessment District consists of all Assessor Parcels within the boundaries as defined by the Assessment Diagram included within this Report and the Assessor Parcel Numbers listed within the included Assessment Roll. The method used for apportioning the assessments is based upon the proportional special benefits to be derived by the properties in the Diablo Estates at Clayton Benefit Assessment District over and above general benefits conferred on real property or to the public at large. The apportionment of special benefit is a two step process: the first step is to identify the types of special benefit arising from the Improvements, and the second step is to allocate the assessments to property based on the estimated relative special benefit for each type of property.

DISCUSSION OF BENEFIT

In summary, the assessments can only be levied based on the special benefit to property. This benefit is received by property over and above any general benefits. Moreover, such benefit is not based on any one property owner's use of the District's storm drain system, streets and sidewalks, corridor landscaping, lighting, or a property owner's specific demographic status. With reference to the requirements for assessments, Section 22573 of the Landscaping and Lighting Act of 1972 states:

"The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the Improvements."

The Benefit Assessment Act of 1982 states in Government Code Section 54711:

"The amount of the assessment imposed on any parcel of property shall be related to the benefit to the parcel which will be derived from the provision of service"

Proposition 218, as codified in Article XIID of the California Constitution, has confirmed that assessments must be based on the special benefit to property:

"No assessment shall be imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel."

The following benefit categories summarize the types of special benefit to residential, commercial, industrial and other lots and parcels resulting from the installation, maintenance and servicing of the Improvements to be provided with the assessment proceeds. These categories of special benefit are derived in part from the statutes passed by the California Legislature and other studies which describe the types of special benefit received by property from the installation, maintenance and servicing of improvements such as those proposed by the City of Clayton and the Diablo Estates at Clayton Benefit Assessment District. These types of special benefit are summarized as follows:

- Creation of individual lots for residential use that, in absence of the services and improvements to be funded by the assessments, would not be created.
- Improved utility and usability of property
- Improved safety and security lighting for property
- Enhanced visual experience, and desirability of the area.
- Protection of views, scenery and other resources values and environmental benefits enjoyed by residents and guests and preservation of public assets maintained by the City
- Moderation of temperatures, dust control, and other environmental benefits.

These benefit factors, when applied to property in the Assessment District, specifically increase the utility of the property within the Assessment District. For example, the assessments will provide funding to maintain lighting that improves safety and access to the property after dark and landscaping that provides visual and environmental benefits to the properties within the Assessment District. Such improved and well-maintained public facilities enhance the overall usability, quality, desirability and safety of the properties. Moreover, funding for the maintenance and servicing of such public facilities is a condition of development of Diablo Estates at Clayton that is needed to mitigate the negative impacts of this development on the City. Without the Assessment District, this condition of development would not be satisfied, which could affect the approval of new homes on the property. This is another special benefit to the properties in the Assessment District.

GENERAL VERSUS SPECIAL BENEFIT

The proceeds from the Diablo Estates at Clayton Benefit Assessment District would be used to fund improvements and increased levels of maintenance to the public facilities that serve and benefit the properties in the Assessment District. In absence of the Diablo Estates at Clayton Benefit Assessment District, such Improvements would not be properly maintained. Therefore, the Assessment District is specifically proposed to ensure that the necessary and beneficial public facilities for property in the Assessment District are properly maintained and repaired over time. The assessments will ensure that landscaping and street lighting within and adjacent to the Assessment District are functional, well maintained, clean and safe. These public resources directly benefit the property in the Assessment District and will confer distinct and special benefits to the properties within the Assessment District.

In absence of the assessments, a condition of development would not be met and future home construction in the Assessment District could be denied. The creation of residential lots and the approval for the construction of homes in Diablo Estates at Clayton is the overriding clear and distinct special benefit conferred on exclusively on property in the Assessment District and not enjoyed by other properties outside the Assessment District. Moreover, benefits to the public at large, if any, will be offset by benefits residents within the Assessment District receive from the use of other similar public facilities not funded by the Assessment District. Therefore, the assessments solely provide special benefit to property in the Assessment District (100% special benefit) over and above the general benefits conferred to the public at large or properties outside the Assessment District.

METHOD OF ASSESSMENT

This process of apportioning assessments for each property involves determining the relative benefit received by each property in relation to a single family home, or, in other words, on the basis of Single Family Equivalent dwelling units (SFE). This SFE methodology is commonly used to distribute assessments in proportion to estimated special benefit and is generally recognized as providing the basis for a fair and appropriate distribution of assessments. For the purposes of this Engineer's Report, all properties are designated an SFE value, which is each property's relative benefit in relation to a single family home on one parcel. In this case, the "benchmark" property is the single family detached dwelling which is one Single Family Equivalent unit or one SFE.

ASSESSMENT APPORTIONMENT

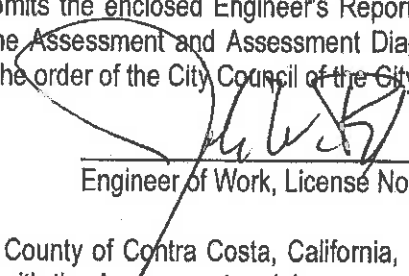
The proposed assessments for the Diablo Estates at Clayton Benefit Assessment District would provide direct and special benefit to properties in the Assessment District. Diablo Estates at Clayton is a residential single family development project consisting of a total of 24 single family homes, each on a separate parcel. As such, each residential property receives similar benefit from the proposed Improvements. Therefore, the Engineer has determined that the appropriate method of apportionment of the benefits derived by all parcels is on a dwelling unit or single family residence basis. All improved properties or properties proposed for development are assigned an SFE factor equal to the number of dwelling units developed or planned for the property. In other words, developed parcels and vacant parcels with proposed development will be assessed 1 SFE. The assessments are listed on the Assessment Roll in Appendix A.

APPEALS AND INTERPRETATION

Any property owner who feels that the assessment levied on the subject property is in error as a result of incorrect information being used to apply the foregoing method of assessment, may file a written appeal with the City of Clayton City Engineer or his or her designee. Any such appeal is limited to correction of an assessment during the then current or, if before July 1, the upcoming fiscal year. Upon the filing of any such appeal, the City of Clayton City Engineer or his or her designee will promptly review the appeal and any information provided by the property owner. If the City of Clayton City Engineer or his or her designee finds that the assessment should be modified, the appropriate changes shall be made to the assessment roll. If any such changes are approved after the assessment roll has been filed with the County for collection, the City of Clayton City Engineer or his or her designee is authorized to refund to the property owner the amount of any approved reduction. Any property owner who disagrees with the decision of the City of Clayton City Engineer or her or his designee may refer their appeal to the City Council of the City of Clayton and the decision of the City Council of the City of Clayton shall be final.

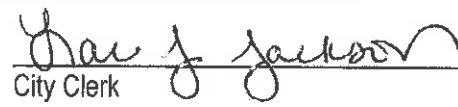
CERTIFICATES**DIABLO ESTATES AT CLAYTON BENEFIT ASSESSMENT DISTRICT**

1. The undersigned respectfully submits the enclosed Engineer's Report and does hereby certify that this Engineer's Report, and the Assessment and Assessment Diagram herein, have been prepared by me in accordance with the order of the City Council of the City of Clayton.



 Engineer of Work, License No. C052091

2. I, the City Clerk, City of Clayton, County of Contra Costa, California, hereby certify that the enclosed Engineer's Report, together with the Assessment and Assessment Diagram thereto attached, was filed and recorded with me on March 14, 2012.



 City Clerk

3. I, the City Clerk, City of Clayton, County of Contra Costa, California, hereby certify that the Assessment in this Engineer's Report was approved and confirmed by the City Council on _____, 2012, by Resolution No. _____.

 City Clerk

4. I, the City Clerk of the City of Clayton, County of Contra Costa, California, hereby certify that a copy of the Assessment and Assessment Diagram was filed in the office of the County Auditor of the County of Contra Costa, California, on _____, 2012.

 City Clerk

5. I, the County Auditor of the County of Contra Costa, California, hereby certify that a copy of the Assessment Roll and Assessment Diagram for fiscal year 2012-13 was filed with me on _____, 2012.

 County Auditor, County of Contra Costa

And I do hereby assess and apportion said net amount of the cost and expenses of said Improvements, including the costs and expenses incident thereto, upon the parcels and lots of land within said Diablo Estates at Clayton Benefit Assessment District in accordance with the special benefits to be received by each parcel or lot from the Improvements, and more particularly set forth in the Cost Estimate and Method of Assessment hereto attached and by reference made a part hereof.

The assessments are made upon the parcels or lots of land within the Diablo Estates at Clayton Benefit Assessment District in proportion to the special benefits to be received by the parcels or lots of land, from said Improvements.

The assessments are subject to an annual adjustment tied to the Consumer Price Index for Urban Consumers (CPI-U) for the San Francisco Bay Area as of April of each succeeding year, with the maximum annual adjustment not to exceed 4%. In the event that the annual change in the CPI exceeds 4%, any percentage change in excess of 4% can be cumulatively reserved and can be added to the annual change in the CPI for years in which the CPI change is less than 4%.

Each parcel or lot of land is described in the Assessment Roll by reference to its parcel number as shown on the Assessor's Maps of the County of Contra Costa for the fiscal year 2012-13. For a more particular description of said property, reference is hereby made to the deeds and maps on file and of record in the office of the County Recorder of said County.

I hereby place opposite the Assessor Parcel Number for each parcel or lot within the Assessment Rolls, the amount of the assessment for the fiscal year 2012-13 for each parcel or lot of land within the said Diablo Estates at Clayton Benefit Assessment District.

Dated: March 6, 2012



Engineer of Work

By [Signature]
John W. Bliss, License No. C052091

ASSESSMENT

WHEREAS, the undersigned Engineer of Work has prepared and filed a report presenting an estimate of costs, a diagram for the assessment districts and an assessment of the estimated costs of the Improvements upon all assessable parcels within the assessment district;

NOW, THEREFORE, the undersigned, by virtue of the power vested in me under said Acts and the order of the City Council of the City of Clayton, hereby make the following assessment to cover the portion of the estimated cost of said Improvements, and the costs and expenses incidental thereto to be paid by the assessment district.

The amounts to be paid for said Improvements and the expense incidental thereto, to be paid by the Diablo Estates at Clayton Benefit Assessment District for the fiscal year 2012-13, are generally as follows:

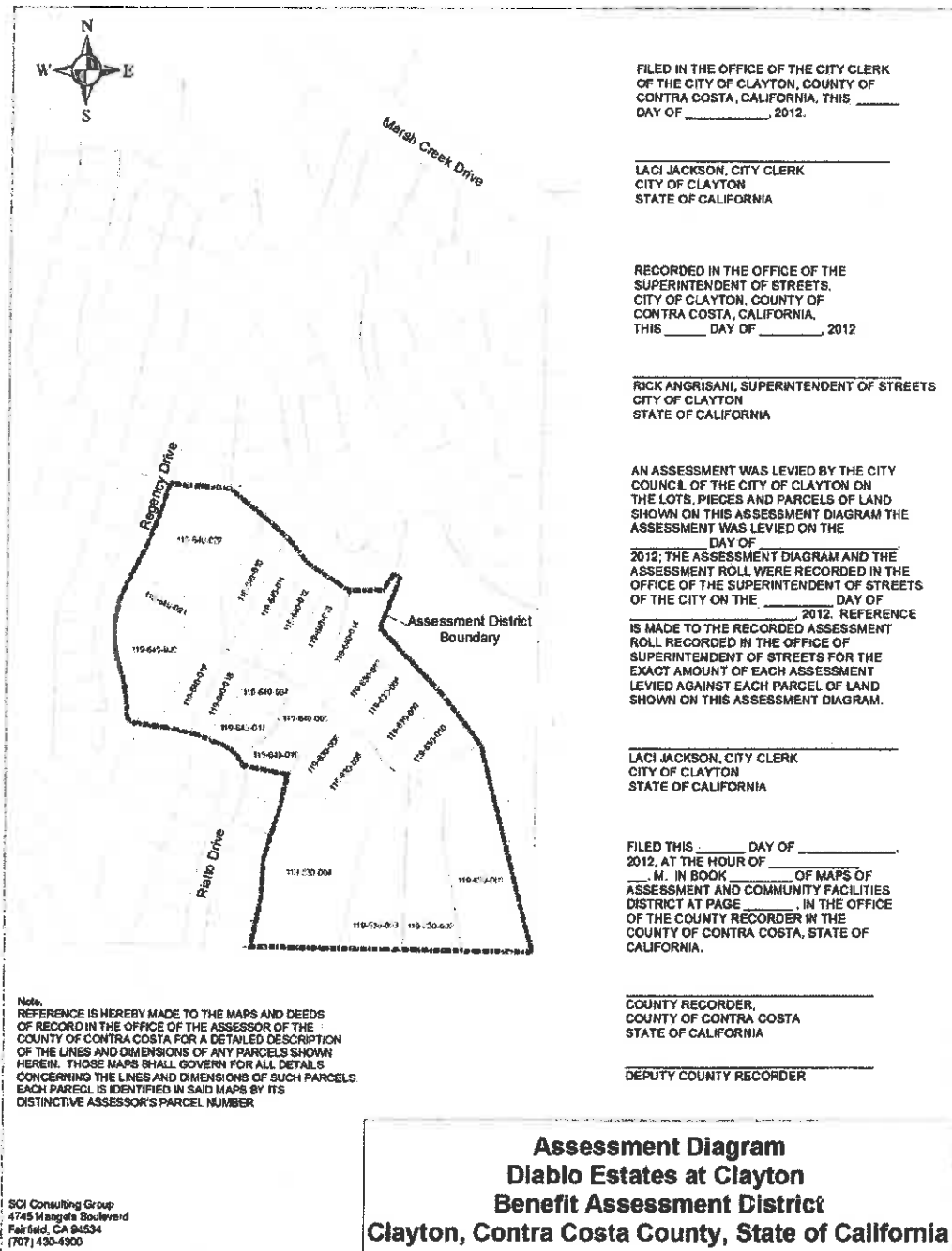
FIGURE 3 – SUMMARY COST ESTIMATES – FISCAL YEAR 2012-13

CITY OF CLAYTON	
Diablo Estates at Clayton Benefit Assessment District	
Summary Cost Estimate FY 2012-13	
Installation, Maintenance & Servicing Costs	\$60,763
Incidental Costs	\$11,900
Total Budget	\$72,663
Budget to Assessment	
Total Budget	\$72,663
Total SFE Units	24
Rate per SFE Unit	\$3,027.62

As required by the Acts, an Assessment Diagram is hereto attached and made a part hereof showing the exterior boundaries of said Diablo Estates at Clayton Benefit Assessment District. The distinctive number of each parcel or lot of land in said Diablo Estates at Clayton Benefit Assessment District is its Assessor Parcel Number appearing on the Assessment Roll.

ASSESSMENT DIAGRAM

The boundaries of the Diablo Estates at Clayton Benefit Assessment District are displayed on the following Assessment Diagram.



APPENDICES

APPENDIX A – ASSESSMENT ROLL, FISCAL YEAR 2012-13

An Assessment Roll (a listing of all parcels assessed within the Assessment District and the amount of the assessment) will be filed with the City Clerk and is, by reference, made part of this Report and is available for public inspection during normal office hours.

Each lot or parcel listed on the Assessment Roll is shown and illustrated on the latest County Assessor records and these records are, by reference made part of this Report. These records shall govern for all details concerning the description of the lots or parcels.

FIGURE 4 – ASSESSMENT ROLL

**CITY OF CLAYTON
Diablo Estates at Clayton Assessment District
Assessment Roll**

PARCEL NUMBER	OWNER	SITUS	SFE Units	ASSESSMENT
119-630-001	TOLL CA XIX L P	27 SEMINARY RIDGE PL CLAYTON CA 94517	1	\$3,027.62
119-630-002	TOLL CA XIX L P	26 SEMINARY RIDGE PL CLAYTON CA 94517	1	\$3,027.62
119-630-003	TOLL CA XIX L P	22 SEMINARY RIDGE PL CLAYTON CA 94517	1	\$3,027.62
119-630-004	TOLL CA XIX L P	18 SEMINARY RIDGE PL CLAYTON CA 94517	1	\$3,027.62
119-630-005	TOLL CA XIX L P	14 SEMINARY RIDGE PL CLAYTON CA 94517	1	\$3,027.62
119-630-006	TOLL CA XIX L P	10 SEMINARY RIDGE PL CLAYTON CA 94517	1	\$3,027.62
119-630-007	TOLL CA XIX L P	9 SEMINARY RIDGE PL CLAYTON CA 94517	1	\$3,027.62
119-630-008	TOLL CA XIX L P	15 SEMINARY RIDGE PL CLAYTON CA 94517	1	\$3,027.62
119-630-009	TOLL CA XIX L P	19 SEMINARY RIDGE PL CLAYTON CA 94517	1	\$3,027.62
119-630-010	TOLL CA XIX L P	23 SEMINARY RIDGE PL CLAYTON CA 94517	1	\$3,027.62
119-640-001	TOLL CA XIX L P	6 SEMINARY RIDGE PL CLAYTON CA 94517	1	\$3,027.62
119-640-004	TOLL CA XIX L P	7 PROMONTORY PL CLAYTON CA 94517	1	\$3,027.62
119-640-010	TOLL CA XIX L P	16 PROMONTORY PL CLAYTON CA 94517	1	\$3,027.62
119-640-011	TOLL CA XIX L P	12 PROMONTORY PL CLAYTON CA 94517	1	\$3,027.62
119-640-012	TOLL CA XIX L P	8 PROMONTORY PL CLAYTON CA 94517	1	\$3,027.62
119-640-013	TOLL CA XIX L P	4 PROMONTORY PL CLAYTON CA 94517	1	\$3,027.62
119-640-014	TOLL CA XIX L P	5 SEMINARY RIDGE PL CLAYTON CA 94517	1	\$3,027.62
119-640-016	TOLL CA XIX L P	2 SEMINARY RIDGE PL CLAYTON CA 94517	1	\$3,027.62
119-640-017	TOLL CA XIX L P	3 SEMINARY RIDGE PL CLAYTON CA 94517	1	\$3,027.62
119-640-018	TOLL CA XIX L P	11 PROMONTORY PL CLAYTON CA 94517	1	\$3,027.62
119-640-019	TOLL CA XIX L P	17 PROMONTORY PL CLAYTON CA 94517	1	\$3,027.62
119-640-020	TOLL CA XIX L P	21 PROMONTORY PL CLAYTON CA 94517	1	\$3,027.62
119-640-021	TOLL CA XIX L P	24 PROMONTORY PL CLAYTON CA 94517	1	\$3,027.62
119-640-022	TOLL CA XIX L P	20 PROMONTORY PL CLAYTON CA 94517	1	\$3,027.62
			24	\$72,662.88



Agenda Date: 7-13-16

Agenda Item: 8C

Approved:

Gary A. Napper
City Manager/Executive Director

STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: RICK ANGRISANI, CITY ENGINEER

DATE: JULY 16, 2013

SUBJECT: PUBLIC HEARING ON THE ENGINEER'S REPORT AND PROPOSED ASSESSMENTS FOR THE OPERATION & MAINTENANCE OF STREET LIGHTS IN THE STREET LIGHTING ASSESSMENT DISTRICT, FY 2013-14

RECOMMENDATION

Open Public Hearing, receive public comments, close the Public Hearing and approve the attached Resolution.

BACKGROUND

The Engineer's Report submitted by the City Engineer recommends that the annual assessments for the Street Lighting Assessment District ("District") remain the same as last year. In addition, to satisfy the requirements of the Streets and Highways Code, the "Fund Balance" for the district has been re-designated as the "Streetlight Replacement Fund". The fund will still be used to pay the District's obligations until we receive the first tax installment in December. The public hearing tonight is to receive any comments from the public on the proposed assessments.

The Council may have noted that we did not mail out notices this year nor are we required to hold a public meeting in addition to this public hearing. The process of mailing notices and holding both a public meeting and a public hearing began with the passage of Proposition 218. In reviewing our assessment proceedings, the City Attorney noted that, since we are not proposing an increase in the assessments, Proposition 218 provisions do not apply. We are now able to return to the original requirements of the Streets and Highways Code which only require a public hearing to receive public comment.

There are no provisions allowing for a "majority protest" to eliminate the assessments (similar to our other assessment districts such as the Oak Street and High street Permanent Road Divisions).

FISCAL IMPACT

If this \$125,991.08 annual assessment and Resolution are not approved, the Council must decide whether to fund all street lighting costs on our residential streets from another source, such as Gas Tax funds or the General Fund of the City, or turn off the street lights.

CONCLUSION

Staff recommends the City Council approve this Resolution approving the Engineer's Report and confirming the levy of assessments within the Street Lighting Assessment District for FY 2013-14.

Attachments: Resolution confirming Assessments [4 pp.]
Engineer's Report

ENGINEER'S REPORT

DATE: JULY 16, 2013
TO: CITY COUNCIL
FROM: CITY ENGINEER
RE: STREET LIGHT ASSESSMENT DISTRICT - FISCAL YEAR 2013-14

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

HISTORICAL REVIEW

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

When the Assessment District was formed, primarily to pay for street lighting in residential areas with street lights, the City ceased annexing new subdivisions to Lighting District #1. While the City continues to receive moneys on Lighting District #1 as Special Augmentation Funds, the amounts are expected to decrease. The expected income for FY 2013-14 is approximately \$26,195.

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

PROPOSITION 218

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

Due to the current fiscal climate, I again do not recommend that the City attempt another 218 election in order to increase the assessments. However, the Diablo Pointe lots are being assessed for the first time and a Proposition 218 ballot election is required prior to the assessment levy.

DETERMINATION OF SPECIAL BENEFIT

For this district, being limited to street lighting, the finding of a special benefit is relatively simple. Those properties, occupied and located on a lighted public street,

receive a special benefit relative to those properties located on unlit streets. This benefit may be described as additional protection for residents from criminal activity and, to a lesser extent, vehicular traffic. It should be noted that I am saying that the lights protect the pedestrians from vehicular traffic by increasing the pedestrians' ability to see and not the other way around.

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

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

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

DISTRICT IMPROVEMENTS

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

ESTIMATED COSTS

Actual PG&E costs for FY 2012-13 will be approximately \$96,500 (not including a one-time refund of \$18,327 from PG&E). Based upon expenditures to date, the City's labor, materials and overhead costs should be approximately \$31,888.

We are not anticipating any increase in electrical costs and are therefore proposing that the maintenance and administrative budgets be set at \$31,888.

METHOD OF ASSESSMENT

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

In those subdivisions with private streets, but served or traversed by public, lit streets, the property owners already pay for a share of their private street lighting and the ratio of lots to the number of public lights is higher than those in subdivisions with all public streets. Therefore, in order to provide an equitable assessment, I have assigned assessment units of one-half to single family and duet subdivisions (Oak Hollow, Black Diamond, and Diablo Pointe) and one-quarter to multifamily subdivisions (Diablo Ridge, Chaparral Springs, Marsh Creek Villas).

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

STREETLIGHT REPLACEMENT FUNDS

The fund balance at the beginning of FY 2012/13 was approximately \$129,905.

We estimate that the final costs for FY 2012/13 should be approximately \$104,643 (including PG&E's refund of \$18,327) and the final income amount should be \$129,240, resulting in a surplus of \$24,596. This surplus will increase the fund balance to \$154,061 for the beginning of FY 2013/14.

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

PER UNIT ALLOCATION

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

Estimated PG&E cost	\$96,500.00
City Maintenance Costs	17,865.00
City Administrative Costs	10,280.00
County Collection of Levy Fee	<u>3,682.00</u>
Total Budget	\$128,327.00
Less Interest Income	<u>(2,000.00)</u>
Net Assessment Required	\$126,327.00
Total Assessment Units	2908.5
Total Assessment Per Unit	<u>\$43.43</u>

However, since we are unable to increase assessments beyond their current level without a ballot election, we recommend that the current assessments remain the same for FY 2013-14 (see table on pages 4 and 5). Based upon the current assessment levels, the District will receive approximately \$125,991.08. Therefore, we are projecting a slight surplus of approximately \$336 in FY 2013-14 which will increase the Streetlight Replacement Fund balance at the end of FY 2013-14 to \$154,397.

ASSESSMENT HISTORY

Proposed FY 13-14	between \$0 and \$43.54
FY 12-13	between \$0 and \$43.54
FY 11-12	between \$0 and \$43.54
FY 10-11	between \$0 and \$43.54
FY 09-10	between \$0 and \$43.54
FY 08-09	between \$0 and \$43.54
FY 07-08	between \$0 and \$43.54
FY 06-07	between \$0 and \$43.54
FY 05-06	between \$0 and \$43.54
FY 04-05	between \$0 and \$43.54
FY 03-04	between \$0 and \$43.54
FY 02-03	between \$0 and \$43.54
FY 01-02	between \$0 and \$43.54
FY 00-01	\$34.34
FY 99-00	\$33.38
FY 98-99	\$33.38
FY 97-98	\$33.38
FY 96-97	\$43.54

CITY OF CLAYTON								
STREETLIGHT ASSESSMENT DISTRICT FY 2013-14								
PROPOSED ASSESSMENTS								
Subd. Name	Subd. No.	No. of Lots	Type	Public Streets	A.U. per lot	Total A.U.	Assessment Per Lot	Total \$
Cardinet Glen I	2556	22	SF	Y	1.00	22.00	\$43.54	\$957.88
Cardinet Glen II	2572	30	SF	Y	1.00	30.00	\$43.54	\$1,306.20
Glen Almond	3434	23	SF	Y	1.00	23.00	\$43.54	\$1,001.42
Dana Hills I	3576	29	SF	Y	1.00	29.00	\$43.54	\$1,262.66
Mission Manor	3659	25	SF	Y	1.00	25.00	\$43.54	\$1,088.50
Dana Hills II	4011	55	SF	Y	1.00	55.00	\$43.54	\$2,394.70
Dana Hills III	4012	50	SF	Y	1.00	50.00	\$43.54	\$2,177.00
Dana Hills IV	4013	93	SF	Y	1.00	93.00	\$43.54	\$4,049.22
Dana Hills V	4014	50	SF	Y	1.00	50.00	\$43.54	\$2,177.00
Dana Hills VI	4015	30	SF	Y	1.00	30.00	\$43.54	\$1,306.20
Dana Hills VII	4016	65	SF	Y	1.00	65.00	\$43.54	\$2,830.10
Dana Hills VIII	4017	46	SF	Y	1.00	46.00	\$43.54	\$2,002.84
Dana Hills IX	4018	32	SF	Y	1.00	32.00	\$43.54	\$1,393.28
Dana Hills X	4019	52	SF	Y	1.00	52.00	\$43.54	\$2,264.08
Marsh Creek	4240	109	MF	N	0.25	27.25	\$15.64	\$1,704.76
Regency Woods I	4343	77	SF	Y	1.00	77.00	\$43.54	\$3,352.58
St. James Place	4403	16	SF	Y	1.00	16.00	\$43.54	\$696.64
Casey Glen	4449	24	SF	Y	1.00	24.00	\$43.54	\$1,044.96
Briarwood I	4451	19	SF	Y	1.00	19.00	\$43.54	\$827.26
Jeffry Ranch	4499	68	SF	Y	1.00	68.00	\$43.54	\$2,960.72
Dana Ridge	4504	86	MF	N	0.25	21.50	\$15.64	\$1,345.04
Clayton Greens	4515	78	SF	Y	1.00	78.00	\$43.54	\$3,396.12
Regency Woods II	4543	71	SF	Y	1.00	71.00	\$43.54	\$3,091.34
Regency Woods III	4643	37	SF	Y	1.00	37.00	\$43.54	\$1,610.98
Briarwood II	4654	40	SF	Y	1.00	40.00	\$43.54	\$1,741.60
Regency Woods IV	4798	145	SF	Y	1.00	145.00	\$43.54	\$6,313.30
Easley Estates I	4805	48	SF	Y	1.00	48.00	\$43.54	\$2,089.92
Silver Creek I	4827	26	SF	Y	1.00	26.00	\$43.54	\$1,132.04
Silver Creek II	4956	94	SF	Y	1.00	94.00	\$43.54	\$4,092.76
Easley Estates II	5048	51	SF	Y	1.00	51.00	\$43.54	\$2,220.54
Easley Estates III	5049	40	SF	Y	1.00	40.00	\$43.54	\$1,741.60
Easley Estates IV	5050	55	SF	Y	1.00	55.00	\$43.54	\$2,394.70
Douglas Court	5267	9	SF	Y	1.00	9.00	\$43.54	\$391.86

Regency Meadows	5722	96	SF	Y	1.00	96.00	\$43.54	\$4,179.84
Westwood	6001	65	SF	Y	1.00	65.00	\$43.54	\$2,830.10
Westwood	6001	4	MF	Y	0.50	2.00	\$15.64	\$62.56
Windmill Canyon I	6990	92	SF	Y	1.00	92.00	\$43.54	\$4,005.68
Black Diamond I	7065	108	Duet	N	0.50	54.00	\$31.28	\$3,378.24
Chaparral Springs I	7066	117	MF	N	0.25	29.25	\$8.34	\$975.78
Peacock Creek I	7249	69	SF	Y	1.00	69.00	\$33.38	\$2,303.22
Peacock Creek II	7255	72	SF	Y	1.00	72.00	\$33.38	\$2,403.36
Eagle Peak I	7256	70	SF	Y	1.00	70.00	\$43.54	\$3,047.80
Eagle Peak II	7257	60	SF	Y	1.00	60.00	\$43.54	\$2,612.40
Falcon Ridge I	7260	75	SF	Y	1.00	75.00	\$33.38	\$2,503.50
Falcon Ridge II	7261	70	SF	Y	1.00	70.00	\$43.54	\$3,047.80
Windmill Canyon II	7262	99	SF	Y	1.00	99.00	\$43.54	\$4,310.46
Windmill Canyon III	7263	101	SF	Y	1.00	101.00	\$43.54	\$4,397.54
Windmill Canyon IV	7264	102	SF	Y	1.00	102.00	\$33.38	\$3,404.76
Chaparral Springs II	7303	52	MF	N	0.25	13.00	\$8.34	\$433.68
Black Diamond II	7311	118	Duet	N	0.50	59.00	\$31.28	\$3,691.04
Diablo Ridge I	7766	60	MF	N	0.25	15.00	\$8.34	\$500.40
Oak Hollow	7766	35	SF	N	0.50	17.50	\$16.68	\$583.80
Diablo Ridge II	7767	76	MF	N	0.25	19.00	\$8.34	\$633.84
Oak Hollow IIA	7768	55	SF	N	0.50	27.50	\$31.28	\$1,720.40
Oak Hollow IIB	7769	53	SF	N	0.50	26.50	\$31.28	\$1,657.84
Stranahan	7887	54	SF	Y	1.00	54.00	\$33.38	\$1,802.52
Diablo Village	8215	33	SF	Y	1.00	33.00	\$43.54	\$1,436.82
Rachel Ranch	8355	8	SF	Y	1.00	8.00	\$43.54	\$348.32
Bridlewood	8358	19	SF	Y	1.00	19.00	\$43.54	\$827.26
Diablo Pointe	8719	24	SF	N	0.50	12.00	\$22.18	\$532.32
TOTALS		3482				2908.5		\$125,991.08

RESOLUTION NO.

A RESOLUTION APPROVING ENGINEER'S REPORT AND LEVYING ASSESSMENTS FOR OPERATION AND MAINTENANCE OF STREET LIGHTS IN THE STREET LIGHTING ASSESSMENT DISTRICT FOR FISCAL YEAR 2013-14.

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

WHEREAS, in order to levy assessments for the operation and maintenance of the streetlights in residential subdivisions, the City Engineer has prepared, and submitted to the City Council, an Engineer's Report for Fiscal Year 2013-14; and

WHEREAS, the Engineer's Report recommends that the annual assessments remain unchanged from last fiscal year; and

WHEREAS, on July 16, 2013, the City Council held a public hearing on the proposed assessment for the fiscal year 2013-14 and heard and considered all oral statements and written communications made and filed thereon by interested persons; and

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Clayton as follows:

1. The Engineer's Report for Fiscal Year 2013-14 is hereby approved.
2. The City Council orders the levy of an assessment in the amounts shown on Exhibit A attached hereto per subdivision lot on each of the lots within the following subdivisions in the Street Lighting Assessment District and this Resolution shall constitute the levy and confirmation of such assessment for fiscal year 2013-14. The total subdivision lots so assessed are 3,458 and consist of each lot within the following subdivisions: #2556, #2572, #3434, #3576, #3659, #4011, #4012, #4013, #4014, #4015, #4016, #4017, #4018, #4019, #4240, #4343, #4403, #4449, #4451, #4499, #4504, #4515, #4543, #4643, #4654, #4798, #4805, #4827, #4956, #5048, #5049, #5050, #5267, #5722, #6001, #6990, #7065, #7066, #7249, #7255, #7256, #7257, #7260, #7261, #7262, #7263, #7264, #7303, #7311, #7766, #7767, #7768, #7769, #7887, #8215, #8355, #8358 and #8719 as such maps appear of record in the Contra Costa County Recorder's Office.

3. The City will pay from the Special District Augmentation moneys, gas tax or other City funds, the cost of operation for some 166 street lights on arterial streets as described in the Engineer's Report. The herein mentioned assessment levy is to pay for the cost of operation for some 800 subdivision street lights along the interior streets within the above described subdivisions.

4. The City Clerk shall immediately file a certified copy of this resolution, together with any required diagrams and a list of lots so assessed, with both the Tax Collector and the Auditor of Contra Costa County, with the Assessment to thereafter be collected in the same manner as the property taxes are collected.

PASSED, APPROVED and ADOPTED by the City Council of the City of Clayton at a regular public meeting thereof held on July 16, 2013 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

THE CITY COUNCIL OF CLAYTON, CA

Julie K. Pierce Geller, Mayor

ATTEST:

Laci J. Jackson, City Clerk

I hereby certify that the foregoing resolution was duly and regularly passed by the City Council of the City of Clayton at a regular public meeting held on July 16, 2013.

Laci J. Jackson, City Clerk

**RESOLUTION NO.
EXHIBIT A**

CITY OF CLAYTON								
STREETLIGHT ASSESSMENT DISTRICT FY 2013-14								
PROPOSED ASSESSMENTS								
Subd. Name	Subd. No.	No. of Lots	Type	Public Streets	A.U. per lot	Total A.U.	Assessment Per Lot	Total \$
Cardinet Glen I	2556	22	SF	Y	1.00	22.00	\$43.54	\$957.88
Cardinet Glen II	2572	30	SF	Y	1.00	30.00	\$43.54	\$1,306.20
Glen Almond	3434	23	SF	Y	1.00	23.00	\$43.54	\$1,001.42
Dana Hills I	3576	29	SF	Y	1.00	29.00	\$43.54	\$1,262.66
Mission Manor	3659	25	SF	Y	1.00	25.00	\$43.54	\$1,088.50
Dana Hills II	4011	55	SF	Y	1.00	55.00	\$43.54	\$2,394.70
Dana Hills III	4012	50	SF	Y	1.00	50.00	\$43.54	\$2,177.00
Dana Hills IV	4013	93	SF	Y	1.00	93.00	\$43.54	\$4,049.22
Dana Hills V	4014	50	SF	Y	1.00	50.00	\$43.54	\$2,177.00
Dana Hills VI	4015	30	SF	Y	1.00	30.00	\$43.54	\$1,306.20
Dana Hills VII	4016	65	SF	Y	1.00	65.00	\$43.54	\$2,830.10
Dana Hills VIII	4017	46	SF	Y	1.00	46.00	\$43.54	\$2,002.84
Dana Hills IX	4018	32	SF	Y	1.00	32.00	\$43.54	\$1,393.28
Dana Hills X	4019	52	SF	Y	1.00	52.00	\$43.54	\$2,264.08
Marsh Creek	4240	109	MF	N	0.25	27.25	\$15.64	\$1,704.76
Regency Woods I	4343	77	SF	Y	1.00	77.00	\$43.54	\$3,352.58
St. James Place	4403	16	SF	Y	1.00	16.00	\$43.54	\$696.64
Casey Glen	4449	24	SF	Y	1.00	24.00	\$43.54	\$1,044.96
Briarwood I	4451	19	SF	Y	1.00	19.00	\$43.54	\$827.26
Jeffry Ranch	4499	68	SF	Y	1.00	68.00	\$43.54	\$2,960.72
Dana Ridge	4504	86	MF	N	0.25	21.50	\$15.64	\$1,345.04
Clayton Greens	4515	78	SF	Y	1.00	78.00	\$43.54	\$3,396.12
Regency Woods II	4543	71	SF	Y	1.00	71.00	\$43.54	\$3,091.34
Regency Woods III	4643	37	SF	Y	1.00	37.00	\$43.54	\$1,610.98
Briarwood II	4654	40	SF	Y	1.00	40.00	\$43.54	\$1,741.60
Regency Woods IV	4798	145	SF	Y	1.00	145.00	\$43.54	\$6,313.30
Easley Estates I	4805	48	SF	Y	1.00	48.00	\$43.54	\$2,089.92
Silver Creek I	4827	26	SF	Y	1.00	26.00	\$43.54	\$1,132.04
Silver Creek II	4956	94	SF	Y	1.00	94.00	\$43.54	\$4,092.76
Easley Estates II	5048	51	SF	Y	1.00	51.00	\$43.54	\$2,220.54
Easley Estates III	5049	40	SF	Y	1.00	40.00	\$43.54	\$1,741.60

Easley Estates IV	5050	55	SF	Y	1.00	55.00	\$43.54	\$2,394.70
Douglas Court	5267	9	SF	Y	1.00	9.00	\$43.54	\$391.86
Regency Meadows	5722	96	SF	Y	1.00	96.00	\$43.54	\$4,179.84
Westwood	6001	65	SF	Y	1.00	65.00	\$43.54	\$2,830.10
Westwood	6001	4	MF	Y	0.50	2.00	\$15.64	\$62.56
Windmill Canyon I	6990	92	SF	Y	1.00	92.00	\$43.54	\$4,005.68
Black Diamond I	7065	108	Duet	N	0.50	54.00	\$31.28	\$3,378.24
Chaparral Springs I	7066	117	MF	N	0.25	29.25	\$8.34	\$975.78
Peacock Creek I	7249	69	SF	Y	1.00	69.00	\$33.38	\$2,303.22
Peacock Creek II	7255	72	SF	Y	1.00	72.00	\$33.38	\$2,403.36
Eagle Peak I	7256	70	SF	Y	1.00	70.00	\$43.54	\$3,047.80
Eagle Peak II	7257	60	SF	Y	1.00	60.00	\$43.54	\$2,612.40
Falcon Ridge I	7260	75	SF	Y	1.00	75.00	\$33.38	\$2,503.50
Falcon Ridge II	7261	70	SF	Y	1.00	70.00	\$43.54	\$3,047.80
Windmill Canyon II	7262	99	SF	Y	1.00	99.00	\$43.54	\$4,310.46
Windmill Canyon III	7263	101	SF	Y	1.00	101.00	\$43.54	\$4,397.54
Windmill Canyon IV	7264	102	SF	Y	1.00	102.00	\$33.38	\$3,404.76
Chaparral Springs II	7303	52	MF	N	0.25	13.00	\$8.34	\$433.68
Black Diamond II	7311	118	Duet	N	0.50	59.00	\$31.28	\$3,691.04
Diablo Ridge I	7766	60	MF	N	0.25	15.00	\$8.34	\$500.40
Oak Hollow	7766	35	SF	N	0.50	17.50	\$16.68	\$583.80
Diablo Ridge II	7767	76	MF	N	0.25	19.00	\$8.34	\$633.84
Oak Hollow IIA	7768	55	SF	N	0.50	27.50	\$31.28	\$1,720.40
Oak Hollow IIB	7769	53	SF	N	0.50	26.50	\$31.28	\$1,657.84
Stranahan	7887	54	SF	Y	1.00	54.00	\$33.38	\$1,802.52
Diablo Village	8215	33	SF	Y	1.00	33.00	\$43.54	\$1,436.82
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Bridlewood	8358	19	SF	Y	1.00	19.00	\$43.54	\$827.26
Diablo Pointe	8719	24	SF	N	0.50	12.00	\$22.18	\$532.32
TOTALS		3482				2908.5		\$125,991.08

Agenda Date: 7-16-13

PROPOSED CITY BUDGET
2013 – 2014

Agenda Item: 9a

THE CITY COUNCIL

JULIE K. PIERCE, MAYOR
HANK STRATFORD, VICE MAYOR
JIM DIAZ, COUNCILMEMBER
HOWARD GELLER, COUNCILMEMBER
DAVID T. SHUEY, COUNCILMEMBER

* * *

PROPOSED AND PRESENTED BY:

GARY A. NAPPER, CITY MANAGER

* * * * *

PREPARED BY:

MERRY PELLETIER, FINANCE MANAGER



CITY OF CLAYTON, CALIFORNIA

94517

www.ci.clayton.ca.us

BUDGET MESSAGE

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: CITY MANAGER

MEETING DATE: 16 JULY 2013

**SUBJECT: PROPOSED CITY, SPECIAL FUNDS, AND CIP BUDGETS
FISCAL YEAR 2013 - 2014**

RECOMMENDATION

Following introduction and presentation of the proposed operations and capital improvements budgets for FY 2013 – 2014, it is recommended the City Council provide any policy direction and amendments accordingly for a Public Hearing and adoption of the City, Special Funds, and Capital Improvement Budgets at a special public meeting on 30 July 2013.

PROPOSED CITY BUDGETS

Presented herein for public review and consideration is the City's proposed budgets for FY 2013-14. It is a balanced budget as required by law, and the languished General Fund displays flickers of life with a "*conditional*" balanced budget of anticipated revenue exceeding expenditures by \$24,320, predicated on status quo labor concessions.

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

CITY OF CLAYTON BUDGETS

<u>Budget</u>	<u>FY 13-14</u>	<u>FY 12-13</u>	<u>FY 11-12</u>	<u>FY 10-11</u>	<u>FY 09-10</u>
General Fund	\$ 3,649,122	\$ 3,670,702	\$ 3,651,536	\$ 3,656,609	\$ 3,637,679
Other Funds	\$ 7,540,717	\$ 4,881,991	\$ 3,848,048	\$ 4,054,742	\$ 3,171,957
CIP	\$ 427,822	\$ 2,237,307	\$ 1,524,988	\$ 1,764,300	\$ 2,273,727
Successor Agency	\$ 991,506	\$ 1,083,794	\$ 5,540,625	\$ 5,110,922	\$ 5,196,353
TOTALS:	\$12,609,167	\$11,873,794	\$14,565,197	\$14,586,573	\$14,279,716

PROPOSED TOTAL BUDGET

The combined financial program proposed for the City, its Other [Special & Enterprise] Funds, and its CIP Budget is \$12.6 million, an overall increase of \$735,373 (6.2%) over last year's approved Total Budget.

Actual revenues for the General Fund portion of the FY 2012–2013 City Budget are expected land at \$3,673,442. Unlike last year's adopted budget which projected a possible **\$199,725** annual deficit, the proposed fiscal plan for the coming year suggests real property tax revenues are guardedly on the upswing due to elevated assessed valuation increases. With a combination of a brighter real estate market and the County Assessor marking upwards the devalued homes during the recession, Clayton's base economy of desirable real estate appears to be regaining some ground. However, local sales tax revenue generation flat-lined after a promising look at mid-year (February 2013) and interest earnings of the City suffered similar to all households and business budgets.

With the Clayton Redevelopment Agency (RDA) no longer in existence as of February 2012, the "Successor Agency" became the heir to the RDA. It now receives real property tax revenues sufficient to pay the debt service and enforceable obligations of the former RDA ... well, ahem, at least those approved by the California Department of Finance (DOF). It now appears the former tax increment revenue "wrap around" restored portions of this real property tax revenue back to the original underlying public taxing entities, and has pushed the City's slice of the assessed valuation tax roll from its former 4.3% to an approximate 6.9% allocation. In practical terms, the effect is illustrated by the following example:

Residential Homeowner pays an AV Tax Bill of \$7,000 per year

Former Clayton General Fund share: \$301.00 (4.3%)

New Clayton General Fund share: \$483.00 (6.9%)

Difference: \$182.00 (60% increase)

This upshot of the demise of redevelopment agencies has been a positive one for local taxing entities and is one of the primary reasons the City budget last year largely closed its deficit gap as \$213,140 in RPPTF revenue was returned to Clayton in FY 2012-13. This expectant revenue (actuals unknown-amount at time of budgeting) helped to offset the corresponding loss of \$200,000 to the City's General Fund for performing redevelopment agency administration and project management services.

GENERAL FUND REVENUES

One of the few benefits of preparing a municipal budget after the beginning of the fiscal year (note: not by choice, due to internal operational issues) is the fact the Contra Costa County Tax Assessor has officially released his assessed valuation (AV) calculations for this fiscal year. Most cities must guess at these outcomes when preparing budgets in the spring but Clayton gains the advantage of knowing the Assessor's submitted tax roll for FY 2013-14. Cities with the largest increase in assessed valuation from prior year

included Clayton in the second highest spot at 8.24% (increase in assessed valuation). Brentwood was the highest at 8.45% with Oakley third at 7.44%. The City of Richmond suffered the only percentage loss at -14.61%. Clayton's total real property net assessed value now stands at \$1.74 billion; that value is the second lowest in the County with San Pablo in the cellar. For comparison, the second smallest city in the County, Moraga, has a net assessed value of \$3.16 billion.

As noted above, this is sunnier news for Clayton coming off years of declining real property taxes, dismal sales tax generation, and plummeting interest earnings. When looking at a 12-year history of Clayton revenues (ref. attached table), it becomes clear that Clayton at most can only expect total revenues in the range of \$3.6 to \$3.8 million. Other than real property tax revenues, there exists little diverse revenue to spark climbs in new or existing local public services to our community. Although the announcement of prospective assessed valuation tax revenue growth in Clayton could cause municipal adrenalin to flow (at the sake of taxpayers...), the secured property tax revenues from last year came in at an **\$80,000** loss; it was only the fact the City did not budget for any former redevelopment agency tax revenues (\$213,140) that aided real property tax revenues to close at an overall positive of \$131,702. For FY 2103-14 the City can now budget the tax revenues plus factor-in more assessed valuation revenue beyond the mark realized last fiscal year (total of \$1.65 million; 45% of the City's General Fund revenue).

General Fund revenue is also the beneficiary of the positive uptick in the local real estate market as real property transfer taxes (\$62,770) are a related by-product of the real estate industry. The City's 1% slice (of the local 8.75% sales tax rate) appears to be remaining steady with annual revenue of \$271,083 (total), while City business license tax revenue is regaining lost ground at \$127,013 per year. Solid revenue performers are the City's franchise fees for solid waste collection, cable TV, utility and gas line consumer services; collectively, this category of General Fund revenue equals \$491,978 (13% of General Fund revenue). Once a harbinger for City revenue to the General Fund, interest earnings swooned during the recession and now offers less than half of its former contribution to the general revenue pie (\$60,000 in FY 2013-14).

One other significant source of general funds is the temporary infusion of \$250,000 per year for the City to manage the debt service and contractual obligations of the former redevelopment agency. As the Successor Agency retires its debt, this amount will dwindle until it disappears along with the Agency; a like portion of funds, however, will wrap around back to the City in the form of restored local property tax revenues (as noted above). Whether it will be a dollar-for-dollar replacement, less or more, remains to be seen once Agency debt and obligations are fully retired.

In summation, the projected FY 2013-14 General Fund revenue picture is \$3,673,442, an overall increase of 5.8% over the FY 2012-13 adopted budget. Relative to actual (estimated) revenue received last fiscal year (\$3,714,495), the FY 2013-14 revenue mark is slightly less due to a one-time revenue rebate of \$50,746 received last year from excessive Property Tax Administration Fees charged by Contra Costa County.

GENERAL FUND EXPENDITURES

With a **0.59%** decrease in overall General Fund expenditures compared to last year, the narrative can best be described as “deja vue.” By action years ago the City eliminated virtually all expenses for employee training and attendance at information conferences, and even halted the expense of the bottled water cooler. Since labor negotiations with City Hall and Police public employees have not yet engaged while each 1-year contract expired on June 30, 2013, it is again noted this Budget assumes retaining the status quo on employee salaries and benefits. Should that outcome be different, modification of the Budget will be necessary with perhaps reliance on one-time transfer of funds since little annual revenue sources exist and the City Budget contains no contingency funds to address unexpected claims on the fiscal plan.

As a service-provider organization it is predictable the expense for Personnel Services consumes the majority of the General Fund. It holds steady at 70% of the overall \$3.67 million Budget (69% last year; 68% in FY 11-12; 72.5% in FY 10-11). The City provides public services, as does the vast portion of the national economy; America in many respects is no longer an industrial nation, it is a service-provider nation.

To aid the last 4 years of budget difficulties, labor concessions by the City's organization have largely shouldered the diminished revenue base. On-going employee concessions over the four years include: no merit salary increases, eleven (11) furlough days per fiscal year for Miscellaneous employees (4.3% cut in pay), no Holiday pay premium time for Public Safety employees, no Cost-of-Living adjustments (COLA's) for four years (loss in wage value by a 4-year CPI increase of 9.8%), and employees picking up more share of health and dental insurance premiums. Recognizing private sector and self-employed enterprises have suffered similar pains, there has been no corresponding reduction in public services provided to the community with this lessened revenue base.

The City's contract City Engineer (PERMCO), for the 6th straight year, has not sought an increase in retainer service payment. The contract City Attorney (Best Best & Krieger), which came onboard in August 2011, has also agreed to the same retainer schedule (\$96,000 per year base services fee) for the coming fiscal year. Clearly, the City organization is doing much to weather the recession and the economic storm in this heightened era of austerity.

Once again as in prior years, as an interim measure to bridge budget gaps, the proposed Budget halts the annual depreciation charge of \$97,582 to the City's Capital Equipment Replacement Fund (CERF). This internal service fund is normally replenished each year to underwrite automatic replacement of vehicles and other rolling stock as age and condition dictate. Its equity balance is marching dangerously low and represents yet another pressing need on the operation of the municipality (ref. Section K below in Restricted Funds).

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

GENERAL FUND DEPARTMENTS

<u>DEPARTMENT</u>	<u>FY 13-14</u>	<u>FY 12-13</u>	<u>% CHANGE</u>
LEGISLATIVE	\$ 53,301	\$ 65,914	- 19.1% ¹
ADMIN/FINANCE	\$ 860,775	\$ 802,027	+ 7.3% ²
PUBLIC WORKS	\$ 115,282	\$ 112,257	+ 2.7%
COMMUNITY DEV.	\$ 258,939	\$ 264,221	- 2.0% ³
GENERAL SERVICES	\$ 136,799	\$ 149,373	- 8.4% ^o
POLICE	\$ 1,786,117	\$ 1,875,294	- 4.8% ^a
LIBRARY	\$ 149,341	\$ 129,551	+ 15.3% ^x
ENGINEERING	\$ 93,551	\$ 93,540	0%
COMMUNITY PARK	\$ 195,017	\$ 178,524	+ 9.2% ^c
TOTAL:	\$ 3,649,122	\$ 3,670,702	- 0.59%

Notes: ¹ No General Municipal Election expense this year.

² Part-time temporary Assistant Finance Manager to overcome workload backlog.

³ New departmental employees with less compensation and benefit plans.

^o General Liability insurance premium rebate.

^a New departmental employees with less compensation and benefit plans.

^x County charging more for extra and Sunday library operations; HVAC repairs.

^c More labor time expended on numerous water main leaks at the park.

Police Department operations slid to 49% (from 51%) of the General Fund Budget pie due primarily to new employees in lower compensation ranges and CalPERS pension plans. This statistic means that of every \$1.00 paid by taxpayers as general tax revenue to the City, approximately one-half of the tax monies (or 49¢ of every \$1) is used to provide local law enforcement services to the community.

FY 2012-13 GENERAL FUND SHORTFALL

The FY 2012-13 adopted City Budget forecast an annual deficit operation of approximately **\$200,000** in its General Fund caused by the dormant economy and a housing bubble burst coupled with the stunning State of California action to exterminate redevelopment agencies. During its operation and even at the mid-year budget review in February 2013, it appeared that despite various fluctuations in both revenues and expenditures, the General Fund budget would make up that deficit gap. In actuality it did on the revenue side of the equation as General Fund revenues exceeded budgeted estimates by \$243,181; however, that figure is also misleading since unbudgeted but expectant revenue from the demise of the Clayton Redevelopment Agency arrived in the form of \$213,140 former tax increment revenue. In addition, the cities' settlement with the County over disputed and excessive Property Tax Administration Fees (PTAF) netted a one-time windfall of \$50,746.

On the General Fund expenditure ledger, operations were projected to cost \$3,670,702 and in routine course the City usually operates below budgeted expense. However, with staff recommendation the City authorized encumbrances (key unspent expenses) amounting to \$155,578 (e.g. Deferred Maintenance Account of \$102,000) for expenditure in FY 2012-13, which action resulted in General Fund expenditures (unaudited) of \$3,747,027. The effect is a \$76,325 over-expended City operation last year.

Matching surplus revenue against an over-expended operation nets an annual deficit operation in the FY 2012-13 General Fund of **\$32,532**; or in other words, the City missed closing its original **\$200,000** budgeted gap by **0.87%**. While such budgetary finesse is not necessarily a resume-builder, it is nevertheless a remarkable conclusion to the great unknown wild fiscal year of 2012-13; and it is certain there are a host of local and state governments that would love to share financial news they missed an annually-balanced operation by less than 1%.

Caution is expressed here that the FY 2012-13 numbers being reviewed are very preliminary figures and have not been subjected to auditor critique. Once the Finance Department completes its delinquent audit for the FY 2011-12 operational year, the audit of FY 2012-13, which just closed on 30 June 2013, will commence. Therefore, this estimated deficit gap could close or it could widen. An additional financial lesson learned here is when encountering deficit budgets, do not allow carry-over encumbrances from the prior year.

GENERAL FUND EQUITY BALANCE

According to the City's unaudited financial statements, the un-earmarked fund balance of the General Fund on 30 June 2012 is \$5,496,164. Reducing that figure by the authorized FY 11-12 encumbrances of \$155,578 into the FY 12-13 Budget, the City's net unreserved fund balance (unaudited) on 01 July 2012 (start of last fiscal year) is \$5,340,586.

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

It is calculated our City could close Fiscal Year 2012-2013 with receipted revenue less than expected expenses by **\$32,532**, a **0.87%** deficit operation. Unless City Council action is directed otherwise, this gap must ultimately be addressed using the reserves of the General Fund. Therefore, the opening unreserved General Fund balance of the City will decline to \$5,308,054 on 01 July 2013.

The City's reserve equity is therefore equal to 145% of our annual General Fund operations for FY 2013-2014. Subtracting the "untouchable" \$250,000 reserve lowers our true reserve equity to a position of 138.6% (\$5,058,054).

* * * * *

SPECIAL REVENUE AND ENTERPRISE FUNDS

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

A. Gas Tax Fund – No. 201

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

Due to the City’s pattern of heavy reinvestment of Gas Tax funds into maintenance and repair of local streets and roads, our City has been successful in its upkeep of this infrastructure, investing approximately **\$6.4 million** over the last 9 years into street repaving and improvements. This accomplishment has enabled Clayton to consistently place in the Top 5 best overall street conditions within Contra Costa County, at No. 3 within Contra Costa County (the Bay Area average Pavement Condition Index is 66 PCI). Our City’s last-rated PCI was 79 (year 2012), which positioned our aggregate street conditions in the industry standard category of “Very Good”, the 2nd highest category to “Excellent” (PCI of 90-100). Note this placement was prior to our recent \$1.4 million 2013 Neighborhood Street Pavement Rehabilitation Project which concluded in late April 2013 and resulted in most community streets below a 60 PCI ranking being repaved (including infamous Regency Drive).

At this time total Gas Tax revenues are estimated to be \$319,032 for FY 2013-14, essentially a flat revenue line as newer vehicles on the road continue to obtain greater gas mileage per gallon and the unemployed or under-employed populace drives less miles. Should additional gas tax revenues materialize during the fiscal year, it will augment the amount of monies transferred to the City’s Capital Improvement Project Budget for a 2014 Neighborhood Street Repaving Project to be performed in the summer of 2014 (ref. CIP No. 10418). The City’s Gas Tax Fund opens this fiscal year with negative fund equity of **\$125,801** due to the fact the City consciously “banked” on using FY 2013-14 Gas Tax Revenues in FY 2012-13 to award a larger street repaving project for contract economies of scale.

After allocation of monies for basic transportation maintenance and operation expenses (e.g. electricity for arterial street lights at \$42,500; traffic signal maintenance performed by the County at \$26,000; City Maintenance personnel compensation of \$38,336 for labor on street maintenance tasks and traffic sign replacements; street light and lamp supplies at \$25,179), it is proposed this Fund transfers \$51,822 (16%) to the City's Capital Improvement Project Budget for the following street improvements and repairs:

2014 Neighborhood Street Project	\$ 45,822	CIP No. 10418
ADA Sidewalk/Parking Improvements	\$ 6,000	CIP No. 10394A

With negligible monies remaining for capital improvement purposes, no neighborhood street repaving project will be performed in FY 2013-14.

A "Collector Street Rehab Project" (CIP No. 10425) is targeted for FY 2014-15 using a portion of Gas Tax monies as the local match requirement to federal Local Street and Road Shortfall Fund monies (STP monies) expected for release in the coming fiscal year (\$361,438). These federal grant monies can only be used on a collector or arterial street (rather than on a residential local street); preliminary internal plans envision Keller Ridge Drive since the previously-contemplated street, Regency Drive, was done last year.

B. Citywide Landscape Maintenance District – Fund No. 210

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

Maintenance of City Parks *is not* included as an authorized expense under the District's Act; park maintenance obligations fall to the City's General Fund. *Citywide public landscaping services have always been funded by a special revenue tax levied on private properties throughout the City.* The District is completed its 6th year of a 10-year approved operation (Measure B), and its citizens' oversight committee (Trails and Landscaping Committee, or TLC) meets periodically to ensure the promised maintenance standards and efficiencies are achieved with these special-purpose tax revenues.

Pursuant to the terms of voter-approved Measure B, the special tax rate may be modified annually by the change in the Consumer Price Index (CPI; San Francisco – Bay Area) from April to April. In no event shall the tax rate be increased by more than 3% each year. The CPI change (from April 2012 to April 2013) posted at 2.38%. The District's revenue projection has been increased by that factor accordingly and is set at a total of \$978,034 for FY 2013-14, an annual increase of \$23,330. Adding interest earnings of \$4,000 pushes the total revenue budget to \$982,034. Pursuant to its

oversight charge, the citizens' TLC considered the CPI fluctuation and the District's tentative budget at its meeting on May 20th and adopted a motion to recommend the City Council implement the full 2.38% CPI annual rate adjustment.

The Landscape Maintenance District aggressively installed a host of beautification improvements to the City's roadway landscaping over the course of the past three (3) years. An accounting of the District's activities and improvements included appropriations from the District's reserves in May 2010 (\$260,000) and led last year to the final completion of the Daffodil Hill Beautification Project (\$47,500 total; \$29,000 in Landscape District monies), funded jointly with the Clayton Business and Community Foundation (CBCA), along with \$50,000 worth of Trail System repaving in conjunction with the City's 2013 Neighborhood Street Rehabilitation Project. The April 2013 trail repaving addressed 10,000 sq. ft. on the Mt. Diablo Creek Trail (from Center Street to Grenache Circle), and 1,750 l.f. along the Donner Creek Trail adjacent to El Molino Drive, south of old Marsh Creek Road.

With the District investing almost \$750,000 in public landscape improvements, irrigation and Trail systems upgrades over the last three (3) years, the equity reserves of the District have been appropriately drawn down. Understandably then, the citizens' Trails and Landscaping Committee as well as City staff agree the District's improvement projects should be slightly curtailed this coming fiscal year in order to replenish the reserves for another large landscape project push. The Trails and Landscaping Committee at its last meeting also adopted priority emphasis that the next sequence of District improvements should concentrate on upgrading the District's [City's] Trail System. For now it is recommended only \$82,900 be expended in FY 2013-14 in District funds for the following capital improvements:

Open Space fire prevention tree and shrub trimming:	\$ 30,000
Keller Ridge Drive landscaping improvements:	\$ 29,400
Replace Irrigation System central control field panel:	\$ 20,000
Re-Landscape the Jeffrey Ranch median island:	<u>\$ 3,500</u>
Total:	\$ 82,900

The installation and commencement of these significant landscape restoration and District improvement projects demonstrate the District's success in managing the voter's preference for a "pay-as-you-go" ballot tax measure of capital improvements. The defeated Measure "O" (2005) would have issued a revenue bond in its initial year to attack the public improvements sooner but conservative Clayton voters frowned on the higher annual assessment and bonded indebtedness to be shouldered by the District. Entering the District's 7th year of operation still allows the accumulation of modest reserves to accomplish many of the planned objectives, just at a slightly later time than some might have wished.

Noteworthy expenses of the District include its annual weed abatement District-wide (\$30,385; to be done before commencement of the official fire season), and the mounting expense of \$59,000 to abate noxious and exotic weeds in the Oakhurst Hills

(a condition of project approval for the Oakhurst residential development). Metered water service remains constant at its historical expense of \$180,000 per year knowing full well it can fluctuate wildly depending on seasonal climates and strange weather patterns. However, as new landscaping improvements are installed, each is accompanied by irrigation system upgrades with greater efficiencies in water application, which temper this expense allocation and cause operational savings.

Personnel services for this labor-intensive work effort account for 37.5% of the District's budget this year (\$359,527), down slightly from last year's portion of 40% caused by less labor time being expended after new landscaping and irrigation systems are installed. Whenever possible, tasks within the District are assigned to temporary seasonal personnel that are less expensive labor (e.g. trimming), which shifts the permanent City Maintenance personnel (5) to tasks requiring journeyman-level experiences (e.g. irrigation line and system repairs).

As approved by Measure "B" voters, the District's budget includes an annual expense of \$20,000 (Account 7316) for the purchase of replacement plants. The District further contributes its annual allocation of \$13,500 to the City's Capital Equipment Replacement Fund (CERF), from which Maintenance vehicles and equipment are purchased for use in maintaining the Landscape District. An expense of \$32,156 (3.3% of annual District revenue) is transferred to the City's General Fund to pay for administrative and overhead activities of the City (e.g. telephones; payroll processing; accounts receivable and payable; District direction) attributable to administering the District's annual operations.

With all of these actions, the District's ending fund balance on 30 June 2014 will still be a healthy \$294,043, which equates to a reserve of 30% of its annual tax revenue. The reserve status is confirmation the City does not siphon "surplus" monies of the District into its General Fund but uses the special tax revenues for its intended voter purposes.

C. The Grove Park – Fund No. 211

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

Voters approved a special property tax in November 2006 to maintain the park for 10 years (levy first collected in FY 07-08) so this year constitutes the 6th year of its special assessment revenue existence. The Downtown Park real property assessment will yield \$116,834 in the coming year (with the recommended allowable CPI (April-April) tax rate adjustment of 2.38%). This Restricted-Use Fund will receive its sixth installment of the very generous \$10,000 annual "donation" (for ten years) from the land owners (Endashian, Inc.), developers of the CVS/Pharmacy store site (formerly Longs Drugs Store). That annual donation is deposited and remains in The Grove Park Fund.

Bolstered by these revenues and interest earnings, the Downtown Park Fund maintains a positive cash balance expected to be \$280,766 at the end of FY 12-13 with equity rising to \$298,609 at the close of this fiscal year. Of that amount, \$103,858 sits in the Asset Replacement Reserve approved in the adoption of Measure O, \$169,928 in unreserved Fund Balance, and \$30,000 in unallocated Reserve funds. During FY 2103-14, City staff will be evaluating and ultimately propose to the City Council a series of improvements and replacement projects within The Grove Park to sustain its hallmark appearance. Examples of probable upgrades include replacing the resilient play surface in the Tot Lot and at the Water Play Feature as well as the synthetic turf surrounding the Children Statuary. These park features require replacement due to significant public use.

During last year's operation, more staff time and attention became necessary to keep The Grove Park in tip-top shape. However, maintenance and operation of The Grove still only incurred \$129,033 in expenses offset by revenues totaling \$129,805, resulting in a restricted Fund operating (annual) surplus of \$772. As the Park continues to mature and its public attraction increase, more City Maintenance personnel time is deliberately budgeted to keep The Grove in a condition worthy of the City's signature piece. Notably, the Park continues to experience repeat vandalism to its gazebo and play apparatus which misfortunes are expected to continue while the sputtering economy and dwindling household incomes keep youth, families and area visitors around town during the summer and holidays. During the summer and on Concert Series weekends, a part-time Maintenance Worker is assigned to perform routine maintenance and oversight tasks at the Park to ensure this highly-visible asset shines for our community. The nearby municipal well provides the irrigation and non-potable water needs of The Grove Park, which saves considerable taxpayers' monies compared to the metered water prices of Contra Costa Water District.

These one-time and higher City Maintenance expenses (e.g. park tree trimming) result in a projected operational plan of \$134,010 that nips on the reserves by **\$5,176**. Last year's budget also anticipated a negative draw of **\$5,898** on reserves, yet it did not materialize (+\$772). Stripping away the required Annual Reserve and Asset Replacement expense deposits of \$23,000, The Grove Park pragmatically operates on a budget of \$111,010, adequately within its annual tax revenues by approximately \$5,824 (+5.0%). The District's reserves remain sufficient beyond its normal yearly operation and as noted, will likely be tapped by separate requested action of the City Council in FY 2103-14 to make replacement improvements at The Grove.

D. Oakhurst Geological Hazard Abatement District [GHAD] - Fund No. 212

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

GHAD Board of Directors (City Council) is required by state law to receive affirmative vote by real property owners within the District for any increase in the assessment rate. Insufficient assessment revenues have always existed to perform much of the identified or speculated hillside repairs; property owners within this District have rejected any assessment increase three (3) times in the past. The District Manager (the contract City Engineer) manages the District and provides a separate budget and annual report to the Board of Directors in June of each year, which action took place on 18 June 2013.

Due to the restricted amount of voter-approved assessments, the GHAD levies an annual assessment that generally produces the same amount of revenue each year for general geologic hazard abatement purposes within the Oakhurst Development. For FY 13-14, assessment revenue flat lines at \$34,685; it is unlikely property owners within the Assessment District would approve a significant rate increase sufficient to arrest or mitigate hillside movements. Interest earnings are essentially non-existent for this Fund (\$130), which operates for most of the 12 months in a cash-flow deficit. The Fund's assessment revenues are not received by the GHAD [City as its agent] until property owners pay their property tax bills in December and again in April each year.

Nominal management expenses proposed for the District this year include \$3,000 for City Engineering services (District Manager) and \$1,000 allocated for specialized legal services. Both of these expense allocations are lesser amounts than previous years' to help absorb a new District expense (\$11,700) of monitoring the recently-installed Kelok Way hydrogers, underground dewatering devices in the hillside. Although litigation has been settled, the GHAD is still internally assessed a share of the City's General Liability Insurance premium increases propelled by the Oakhurst hillside movement litigation, which served lawsuits against the GHAD as well as the City. That annual expense (\$13,750) must remain for several years (3) following settlement of the litigation as those defense expenses still impact the annual calculation of the City's General Liability Insurance premium for that prospective time period (ref. Account No. 8101).

A base transfer of \$6,323 (also included within Account No. 8101's total of \$20,073) to the City's General Fund for general administrative and clerical support services is standard procedure necessary to sustain the bare existence of the District (18.2% overhead). County administration fees to levy, collect and disburse the District's property tax bill assessment are set at \$1,400.

As proposed, annual District revenues are marginally insufficient to cover the annual planned expenses. The annual gap of **\$3,420** allows little room for unanticipated expenses within FY 2013-14 and necessitates yet another annual draw on District reserves to fund limited operations. However, the District opens the fiscal year with a positive reserve balance of \$23,506 due to the receipt of \$11,488 in litigation settlement proceeds following completion of the contractor-installed Kelok Way hydrogers. The advent of this one-time revenue "windfall" aids the District's capacity to handle the new well monitoring expense and it will close with a positive Fund Balance of \$20,086 on 30 June 2014.

No District capital projects are proposed for the coming fiscal year due to lack of further fiscal resources authorized by vote of the District's real property owners'. Clearly, no geologic hazards can be abated in exchange for \$34,685 per year. The District maintains its legal life with the foresight and wisdom that affected property owners might someday wish to, or need to, proactively utilize this lawful instrument to address hillside movement remediation.

E. Street Light Fund – No. 214

This is a special assessment fund collected through the real property tax bill on Clayton residential properties [current assessment ranges from \$8.34 - \$43.54 per residential unit per year]. Since 1996-97 (for 17 years), the City **has not requested or increased the rate charged to real property owners** for the public street lights in their neighborhoods. These assessments are restricted for public street light operations and maintenance *within residential neighborhoods*. We expect to realize approximately the same amount in revenues as last year (\$125,991) since this assessment can only be increased by affirmative vote of the assessed property owners (Proposition 218 voter requirements). A 10-year trend analysis of our operational experience with these residential street lights reveals the actual cost of electricity and maintenance expenses fluctuates slightly with a nominal excess or shortfall in revenue, which the Fund's reserve adequately covers in the latter event.

In order to continue providing current services within the existing assessment rate, we expect to slightly draw on existing reserves, this year by approximately **\$336**, which deficit is significantly less than expected in previous years (FY 12-13: **\$3,551** budgeted; FY 11-12: **\$6,287** actual). The sole differential for the deficit reduction is the legal ruling no mailed notice to property owners is necessary if the annual rate to be assessed remains identical to the previous year. This determination saved the Fund approximately \$3,000 per year in legal notice expense and mailing and partly caused the Fund to operate in the black during FY 2012-13.

With an opening equity balance of \$154,061 projected on 01 July 2013 (primarily due to less electrical charges in FY 2012-13), there is no justification to approach voters to increase this tax assessment. Even at this nominal reserve use trend, the equity life of the reserve is 458 years at an annual flat subsidy calculation, or 8.2 years if the subsidy wildly doubled each year hereafter, an improbable possibility. Past history reveals the former trend is the likely occurrence. This Fund is projected to close FY 2013-14 with an equity balance of \$153,725.

It has been 17 years since neighborhood street light benefit assessment rates were raised, and the law is clear voter approval is mandatory to do so. Conversely, should the annual assessment be lowered by City Council action (under a public policy theory that plentiful reserves should become a pseudo rebate to taxpayers), the lowered street light rate is then locked in and cannot return to its previous rate in the next or subsequent years without an affirmative vote of the property owners (per Prop 218). It

is further noted the equity position of this Fund does not incorporate an amortization program for replacement of aging or deteriorated street light poles.

F. Storm Water Fund – No. 216

This account manages the special parcel tax (labeled “ERUs” for **E**quivalent **R**unoff **U**nits) levied locally to assist the City in compliance with unfunded State-mandated regulations through our National Pollution Discharge Elimination System (NPDES) Permit. It has been confirmed by case law (recently challenged and lost by southern California cities) that Regional Water Quality Control Boards do indeed have authority to levy unfunded mandates against pollution discharges (cities and counties) by virtue of the federal Clean Water Act and the California Porter-Cologne Water Quality Control Act.

By previous Council action long ago, this real property tax levy was maximized at its allowable cap yet now nets the City \$83,949 for local use in FY 2013-2014 (plus interest earnings of \$1,000). In reality, the parcel tax generates higher gross revenues (\$127,014). However, the following purposes snag portions of the City's local levy before ever touching our local coffers:

Contra Costa [Cities] Clean Water Program	\$ 25,265
Commercial Building Inspections by Sanitary District	\$ 8,000
County Auditor-Controller administration fee	\$ 3,800
Reserve Fund for the Clean Water Program	\$ 3,000
Flood Control District management expense	<u>\$ 3,000</u>

Total Revenue Offsets: \$ 43,065 (34%)

In addition the City must pay an annual NPDES Regional Discharger Fee to the state in the amount of \$9,529 (higher than last year's \$7,259 fee). Who says local revenue assessments stay local?

The City's 5-year Stormwater Permit (MRP) is issued by the San Francisco Regional Water Quality Control Board. Public agencies, including Clayton, are now under requirements to elevate enforcement and monitoring measures each year to ensure cleaner storm waters. Such Permit conditions necessitate ever-increasing expenditures which will eventually consume current levy revenues. Initial staff analyses reveal an additional \$225,000 to \$515,000 in annual costs could someday impact the City's fiscal operations for this purpose alone. Only a Proposition 218 voter approval process can increase the levied rates. The failure of the Clean Water Coalition's Proposition 218 ballot last year to raise levy revenues turned aside a potential \$93,700 for use in meeting state unfunded mandates for cleaner storm waters.

In the FY 13-14 Budget, the City's stormwater costs under the Permit regulations exceed available revenues by **\$68,756**, although the FY 12-13 is expected to incur a smaller annual deficit of **\$2,102**. Fortunately for the moment there is a reserve balance

in this restricted-use fund so storm water monies are available to cover the projected shortfall. The reserve balance is eroding over past years as a result of added Permit requirements imposed by the Regional Board in 1996 (referred to as "C-3 amendments") and the new MRP.

Labor expense from this Fund (\$45,403) covers Public Works' maintenance of our municipal storm drain system, annual debris clearance of creeks and V-ditches, and proactive measures for the prevention of pollutants into these waters, which ultimately emerge into the San Francisco – Oakland Bay. Educational materials and supplies are also part of this Fund's budget, along with our membership in the Contra Costa County Clean Water Program. Recoverable expenses include that portion of staff time when working on clean water issues, programs, while Regional Water Quality Control Board directives target specific programs (e.g. "diaper" inserts in storm drain inlets) and local enforcement (e.g. fines). City Hall staff (Assistant to the City Manager) expends an inordinate portion of time (approximately 1/3rd or more) engaged in the management, administration and implementation of this federal and state mandated program for cleaner runoff waters. Hence, the transfer of \$33,183 to the City's General Fund to partially offset this incurred staff time, no increase over prior years' stagnant amount due to the fading reserves.

The Fund opens the fiscal year with approximately \$176,013 in equity and projects a year-end balance on 30 June 2014 of \$107,256, a 39% loss in reserves. At that rate, the Storm Water Fund will become depleted in 2.5 years and as feared, the only sources of discretionary funds to patch the mandated gap are General Fund operational monies or use of General Fund Reserves.

The monthly street sweeping contract of \$43,000 is paid through this Fund as a program component of cleaner storm waters from street gutters; offsetting revenue is tendered by real property owners through their trash bills (\$38,720). The revenue estimate is slightly lower (10%) than the annual contract fee due to the revolving number of vacant and foreclosed homes in Clayton (closed accounts) and various delinquent and non-paying accounts slicing away at the revenue stream.

Larger first-time expenses are being absorbed into this Fund for Engineering Services (\$10,000) and Other Professional Services (\$37,649). Necessary Engineering Services will provide the City's response to the state mandate to perform "trash management area mapping", an increase of \$3,000. Other Professional Services reflect increased state mandated programs involving drainage inlet insert cleanings (\$10,000), drainage inlet confined space cleaning (\$10,000), drainage inlet inspections and reports (\$3,000) and bioswale inspections and reports (\$2,000)

As a reminder: public streets and gutters are swept monthly to mitigate pollutants from entering the storm drain system, not for street aesthetics or as the substitute broom for an abutting property owner's sweeping/clearance of leaves and debris from the front and/or side yard curbs of one's property.

G. Measure “J” Fund – No. 220

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

On July 15, 2010 the City received written confirmation from HCD that found “... *Clayton’s adopted element in compliance with State housing element law.*” With acceptance of our Compliance Checklist 2012 to CCTA for approval, the City is eligible to receive its full Measure J “Return to Local Source” funds in FY 2013-14 sometime in mid-September 2013. This is “good news” because by previous City Council action, authority was granted for inclusion of this year’s allocation into the construction budget of our 2013 Neighborhood Street Repaving Project that was recently completed in April 2013.

This fiscal year the City is informed by CCTA we can expect to receive our pre-committed Measure J “Return to Local Source” in an amount totaling \$227,000. As with all taxes subject to consumer spending patterns, CCTA is estimating sales tax revenues to grow more slowly by approximately 1.5% countywide.

A one-time Measure J revenue grant in the amount of \$1,022,224 was budgeted last fiscal for the purpose of making improvements to a segment of east Marsh Creek Road. Inserted as Capital Improvement Project No. 10414 in the CIP Budget, the project envisions widening existing roadway from Regency Drive to the eastern edge of City limits on Marsh Creek Road to provide two full-width travel lanes, continuation of bicycle lanes, shoulders and pedestrian pathways. Preliminary design has been conducted on the Project but actual receipt of the grant funds and its field implementation is planned for next year in 2014-15.

Consequently, with the pre-commitment of this year’s Measure J monies to last fiscal year’s street repaving project and the Measure J grant monies for CIP No. 10414 not materializing until FY 2014-15, no Measure J monies are planned for transfer to the City’s Capital Improvement Project budget. Other nominal expenses include \$4,392 for updated traffic speed surveys on arterial roadways and \$4,000 to the City’s General Fund for management and administration (1.76% overhead).

H. Restricted Grants (Fund No. 230)

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

1. COPS Grant Program

Entitled the "Citizen's Option for Public Safety (COPS)", the source and retention of these grant monies (now funded by a portion of the formerly-local Vehicle License Fees (VLF)) have become one of the proverbial Sacramento ping pong balls in recent years. Normally during State Budget debate the question of whether the state can continue to fund this grant program in deficit years has caromed off the hallowed halls as a budget hostage. Inevitably, the COPS Grant Program survives and monies once again flow to local agencies (oh, the irony of the state using formerly "local" revenues...) for restricted use in "front-line law enforcement purposes."

This year with a magically-healthy State Budget, no such ping pong match occurred. Consequently the FY 2013-14 City Budget can post the minimum \$100,000 entitlement this year to continue underwriting the expense of our 11th sworn police officer that works patrol in the community. Since Program inception in FY 1996-97, our City has allocated COPS grant monies to pay a portion of salaries and benefits for our 11th sworn police officer position and two (2) civilian police services aides. Two fiscal years ago, internal calculations revealed the total expense for those three (3) positions exceeded the COPS Grant annual allocation of \$100,000 causing the City to reluctantly terminate the two (2) vacant civilian police services aide positions for budget savings. As it remains, the 11th police officer position exceeds the annual COPS Grant funds by approximately \$10,000 each year but the excess is covered by the dispersal methodology of the COPS Grant funding cycle. Ultimately, should the COPS Grant Program cease in funding, the City will have a residual expense liability of that amount to cover.

2. Other Grant Funds

Augmenting the COPS grant monies, this Fund expects receipt of \$14,805 in annual revenue from our cable communications franchise company (Comcast) for restricted use in Public, Education & Government (PEG) broadcast services and equipment. The City is once again approved to receive another \$5,000 grant from the CA Department of Beverage Control (DBC) as a Recycling Grant to promote, capture and reuse the public's recycling of cans and bottles.

On the expense side of the ledger, \$7,183 is needed for the City's portion of the jointly-shared PEG broadcast channel on which channel our City shows taped meetings of the Clayton City Council and displays other public/community information (Comcast Channel 26).

The Restricted Grants Fund will close the proposed fiscal year with a healthy fund balance of \$265,640, which amount is primarily derived of \$91,572 and \$88,188 from Comcast through its franchise contract renewal for restricted use to create replay of City

Council meetings and PEG access, respectively. The remaining portion of \$28,986 is the accumulation of Recycling Beverage grant monies over several years, which may be used for permanent recycling collection bins and/or recycled-material street or park furnishings (e.g. public benches) at selected locations.

I. Diablo Estates Benefit Assessment District – Fund 231

This is the first fiscal year for the establishment and inclusion of a new fund to manage the assessment district for the newly-inhabited Diablo Estates at Clayton subdivision on the former Seminary Hill off Regency Drive. This 25 lot residential subdivision levies itself through the City for monies to oversee the private infrastructures, landscape and open grassy areas in the subdivision. The fund functions essentially as a depository account from which the City contracts with and pays for a property management company to actually perform and execute the subdivision maintenance and infrastructure repairs.

During last fiscal year, assessment revenue was received in the amount of \$73,595 with offsetting expenses of \$48,210. The primary expense was for the assessment benefit district property management firm (\$47,486). To front-load District operations, the developer paid an initial deposit of \$25,000 in FY 2011-12, which will be refunded to the developer when sufficient reserves exist to carry District operations until the property assessment levies are received. The Fund is projected to have a positive fund balance at the end of this fiscal year of \$53,874.

J. Self-Insurance Fund – No. 501

This internal-service Fund manages the fiscal obligations of the City's self-insured program for our retention deductible (\$5,000 per claim) on initial claims filed against the City for general liability and workers' compensation. Pursuant to our membership in the Municipal Pooling Authority of northern California ("MPA"; a municipal self-insured/pooled risk excess coverage joint powers authority (JPA)), our City is responsible for payment of the first \$5,000 in expense and/or damage on each filed claim. This Fund also handles other periodic legal expenses to defend the City's interest in related cases. A traditional expense hitting this Fund is the annual premium (now \$1,296 from last year's \$1,220) to underwrite an Employee Assistance Program (EAP), a shared public entity consortium for employee good-health counseling and wellness services benefiting our permanent organization.

In recent fiscal years, the equity balance in this non-revenue generating Fund was eroded for City-initiated litigation legal counsel against the MPA for an insurance coverage dispute involving the Kelok Way hillside claims movements, as well as for paying the City's share of joint legal expenses in disputes with the County of Contra Costa pertaining to excessive Property Tax Administration Fees (PTAF) and the Chevron real property assessed valuation appeals and payment methodologies. With the positive settlement of most of those issues, expenses going forward from this Fund ought to be minimal yet these unexpected activities did drain the fund balance. The

Special Legal Services of \$3,000 is the estimate for continued pursuit of the City's interests in the Chevron assessed valuation cases.

The effect of those expenses is the fund balance dramatically dropped from \$69,310 on 01 July 2010 to an expectant \$24,092 at the close of 30 June 2013 (65% erosion).

Since the Fund has no automatic replenishing source of revenue, the City must soon consider transferring monies into this Fund from an unrestricted source at some point to maintain its solvency (e.g. deposit of \$50,000?).

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

This Fund functions as the City's depreciation account to underwrite the replacement expense of City vehicles, computers and other capital equipment. The CERF opens FY 2013-2014 with a cash balance of only \$87,371. In robust fiscal years, a General Fund annual expense (posted revenue) to CERF of \$97,582 was levied internally to this sinking fund in the form of CERF charges to various General Fund departments (e.g. Police; Public Works; Admin.) via expense Account No. 7486.

However, over the last several budgets (including this one) the General Fund suspended its replenishment of this sinking fund contribution due to declining revenues (the economy) and rising uncontrolled fixed costs. The once-comparatively healthy cash balance of this Fund provided the temporary comfort margin. Those previous actions were initially deemed interim yet must again be employed in FY 2013-14 to weather the General Fund's climb out of its slump. Last year's upward trek was hindered by the abrupt demise of the Clayton Redevelopment Agency compounded by the CA Department of Finance's rejection for the repayment of two City loans valued at \$976,900 from the former Clayton Redevelopment Agency.

Prior to the enactment of Measure B (LMD) by the voters in June 2007, the General Fund of the City was the sole contributor to this vehicle and equipment depreciation schedule. Since the Landscape Maintenance District (LMD) now consumes 57% of Public Works' personnel time, voter-approved Measure B included a CERF expense in the public ballot measure to proportionately assist in the replacement of capital equipment and trucks used in the District. The FY 2013-14 CERF Budget shows incoming revenues from the Landscape Maintenance District of \$13,500 added to the voter-approved \$2,700 CERF charge in the Downtown Park Fund. This provides a total of \$16,200 in CERF contributions (plus \$2,100 interest earnings) for a base revenue stream of \$18,300.

Last fiscal year two (2) capital replacement items were approved for purchase, with four (4) items purchased by City Council approval (extra police vehicle and a mower trailer):

- | | |
|--|-----------|
| 1. Replaced two (2) old Ford Crown Victoria police vehicles | \$ 71,377 |
| 2. Replaced a Year 1995 Toro Riding Mower with mulching deck | \$ 22,690 |
| 3. Acquired a used Turf Star trailer to haul the new Turf Star mower | \$ 1,500 |

The Police Department actually purchased two (2) new patrol vehicles last fiscal year: one as the routine annual replacement, and the second during the last half of the fiscal year as an advance purchase on this fiscal year's replacement due to the manufacturer phase-out of Ford Crown Victoria patrol cars. That action negates the necessity to replace a patrol vehicle this fiscal year.

Evaluating capital equipment replacement needs of the organization, the most pressing need is a new tractor for the Maintenance Department as the current 1991 model is 22 years old and is starting to require more repairs than running time. However, a new tractor hovers in the \$50,000 price range, which purchase would expend almost 50% of the Fund's cash balance (\$87,370 equity + \$18,300 CERF contribution = \$105,670). Allowing the CERF fund to slip to around \$55,000 is not recommended, although clearly understanding the tractor replacement need does not disappear either.

One of the Council policy decisions when considering the outcome of the FY 2012-13 Audit is whether surplus General Fund monies exist to replenish this depleted Fund.

Consequently, it is proposed no capital equipment replacements occur at this time. The net effect of this proposed expenditure plan is the Capital Equipment Replacement Fund (CERF) will have a cash balance of \$105,670 on 30 June 2014.

L. Community Gym (Fund No. 701)

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

The City has the right but not the obligation to use the Gym for community programs and events from 3:30 p.m. to 11:00 p.m. during school days, and from 8:00 a.m. to 11:00 p.m. during non-school days (including weekends). Use of the Gym during such times incurs School District expenses for custodial labor, custodial supplies and utilities, which expenses must be paid by the City via its Gym operator. In February 2010, the Mt. Diablo Region YMCA abruptly and shockingly terminated its agreement with the City, effective 31 March 2010, due to insolvency, which eventual YMCA bankruptcy left the City with unreimbursed School District expenses now totaling \$100,679. The City filed an unsecured creditor's claim against this YMCA in its bankruptcy proceedings seeking full repayment from liquidated assets. The YMCA's bankruptcy assets have now been liquidated and the City, as an unsecured claimant, received its one and only share of the assets in the amount of \$9,989.54 (9.92% paid on the claim amount). This unfortunate affair results in a City net loss of **\$90,689.67**.

Responding to community outcry to have continued public access to the Gym for adult and youth recreation programs and sports leagues, in June 2010 the City contracted with All Out Sports League (AOSL) for this non-profit 501 (c) (3) organization to be its

new operator and provider of community programs. The agreement specifies AOSL is responsible to reimburse the City its incurred custodial and utility expenses. By way of email to the City in June 2013, AOSL again expressed its written desire to continue its contractual relationship with the City through FY 2013-14 for programming and operation of community recreation programs at the Gym. The City and the School District have still not resolved its differences regarding fair cost apportionments or methodologies for custodian labor expenses and utility costs at the Gym.

Since this Fund operates on the basis of AOSL paying what the School District ultimately bills (in accord with City agreement), the \$24,000 guesstimate posted for the FY 2013-14 Budget is merely a placeholder. As a hedge against potentially-incurred bills of the School District, the Fund has an equity balance of \$56,471.

M. Endeavor Hall (Fund No. 702)

This separate fund was established in the 2002-2003 Budget to track specific revenues and expenses of the million dollar historic Endeavor Hall renovation. Since the Hall's opening in 2001 the rental rates for use of this public facility have not increased and therefore it remains highly competitive in the rental facility market for smaller gatherings.

More potential users and actual renters have discovered the advantages of Endeavor Hall for events, meetings, and special occasions, and the budding Clayton Theatre Company recently used the Hall for several fundraising productions (comedy). However, despite concerted advertising, marketing efforts and promotional "free" community-type uses, the rental income for the Hall in FY 2012-13 is expected to land below its 9-year average annual revenue mark of \$20,000 (\$14,168 projected). This mark will be the lowest revenue-generating year in the Hall's operation by \$23, not a claim of infamy relished by the City. We continue to hope for better times and rentals.

Minimal City Maintenance time (\$11,835) must be allocated for upkeep of the facility, sufficient to keep it prim and proper and planted with annual color plants for suitable use. Two years ago the stage curtains/drapes were replaced to offer even a nicer internal ambiance to the facility. Naturally, when vandalism occurs to the Hall extra expenses are incurred to make the necessary repairs. Total expenses in FY 2013-14 are budgeted at \$26,639, approximately \$2,000 less than last year.

The Fund is expected to close FY 2012-13 with a net operational shortfall of **\$11,488**. Based upon its rental performance this last year, it is projected the accumulative net operating shortfall could increase to **\$12,864** during FY 2013-14. Since the average renter of Endeavor Hall generates \$570 in rental income all that is necessary for this Fund to break even in operation next year is an average of two (2) more rentals per month.

* * * * *

FIDUCIARY FUNDS

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

A. Presley GHAD Settlement (Fund 213)

In 2003 the City and GHAD settled its lawsuit against Presley regarding damages to City infrastructures in the Kelok Way area of the Oakhurst Development. After reimbursement to the City of advanced legal expenses, proceeds from the settlement were retained in a separate fund for use to clean V-ditches in the area, monitor hillside movement and explore mitigation options to protect public infrastructures in the Development. During FY 2010-11, funds were appropriated from this reserve (\$110,000) to perform road resurfacings in the Development in conjunction with an annual Neighborhood Street Project (CIP No. 10409). No monies from this Fund were expended in FY 2012-13 and none are expected in FY 2013-14 as deficit-prone GHAD budget received \$11,488 in residual monies from the Kelok Way Remediation Project. Therefore, the Fund anticipates no expenses with an ending balance of \$122,013 on 30 June 2014. These monies may yet be tapped for further area repairs to damaged public infrastructure and/or arrest hillside movement in the future, as well as deficit operations.

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

These assessments are levied against certain private property owners in the Oak – High Streets area to maintain the bridges constructed in these areas in behalf of the owners to serve their private real properties. The High Street Bridge project is repaid over thirty (30) years, with debt finally retired in 2029. The Oak Street Bridge project is repaid over twenty (20) years with its debt ultimately retired in 2020. Each Fund incurs minimal annual expenses for its share of the County's property tax administration fees, and Fund 217 includes property taxes levied on public property contained within that special assessment district. Both Funds will carry slowly-declining negative balances of (\$10,725) and (\$35,312), respectively on 30 June 2014, until the full levy of real property assessments retire the incurred debt.

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

Established and funded solely by private property owners along south Lydia Lane, this infrastructure improvement project included a municipal sewer main line, lateral connections to the homes plus an associated street overlay. The project was funded by the private property owners since they “opted out” of inclusion in the original Project Area of the newly-formed Clayton Redevelopment Agency (1987) and therefore became ineligible for Agency funds to address a public health and safety blight by installation of a municipal sewer line to eliminate their private septic tank systems. The project was completed in 2003 with bonds issued by the City for repayment over a thirty (30) year life. Parcel assessments produce \$19,000 in FY 2103-14. Principal and interest payments for this fiscal year total \$16,750 or 84% of the Fund’s annual expenses. The Fund manages the retirement of this private debt obligation shouldered by the assessed real property owners, which reveals a positive Fund Balance of \$87,282 expected on 30 June 2014 (equity retained for any late or defaulted payments).

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

This neighborhood sewer project was completed in 2004. The former Clayton Redevelopment Agency paid for a portion of the project (50%) under its mission to eliminate public health and safety concerns, and the adjacent real property owners agreed to annual parcel assessments for the balance of the capital expense. Annual parcel assessments produce \$13,000 in District revenue. Principal and interest payments total \$11,350 or 86% of the Fund’s annual expenses. This Fund manages the retirement of the private debt over twenty-five (25) years, paid off in 2029. The Fund carries a positive equity balance of \$7,940 estimated for 30 June 2014.

E. Development Impact Fees (Fund No. 304)

This restricted-use fund holds the impact fees the City presently imposes on and extracts from new developments within our community. Revenues are private development driven and restricted for use on the purpose of the impact fee. Although it is unknown exactly when any proposed development comes “on-line” thereby triggering the payment of these impact fees, staff does not wish to budget for new development to occur and not be realized.

The renamed “Diablo Estates at Clayton” residential subdivision (off Regency Drive) with its 24 lots was the sole contributor (\$122,270) in FY 2012-13 to the impact mitigation accounts in this Fund. That subdivision is nearly complete and no development projects are in sight this fiscal year to trigger impact fees. There are several prospective private development projects in the pipeline for consideration (e.g. Silver Oaks Estates; Creekside Terrace), but each is not ripe quite yet to forecast new income streams.

Therefore, the following balances display actual (2013) and projected (2014) impact fees, respectively:

<u>DEV. IMPACT FUND</u>	<u>JULY 2013</u>	<u>JULY 2014</u>
Childcare Facility Fees	\$ 38,397	\$ 38,397
Parkland Dedication Fees	\$ 58,415	\$ 58,415
Offsite Arterial Improvement Fees	\$ 153,074	\$ 153,074
Fire Protection Fees	\$ 2,100	\$ 2,100
Community Facility Fees	\$ 3,150	\$ 3,150
Sewer Study Impact Fees (MCR)	\$ (66,756)*	\$ (69,037)*
Police Services Impact Fees	\$ 38,110	\$ 38,110
Open Space In-Lieu Fees	\$ 123,036	\$ 123,036
Unallocated Interest Earnings	\$ 16,589	\$ 10,000
Totals:	\$ 366,115*	\$ 373,834*

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

These monies are restricted to capital improvement projects *and cannot be used for operations or maintenance*, with the exception of the Police Impact Fees. This Fund is expected to have a total of \$373,834 in its ending cash position on 30 June 2014.

F. Clayton Financing Authority (Fund 405)

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

Arising from matters associated with the Oakhurst Development Project, the Financing Authority held title to a 1-acre parcel located at the southwest corner of the Clayton Road-Oakhurst Drive-Center Street intersection. In October 2006, the Financing Authority sold the real property for \$800,815 to a commercial developer (Endashlian, Inc.), which ultimately led to the construction and opening of the former Longs Drug Store at this location (now CVS/Pharmacy). A small portion of these monies was used in the 2008 park renovations at Clayton Community Park (tot lot and picnic facility improvements). During FY 2012-13, the City Council authorized the use of a portion of these discretionary funds to resurface the public parking lots at Clayton Community Library, Clayton City Hall, and at Lydia Lane Park. The amount transferred from Fund 405 to the Capital Improvement Project budget was \$90,000, pending final project reconciliation

With that allocated expense from the Fund's proceeds in FY 2012-13, the ending balance on 30 June 2012 decreased to \$716,582 (almost 90% of its original principal amount). Combined with nominal interest rate earnings this fiscal year, the Fund could close on 30 June 2014 with cash equity of \$720,582.

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

As its name implies, this Fund manages the accumulation of annual real property assessments that paid (in part) for the construction of the Diablo View Middle School, a 2007 and 2013 recognized CA Distinguished School. Professional debt administration expenses are incurred to manage the retirement of this Fund, which is projected to have an ending Fund Balance of \$4.218 million on 30 June 2014; assessment revenue (\$955,726) will be slightly more than debt obligation (\$892,656) by \$63,070 this fiscal year. Principal and interest payments amount to \$485,115 (52.7% of the planned expenses) plus a transfer of \$407,541 to Fund No. 422. During FY 2007-08 the outstanding debt was refunded to obtain a lower interest rate on the remaining principal (see Fund No. 422), a City-initiated transaction which resulted in lower annual payments for the assessed real property owners of this District (Oakhurst Development properties). The remainder of the expense tab pays for required debt administration costs.

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

This debt service account pays the obligations of a small special assessment commercial district that assisted in the installation of on-site and offsite capital improvements to facilitate the construction of the private development known as the "Clayton Station" commercial shopping center. The debt is retired solely through the annual assessment levy (\$141630) against this private real property; a principal and interest payment of \$121,364 is scheduled for this fiscal year. The Fund expects an ending balance of \$333,448 on 30 June 2014. During the course of this fiscal year, staff will examine whether sufficient revenues have been levied and collected to fully retire the debt obligation and dissolve the Community Facilities District (CFD).

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

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

This year the principal and interest payment totals \$442,273, drawing on planned reserves by \$5,076 to do so while addressing fund bond administration fees and costs. The Fund is projected to close this fiscal year with a balance of \$607,902.

* * * * *

CAPITAL IMPROVEMENT PROGRAM (CIP)

With the demise of redevelopment agency monies for capital improvement projects, the City now has limited financial capacity to complete key capital improvement projects. Primarily using restricted-use monies, the City was still able to accomplish the following capital projects during last fiscal year:

1. 2013 Neighborhood Street Repaving Project (CIP No. 10417) \$ 1.27 million
Using Gas Tax and Measure J monies accumulated from previous fiscal years plus borrowing into FY 2013-14 allocations, the City was able to assemble a substantial local street rehabilitation project that addressed approximately 30 streets having the worst Pavement Condition Indexes in the community. The project was substantially complete last year but has not been processed for a Notice of Completion pending punch-list finalization. This project significantly elevated the overall condition of Clayton's local streets to "Very Good" ranking.
2. Downtown Land Acquisition (CIP No. 10400A) \$ 1,040,843
Using monies set aside in the Capital Improvement Project Budget for Downtown Economic Development purposes, the City temporarily diversified its investment portfolio and purchased the vacant real property between Main Street and Clayton Road (behind the Clayton Community Church). The parcel consists of approximately 1.67 acres of land zoned for mixed use commercial development, and the land cost itself was \$1 million. The City currently has the property posted for sale and development.
3. Public Parking Lots Resurfacing (CIP Nos. 10426,10427,10428) \$ 140,000
Coupled with the Neighborhood Street Repaving Project, the City allocated monies in the Clayton Financing Authority's discretion purview to repave the public parking lot at the Clayton Community Library, Clayton City Hall, and Lydia Lane Park. The work was completed in FY 2012-13 but awaits final project approval and allocation of costs.
4. 2012 Trail System Repaving Project (CIP No. 10429) \$ 50,000
Through the use of Citywide Landscape Maintenance District monies, segments of the Mt. Diablo Creek and Donner Creek Trails were resurfaced in conjunction with the Neighborhood Street Repaving Project

Total Capital Investment in FY 2012-13: **\$ 2,500,843**

The following capital improvement project monies have been allocated in FY 2013-14 but only one is scheduled for completion this fiscal year (due to limited funds):

1. ADA Compliance Program (CIP No. 10394A) \$6,000
Each year the City sets aside \$6,000 of its annual Gas Tax revenues to build up sufficient revenues to perform handicap ramp corner curb cuts on public sidewalks. In addition to installing these ADA ramps where none exist, federal standards as to ramp specifications were modified in July 2008 requiring revamping of existing ramps when street or sidewalk projects are installed in the adjacent area. These monies may also be used to repaint and remark existing ADA public parking spaces to current standard.

2. 2014 Neighborhood Street Rehab Project (CIP No. 10418) \$ 45,822
The City consciously advanced funds from this year's Gas Tax and Measure J monies (for local transportation purposes) to the 2013 Neighborhood Street Repaving Project to address more streets with favorable unit pricing (ref. \$110,000 in CIP No. 10417). Consequently, limited funds remain in FY 2013-14 to perform any meaningful street contract work. Available monies are accumulated in this CIP account for another street improvement project in calendar year 2014.

3. Diablo View Middle School Traffic Safety Signage (CIP No. 10433) \$ 40,000
This pedestrian safety and traffic calming project involves the installation of two (2) solar-powered traffic speed devices on Marsh Creek Road adjacent to the Diablo View Middle School. The funds are actually grant monies awarded the middle school and the City by the Contra Costa 511 Program, under its "Street Smarts Infrastructure Program". Installation is expected early this fiscal year.

All total, the proposed Capital Improvement Projects for this Fiscal Year represent an investment of over \$2.6 million of the public's monies to maintain and improve the infrastructure of this small community.

* * * * *

PUBLIC EMPLOYEES RETIREMENT PENSION SYSTEM

Eleven years after its incorporation as a municipality in 1964, the City of Clayton joined the California Public Employees Retirement System (CalPERS) to establish a pension system for its public employees (June 1975). At that time it contracted for a retirement system plan of 2% at age 55 for its sworn law enforcement officers and 2% at age 60 for its general (miscellaneous) employees. Each enrolled plan was the least "defined benefit" plan offered by CalPERS. For the next 37 years and continuing today, the

permanent employees of the City are members of CalPERS for retirement pension purposes. The City organization does not belong to Social Security; therefore, its employees rely on this public pension system as its primary retirement program.

After researching records of the City, a plan change occurred in 1997 when the City moved its law enforcement employees from the CalPERS 2% at 55 Plan to a 2% at age 50 Plan; miscellaneous employees were kept on the 2% at age 60 Plan. Presumably at that time the City elevated the retirement benefits of its Police Department in order to attract and retain quality sworn personnel in the competitive public sector market. In early 2001 the retirement plans were again modified (through the collective bargaining process) to the existing contracts of 3% at age 55 for Public Safety (sworn law enforcement) and 2% at age 55 for the Miscellaneous Unit (civilian). CalPERS also initiated unilateral action to eliminate small-employer public agency members from consideration as independent agencies and "pooled" them together to share some of the pension risk. This CalPERS action caused most of the small employers to suddenly have an "unfunded liability" which Clayton has now been reducing overtime within its Employer pension rates.

In recent years, coinciding with the abrupt downturn in the national and local economies and the wave of retiring Baby Boomers (born 1946 - 1964), the press and the public have waged a vigorous debate and exposé concerning the amount and scope of unfunded liabilities of governments [taxpayers] for the CalPERS defined benefit retirement plan. Public policies have been attacked, modified, reformed and threatened over the course of this examination and it continues today in the form of state legislation reform bills, statewide initiatives and castigating editorial opinions. The state of California enacted its own Pension Reform Act effective January 2013 that created a new defined benefit pension system for newly-enrolled CalPERS-covered employees.

Acting in advance of most public agencies, the City created a Tier 2 Plan for employees new to the City commencing January 2011 for all new hires of the City. To further mitigate its unfunded liability exposure, the Clayton City Council took action in March 2012 to prohibit all future local elected officials (i.e. city council members) from becoming members of the CalPERS pension plan. As of now, one (1) of the five (5) Clayton City Council Members is not a member of CalPERS and therefore pays into the Social Security federal program.

As a consequence of these steps, the City of Clayton now has three (3) separate CalPERS pension plans for its employees:

1. Tier 1 Plan covers existing City employees prior to January 2011. No future employees of the City can ever become a Tier 1 Plan enrollee; this pool of existing employees will diminish in number as these employees move to other employment or retire from the City.
2. Tier 2 Plan covers City employees hired during January 2011 through December 2012, plus any new employee to our City that comes from an employer enrolled in a CalPERS pension system (without a break in service longer than 6 months).

3. Tier 3 Plan (aka the “Brown Plan” named after its originator, Governor Jerry Brown). This Plan automatically covers any new employee to our City not previously a member of CalPERS.

Each Plan summarized above differs in the type of defined benefit plan (e.g. 2% at age 60 – Miscellaneous) and employee contribution rates (e.g. employee pays 100% of the Employee rate), as noted below in the footnotes.

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

Unfunded CalPERS Liability for Clayton					
UNIT	JUNE 2012	JUNE 2011	JUNE 2004	JUNE 1999	JUNE 1994
Public Safety	\$ 770,449	\$ 853,030	\$1,158,768	\$ 88,430	\$ 605,835
Misc.	\$ 447,669	\$ 478,096	\$ 549,429	(\$ 579,148)	(\$ 7,213)
Totals	\$1,218,118	\$1,331,126	\$1,708,197	(\$490,718)	\$ 598,622

According to CalPERS actuarial data, the City’s unfunded liability for the Tier 1 Public Safety unit will be retired in FY 2017-18 (5 years) while the Tier 1 Miscellaneous unit unfunded liability will be retired in FY 2019-20 (7 years). The retirement of this debt is accomplished within existing Employer-paid CalPERS rates of the City. When the unfunded liabilities are retired, it will lower the City’s Employer rate by 16.873 points for the Public Safety unit and by 5.949 points for the Miscellaneous unit, which are substantial reductions for the Tier 1 rates.

Notes:

1. This June 2012 data is the latest information released by CalPERS; there is always a one year time lag in their generation of this data.
2. The City altered its CalPERS retirement plans in early 2001, moving from 2% at 60 to 2% at 55 for the Miscellaneous Unit, and from 2% at 50 to 3% at 55 for the Public Safety Unit. Neither of those Plans is the premium pension plan offered by CalPERS for either Unit.
3. In January 2011 the City Council enacted a contract that new employees of this City be enrolled in the 2% at 60 pension plan for the Miscellaneous Unit and the 2% at 50 pension plan for the Public Safety Unit. One new employee is now on the Tier II Plan.
4. Numbers bracketed or in **green** indicate that particular plan had a surplus balance at the time (referred to as “superfunded”).
5. Public Safety (Tier I) rate for Employer in FY 2013-14 is 38.163%, up by 1.233 points from FY 2012-13 (rate was 36.930%; a 3.34% rate jump). CalPERS

estimates the FY 2014-15 Employer rate will go up to 39.7% (4.03% increase). The Employee portion of 9% currently paid by the City is in addition to this rate (combined = 47.163% in FY 13-14).

6. Misc. Unit (Tier I) rate for Employer in FY 2013-14 is 16.445%, up by 0.78 points from FY 2012-13 (rate was 15.665%; a 4.98% rate jump). CalPERS estimates the FY 2014-15 Employer rate will rise to 17.3% (5.2% increase). The Employee portion of 7% currently paid by the City is in addition to this rate (combined = 22.665%).
7. Public Safety (Tier 2) rate for Employer in FY 2013-14 is 19.90% (up from 19.204% last fiscal year). The Employee portion of 9% is paid 100% by the employee.
8. Miscellaneous (Tier 2) rate for Employer in FY 2013-14 is 8.049% (up from 7.846% last fiscal year). The Employee portion of 7% is paid 100% by the employee.
9. Public Safety (Tier 3) rate for Employer and Employee in FY 2013-14 is 11.5%, for each. The CalPERS defined benefit plan for Tier 3 is 2.7% at age 57.
10. Miscellaneous (Tier 3) rate for Employer and Employee in FY 2013-14 is 6.25%, for each. The CalPERS defined benefit plan for Tier 3 is 2% at age 62.

In the proposed fiscal plan for 2013-14, these CalPERS financial impacts have been folded into this balanced budget but are still subject to the employer-employee collective bargaining process that has been deferred until release of this Budget. The total amount of monies allocated to pay the CalPERS retirement contributions in FY 2013-14 is \$505,941 across all Funds (down by \$106,989 from last fiscal year) as apportioned to labor allocations. The forced migration of new City employees to less expensive CalPERS defined benefit plans created the savings plus the fact newer employees typically enter City employment at less salary than the predecessor. Of the annual CalPERS payment by the City, the following table lists the contributing distribution:

Police Department	58%
Admin/Finance Department	21%
Public Works Department	14%
Planning Department	4%
City Council	1%

The purpose of this information is not to diminish or dismiss the seriousness of the unfunded liability retirement debate, and certainly the City's current amount of unfunded pension liability of \$1.2 million is not comparatively insignificant. During the last fiscal year alone that amount was lessened by \$113,008. The City's exposure is being amortized within the current rate schedule and the chart above illustrates the liability is trending downward, not upward. What is critical to incorporate into the discussion is the acknowledgement that not every city or local government is in the same precarious predicament, and not every city or local government has the "Cadillac" retirement plan that is offered through CalPERS. Caution is suggested so as not to cast all public

pension plans, pensioners, cities and public employees into the same cauldron to burn while gnawing on the most egregious examples of compensation spiking and retirement pay.

* * *

COUNCIL BUDGET SUB-COMMITTEE REVIEW

The Council-appointed ad-hoc committee of Vice Mayor Stratford and Council Member Diaz met with the City Manager and the Finance Manager on July 10th to review and critique the assembled budget data and available materials. Of express concern was whether the City is carrying a structural deficit that requires corrective action at this point, and was the City able to close or mitigate the FY 2012-13 budget gap of **\$199,725**. It was the judgment of the Council Budget Sub-Committee that one-time revenues (PTAF refund of \$50,746)) and the unbudgeted return of former redevelopment agency real property tax revenues of \$213,000 to the General Fund enabled the City to withstand continued losses in sales tax revenue (**\$58,515**), secured property tax revenues (**\$81,010**), and downward spiraling interest earnings (**\$84,252**). That experience coupled with expectations of rising real property assessed valuations in Clayton was sufficient to press forward with a marginally-balanced budget in FY 2013-14, but one predicated on the outcome of upcoming labor negotiations.

Appreciation is extended to the Council Budget Sub-Committee and to key staff members (Finance Manager Merry Pelletier) for the diligence in trying to master an ever-changing landscape of municipal budgeting in today's world. We look forward to working with the City Council in continued earnestness to provide the best public services to the best community around.

Respectfully submitted,



Gary A. Napper
City Manager

Attachments: Proposed FY 2013-2014 City Budget and 5-Year CIP Budget
General Fund Revenues 12-Year History chart [1 pg.]

GENERAL FUND

REVENUES

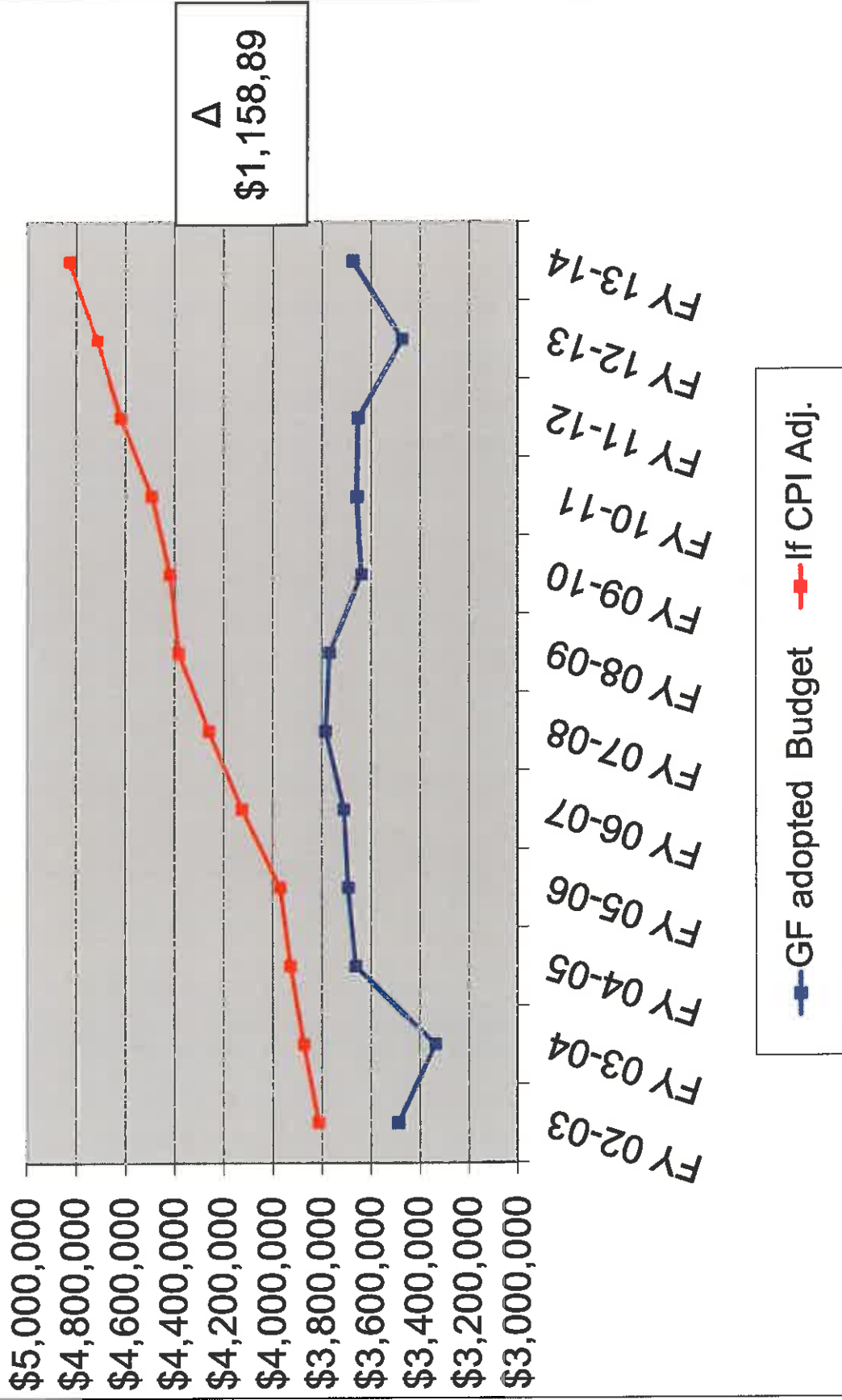
AND

EXPENDITURES

CITY OF CLAYTON ADOPTED GENERAL FUND REVENUE BUDGET
PROJECTED REVENUE 2012-13 VS PROPOSED BUDGETED REVENUE 2013-14

DESCRIPTION	Account Number	Actual Revenue 6/30/2012	Budgeted Revenue 2012-13	YTD Revenue 6/14/2013	Projected Revenue 6/30/2013	Projected (Shortage) 2012-13	Proposed Revenue 2013-14	Budgeted Changes 12-13 vs 13-14
Property Tax Secured	4101	696,933	646,046	574,826	605,724	(40,322)	617,839	-4%
VLF Backfill by State		747,290	747,300	716,911	716,911	(30,389)	731,249	-2%
Sales Tax In-Lieu (Triple Flip)		91,840	91,900	89,323	89,323	(2,577)	89,323	-3%
RPPTF Residual	4108	128,417	-	213,140	213,140	213,140	217,403	
True Up VLF & Sales Tax		5,097	5,100	(3,050)	(3,050)	(8,150)	-	
Property Tax Secured (net)		1,669,577	1,490,346	1,591,150	1,622,048	131,702	1,655,814	11%
Property Tax Unsecured	4102	40,332	38,276	38,568	38,568	292	38,600	0.8%
Property Tax Unitary Tax	4103	11,904	11,309	11,175	11,763	454	12,000	6%
Property Tax Supplemental	4104	11,103	-	1,257	5,257	5,257	5,512	
Property Taxes Other	4106	11,470	5,672	5,227	5,227	(445)	5,332	-6%
Sales Tax	4301	266,246	263,000	204,485	269,734	8,734	271,083	3%
Real Property Transfer Tax	4502	46,922	41,500	53,163	61,539	20,039	62,770	51%
Business License	5101	114,748	112,500	123,736	124,036	11,536	127,013	13%
Building Permit	5103	83,151	32,000	56,306	61,306	29,306	62,503	95%
City Permits	5106	6,949	7,134	5,424	6,324	(810)	6,600	-7%
Stormwater Permits	5109	4,613	4,400	4,506	4,506	106	4,500	100%
State of CA Business License Fee	5110	-	-	121	121	121	-	
Public Safety Tax (Prop 172)	5201	67,643	63,000	59,125	67,125	4,125	67,125	7%
Abandoned Vehicle Abate Fee	5202	5,861	3,500	2,672	3,500	-	3,500	0%
Motor Vehicle License Fee	5203	11,074	-	-	-	-	-	
Other In-lieu (Diamond Terrace)	5205	143,060	145,921	72,900	145,921	-	148,839	2%
POST Reimbursements	5214	5,679	5,500	2,888	3,400	(2,100)	3,400	-38%
State Mandated Cost Reimbursement	5217	884	884	2,715	2,715	1,831	2,000	0%
Planning Services	5301	7,114	6,500	7,179	7,200	700	7,200	11%
Police Services	5302	30,282	27,300	22,226	25,956	(1,344)	26,000	-5%
City Hall Rental Fees	5303	65	-	1,253	1,253	1,253	-	100%
Planning Project Fees	5304	31,409	25,000	22,729	23,829	(1,171)	24,000	-4%
Well Water Usage	5306	35,446	25,000	32,590	37,590	12,590	37,600	50%
Misc. City Services	5319	3,482	3,300	3,330	3,330	30	3,300	0%
Well Monitoring Service Charge	5321	18,978	18,858	13,919	17,432	(1,427)	18,978	1%
City Administrative Fee-OH Rec	5322	34,204	34,541	34,204	34,204	(337)	33,805	-2%
Cable TV Franchise Fees	5401	174,900	175,000	136,409	181,409	6,409	182,724	4%
Solid Waste Franchise Fees	5402	128,101	160,635	126,372	177,415	16,780	181,673	13.1%
Utility Franchise Fees	5403	115,461	115,461	110,927	110,927	(4,534)	115,461	0%
Gas Line Franchise Fees	5404	11,593	11,600	11,836	11,836	236	12,120	4%
AT&T Mobility Franchise Fees	5405	86	86	98	98	12	98	100%
Fines and Forfeitures	5501	29,693	28,000	24,295	28,856	2,856	29,000	12%
Interest Earnings	5601	112,513	145,000	86,272	86,272	(58,728)	60,000	-59%
Park User Fees	5602	40,889	45,392	43,330	43,067	(2,325)	43,100	-5%
Meeting Room Fees	5603	2,263	2,200	2,015	2,015	(185)	2,015	-8%
Cattle Grazing Lease Rent	5608	8,864	8,864	9,048	9,048	184	9,265	5%
SBA Communications	5609	34,223	31,467	29,738	32,411	944	33,189	5%
Fountain Use Fees	5610	333	-	341	341	341	-	0%
Street Use Fees	5612	100	-	-	-	-	-	0%
Crossing Guard - Reimbursements	5701	5,000	5,000	5,074	5,074	74	5,074	1%
Property Tax- PTAF Reimbursements	5701	-	-	50,746	50,746	50,746	-	100%
City of Concord - Sale of Vehicle	5701	4,931	-	-	-	-	-	100%
Dept of Justice PD Reimbursement	5701	4,564	-	-	-	-	-	100%
MPA Worker's Comp Rebate	5701	-	-	14,273	14,273	14,273	-	0%
Worker's Comp Reimbursement	5712	-	-	4,911	4,911	4,911	-	0%
Other Revenues	5790	58,357	2,000	926	1,000	(1,000)	1,000	-50%
Overhead Cost Recovery	5791	13,013	10,000	8,554	8,630	(1,370)	9,000	-10%
Sale of Asset Forfeiture Cnet	5801	-	6,700	1,815	1,815	(4,885)	-	-100%
Transfer from Encumbrances	-	-	-	-	-	-	-	
Transfer from Measure J	6002	4,000	4,000	4,000	4,000	-	4,000	0%
Transfer from Streets	6004	6,687	6,687	6,687	6,687	-	6,687	0%
Transfer from St. Lights	6005	10,280	10,280	10,280	10,280	-	10,280	0%
Transfer from GHAD	6006	19,200	19,200	19,200	19,200	-	20,073	5%
Transfer from Landscape	6007	30,756	31,402	31,402	31,402	-	32,156	2%
Transfer from RDA Project Fund	6008	187,690	-	-	-	-	-	0%
Transfer from RDA Housing	6009	75,048	-	-	-	-	-	0%
Transfer from Grove Park Fund	6011	6,267	6,399	6,399	6,399	-	6,553	2%
Transfer from Stormwater Fund	6016	32,500	32,500	32,500	32,500	-	32,500	0%
Transfer from Trust & Agency	5790	-	-	-	-	-	-	0%
Transfer from Successor Agency Fund	6025	250,000	250,000	250,000	250,000	-	250,000	0%
Total Revenues		4,029,508	3,471,314	3,400,356	3,714,495	243,181	3,673,442	5.8%

General Fund Revenues 12 Year History



City of Clayton
 Budget Legislative Dept 01
 Proposed Budget 2013/14

Account Number	Account Name	2011-12 Actual	2012-13 Adopted Budget	2012-13 Actual 6/23/2013	2012-13 Projected 6/30/2013	2013-2014 Proposed Budget
7115	Council/Commission Comp	23,888	23,400	22,523	22,523	23,400
7220	PERS Retirement	2,410	4,321	2,815	3,172	3,734
7231	Workers Comp Insurance	-	546	366	366	765
7232	Unemployment Insurance	-	1,450	-	-	-
7233	FICA and Medicare	301	339	401	401	630
7324	Dues and Subscriptions	9,748	11,458	11,997	11,997	12,310
7362	City Promotional Activity	4,032	4,400	3,158	3,979	4,462
7363	Business Expense	433	-	18	18	-
7372	Conference	200	-	-	-	-
7382	Election Services	-	12,000	10,320	10,320	-
7419	Other Prof. Services	7,350	8,000	10,502	10,927	8,000
	Total	48,361	65,914	62,098	63,702	53,301

City of Clayton
Budget Admin/Fin Dept 02
Proposed Budget 2013/14

Account Number	Account Name	2011-12 Actual	2012-13 Adopted Budget	2012-13 Actual 6/23/2013	2012-13 Projected 6/30/2013	2013-14 Proposed Budget
7111	Salaries/Regular	492,858	492,550	499,887	511,105	492,806
7112	Temporary Help	1,178	2,261	9,461	11,261	33,739
7119	Furlough (see Dept 5)	(21,269)	(20,856)	-	-	-
7218	LTD Insurance	3,128	3,448	3,430	3,792	3,714
7220	PERS Retirement	97,140	105,105	102,389	104,850	101,199
7231	Workers Comp Insurance	-	11,492	7,686	7,686	15,434
7232	Unemployment Insurance	-	2,604	-	-	-
7233	FICA and Medicare	8,310	7,142	8,102	8,102	9,541
7241	Auto Allowance/Mileage	10,374	10,740	10,533	10,946	10,740
7246	Benefit Insurance	70,150	71,647	75,564	75,564	78,947
7321	Printing and Binding	108	-	-	-	-
7324	Dues and Subscriptions	1,810	1,831	1,731	1,731	1,831
7332	Telecommunications	8,118	10,280	6,623	7,557	10,280
7364	Employee recognition	2,528	2,000	868	868	2,000
7365	Volunteer Appreciation	-	-	7	7	-
7373	Education and Training	25	-	20	20	-
7389	Misc. Expenses	-	-	232	232	-
7411	Prof. Services Retainer (Legal)	70,701	70,000	62,700	67,700	70,000
7413	Special Legal Services	-	-	275	275	-
7414	Auditing Services	11,295	16,635	8,250	16,635	16,635
7415	Computer Services	830	1,700	2,025	2,400	1,700
7419	Other Prof. Services	22,901	13,447	10,981	14,870	12,109
7492	Disability Access Education Fee	-	-	21	42	100
	Total	780,184	802,027	810,783	845,642	860,775

City of Clayton
 Budget Public Works Dept 03
 Proposed Budget 2013/14

Account Number	Account Name	2011-12 Actual	2012-13 Adopted Budget	2012-13 Actual 6/23/2013	2012-13 Projected 6/30/2013	2013-14 Proposed Budget
7111	Salaries/Regular	10,550	8,289	7,881	8,289	8,289
7112	Temporary Help	3,760	3,969	127	127	2,891
7119	Furlough (see Dept 5)	(4,248)	-	-	-	-
7218	LTD Insurance	198	43	43	43	48
7220	PERS Retirement	1,566	1,879	3,858	3,858	1,432
7231	Workers Comp Insurance		164	110	110	444
7233	FICA and Medicare	711	431	69	431	310
7241	Auto Allowance/Mileage					
7242	Uniform Allowance					
7243	Certificate Pay					
7244	Tuition Reimbursement					
7246	Benefit Insurance	426	7,000	6,203	7,000	1,344
7311	General Supplies	7,222	5,500	3,807	4,884	4,900
7331	Rentals/Leases	84	140	310	310	140
7332	Telecommunications	3,012	3,000	2,719	2,719	2,750
7335	Gas & Electric Serv.	33,173	30,000	29,606	30,000	30,000
7338	Water Service	16,132	15,000	11,582	15,000	15,200
7341	Buildings & Grounds Mtn	8,824	7,196	5,429	5,997	10,188
7342	Machinery/ Equip Maint.	4,613	5,500	2,542	2,542	4,000
7343	Vehicle Maintenance	3,113	3,000	4,877	4,877	3,800
7344	Vehicle Gas, Oil, and Supplies	14,041	14,000	10,124	10,724	11,000
7348	HVAC Mtn & Repairs	7,770	7,430	9,753	9,753	9,000
7347	Deferred Mtn Projects	16,650	16,930	46,225	46,225	-
7373	Education and Training	1,000	1,000	392	392	500
7389	Misc. Expenses	-	-	640	640	-
7411	Prof. Services Retainer	-	-	9,422	9,422	-
7417	Janitorial Services	8,140	8,141	7,723	9,414	8,141
7419	Other Prof. Services	-	384	625	625	400
7429	Animal Control Services	-	525	-	525	525
	Total	136,738	139,521	164,067	173,906	115,282

1. *Journal of the American Medical Association*, 1997; 277: 1001-1005.

Account Number	Account Name	2011-12 Actual	2012-13 Adopted Budget	2012-13 Actual 6/23/2013	2012-13 Projected 6/30/2013	2013-14 Proposed Budget
7111	Salaries/Regular	168,025	164,855	127,345	133,659	164,162
7115	Council/Commission Comp	7,350	7,200	7,050	7,050	7,200
7119	Furlough	(6,141)	(6,975)	-	-	-
7218	LTD Insurance	935	1,154	751	751	1,241
7220	PERS Retirement	33,518	37,364	23,057	24,002	18,924
7231	Workers Comp Insurance		3,846	2,573	2,573	5,138
7232	Unemployment Insurance		868			-
7233	FICA and Medicare	2,111	2,390	1,508	1,583	2,278
7241	Auto Allowance/Mileage	4,220	4,140	2,946	3,105	4,140
7246	Benefit Insurance	22,175	23,858	19,060	19,060	31,652
7323	Books/Periodicals	89	100	11	11	100
7324	Dues and Subscriptions	655	655	675	675	675
7332	Telecommunications	638	630	588	630	630
7371	Travel	-	100	30	100	100
7384	Legal Notices	536	550	1,039	1,039	550
7385	Transpac Fees	21,790	23,315	21,760	21,760	21,978
7389	Misc. Expenses			1,210	1,210	-
7411	Prof. Services Retainer	-	-	4,430	4,430	-
7419	Other Prof. Services Temp Planning Svc	13,007	170	30,810	30,810	170
	Sunday Operating Hours					
	Total	268,906	264,221	244,842	252,448	258,939

Proposed Budget 2013/14Total

City of Clayton
Budget Police Dept 06
Proposed Budget 2012-13

Account Number	Account Name	2011-12 Actual	2012-13 Adopted Budget	2012-13 Actual 6/23/2013	2012-13 Projected 6/30/2013	2013-14 Proposed Budget
7111	Salaries/Regular	848,661	841,912	792,153	840,708	828,110
7113	Overtime	94,118	86,000	102,887	103,387	95,000
7114	Vacation Buy Out	38,374	-	-	-	-
7116	Part-time Salaries	3,519	4,348	3,644	3,727	3,748
7119	Furlough	(8,548)	(8,548)	-	-	-
7218	LTD Insurance	5,300	5,893	5,587	6,222	6,473
7220	PERS Retirement	337,092	367,785	324,323	353,001	276,795
7231	Workers Comp Insurance	-	19,744	13,207	13,207	26,937
7232	Unemployment Insurance	-	5,508	-	-	-
7233	FICA and Medicare	15,761	14,538	13,972	13,972	13,592
7241	Auto Allowance/Mileage	4,525	4,440	4,355	4,440	4,440
7242	Uniform Allowance	9,000	9,000	6,075	9,000	9,000
7246	Benefit Insurance	144,872	150,206	158,131	158,220	156,443
7311	General Supplies	3,913	4,500	5,256	5,256	4,500
7312	Office supplies	1,759	2,500	2,135	2,335	2,350
7314	Postage	802	500	451	500	500
7324	Dues and Subscriptions	5,334	18,737	5,240	5,240	18,652
7332	Telecommunications	10,669	18,048	10,168	10,870	11,000
7342	Machinery/ Equip Maint.	1,093	650	1,499	1,499	1,500
7343	Vehicle Maintenance	23,599	13,000	13,475	13,475	13,500
7344	Vehicle Gas, Oil, and Supplies	33,720	32,000	27,978	32,956	33,000
7345	Office Equip. Maint. & Repairs	1,233	1,138	1,379	1,400	1,400
7363	Business Expense	231	100	154	154	100
7364	Employee recognition	320	300	428	428	428
7365	Volunteer Appreciation	169	169	-	-	169
7373	Education and Training	7,624	7,000	6,729	6,729	7,000
7375	Training Reimbursable	46	-	-	-	-
7389	Misc. Expenses	-	-	2,177	2,177	-
7411	Prof. Services Retainer	-	-	2,613	2,613	-
7413	Special Legal Services	13,059	-	-	-	-
7415	Computer Services	-	850	-	-	-
7417	Janitorial Services	2,700	2,700	2,475	2,700	2,700
7419	Other Prof. Services	36,261	27,747	23,614	25,489	20,772
7424	Dispatch Services	131,730	158,076	118,557	158,076	158,076
7425	Lab Fees	17,012	14,177	17,209	18,000	18,000
7427	Cal ID Services	10,621	11,125	11,125	11,125	11,648
7428	C.N.E.T. Services	1,513	1,513	-	-	-
7429	Animal Control Services	58,208	58,102	58,727	58,727	59,014
7432	Emergency Services	366	366	67	67	100
7433	Integrated Justice System (ACCJIN + ARIES)	2,478	1,171	-	1,171	1,171
	Total	1,857,135	1,875,294	1,735,788	1,866,870	1,786,117

City of Clayton
 Budget Library Dept 07
 Proposed Budget 2013/14

Account Number	Account Name	2011-12 Actual	2012-13 Adopted Budget	2012-13 Actual 6/23/2013	2012-13 Projected 6/30/2013	2013-14 Proposed Budget
7111	Salaries/Regular	11,937	8,485	11,246	11,829	11,470
7112	Temporary Help	1,165	269	413	463	5,428
7119	Furlough	(2,124)	(2,124)	-	-	-
7218	LTD Insurance	101	59	81	81	91
7220	PERS Retirement	2,430	1,923	2,623	2,623	2,689
7231	Workers Comp Insurance		204	136	136	604
7232	Unemployment Insurance		77			
7233	FICA and Medicare	229	144	237	243	166
7246	Benefit Insurance	2,348	1,697	2,131	2,131	2,524
7311	General Supplies			69	69	-
7332	Telecommunications	1,978	1,972	1,879	2,059	2,059
7335	Gas & Electric Serv.	46,383	48,000	39,939	46,939	47,000
7338	Water Service	1,527	1,600	1,269	1,534	1,550
7341	Buildings & Grounds Mtn	11,377	6,732	7,379	7,696	7,681
7346	HVAC Mtn & Repairs	18,485	8,813	11,834	13,834	13,834
7417	Janitorial Services	29,284	28,900	28,691	30,866	32,466
7423	Extra & Sunday Operating Hours	25,850	22,800	11,742	16,742	21,778
	Total	150,969	129,551	119,669	137,245	149,341

City of Clayton
 Budget Engineering Dept 08
 Proposed Budget 2013/14

Account Number	Account Name	2011-12 Actual	2012-13 Adopted Budget	2012-13 Actual 6/23/2013	2012-13 Projected 6/30/2013	2013-14 Proposed Budget
7324	Dues and Subscriptions	167	184	168	184	184
7332	Telecommunications	812	813	757	894	824
7389	Misc. Expenses	17	-	-	-	-
7411	Engineering Services Retainer	72,670	73,500	72,370	73,500	73,500
7412	Engineering Inspection	117	-	-	-	-
7430	Well Monitoring Contract	21,009	19,043	12,762	19,043	19,043
	Total	94,792	93,540	86,057	93,620	93,551

Proposed Budget: 2010-11

Account Number	Account Name	2011-12 Actual	2012-13 Adopted Budget	2012-13 Actual 6/23/2013	2012-13 Projected 6/30/2013	2013-14 Proposed Budget
7111	Salaries/Regular	43,445	45,262	41,636	43,351	41,582
7112	Temporary Help	11,871	12,790	6,467	7,467	19,678
7113	Overtime	433	1,000	543	543	2,000
7119	Furlough	(6,122)	(6,122)	-	-	-
7218	LTD Insurance	257	258	296	296	328
7220	PERS Retirement	916	10,261	9,626	10,022	9,749
7231	Workers Comp Insurance	-	1,009	675	675	1,360
7232	Unemployment Insurance	-	665	-	-	650
7233	FICA and Medicare	1,318	1,059	1,263	1,366	603
7246	Benefit Insurance	8,771	7,599	8,197	8,197	9,150
7329	Park Supplies	16,748	10,000	10,297	10,297	10,300
7331	Rentals/Leases	-	405	-	-	405
7335	Gas & Electric Serv.	1,690	1,900	1,016	1,616	1,700
7338	Water Service	84,271	77,439	77,193	81,000	81,000
7411	Prof. Services Retainer	-	-	2,064	2,064	-
7417	Janitorial Services	12,510	12,525	11,981	12,981	12,525
7419	Other Prof. Services	2,658	522	1,639	4,839	1,034
7429	Animal Control Services	8,233	1,953	1,825	1,825	2,953
Total		186,997	178,524	174,718	186,539	195,017

SPECIAL REVENUE

AND

ENTERPRISE FUNDS

City of Clayton
Gas Tax Fund 201
Proposed Budget 2013/14

Account Number	Account Name	2011-12 Actual	2012-13 Adopted Budget	2012-13 Actual 6/25/2013	2012-13 Projected 6/30/2013	2013-14 Proposed Budget
7111	Salaries/Regular	12,785	23,248	10,078	23,248	23,248
7112	Temporary Help	2,904	5,918	1,027	5,918	5,918
7218	LTD Insurance	52	163	69	163	179
7220	PERS Retirement	2,946	5,087	2,247	5,087	5,315
7231	Workers Comp Insurance		735	492	735	925
7232	Unemployment Insurance	1,772	446	446	446	266
7233	FICA and Medicare	340	790	265	790	661
7246	Benefit Insurance	2,871	4,651	1,932	4,651	1,824
7311	General Supplies		1,401	1,401	1,401	1,401
7327	Arterial Street Light Supplies	23,268	25,179	5,680	25,179	25,179
7335	Gas & Electric Serv.	46,730	42,500	35,771	42,500	42,500
7340	Special Events/Traffic Safety Supplies		800	-	800	800
7349	Traffic Signal Maintenance	21,978	26,000	13,824	26,000	26,000
7381	Property Tax Admin Cost	275	300	265	300	300
7419	Other Prof. Services	2,912	144	-	-	206
7520	Project/Sidewalk/Sink Hole Repair	500	-	-	-	-
8101	Transfer to General Fund	6,687	6,687	6,687	6,687	6,687
8111	Transfer to CIP Fund	165,500	405,405	329,405	405,405	51,822
	Total Expenses	291,519	549,454	409,589	549,310	193,232
Revenue						
4607	Arterial S. Light Assessment	26,265	26,894	23,303	28,107	25,675
5209	State Gasoline 2105	54,462	53,692	44,289	54,779	54,800
5210	State Gasoline 2106	43,153	40,722	37,633	46,441	46,441
5211	State Gasoline 2107	79,524	76,173	69,812	87,616	87,616
5212	State Gasoline 2107.5	3,000	3,000	3,000	3,000	3,000
5216	State of CA Sec 2103 (Prop 42)	118,457	115,892	89,859	96,807	100,000
6003	Trans from CIP					
5790	Other Revenue			85	85	-
5601	Interest	4,598	1,500	4,671	3,866	1,500
5606	Unrealized Inv. Gain/Loss					
	Total Revenue	329,460	317,873	272,652	320,701	319,032
	Annual Balance (Shortfall)	37,941	(231,581)	(136,937)	(228,609)	125,800
	Beginning Fund Balance	64,868	102,809	102,809	102,809	(125,801)
	Ending Fund Balance	102,809	(128,772)	(34,128)	(125,801)	(0)
	ADA Advisory Committee Fund	-	-	-	-	5,062

City of Clayton
Landscape Mtn District CFD 2007-1 Fund 210
Projected Budget 13-14

Account Number	Account Name	2011-12 Actual	2012-13 Adopted Budget	2012-13 Actual 6/26/2013	2012-13 Projected 6/30/2013	2013-14 Proposed Budget
7111	Salaries/Regular	174,096	162,632	168,353	168,353	162,632
7112	Temporary Help	91,799	94,150	69,573	69,573	94,150
7113	Overtime	-	-	67	67	-
7218	LTD Insurance	1,017	1,138	1,162	1,162	1,374
7220	PERS Retirement	35,847	36,868	38,303	38,303	40,784
7231	Workers Comp Insurance	61	9,966	7,416	7,416	9,966
7232	Unemployment Insurance	5,938	5,449	5,449	5,449	5,449
7233	FICA and Medicare	8,178	9,561	6,943	6,943	9,561
7246	Benefit Insurance	34,012	31,175	32,009	32,009	35,611
7311	General Supplies	31,474	43,000	31,306	33,000	43,000
7316	Landscape Replacement Material	1,063	20,000	3,498	20,000	20,000
7327	Street Maint. Supplies	395	-	-	-	-
7335	Gas & Electric Serv.	25,751	25,000	25,942	25,942	25,000
7338	Water Service	109,620	180,000	153,281	180,000	180,000
7342	Machinery/ Equip Maint.	9,619	9,500	10,289	10,289	10,000
7343	Vehicle Maintenance	12,328	12,000	4,480	4,480	12,000
7344	Vehicle Gas, Oil, and Supplies	12,591	10,500	9,929	10,000	10,500
7381	Property Tax Admin Cost	3,734	3,737	3,548	3,737	3,737
7389	Misc. Expenses	-	-	80	80	-
7412	Engineering Inspection	1,423	-	-	-	1,430
7419	Other Prof. Services	116,269	156,555	110,409	160,025	183,355
7486	CERF Charges/Depreciation	13,500	13,500	13,500	13,500	13,500
7520	Project/Program costs	256,576	102,500	379,930	379,930	82,900
7615	Property Taxes	2,398	2,398	2,447	2,447	2,893
8101	Transfer to General Fund	30,756	31,402	31,402	31,402	32,156
8113	Transfer to Stormwater Fund	-	-	456	456	-
Total Expenses		978,443	961,031	1,109,773	1,204,563	959,998

4604 Clayton LMD Assessment
5601 Interest
5702 Donations/Contributions
5806 Unrealized Inv Gain/Loss
Total Revenue

935,850	955,711	906,969	954,704	978,034
16,556	5,000	9,371	9,371	4,000
		250	250	-
955,132	960,711	916,589	964,325	982,034
(23,311)	(320)	(193,183)	(240,238)	22,036
535,556	512,245	512,245	512,245	272,007
512,245	511,925	319,062	272,007	294,043

Annual Balance (Shortfall)
Beginning Fund Balance
Ending Fund Balance

City of Clayton
Grove Park CFD 2006-1 Fund 211
Proposed Budget 2013/14

Account Number	Account Name	2011-12 Actual	2012-13 Adopted Budget	2012-13 Actual 6/25/2013	2012-13 Projected 6/30/2013	2013-14 Proposed Budget
7111	Salaries/Regular	23,267	27,943	20,216	21,216	28,748
7112	Temporary Help	7,824	16,813	6,963	9,963	11,293
7218	LTD Insurance	101	196	168	196	227
7220	PERS Retirement	3,734	6,114	5,465	5,750	6,740
7231	Workers Comp Insurance	-	1,200	803	1,200	1,416
7232	Unemployment Insurance	986	974	974	974	692
7233	FICA and Medicare	839	1,691	720	627	1,281
7246	Benefit Insurance	3,472	5,590	4,650	4,650	4,751
7311	General Supplies	6,681	4,900	1,290	4,800	4,800
7331	Rentals/Leases	511	500	-	500	500
7335	Gas & Electric Serv.	1,136	1,200	1,276	1,378	1,300
7338	Water Service	2,265	4,000	6,700	6,677	6,677
7342	Machinery/ Equip Maint.	-	500	500	500	500
7343	Vehicle Maintenance	-	1,000	-	1,000	1,000
7344	Vehicle Gas, Oil, and Supplies	1,500	1,500	-	1,500	1,500
7381	Property Tax Admin Cost	3,738	3,900	3,551	3,738	3,900
7417	Janitorial Services	10,516	12,900	11,325	13,325	13,325
7419	Other Prof. Services	9,587	4,787	3,483	4,741	7,137
7420	Other Outside Services	4,335	3,800	3,749	3,800	3,800
7485	Capital Equipment	6,274	-	-	-	-
7486	CERF Charges/Depreciation	2,700	2,700	2,700	2,700	2,700
7615	Property Taxes	427	436	436	436	2,190
8101	Transfer to General Fund	6,267	6,399	6,399	6,399	6,533
	Asset Replacement	-	18,000	-	18,000	18,000
	Reserve Fund	-	5,000	-	5,000	5,000
	Total Expenses	96,160	132,043	81,366	129,033	134,010

4613	Downtown Park Assessment	111,797	114,145	107,801	114,145	116,834
5601	Interest	6,082	2,000	6,042	5,188	2,000
5602	Other Revenue	-	-	472	472	-
5606	Unrealized Inv Gain/Loss	-	-	-	-	-
5790	Misc Revenue	10,000	10,000	10,000	10,000	10,000
	Total Revenue	127,879	126,145	124,315	129,805	128,834
	Annual Balance (Shortfall)	31,719	(5,898)	42,949	772	(5,176)
	Unreserved Fund Balance	125,433	83,049	168,383	169,155	169,928
	Asset Replacement Reserve	67,858	103,858	85,858	85,858	103,858
	Unallocated Reserve Fund	20,000	25,000	25,000	25,000	30,000
	Total Fund Balance	245,011	206,009	322,190	280,786	298,609

City of Clayton
GHAD Fund 212
Proposed Budget 2013/14

Account Number	Account Name	2011-12 Actual	2012-13 Adopted Budget	2012-13 Actual 6/21/2013	2012-13 Projected 6/30/2013	2013-14 Proposed Budget
7314	Postage	-	700	-	700	700
7381	Property Tax Admin Cost	1,016	987	977	1,026	1,400
7384	Legal Notices	24	95	-	95	95
7389	Misc. Expenses	267	-	267	267	267
7412	Engineering Inspection	7,714	5,000	5,169	5,669	3,000
7413	Special Legal Services	4,283	5,000	102	102	1,000
7520	Project/Program costs Kelok Monitoring	1,946	-	-	-	11,700
8101	Transfer to General Fund	19,200	19,603	19,200	19,603	20,073
	Total Expenses	34,449	31,385	25,715	27,462	38,235

4607	Presley Settlement					
4606	GHAD Assessment	33,972	34,685	32,951	34,685	34,685
5601	Interest	97	130	339	263	130
5606	Unrealized Inv. Gain/Loss		-	-	-	-
6020	Transfer from Presley Pebble Beach					
5790	Other revenues	80	-	11,488	11,488	-
	Total Revenue	34,150	34,815	44,778	46,436	34,815
	Annual Balance (Shortfall)	(300)	3,430	19,064	18,974	(3,420)
	Beginning Fund Balance	4,832	4,532	4,532	4,532	23,506
	Ending Fund Balance	4,532	7,962	23,596	23,506	20,086

Note: Presley GHAD Settlement FB 117,067 117,067 119,200 119,200 119,200

5790 Legal Reimbursement
7389 CCCo Parcel Quest - Data & Map

City of Clayton
Street Light Fund 214
Proposed Budget 2013/14

Account Number	Account Name	2011-12 Actual	2012-13 Adopted Budget	2012-13 Actual 6/25/2013	2012-13 Projected 6/30/2013	2013-14 Proposed Budget
7113	Overtime	11,024	11,625	9,704	11,625	11,625
7311	General Supplies	1,038	6,034	3,310	6,034	6,034
7335	Gas & Electric Serv.	104,861	96,500	64,355	72,755	96,500
7381	Property Tax Admin Cost	3,685	3,667	3,506	3,682	3,682
7384	Legal Notices	2,602	2,905	-	-	-
7389	Misc. Expenses	-	-	267	267	-
7412	Engineering	1,843	-	-	-	-
7419	Other Prof. Services	-	-	-	-	206
8101	Transfer to General Fund	10,280	10,280	10,280	10,280	10,280
	Total Expenses	135,334	131,011	91,423	104,643	128,327
4607	Street Light Assessment	125,459	125,991	119,692	125,991	125,991
5601	Interest	3,588	2,000	3,248	3,248	2,000
5606	Unrealized Inv. Gain/Loss					
	Reimbursement					
	Total Revenue	129,046	127,991	122,940	129,240	127,991
	Annual Balance (Shortfall)	(6,287)	(3,020)	31,517	24,596	(336)
	Beginning Fund Balance	135,753	129,465	129,465	129,465	154,061
	Ending Fund Balance	129,465	126,445	160,982	154,061	153,725

7389	Parcel Quest			267	267	-
7419	EBRCSA-Radio Mtn PW radio's		48	-	-	206

City of Clayton
Stormwater Fund 216
Proposed Budget 2013/14

Account Number	Account Name	2011-12 Actual	2012-13 Adopted Budget	2012-13 Actual 6/25/2013	2012-13 Projected 6/30/2013	2013-14 Proposed Budget
7111	Salaries/Regular	14,488	23,626	20,700	23,626	23,626
7112	Temporary Help	10,078	8,339	9,618	9,618	9,618
7218	LTD Insurance	65	158	127	127	187
7220	PERS Retirement	2,380	4,951	4,122	4,951	5,539
7231	Workers Comp Insurance		800	535	535	1,146
7232	Unemployment Insurance	550	550	550	550	543
7233	FICA and Medicare	801	966	765	966	1,020
7246	Benefit Insurance	2,312	4,526	3,485	3,485	3,724
7311	General Supplies	1,177	3,000	940	940	6,800
7373	Education and Training	165	250	-	-	5,000
7389	Misc. Expenses	-	-	444	444	5,000
7409	Street Sweeping Services	38,500	42,000	42,000	42,000	43,000
7412	Engineering Services	2,211	7,000	9,157	9,157	10,000
7419	Other Prof. Services	449	4,193	2,588	2,588	37,649
7481	State Regional Annual Discharge Fee	7,279	7,279	7,279	7,279	9,529
8101	Transfer to General Fund	32,500	33,183	32,500	33,183	33,183
Total Expenses		112,954	140,822	134,811	139,449	195,562
4602	Stormwater Assessment ERU Gross	98,194	126,626	90,895	90,895	127,014
	NPDES Group Program costs		(26,203)			(25,265)
	Commercial Insp by Central San		(8,000)	-		(8,000)
	Flood Control Dist Fiscal Mgmt Cost		(3,000)	-		(3,000)
	County Auditor/Controller Costs		(3,800)	-		(3,800)
	Adjusted Fund Balance		(3,000)	-		(3,000)
	Less Reserve					
	Net Revenue	98,194	82,623	90,895	90,895	83,949
4603	Stormwater O & M Annual Fee	2,225	2,225	1,824	1,824	2,225
5601	Interest	3,761	1,000	3,160	3,160	1,000
5606	Unrealized Inv. Gain/Loss		-	-	-	-
5324	Street Sweeping Fees	48,306	38,720	29,180	38,720	38,720
5790	Other Revenues			1,836	1,836	-
6007	Transfer from Landscape Maint (O&M Annual Fee)			456	456	456
6028	Transfer from Diablo Estates BA Fund (O&M AF)			456	456	456
	Less Stormwater Utility Assessment					
Total Revenue		152,486	124,568	127,807	137,347	126,806
Annual Balance (Shortfall)		39,531	(16,254)	(7,004)	(2,102)	(68,756)
Beginning Fund Balance		138,584	178,115	178,115	178,115	176,013
Ending Fund Balance		178,115	161,861	171,111	176,013	107,256

City of Clayton
Measure J Fund 220
Proposed Budget 2013/14

Account Number	Account Name	2011-12 Actual	2012-13 Adopted Budget	2012-13 Actual 6/25/2013	2012-13 Projected 6/30/2013	2013-14 Proposed Budget
7419	Other Prof. Services	392	4,392	566	566	4,392
8101	Transfer to General Fund	4,000	4,000	4,000	4,000	4,000
8111	Transfer to CIP Fund	124,000	1,248,044	205,000	1,248,044	-
8112	Transfer to Endeavor Hall					
8114	Transfer to Dev Impact Fund					
	Total Expenses	128,392	1,256,436	209,566	1,252,610	8,392
5223	Measure J Tax	487,947	234,212	-	226,135	227,000
5601	Interest Income			5,564	5,564	1,500
5606	Unrealized Inv. Gain/Loss			-	-	-
5790	Measure J Grant		1,022,224	-	1,022,224	-
6003	Trans from CIP	-				
	Total Revenue	487,947	1,256,436	5,564	1,253,923	228,500
	Annual Balance (Shortfall)	359,555	-	(204,002)	1,313	220,108
	Beginning Fund Balance	(51,075)	308,480	308,480	308,480	309,793
	Ending Fund Balance	308,480	308,480	104,478	309,793	529,901
7419	Quality Traffic Data LLC		-		-	4,000
	CC Transit Authority costs	484	844	566	392	392
			844	566	392	4,392

City of Clayton
Grants Fund 230
Proposed Budget 2013/14

Account Number	Account Name	2011-12 Actual	2012-13 Adopted Budget	2012-13 Actual 6/30/2013	2012-13 Projected 6/30/2013	2013-14 Proposed Budget
7111	Salaries/Regular	59,296	60,220	38,753	40,366	60,220
7113	Overtime	5,267	-	2,062	2,062	-
7218	LTD Insurance	360	360	378	378	360
7220	PERS Retirement	26,708	26,216	13,057	13,579	26,216
7231	Workers Comp Insurance	-	1,311	877	877	1,311
7232	Unemployment Insurance	434	651	651	651	651
7233	FICA and Medicare	1,205	1,229	606	630	1,229
7242	Uniform Allowance	900	900	675	900	900
7246	Benefit Insurance	17,596	19,175	5,990	5,990	19,175
7384	Legal Notices	112	112	-	-	-
7485	Technology/Peg Grant Channel Share	7,295	7,183	7,432	7,432	7,183
7520	Project/Program costs	7,073	-	165	165	-
	Total Expenses	126,246	117,357	70,645	73,030	117,245
5220-06	Restricted Grants Revenue COPS	104,024	100,000	65,256	100,000	100,000
5222	Avoid the 25 Grant	-	-	2,961	2,961	-
5601	Interest Income	5,263	2,000	4,589	5,000	2,000
5220	Municipal Pooling Authority Grant	1,000	-	938	938	-
5220	DBC Recycling Grant	10,000	5,000	-	5,000	5,000
5220 #5051	Comcast PEG Grant	14,783	14,805	7,382	11,127	14,805
5224-06	AED Grant	6,000				-
						-
	Total Revenue	141,071	121,805	81,125	125,025	121,805
	Annual Balance (Shortfall)	14,825	4,448	10,480	51,995	4,560
	Beginning Fund Balance	194,260	209,085	209,085	209,085	261,080
	Ending Fund Balance	209,085	213,533	219,565	261,080	265,640

City of Clayton
Development Impact Fund 304
Proposed Budget 2013-14

Account Number	Account Name	2011-12 Actual	2012-13 Adopted Budget	2012-13 Actual 6/30/2013	2012-13 Projected 6/30/2013	2013-14 Proposed Budget
Revenue						
5307	Childcare Facility Fees	3,486	1,435	1,435	1,435	-
5312	Open Space In-Lieu Fee	187,259	77,106	77,106	77,106	-
5313	Parkland Dedication Fee	-	-	-	-	-
5314	Offsite Arterial Improvement Fees	24,752	10,192	10,192	10,192	-
5317	Fire Protection Fee	5,100	2,100	2,100	2,100	-
5323	Community Facilities Fees	7,650	3,150	3,150	3,150	-
5325	Police Impact Fee	28,404	11,698	11,698	11,698	-
5601	Interest Income	13,439	5,000	16,589	16,589	10,000
6003	Transfer from CIP	-	-	-	-	-
6010	Transfer from Oakhurst Fund 410	-	-	-	-	-
5606	Unrealized Investment Gain/Loss GASB31	(2,998)	-	-	-	-
	Total Revenue	267,091	110,681	122,270	122,270	10,000
	Annual Balance (Shortfall)	267,091	110,681	122,270	122,270	132,270
	Unreserved/Designated Fund Balance	48,508	-	-	-	-
	Unallocated Interest Revenue		5,000	16,589	16,589	10,000
	Parkland Dedication Fund Balance	58,415	58,415	58,415	58,415	58,415
	Offsite Arterial Improvement Fund Balance	142,882	142,882	153,074	153,074	153,074
	Fire Protection Fund Balance	-	-	2,100	2,100	2,100
	Community Facilities Fund Balance	5,551	5,551	3,150	3,150	3,150
	Childcare Fee Fund Balance	36,962	36,962	38,397	38,397	38,397
	Sewer Impact Fee Fund Balance	(2,281)	(2,281)	(2,281)	(2,281)	(2,281)
	Police Impact Fee Fund Balance	26,412	26,412	38,110	38,110	38,110
	Open Space In-Lieu Fee Fund Balance	45,930	44,170	123,036	123,036	123,036
	Ending Fund Balance	629,470	427,792	552,860	552,860	556,271

City of Clayton
Self Insurance Fund 501
Proposed Budget 2013/14

Account Number	Account Name	2011-12 Actual	2012-13 Adopted Budget	2012-13 Actual 6/21/2013	2012-13 Projected 6/30/2013	2013-14 Proposed Budget
7311	General Supplies		-	-	-	-
7351	Insurance Premiums (EAP Plan)	1,220	1,248	1,284	1,284	1,296
7352	Insurance Claim Deductible	4,172	5,000	94	94	5,000
7389	Misc. Expenses			334	334	-
7413	Special Legal Services	2,043	3,000	6,586	6,586	3,000
	Total Expenses	7,434		8,297	8,298	9,296

5601	Interest	662	500	533	533	500
5606	Unrealized Inv. Gain/Loss	(943)				
5790	Risk Management Safety Award					
	Total Revenue	(281)	500	533	533	500
	Annual Balance (Shortfall)	(7,715)	500	(7,765)	(7,765)	(8,796)
	Beginning Fund Balance	38,694	30,979	30,979	30,979	23,214
	Ending Fund Balance	30,979	31,479	23,215	23,214	14,418

Chevron Prop Tax Share
Michel & Fackler MPA Legal

316.54
1,370.31

1,686.85

City of Clayton
CERF Fund 502
Proposed Budget 2013/14

Account Number	Account Name	2012-13 Adopted Budget	2012-13 Actual 6/21/2013	2012-13 Projected 6/30/2013	2013-14 Proposed Budget
7485	Capital Equipment	97,828	95,863	95,863	-
7513	Computers/Software Upgrades				-
Total Expenses		97,828	95,863	95,863	-
5328	CERF Charges to Depts	16,200	16,200	16,200	16,200
5601	Interest	2,100	2,535	2,535	2,100
5606	Unrealized Inv. Gain/Loss	1,555		-	-
Total Revenue		19,855	18,735	18,735	18,300
Annual Balance (Shortfall)		(77,973)	(77,128)	(77,128)	18,300
Beginning Fund Balance		-	-	-	(77,128)
Ending Fund Balance		(77,973)	(77,128)	(77,128)	(58,828)
Cash Balance @6/30		167,382.00	83,370.66	87,370.66	105,670.66

City of Clayton
Community Gym Fund 701
Proposed Budget 2013/14

Account Number	Account Name	2011-12 Actual	2012-13 Adopted Budget	2012-13 Actual 6/21/2013	2012-13 Projected 6/30/2013	2013-14 Proposed Budget
7112	Temporary Help	18	-		-	-
7419	User Expenses	-	24,000	-	-	24,000
	Total Expenses	18	24,000	-	-	24,000

5699	User Fees					-
5601	Interest					-
5606	Unrealized Inv. Gain/Loss					-
2110	User Deposit		24,000	24,000	24,000	24,000
	Total Revenue	-	24,000	24,000	24,000	24,000
	Annual Balance (Shortfall)	(18)	-	24,000	24,000	-
	Beginning Fund Balance	32,489	32,471	32,471	32,471	56,471
	Ending Fund Balance	32,471	32,471	56,471	56,471	56,471

Endeavor Hall Fund 702
Proposed Budget 2013/14

Account Number	Account Name	2011-12 Actual	2012-13 Adopted Budget	2012-13 Actual 6/25/2013	2012-13 Projected 6/30/2013	2013-14 Proposed Budget
7111	Salaries/Regular	7,065	7,052	5,102	5,495	5,495
7112	Temporary Salaries					
7114	Attendant					1,872
7116	Part-time salaries	1,454	1,419	1,155	1,355	1,400
7218	LTD Insurance	49	60	34	34	43
7220	PERS Retirement	1,681	1,795	1,106	1,217	1,288
7231	Workers Comp Insurance		200	134	190	283
7232	Unemployment Insurance	191	75	75	75	151
7233	FICA and Medicare	126	168	99	117	268
7246	Benefit Insurance	1,605	1,641	930	862	1,035
7311	General Supplies	588	700	515	500	700
7332	Telecommunications	706	702	660	702	702
7335	Gas & Electric Serv.	2,324	2,250	1,886	2,250	2,250
7338	Water Service	876	1,100	713	900	900
7341	Buildings & Grounds Mtn	4,305	4,248	4,216	4,409	5,048
7346	HVAC Mtn & Repairs	2,462	2,500	1,212	1,459	1,500
7361	Advertising	1,241	3,493	2,717	3,493	4,603
7417	Janitorial Services	758	1,100	821	1,100	1,100
	Total Expenses	25,431	28,503	21,375	24,156	28,639
5607	Rental Income	18,629	20,500	14,168	14,168	15,000
5601	Interest	-	-	-	-	-
5606	Unrealized Inv. Gain/Loss					
5611	Reserve for Endeavor Hall	(2,335)	775	60	(1,500)	775
5699	Facility User Fees					
6025	Transfer from Dev Impact Fund		-			
	Total Revenue	16,294	21,275	14,228	12,668	15,775
	Annual Balance (Shortfall)	(9,137)	(7,228)	(7,147)	(11,488)	(12,864)

City of Clayton
Clayton Financing Authority Fund 405
Proposed Budget 2012-13

Account Number	Account Name	2011-12 Actual 6/30/2012	2012-13 Adopted Budget	2012-13 Actual 6/30/2013	2012-13 Projected 6/30/2013	2013-14 Proposed Budget
8103	Transfer to Streetlights					
8104	Transfer to Measure C					
8106	Transfer to RDA Debt					
8111	Transfer to CIP Fund				90,000	
8112	Transfer to Endeavor Hall					
8114	Transfer to GHAD					
	Total	-	-	-	90,000	-

Revenue

5601	Interest Income	17,877	5,000	16,582	16,582	4,000
5801	Proceeds from Sale of Assets		-	-	-	-
5606	Unrealized Investment Gain/Loss GASB31	(5,934)	-	-	-	-
	Total Revenue	11,943	5,000	16,582	16,582	4,000
	Annual Balance (Shortfall)	11,943	5,000	16,582	(73,418)	4,000
	Beginning Fund Balance	778,057	790,000	790,000	790,000	716,582
	Ending Fund Balance	790,000	795,000	806,582	716,582	720,582

FIDUCIARY FUNDS

City of Clayton
High Street Bridge Fund 217
Proposed Budget 13/14

Account Number	Account Name	2011-12 Actual	2012-13 Adopted Budget	2012-13 Actual 6/21/2013	2012-13 Projected 6/30/2013	2013-14 Proposed Budget
7381	Property Tax Admin Cost	254	140	242	254	254
2103	Property Taxes		2,131	-	2,131	2,131
Total Expenses		254	2,271	242	2,385	2,385
Revenue						
4611	High Street Bridge Assessment	1,939	4,370	4,152	4,370	4,370
Total Revenue		1,939	4,370	4,152	4,370	4,370
Annual Balance (Shortfall)		1,685	2,099	3,910	1,985	1,985
Beginning Fund Balance		(16,380)	(14,695)	(14,695)	(14,695)	(12,710)
Ending Fund Balance		(14,695)	(12,596)	(10,785)	(12,710)	(10,725)
Bridge Maintenance Fund \$300/yr		300	300		300	300
Due to RDA		(10,795)				(10,425)

City of Clayton
Oak Street Bridge Fund 218
Proposed Budget 13/14

Account Number	Account Name	2011-12 Actual	2012-13 Adopted Budget	2012-13 Actual 6/21/2013	2012-13 Projected 6/30/2013	2013-14 Proposed Budget
7381	Property Tax Admin Cost	258	258	245	258	258
7420	Other Outside Services	399	399	399	399	399
	Total Expenses	657	657	644	657	657

4611 Oak Street Bridge Assessment
5601 Interest Income
5606 Unrealized Investment Gain/Loss
Total Revenue

4,550	5,843	5,843	5,843	5,843
-	-	-	-	-
-				
4,550	5,843	5,843	5,843	5,843
3,893	5,186	5,199	5,186	5,186
(49,577)	(45,684)	(45,684)	(45,684)	(40,498)
(45,684)	(40,498)	(40,485)	(40,498)	(35,312)

Annual Balance (Shortfall)
Beginning Fund Balance
Ending Fund Balance

City of Clayton
Lydia Lane Sewer Assessment Fund 222
Proposed Budget 13/14

Account Number	Account Name	2011-12 Actual	2012-13 Adopted Budget	2012-13 Actual 6/21/2013	2012-13 Projected 6/30/2013	2013-14 Proposed Budget
7381	Property Tax Admin Cost	264	264	250	264	264
7420	Other Outside Services	2,400	2,400	2,400	2,400	2,400
7611	Principal	5,000	5,000	5,000	5,000	5,000
7612	Interest Payment	11,450	11,750	11,150	11,750	11,750
7613	Paying Agent Fees	500	500	500	500	500
	Total Expenses	19,613	19,914	19,300	19,914	19,914
4612	Lydia Lane Sewer Assessment	18,700	19,000	17,480	19,000	19,000
5601	Interest	1,737	1,000	760	760	1,000
5606	Unrealized Investment Gain/Loss					
	Total Revenue	20,437	20,000	18,240	19,760	20,000
	Annual Balance (Shortfall)	823	86	(1,060)	(154)	86
	Beginning Fund Balance	86,526	87,350	87,350	87,350	87,196
	Ending Fund Balance	87,350	87,436	86,290	87,196	87,282

City of Clayton
Oak Street Sewer Assessment Fund 223
Proposed Budget 13/14

Account Number	Account Name	2011-12 Actual	2012-13 Adopted Budget	2012-13 Actual 6/21/2013	2012-13 Projected 6/30/2013	2013-14 Proposed Budget
7381	Property Tax Admin Cost	259	143	246	259	259
7420	Other Outside Services	1,650	1,650	1,650	1,650	1,650
7611	Principal	-	7,000	-	7,000	7,000
7612	Interest Payment	-	4,140	-	4,350	4,350
	Total Expenses	1,909	12,933	1,896	13,259	13,259
4612	Oak Street Sewer Assessment	12,790	13,000	11,951	13,000	13,000
5601	Interest	97	-	193	-	-
5605	Unrealized Inv. Gain/Loss			-	-	-
	Total Revenue	12,887	13,000	12,145	13,000	13,000
	Annual Balance (Shortfall)	10,978	67	10,248	(259)	(259)
	Beginning Fund Balance	(2,520)	8,458	8,458	8,458	8,199
	Ending Fund Balance	8,458	8,526	18,706	8,199	7,940

City of Clayton
Development Impact Fund 304
Proposed Budget 2013-14

Account Number	Account Name	2011-12 Actual	2012-13 Adopted Budget	2012-13 Actual 6/30/2013	2012-13 Projected 6/30/2013	2013-14 Proposed Budget
Revenue						
5307	Childcare Facility Fees	3,486	1,435	1,435	1,435	-
5312	Open Space In-Lieu Fee	187,259	77,106	77,106	77,106	-
5313	Parkland Dedication Fee	-	-	-	-	-
5314	Offsite Arterial Improvement Fees	24,752	10,192	10,192	10,192	-
5317	Fire Protection Fee	5,100	2,100	2,100	2,100	-
5323	Community Facilities Fees	7,650	3,150	3,150	3,150	-
5325	Police Impact Fee	28,404	11,698	11,698	11,698	-
5601	Interest Income	13,439	5,000	16,589	16,589	10,000
6003	Transfer from CIP	-	-	-	-	-
6010	Transfer from Oakhurst Fund 410	-	-	-	-	-
5606	Unrealized Investment Gain/Loss GASB31	(2,998)	-	-	-	-
	Total Revenue	267,091	110,681	122,270	122,270	10,000
Annual Balance (Shortfall)						
	Unreserved/Designated Fund Balance	48,508	-	-	-	-
Unallocated Interest Revenue						
	Unallocated Interest Revenue		5,000	16,589	16,589	10,000
	Parkland Dedication Fund Balance	58,415	58,415	58,415	58,415	58,415
	Offsite Arterial Improvement Fund Balance	142,882	142,882	153,074	153,074	153,074
	Fire Protection Fund Balance	-	-	2,100	2,100	2,100
	Community Facilities Fund Balance	5,551	5,551	3,150	3,150	3,150
	Childcare Fee Fund Balance	36,962	36,962	38,397	38,397	38,397
	Sewer Impact Fee Fund Balance	(64,475)	(64,475)	(64,475)	(66,756)	(69,037)
	Police Impact Fee Fund Balance	26,412	26,412	38,110	38,110	38,110
	Open Space In-Lieu Fee Fund Balance	45,930	44,170	123,036	123,036	123,036
	Ending Fund Balance	251,677	254,917	368,396	366,115	373,834

City of Clayton
Middle School CFD 1990-1 Fund 420
Proposed Budget 13/14

Account Number	Account Name	2011-12 Actual	2012-13 Adopted Budget	2012-13 Actual 6/21/2013	2012-13 Projected 6/30/2013	2013-14 Proposed Budget
7381	Property Tax Admin Cost	1,404	1,282	1,334	1,334	1,334
7419	Other Prof. Services	8,552	8,443	8,629	8,443	8,802
7420	Other Outside Services	16,452	16,452	16,452	16,452	16,452
7611	Principal	431,000	230,000	246,000	246,000	246,000
7612	Interest Payment	261,128	239,115	239,115	239,115	239,115
7613	Paying Agent Fees	578	578	578	578	578
7615	Property Taxes	603	603	603	603	603
8118	Transfer to CFA 2007 Middle School	920,898	-	857,361	-	407,541
	Total Expenses	1,640,615	496,473	1,370,071	512,525	920,425

4609	Middle School CFD 1990-1 Assessment	476,031	548,185	433,948	548,185	548,185
5601	Interest Income	282,951				-
5606	Unrealized Investment Gain/Loss		-	-	-	-
6026	Transfer from CFA 2007	-	-	-	-	407,541
	Total Revenue	758,982	548,185	433,948	548,185	955,726
	Annual Balance (Shortfall)	(881,633)	51,712	(936,123)	35,660	35,301
	Beginning Fund Balance	5,029,295	4,147,662	4,147,662	4,147,662	4,183,322
	Ending Fund Balance	4,147,662	4,199,373	3,211,539	4,183,322	4,218,622

	NBS					
7419	CFD Admin Fees	8,423	8,154	8,443	8,443	8,552
7419	Delinquency Management Services		-		250	250
7613	US Bank Paying Agent Fees	578	578	578	578	578

City of Clayton
Clayton Station CFD 1990-2 Fund 421
Proposed Budget 13/14

Account Number	Account Name	2011-12 Actual	2012-13 Adopted Budget	2012-13 Actual 6/21/2013	2012-13 Projected 6/30/2013	2013-14 Proposed Budget
7381	Property Tax Admin Cost	253	241	253	253	253
7419	Other Prof. Services	4,046	4,046	4,122	4,122	4,138
7420	Other Outside Services	13,303	13,303	13,303	13,303	8,000
7611	Principal	92,000	98,000	98,000	98,000	98,000
7612	Interest Payment	28,969	23,364	23,364	23,364	23,364
	Total Expenses	138,571	138,954	139,042	139,042	133,755
4610	Clayton Station CFD Assessment	141,893	141,230	150,267	150,267	141,230
5601	Interest	2,937	2,000	634	634	400
5606	Unrealized Investment Gain/Loss		-	-		
	Total Revenue	144,830	143,230	150,901	150,901	141,630
	Annual Balance (Shortfall)	6,259	4,276	11,858	11,859	7,875
	Beginning Fund Balance	319,314	325,573	325,573	325,573	325,573
	Ending Fund Balance	325,573	329,849	337,431	337,432	333,448
7419	NBS	3,949	3,962	4,046	4,046	4,138

City of Clayton
CFA 2007 Middle School Refunding Fund 422
Proposed Budget 13/14

Account Number	Account Name	2011-12 Actual	2012-13 Adopted Budget	2012-13 Actual 6/21/2013	2012-13 Projected 6/30/2013	2013-14 Proposed Budget
7419	Other Prof. Services	4,523	2,805	2,831	2,831	2,805
7611	Principal	475,000	285,000	-	285,000	295,000
7612	Interest Payment	157,423	157,423	-	157,423	147,273
7613	Paying Agent Fees	2,271	2,200	2,200	2,200	2,271
	Total Expenses	639,217	447,428	5,031	447,454	447,349
5606	Unrealized Investment Gain/Loss		-	-	-	-
5601	Interest Income	-	-	3,238	3,238	-
6014	Transfer from CFD 1990-1	920,898	442,273	857,361	857,361	442,273
	Total Revenue	920,898	442,273	860,599	860,599	442,273
	Annual Balance (Shortfall)	281,682	(5,155)	855,568	413,146	(5,076)
	Beginning Fund Balance	(81,850)	199,832	199,832	199,832	612,977
	Ending Fund Balance	199,832	194,677	1,055,400	612,977	607,902
7419	NBS					
	Continuing Disclosure Reporting	2,805	1,605	1,631	1,631	1,605
	Arbitrage Rebate Calculation	1718	1,200	1,200	1,200	1,200
	Total	4,523	2,805	2,831	2,831	2,805
		4,523	2,805	2,831	2,831	2,805

City of Clayton

Successor Agency ROPS Budget 2013-14

Item#	Debt Obligation Description	Payee	Description/Scope of Work	Total Outstanding	Total Due July-Dec 2013	Total Due Jan-June 2014	Total Due 2013-14
1	1996 Tax Allocation Bond	US Bank	Bonds issued for non-housing projects	292,351.00	6,181.25	6,181.25	12,362.50
2	1999 Tax Allocation Bond	US Bank	Bonds issued for non-housing projects	5,619,119.00	409,780.00	107,773.75	517,553.75
3	Contract for Consulting Svc	US Bank	Paying Agent Fees	5,365.00	5,365.00	2,625.00	7,990.00
4	Successor Agency Functions	City of Clayton	Expenses for Successor Agency Operation	125,000.00	125,000.00	125,000.00	250,000.00
5	Contract for Consulting Svc	Ranney Planning	Housing Element Implementation	50,000.00	-	-	-
6	Contract for Consulting Svc	NBS	RDA Arbitrage Reporting	3,900.00	2,400.00	1,200.00	3,600.00
7	City Loan Entered 6/17/99	City of Clayton	City loan entered 6/17/99 for Fire Station	475,000.00	-	-	-
8	City Loan Entered 6/16/10	City of Clayton	City loan entered 6/16/10 -2% Election	376,423.96	-	-	-
9	City Loan Entered 10/1/01	Diamond Terrace	Sr. Housing facility Loan	200,000.00	200,000.00	-	200,000.00
TOTAL AMOUNT DUE AGENCY				7,147,158.96	748,726.25	242,780.00	991,506.25

CITY OF CLAYTON

2013/14 – 2017/18

Capital Improvement Program

Adopted by the City Council on

Clayton, CA

July XX, 2013

Resolution No. XX-2013

City Council

Julie K. Pierce, Mayor

Hank Stratford, Vice-Mayor

David T. Shuey

Howard Geller

James Diaz

Staff

Gary Napper

Rick Angrisani

Charlie Mullen

Laci Jackson

Merry Pelletier

City Manager

City Engineer

Community Development Director

City Clerk

Finance Manager

CITY OF CLAYTON
2013/14 – 2017/18 CAPITAL IMPROVEMENT PROGRAM

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**CITY OF CLAYTON
CAPITAL IMPROVEMENT PROGRAM FY 2013/14 to 2017/18**

Budget Cost by Funding Source - FY 2014/15

Fund Name		Carry Forward	Gas Tax	Fed. Funds ARRA	Measure J	Community Fac. Fee	Offsite Arterial Fee	PG&E Rule 20A	14/15 Project Totals
Fund Balance as of 6/30/14									
Estimated Revenue thru FY 14/15			\$ 116,000	\$ -	\$ 205,000	\$ 5,124	\$ 73,458	\$ -	
Estimated non-CIP Expenses in FY 14/15			\$ -	\$ -	\$ -	\$ -	\$ -	\$ 21,000	
Funds Available for CIP in FY 14/15			\$ 116,000	\$ -	\$ 205,000	\$ 5,124	\$ 73,458	\$ 21,000	
#	Category Project								
10337A	Facilities Keller House Rehabilitation	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10343	GHAD Crow Debris Basin	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10347A	GHAD Eagle Peak Slope Repairs	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10348	GHAD Keller Ridge Drive Area Slope Repair	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10349	GHAD Community Park Slide Repair	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10361	Facilities Stanley Property	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10370	Creeks Creek Revitalization	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10375	Parks Samuel Ct. Park	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10379	Streets Pine Hollow Road - Upgrade	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10393	Parks Skateboard Park	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10394A	Streets ADA Compliance Program	22,190	6,000	\$ -	\$ -	\$ -	\$ -	\$ -	6,000
10395	Streets Catch Basin Modifications	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10396	Streets East Marsh Creek Road Signal	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10397	Streets Utility Undergrounding	257,469	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 21,000	\$ 21,000
10400	Other Downtown Economic Development	125,738	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10417	Streets 2013 Neighborhood Street Project	1,195,839	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10418	Streets 2014 Neighborhood Street Project	45,822	110,000	\$ -	205,000	\$ -	\$ -	\$ -	315,000
10419	Parks Community Park Lighting, etc.	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10421	Creeks Cardinet Trail Restoration	50,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10423	Facilities Library Upgrades	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10424	Streets 2015 Neighborhood Street Project	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10425	Streets Collector Street Rehabilitation Project	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10426	Facilities City Hall Parking Area Rehabilitation	45,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10427	Facilities Library Parking Lot Rehabilitation	75,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10428	Facilities Lydia Lane Park Parking Rehabilitation	20,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10429	Facilities 2012 Trail Repaving Project	50,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10432	Streets 2016 Neighborhood Street Project	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10433	Streets DVMS Safety Signing	40,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total CIP Expenditures in FY 14/15		\$ -	\$ 116,000	\$ -	\$ 205,000	\$ -	\$ -	\$ 21,000	\$ 342,000
Fund Balance as of June 30, 2015		\$ -	\$ -	\$ -	\$ -	\$ 5,124	\$ 73,458	\$ -	\$ -

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

CITY OF CLAYTON
CAPITAL IMPROVEMENT PROGRAM FY 2013/14 to 2017/18

Completed and Active Projects - FY 98/99 thru 12/13

Project Number	Project Category	Project	Comp. Sched.	Comp. Actual	Original Budget	Actual Cost
10330	Streets	Overlays	99/00	99/00	\$ 570,000.00	\$ 514,000.00
10331	Streets	Slurry Seals	na	na	\$	included in 10330
10332	Streets	High Street Bridge	98/99	98/99	\$ 65,000.00	\$ 65,000.00
10333	Streets	Marsh Creek Road - TEA-21	99/00	02/03	\$ 1,300,000.00	\$ 1,300,000.00
10334	Parks	Community Dog Park	99/00	00/01	\$ 27,500.00	\$ 27,500.00
10335	Parks	El Molino Park	98/99	98/99	\$ 76,000.00	\$ 30,000.00
10336	Parks	Lydia Lane Park Ph. II	10/11	10/11	\$ 40,000.00	\$ 48,814.00
10337	Facilities	Keller House Preservation	05/06	05/06	\$ 219,523.00	\$ 219,523.00
10337A	Facilities	Keller House Rehabilitation	future		\$ 1,780,477.00	
10338	Facilities	Endeavor Hall	00/01	00/01	\$ 1,500,000.00	\$ 1,450,000.00
10339	Facilities	Youth Center/Gym	01/02	02/03	\$ 4,900,000.00	\$ 4,900,000.00
10340	Landscape	Marsh Creek Road Landscape	98/99	98/99	\$ 630,000.00	\$ 400,000.00
10341	Streets	Center Street Crossing	99/00	00/01	\$ 172,000.00	\$ 172,000.00
10342	GHAD	Windmill Debris Basin	98/99	98/99	\$ 75,000.00	\$ 75,000.00
10343	GHAD	Crow Debris Basin	future		\$ 100,000.00	
10344	GHAD	Obsidian Landslide	02/03	04/05	\$	included in 10347
10345	GHAD	Clayton Rd. Landslides	99/00	00/01	\$ 1,315,000.00	\$ 1,240,000.00
10346	GHAD	Black Diamond Landslide**	na	na	\$	
10347	GHAD	V-ditch Repairs	02/03	04/05	\$ 150,000.00	\$ 144,063.00
10347A	GHAD	Eagle Peak Slope Repair	future		\$ 1,125,000.00	
10348	GHAD	Keller Ridge Drive Area Slope Repair	future		\$ 50,000.00	
10349	GHAD	Community Park Slide Repair	future		\$ 100,000.00	
10350	Facilities	Downtown Elec. Conn.	99/00	99/00	\$ 25,000.00	\$ 40,000.00
10351	Facilities	Fire Station	00/01	00/01	\$ 1,680,000.00	\$ 1,610,000.00
10352	Landscape	Library Landscaping	00/01	02/03	\$ 157,000.00	\$ 194,000.00
10353	Streets	Downtown Revitalization	00/01	01/02	\$ 2,000,000.00	\$ 3,003,500.00
10354	Streets	Four Oaks Area	01/02	01/02	\$ 175,000.00	\$ 237,700.00
10355	Streets	Oak Street Bridge	00/01	00/01	\$ 60,000.00	\$ 62,000.00
10356	Landscape	Westwood Open Space	01/02	01/02	\$ 205,000.00	\$ 166,000.00
10357	Facilities	Old City Hall Renovation	98/99	98/99	\$ 80,000.00	\$ 72,000.00
10358	Facilities	Grove Property Acquisition	99/00	99/00	\$ 500,000.00	\$ 500,000.00
10359	Facilities	Endeavor Hall Parking I	00/01	01/02	\$ 107,000.00	\$ 108,000.00
10360	Facilities	Endeavor Hall Parking II	07/08	07/08	\$ 150,000.00	\$ 165,500.76
10361	Facilities	Stanley Property Acquisition	future		\$ 325,000.00	
10362	Facilities	Stanley Property Parking**	future		\$	
10363	Facilities	Corp. Yard Expansion	99/00	03/04	\$ 483,000.00	\$ 589,720.00
10364	Streets	Downtown Signage**	na	na	\$	
10365	Facilities	Library Parking Expansion	00/01	01/02	\$	included in 10352
10366	Facilities	Police Parking Expansion	01/02	03/04	\$	included in 10363
10367	Parks	Downtown Park	07/08	07/08	\$ 1,387,018.00	\$ 2,100,000.00
10368	Parks	City Hall Park**	na	na	\$	
10369	Streets	Marsh Creek Road Narrowing**	na	na	\$	
10370	Creeks	Creek Revitalization	future		\$ 3,000,000.00	
10371	Streets	Survey Monuments	02/03	04/05	\$ 30,000.00	\$ 30,000.00
10372	Streets	Traffic Signal Modifications	99/00	00/01	\$ 10,000.00	\$ 9,900.00
10373	Streets	Peacock Creek Dr. Signal	01/02	02/03	\$ 175,000.00	\$ 155,000.00
10374	Parks	North Valley Park	99/00	00/01	\$ 50,000.00	\$ 45,000.00
10375	Parks	Samuel Ct. Park	future		\$ 75,000.00	
10376	Facilities	Equestrian Staging Area	99/00	01/02	\$ 140,000.00	\$ 140,000.00
10377	Streets	DVMS - Right Turn Lane	01/02	01/02	\$ 42,000.00	\$ 51,100.00
10378	Streets	Keller Ridge Drive Planters	99/00	00/01	\$ 100,000.00	\$ 100,000.00
10379	Streets	Pine Hollow Road - Upgrade	future		\$ 300,000.00	
10380	Parks	Community Park - Rt. Turn Lane**	na	na	\$	
10381	Parks	Bocce Ball Courts	05/06		\$ 100,000.00	\$ 43,431.00
10382	GHAD	Inclinometers	00/01	00/01	\$ 60,000.00	\$ 50,000.00
10383	GHAD	Keller Drive Subdrain	99/00	99/00	\$ 5,000.00	\$ 5,000.00
10384	Streets	Mitchell Canyon Rd. Overlay	00/01	04/05	\$ 145,000.00	\$ 125,000.00
10385	Parks	Community Park Tot Lot Upgrade	02/03	04/05	\$ 75,000.00	\$ 112,496.00
10386	GHAD	Wells (cancelled)	na	na	\$	

Completed and Active Projects - FY 98/99 thru 12/13

Project Number	Project Category	Project	Comp. Sched.	Comp. Actual	Original Budget	Actual Cost
10387	Streets	Pavement Rehab 2002/03	02/03	02/03	\$ 1,000,000.00	\$ 994,000.00
10388	Streets	Pavement Rehab 2003/04**	na	na	\$ -	\$ -
10389	Streets	Pavement Rehab 2004	04/05	04/05	\$ 525,000.00	\$ 557,650.00
10390	Streets	Pavement Rehab 2005**	na	na	\$ 88,000.00	\$ -
10391	Streets	Pavement Rehab 2006	06/07		\$ 1,188,000.00	\$ 1,119,052.00
10392	Sewers	Oak - High Street	02/03	03/04	\$ 320,000.00	\$ 384,718.00
10393	Parks	Skateboard Park	future		\$ 300,000.00	
10394	Streets	Handicap Ramps - RDA Area	05/06	05/06	\$ 65,000.00	\$ 60,132.00
10394A	Streets	ADA Compliance Program	future		\$ 135,000.00	
10395	Streets	Catch Basin Modifications	future		\$ 75,000.00	
10396	Streets	East Marsh Creek Road Signal	future		\$ 230,000.00	
10397	Streets	Utility Undergrounding	future		\$ 3,000,000.00	
10398	Streets	Clayton Rd. MCR Slurry Seal	05/06	05/06	\$ 321,000.00	\$ 235,456.00
10399	Sewers	Pine Hollow Area	future	05/06	\$ 40,000.00	\$ 141,596.00
10400	Other	Downtown Economic Development	future		\$ 125,738.00	
10400A	Other	Town Center Property Purchase	11/12	11/12	\$ 1,040,843.00	\$ 1,040,843.00
10401	Streets	Pedestrian Xing Signals**	05/06	na	\$ 200,000.00	\$ -
10402	Streets	Clayton Road Trail Connection	07/08	09/10	\$ 100,000.00	\$ 264,879.00
10403	Streets	Downtown Entry Signs (in 10402)	07/08	09/10	\$ 50,000.00	\$ -
10404	Streets	Marsh Creek Rd. Retaining Wall	07/08	08/09	\$ 320,000.00	\$ 319,980.17
10405	Streets	2007 Pavement Patching Project	07/08	07/08	\$ 91,327.00	\$ 128,684.22
10406	Streets	2008 Pavement Rehab Project	08/09	08/09	\$ 864,090.00	\$ 1,060,427.68
10407	Parks	Community Park Upgrades	07/08	07/08	\$ 420,000.00	\$ 465,000.00
10408	Streets	2009 Pavement Rehab Project**	09/10	09/10	\$ 402,000.00	\$ -
10409	Streets	2010 Pavement Rehab Project	10/11	10/11	\$ 842,000.00	
10410	Streets	2011 Neighborhood Street Project**	11/12		\$ -	
10411	Streets	2012 Neighborhood Street Project**	12/13		\$ -	
10412	Streets	2009 Arterial Overlay Project	09/10		\$ 575,000.00	\$ 513,460.00
10413	Parks	Community Park Parking Lot Expansion	10/11	11/12	\$ 850,000.00	\$ 1,056,717.00
10414	Streets	East Marsh Creek Rd. Upgrade	14/15		\$ 1,081,000.00	
10415	Parks	Well Renovation	09/10	09/10	\$ 25,000.00	\$ 23,895.00
10416	Streets	Marsh Creek Rd. (old) Overlay	10/11	10/11	\$ 430,300.00	\$ 378,889.40
10417	Streets	2013 Neighborhood Street Project	14/15		\$ 315,000.00	
10418	Streets	2014 Neighborhood Street Project	14/15		\$ 315,000.00	
10419	Parks	Community Park Lighting, etc.	future		\$ 4,084,000.00	
10420	Parks	School Bridge Area Improvements	future		\$ 200,000.00	
10421	Creeks	Cardinal Trail Restoration	13/14		\$ 50,000.00	
10422	Sewers	El Molino Drive Sanitary Sewer Impr.	future		\$ 330,000.00	
10423	Facilities	Library Upgrades	future		\$ 1,000,000.00	
10424	Streets	2015 Neighborhood Street Project	15/16		\$ 315,000.00	
10425	Streets	Collector Street Rehabilitation Project	14/15		\$ 361,438.00	
10426	Facilities	City Hall Parking Area Rehabilitation	14/15		\$ 27,000.00	
10427	Facilities	Library Parking Lot Rehabilitation	14/15		\$ 51,000.00	
10428	Facilities	Lydia Lane Park Parking Rehabilitation	14/15		\$ 11,000.00	
10429	Facilities	2012 Trail Repaving Project	14/15		\$ 50,000.00	
10430	Landscape	Clayton Road Median Landscaping	11/12	11/12	\$ 320,000.00	\$ 304,173.78
10431	Landscape	Daffodil Hill Landscaping	11/12	11/12	\$ 50,000.00	\$ 47,500.00
10432	Streets	2016 Neighborhood Street Project	16/17		\$ 315,000.00	
10433	Streets	DVMS Safety Signing	13/14		\$ 40,000.00	
Total Project Costs (budget) (actual)					\$ 48,375,254.00	\$ 29,398,301.01

Red denotes completed projects

Green denotes FY 13-14 active projects

**Deleted by City Council

CITY OF CLAYTON
CAPITAL IMPROVEMENT PROGRAM FY 2012/13 to 2016/17

Summary of Project Costs by Fiscal Year

* Deleted by City Council

Project Number	Project Category	Project Description	Prior Year Funding	FY 2013/14	FY 2014/15	FY 2015/16	FY 2016/17	FY 2017/18	Future Costs	Total Budget
10330	Streets	Overlays	\$ 514,000.00	\$	\$	\$	\$	\$	\$	\$ 514,000.00
10331	Streets	Slurry Seals	\$	\$	\$	\$	\$	\$	\$	\$
10332	Streets	High Street Bridge	\$ 65,000.00	\$	\$	\$	\$	\$	\$	\$ 65,000.00
10333	Streets	Marsh Creek Road - TEA-21	\$ 1,300,000.00	\$	\$	\$	\$	\$	\$	\$ 1,300,000.00
10334	Parks	Community Dog Park	\$ 27,500.00	\$	\$	\$	\$	\$	\$	\$ 27,500.00
10335	Parks	El Molino Park	\$ 30,000.00	\$	\$	\$	\$	\$	\$	\$ 30,000.00
10336	Parks	Lydia Lane Park Ph. II	\$ 48,814.00	\$	\$	\$	\$	\$	\$	\$ 48,814.00
10337	Facilities	Keller House Preservation	\$ 219,523.00	\$	\$	\$	\$	\$	\$	\$ 219,523.00
1037A	Facilities	Keller House Rehabilitation	\$	\$	\$	\$	\$	\$	\$ 2,000,000.00	\$ 2,000,000.00
10338	Facilities	Endeavor Hall	\$ 1,450,000.00	\$	\$	\$	\$	\$	\$	\$ 1,450,000.00
10339	Facilities	Youth Center/Gym	\$ 4,900,000.00	\$	\$	\$	\$	\$	\$	\$ 4,900,000.00
10340	Landscape	Marsh Creek Road Landscape	\$ 400,000.00	\$	\$	\$	\$	\$	\$	\$ 400,000.00
10341	Streets	Center Street Crossing	\$ 172,000.00	\$	\$	\$	\$	\$	\$	\$ 172,000.00
10342	GHAD	Windmill Debris Basin	\$ 75,000.00	\$	\$	\$	\$	\$	\$	\$ 75,000.00
10343	GHAD	Crow Debris Basin	\$	\$	\$	\$	\$	\$	\$	\$
10344	GHAD	Obsidian Landslide (in 10347)	\$	\$	\$	\$	\$	\$	\$	\$
10345	GHAD	Clayton Rd. Landslides	\$ 1,240,000.00	\$	\$	\$	\$	\$	\$	\$ 1,240,000.00
10346	GHAD	Black Diamond Landslide**	\$	\$	\$	\$	\$	\$	\$	\$
10347	GHAD	V-ditch Repairs	\$ 144,063.00	\$	\$	\$	\$	\$	\$	\$ 144,063.00
10347A	GHAD	Eagle Peak Slope Repair	\$	\$	\$	\$	\$	\$	\$ 1,250,000.00	\$ 1,250,000.00
10348	GHAD	Keller Ridge Drive Area Slope Repair	\$	\$	\$	\$	\$	\$	\$ 60,000.00	\$ 60,000.00
10349	GHAD	Community Park Slope Repair	\$	\$	\$	\$	\$	\$	\$ 110,000.00	\$ 110,000.00
10350	Facilities	Downtown Elec. Com.	\$ 40,000.00	\$	\$	\$	\$	\$	\$	\$ 40,000.00
10351	Facilities	Fire Station	\$ 1,610,000.00	\$	\$	\$	\$	\$	\$	\$ 1,610,000.00
10352	Landscape	Library Landscaping	\$ 194,000.00	\$	\$	\$	\$	\$	\$	\$ 194,000.00
10353	Streets	Downtown Revitalization	\$ 3,003,500.00	\$	\$	\$	\$	\$	\$	\$ 3,003,500.00
10354	Streets	Four Oaks Area	\$ 237,700.00	\$	\$	\$	\$	\$	\$	\$ 237,700.00
10355	Streets	Oak Street Bridge	\$ 62,000.00	\$	\$	\$	\$	\$	\$	\$ 62,000.00
10356	Landscape	Westwood Open Space	\$ 166,000.00	\$	\$	\$	\$	\$	\$	\$ 166,000.00
10357	Facilities	Old City Hall Renovation	\$ 72,000.00	\$	\$	\$	\$	\$	\$	\$ 72,000.00
10358	Facilities	Grove Property Acquisition	\$ 500,000.00	\$	\$	\$	\$	\$	\$	\$ 500,000.00
10359	Facilities	Endeavor Hall Parking I	\$ 108,000.00	\$	\$	\$	\$	\$	\$	\$ 108,000.00
10360	Facilities	Endeavor Hall Parking II	\$ 165,500.76	\$	\$	\$	\$	\$	\$	\$ 165,500.76
10361	Facilities	Stanley Property	\$	\$	\$	\$	\$	\$	\$ 350,000.00	\$ 350,000.00
10362	Facilities	Stanley Property Parking**	\$	\$	\$	\$	\$	\$	\$	\$
10363	Facilities	Corp. Yard Expansion	\$ 598,720.00	\$	\$	\$	\$	\$	\$	\$ 598,720.00
10364	Streets	Downtown Signage*	\$	\$	\$	\$	\$	\$	\$	\$
10365	Facilities	Library Parking Expansion	\$	\$	\$	\$	\$	\$	\$	\$
10366	Facilities	Police Parking Expansion	\$	\$	\$	\$	\$	\$	\$	\$
10367	Parks	Downtown Park	\$ 2,009,700.00	\$	\$	\$	\$	\$	\$	\$ 2,009,700.00
10368	Parks	City Hall Park**	\$	\$	\$	\$	\$	\$	\$	\$
10369	Streets	Marsh Creek Road Narrowing**	\$	\$	\$	\$	\$	\$	\$	\$
10370	Streets	Creek Revitalization	\$	\$	\$	\$	\$	\$	\$ 3,000,000.00	\$ 3,000,000.00
10371	Streets	Survey Monuments	\$ 30,000.00	\$	\$	\$	\$	\$	\$	\$ 30,000.00
10372	Streets	Traffic Signal Modifications	\$ 9,900.00	\$	\$	\$	\$	\$	\$	\$ 9,900.00
10373	Streets	Peacock Creek Dr. Signal	\$ 155,000.00	\$	\$	\$	\$	\$	\$	\$ 155,000.00
10374	Parks	North Valley Park	\$ 45,000.00	\$	\$	\$	\$	\$	\$	\$ 45,000.00
10375	Parks	Samuel Ct. Park	\$	\$	\$	\$	\$	\$	\$ 85,000.00	\$ 85,000.00
10376	Facilities	Equestrian Staging Area	\$ 140,000.00	\$	\$	\$	\$	\$	\$	\$ 140,000.00
10377	Streets	DVMS - Right Turn Lane	\$ 51,100.00	\$	\$	\$	\$	\$	\$	\$ 51,100.00
10378	Streets	Keller Ridge Drive Planters	\$ 100,000.00	\$	\$	\$	\$	\$	\$	\$ 100,000.00

Summary of Project Costs by Fiscal Year

Project Number	Project Category	Project Description	Prior Year Funding	FY 2013/14	FY 2014/15	FY 2015/16	FY 2016/17	FY 2017/18	Future Costs	Total Budget
10379	Streets	Pine Hollow Road - Upgrade	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 325,000.00	\$ 325,000.00
10380	Parks	Community Park - Rt. Turn Lane**	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10381	Parks	Booce Ball Courts	\$ 43,431.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 43,431.00
10382	GHAD	Inclinometers	\$ 50,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 50,000.00
10383	GHAD	Keller Ridge Drive Subdrain	\$ 5,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 5,000.00
10384	Streets	Mitchell Canyon Rd. Overlay	\$ 125,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 125,000.00
10385	Parks	Community Park Tot Lot Upgrade	\$ 112,496.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 112,496.00
10386	GHAD	Walls***	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10387	Streets	Pavement Rehab 2002/03	\$ 994,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 994,000.00
10388	Streets	Pavement Rehab 2003/04	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10389	Streets	Pavement Rehab 2004	\$ 537,650.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 537,650.00
10390	Streets	Pavement Rehab 2005**	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10391	Streets	Pavement Rehab 2006	\$ 11,190,552.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 11,190,552.00
10392	Streets	Oak - High Street	\$ 384,718.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 384,718.00
10393	Parks	Skateboard Park	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10394	Streets	Handicap Ramps - RDA Area	\$ 60,182.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 750,000.00	\$ 810,182.00
10394A	Streets	ADA Compliance Program	\$ 15,190.00	\$ 6,000.00	\$ 6,000.00	\$ 6,000.00	\$ 6,000.00	\$ 6,000.00	\$ 453,810.00	\$ 500,000.00
10395	Streets	Catch Basin Modifications	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10396	Streets	East Marsh Creek Road Signal	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 100,000.00	\$ 100,000.00
10397	Streets	Utility Undergrounding	\$ 236,459.00	\$ 21,000.00	\$ 21,000.00	\$ 21,000.00	\$ 21,000.00	\$ 21,000.00	\$ 350,000.00	\$ 500,000.00
10398	Streets	Clayton Rd. MCR Slurry Seal	\$ 235,456.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 235,456.00
10399	Sewers	Pine Hollow Area	\$ 141,596.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 141,596.00
10400	Other	Downtown Economic Development	\$ 125,738.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 125,738.00
10400A	Other	Town Center Property Purchase	\$ 1,040,843.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,040,843.00
10401	Streets	Pedestrian Xing Signals**	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10402	Streets	Clayton Road Trail Connection	\$ 264,879.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 264,879.00
10403	Streets	Downtown Entry Signage (in 10402)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10404	Streets	Marsh Creek Rd. Retaining Wall	\$ 319,970.17	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 319,970.17
10405	Streets	2007 Pavement Patching Project	\$ 128,684.22	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 128,684.22
10406	Streets	2008 Pavement Rehab Project	\$ 1,060,427.62	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,060,427.62
10407	Streets	Clayton Road Trail Connection	\$ 465,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 465,000.00
10408	Streets	2009 Pavement Rehab Project**	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10409	Streets	2010 Pavement Rehab Project	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10410	Streets	2011 Neighborhood Street Project**	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10411	Streets	2012 Neighborhood Street Project**	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10412	Streets	2009 Arterial Overlay Project	\$ 513,460.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 513,460.00
10413	Parks	Community Park Parking Lot Exp.	\$ 1,056,717.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,056,717.00
10414	Streets	East Marsh Creek Rd. Upgrade	\$ 100,000.00	\$ 1,022,224.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,122,224.00
10415	Parks	Well Renovation	\$ 23,895.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 23,895.00
10416	Streets	Marsh Creek Rd. (old) Overlay	\$ 430,300.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 430,300.00
10417	Streets	2013 Neighborhood Street Project	\$ 870,839.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 870,839.00
10418	Streets	2014 Neighborhood Street Project	\$ -	\$ 315,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 315,000.00
10419	Parks	Community Park Lighting, etc.	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10420	Parks	School Bridge Area Improvements	\$ -	\$ 315,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 315,000.00
10421	Creeks	Cardinal Trail Restoration	\$ 50,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 50,000.00
10422	Sewers	El Molino Drive Sanitary, Sewer Impr.	\$ 10,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 10,000.00
10423	Facilities	Library Upgrades	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10424	Streets	2015 Neighborhood Street Project	\$ -	\$ -	\$ 315,000.00	\$ -	\$ -	\$ -	\$ -	\$ 315,000.00
10425	Streets	Collector Street Rehabilitation Project	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10426	Facilities	City Hall Parking Area Rehabilitation	\$ 45,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 45,000.00
10427	Facilities	Library Parking Lot Rehabilitation	\$ 75,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 75,000.00
10428	Facilities	Lydia Lane Park Parking Rehabilitation	\$ 20,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 20,000.00
10429	Facilities	2012 Trail Repaving Project	\$ 50,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 50,000.00
10430	Landscape	Clayton Road Median Landscaping	\$ 320,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 320,000.00
10431	Landscape	Daffodil Hill Landscaping	\$ 50,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 50,000.00
10432	Streets	2016 Neighborhood Street Project	\$ -	\$ -	\$ -	\$ -	\$ 315,000.00	\$ -	\$ -	\$ 315,000.00
10433	Streets	DVMS Safety Signing	\$ -	\$ 40,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 40,000.00
Cost Totals			\$ 41,047,523.77	\$ 427,322.00	\$ 1,683,662.00	\$ 342,000.00	\$ 342,000.00	\$ 27,000.00	\$ 17,206,341.00	\$ 61,076,348.77

Red denotes completed projects

Green denotes active projects funded in FY 13/14

Blue denotes active projects funded prior to FY 13/14

** Deleted by City Council

CITY OF CLAYTON
CAPITAL IMPROVEMENT PROGRAM FY 2013/14 to 2017/18

Budget Cost by Funding Source - FY 2013/14

Fund Name		Carry Forward	Gas Tax	511 Grant	Measure J	Community Fac. Fee	Offsite Arterial Fee	PG&E Rule 20A	13/14 Project Totals
Fund Balance as of 6/30/13									
Estimated Revenue thru FY 13/14			\$ 161,822	\$ 40,000	\$ 205,000	\$ 5,124	\$ 73,458	\$ 21,000	
Estimated non-CIP Expenses in FY 13/14			\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Funds Available for CIP in FY 13/14			\$ 161,822	\$ 40,000	\$ 205,000	\$ 5,124	\$ 73,458	\$ 21,000	
#	Category	Project							
10337A	Facilities	Keller House Rehabilitation	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10343	GHAD	Crow Debris Basin	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10347A	GHAD	Eagle Peak Slope Repairs	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10348	GHAD	Keller Ridge Drive Area Slope Repair	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10349	GHAD	Community Park Slide Repair	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10361	Facilities	Stanley Property	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10370	Creeks	Creek Revitalization	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10375	Parks	Samuel Ct. Park	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10379	Streets	Pine Hollow Road - Upgrade	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10393	Parks	Skateboard Park	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10394A	Streets	ADA Compliance Program	\$ 16,190	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 6,000
10395	Streets	Catch Basin Modifications	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10396	Streets	East Marsh Creek Road Signal	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10397	Streets	Utility Undergridding	\$ 236,469	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 21,000
10400	Other	Downtown Economic Development	\$ 125,738	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10400A	Other	Town Center Property Purchase	\$ 1,040,843	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10411	Streets	2012 Neighborhood Street Project	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10414	Streets	East Marsh Creek Rd. Upgrade	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10417	Streets	2013 Neighborhood Street Project	\$ 880,839	\$ 110,000	\$ 205,000	\$ -	\$ -	\$ -	\$ 315,000
10418	Streets	2014 Neighborhood Street Project	\$ -	\$ 45,822	\$ -	\$ -	\$ -	\$ -	\$ 45,822
10419	Parks	Community Park Lighting, etc.	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10423	Facilities	Library Upgrades	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10421	Creeks	Cardinet Trail Restoration	\$ 50,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10424	Streets	2015 Neighborhood Street Project	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10425	Streets	Collector Street Rehabilitation Project	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10426	Facilities	City Hall Parking Area Rehabilitation	\$ 45,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10427	Facilities	Library Parking Lot Rehabilitation	\$ 75,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10428	Facilities	Lydia Lane Park Parking Rehabilitation	\$ 20,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10429	Facilities	2012 Trail Repaving Project	\$ 50,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10430	Landscape	Clayton Road Median Landscaping	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10431	Landscape	Daffodil Hill Landscaping	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10432	Streets	2016 Neighborhood Street Project	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10433	Streets	DVMS Safety Signing	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 40,000
Total CIP Expenditures in FY 13/14			\$ 161,822	\$ 40,000	\$ 205,000	\$ 5,124	\$ 73,458	\$ 21,000	\$ 427,822
Fund Balance as of June 30, 2014			\$ -	\$ -	\$ -	\$ 5,124	\$ 73,458	\$ -	\$ -

Red denotes projects completed in FY 12/13
Green denotes active projects funded in FY 13/14
Blue denotes active projects funded prior to FY 13/14

CITY OF CLAYTON
CAPITAL IMPROVEMENT PROGRAM FY 2013/14 to 2017/18

Budget Cost by Funding Source - FY 2015/16

Fund Name		Carry Forward	Gas Tax	Fed. Funds ARRA	Measure J	Community Fac. Fee	Offsite Arterial Fee	PG&E Rule 20A	15/16 Project Totals
Fund Balance as of 6/30/15			\$ -	\$ -	\$ -	\$ 5,124	\$ 73,458	\$ -	
Estimated Revenue thru FY 15/16			\$116,000	\$ -	\$ 205,000	\$ -	\$ -	\$ 21,000	
Estimated non-CIP Expenses in FY 15/16			\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Funds Available for CIP in FY 15/16			\$116,000	\$ -	\$ 205,000	\$ 5,124	\$ 73,458	\$ 21,000	
#	Category	Project							
10337A	Facilities	Keller House Rehabilitation	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10343	GHAD	Crow Debris Basin	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10347A	GHAD	Eagle Peak Slope Repairs	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10348	GHAD	Keller Ridge Drive Area Slope Repair	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10349	GHAD	Community Park Slide Repair	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10361	Facilities	Stanley Property	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10370	Creeks	Creek Revitalization	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10375	Parks	Samuel Ct. Park	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10379	Streets	Pine Hollow Road - Upgrade	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10393	Parks	Skateboard Park	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10394A	Streets	ADA Compliance Program	28,190	\$ 6,000	\$ -	\$ -	\$ -	\$ -	6,000
10395	Streets	Catch Basin Modifications	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10396	Streets	East Marsh Creek Road Signal	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10397	Streets	Utility Undergrounding	278,469	\$ -	\$ -	\$ -	\$ -	\$ 21,000	21,000
10400	Other	Downtown Economic Development	1,166,581	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10418	Streets	2014 Neighborhood Street Project	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10419	Parks	Community Park Lighting, etc.	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10423	Facilities	Library Upgrades	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10424	Streets	2015 Neighborhood Street Project	\$ -	\$110,000	\$ 205,000	\$ -	\$ -	\$ -	315,000
10432	Streets	2016 Neighborhood Street Project	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total CIP Expenditures in FY 15/16			\$116,000	\$ -	\$ 205,000	\$ -	\$ -	\$ 21,000	\$ 342,000
Fund Balance as of June 30, 2016			\$ -	\$ -	\$ -	\$ 5,124	\$ 73,458	\$ -	\$ -

Red denotes projects completed in FY 14/15
Green denotes active projects funded in FY 15/16
Blue denotes active projects funded prior to FY 15/16

**CITY OF CLAYTON
CAPITAL IMPROVEMENT PROGRAM FY 2013/14 to 2017/18**

Budget Cost by Funding Source - FY 2016/17

Fund Name		Carry Forward	Gas Tax	Fed. Funds	Measure J	Community Fac. Fee	Offsite Arterial Fee	PG&E Rule 20A	16.17 Project Totals
Fund Balance as of 6/30/15									
Estimated Revenue thru FY 16/17			\$ 116,000	\$ -	\$ 205,000	\$ 5,124	\$ 73,458	\$ 21,000	
Estimated non-CIP Expenses in FY 16/17			\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Funds Available for CIP in FY 16/17			\$ 116,000	\$ -	\$ 205,000	\$ 5,124	\$ 73,458	\$ 21,000	
#	Category	Project							
10337A	Facilities	Keller House Rehabilitation	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10343	GHAD	Grow Debris Basin	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10347A	GHAD	Eagle Peak Slope Repairs	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10348	GHAD	Keller Ridge Drive Area Slope Repair	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10349	GHAD	Community Park Slide Repair	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10361	Facilities	Stanley Property	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10370	Creeks	Creek Revitalization	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10375	Parks	Samuel Ct. Park	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10379	Streets	Pine Hollow Road - Upgrade	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10393	Parks	Skatboard Park	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10394A	Streets	ADA Compliance Program	\$ 16,190	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 6,000
10395	Streets	Catch Basin Modifications	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10396	Streets	East Marsh Creek Road Signal	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10397	Streets	Utility Undergrounding	\$ 299,469	\$ -	\$ -	\$ -	\$ -	\$ 21,000	\$ 21,000
10400	Other	Downtown Economic Development	\$ 1,166,581	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10419	Parks	Community Park Lighting, etc.	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10423	Facilities	Library Upgrades	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10424	Streets	2015 Neighborhood Street Project	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10430	Streets	2016 Neighborhood Street Project	\$ -	\$ -	\$ 205,000	\$ -	\$ -	\$ -	\$ 315,000
Total CIP Expenditures in FY 16/17			\$ 116,000	\$ -	\$ 205,000	\$ -	\$ -	\$ 21,000	\$ 342,000
Fund Balance as of June 30, 2017			\$ -	\$ -	\$ -	\$ 5,124	\$ 73,458	\$ -	\$ -

Red denotes projects completed in FY 15/16

Green denotes active projects funded in FY 16/17

Blue denotes active projects funded prior to FY 16/17

**CITY OF CLAYTON
CAPITAL IMPROVEMENT PROGRAM FY 2013/14 to 2017/18**

Budget Cost by Funding Source - FY 2017/18

Fund Name		Carry Forward	Gas Tax	Fed. Funds	Measure J	Community Fee	Offsite Arterial Fee	PG&E Rule 20A	17/18 Project Totals
Fund Balance as of 6/30/16									
Estimated Revenue thru FY 17/18			\$ 116,000	\$ -	\$ 205,000	\$ -	\$ 73,458	\$ 21,000	
Estimated non-CIP Expenses in FY 17/18			\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Funds Available for CIP in FY 17/18			\$ 116,000	\$ -	\$ 205,000	\$ 5,124	\$ 73,458	\$ 21,000	
#	Category	Project							
10337A	Facilities	Keller House Rehabilitation	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10343	GHAD	Crow Debris Basin	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10347A	GHAD	Eagle Peak Slope Repairs	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10348	GHAD	Keller Ridge Drive Area Slope Repair	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10349	GHAD	Community Park Slide Repair	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10361	Facilities	Stanley Property	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10370	Creeks	Creek Revitalization	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10375	Parks	Samuel Ct. Park	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10379	Streets	Pine Hollow Road - Upgrade	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10393	Parks	Skateboard Park	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10394A	Streets	ADA Compliance Program	22,190	\$ 6,000	\$ -	\$ -	\$ -	\$ -	\$ 6,000
10395	Streets	Catch Basin Modifications	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10396	Streets	East Marsh Creek Road Signal	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10397	Streets	Utility Undergrounding	320,469	\$ -	\$ -	\$ -	\$ -	\$ 21,000	\$ 21,000
10400	Other	Downtown Economic Development	1,166,581	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10419	Parks	Community Park Lighting, etc.	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10423	Facilities	Library Upgrades	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10430	Streets	2016 Neighborhood Street Project	\$ -	\$ 110,000	\$ 205,000	\$ -	\$ -	\$ -	\$ 315,000
Total CIP Expenditures in FY 17/18			\$ 116,000	\$ -	\$ 205,000	\$ 5,124	\$ 73,458	\$ 21,000	\$ 342,000
Fund Balance as of June 30, 2018			\$ -	\$ -	\$ -	\$ 5,124	\$ 73,458	\$ -	\$ -

Red denotes projects completed in FY 16/17
Green denotes active projects funded in FY 17/18
Blue denotes active projects funded prior to FY 17/18

CITY OF CLAYTON
CAPITAL IMPROVEMENT PROGRAM FY 2013/14 to 2017/18

Master Index of Projects by Number

* Completed - no project sheet included
 **Deleted by City Council

Project Number	Project Category	Project	Project Number	Project Category	Project
10330	Streets	Overlays*	10382	GHAD	Inclinometers*
10331	Streets	Slurry Seals (deleted)*	10383	GHAD	Keller Ridge Drive Subdrain*
10332	Streets	High Street Bridge*	10384	Streets	Mitchell Canyon Rd. Overlay*
10333	Streets	Marsh Creek Road - TEA-21*	10385	Parks	Community Park Tot Lot*
10334	Parks	Community Dog Park*	10386	GHAD	Wells (cancelled)*
10335	Parks	El Molino Park*	10387	Streets	Pavement Rehab 2002/03*
10336	Parks	Lydia Lane Park Ph. II*	10388	Streets	Pavement Rehab 2003/04*
10337	Facilities	Keller House Preservation*	10389	Streets	Pavement Rehab 2004*
10337A	Facilities	Keller House Rehabilitation	10390	Streets	Pavement Rehab 2005**
10338	Facilities	Endeavor Hall*	10391	Streets	Pavement Rehab 2006*
10339	Facilities	Youth Center/Gym*	10392	Sewers	Oak - High Street*
10340	Landscape	Marsh Creek Road LS*	10393	Parks	Skateboard Park
10341	Streets	Center Street Crossing*	10394	Streets	Handicap Ramps - RDA Area*
10342	GHAD	Windmill Debris Basin*	10394A	Streets	ADA Compliance Program
10343	GHAD	Crow Debris Basin	10395	Streets	Catch Basin Modifications
10344	GHAD	Obsidian Landslide*	10396	Streets	East Marsh Creek Road Signal
10345	GHAD	Clayton Rd. Landslides*	10397	Streets	Utility Undergrounding
10346	GHAD	Black Diamond Landslide**	10398	Streets	Clayton Rd. MCR Slurry Seal*
10347	GHAD	V-ditch Repairs*	10399	Sewers	Pine Hollow Area*
10347A	GHAD	Eagle Peak Slope Repair	10400	Other	Downtown Economic Development
10348	GHAD	Keller Ridge Slope Repair	10400A	Other	Town Center Property Purchase
10349	GHAD	Community Park Slide Repair	10401	Streets	Pedestrian Xing Signals* ^o
10350	Facilities	Downtown Elec. Conn.*	10402	Streets	Clayton Road Trail Connection*
10351	Facilities	Fire Station*	10403	Streets	Downtown Entry Signs*
10352	Landscape	Library Landscaping*	10404	Streets	Marsh Creek Rd. Retaining Wall*
10353	Streets	Downtown Revitalization*	10405	Streets	2007 Pavement Patching Project*
10354	Streets	Four Oaks Area*	10406	Streets	2008 Pavement Rehab Project*
10355	Streets	Oak Street Bridge*	10407	Parks	Community Park Upgrades*
10356	Landscape	Westwood Open Space*	10408	Streets	2009 Pavement Rehab Project**
10357	Facilities	Old City Hall Renovation*	10409	Streets	2010 Pavement Rehab Project*
10358	Facilities	Grove Property Acquisition*	10410	Streets	2011 Neighborhood Street Project**
10359	Facilities	Endeavor Hall Parking I*	10411	Streets	2012 Neighborhood Street Project
10360	Facilities	Endeavor Hall Parking II*	10412	Streets	2009 Arterial Overlay Project*
10361	Facilities	Stanley Property	10413	Parks	Community Park Parking Lot Expan.*
10362	Facilities	Stanley Property Parking**	10414	Streets	East Marsh Creek Rd. Upgrade
10363	Facilities	Corp. Yard Expansion*	10415	Parks	Well Renovation*
10364	Streets	Downtown Signage**	10416	Streets	Marsh Creek Rd. (old) Overlay*
10365	Facilities	Library Parking Expansion*	10417	Streets	2013 Neighborhood Street Project
10366	Facilities	Police Parking Expansion*	10418	Streets	2014 Neighborhood Street Project
10367	Parks	Downtown Park*	10419	Parks	Community Park Lighting, etc.
10368	Parks	City Hall Park* ^o	10420	Parks	School Bridge Area Improvements
10369	Streets	Marsh Creek Road Narrowing**	10421	Creeks	Cardinet Trail Restoration
10370	Creeks	Creek Revitalization	10422	Sewers	El Molino Drive Sanitary Sewer Impr.
10371	Streets	Survey Monuments*	10423	Facilities	Library Upgrades
10372	Streets	Traffic Signal Modifications*	10424	Streets	2015 Neighborhood Street Project
10373	Streets	Peacock Creek Dr. Signal*	10425	Streets	Collector Street Rehabilitation Project
10374	Parks	North Valley Park* ^o	10426	Facilities	City Hall Parking Area Rehabilitatoin
10375	Parks	Samuel Ct. Park	10427	Facilities	Library Parking Lot Rehabilitatoin
10376	Facilities	Equestrian Staging Area*	10428	Facilities	Lydia Lane Park Parking Rehabilitation
10377	Streets	DVMS - Right Turn Lane*	10429	Facilities	2012 Trail Repaving Project
10378	Streets	Keller Ridge Drive Planters*	10430	Landscape	Clayton Road Median Landscaping
10379	Streets	Pine Hollow Road - Upgrade	10431	Landscape	Daffodil Hill Landscaping
10380	Parks	Community Park - Rt. Turn Lane**	10432	Streets	2016 Neighborhood Street Project
10381	Parks	Bocce Ball Courts**	10433	Streets	DVMS Safety Signing

CITY OF CLAYTON
CAPITAL IMPROVEMENT PROGRAM FY 2013/14 to 2017/18

*Completed - no project sheet included

**Deleted by City Council

Master Index of Projects by Type

Project Number	Project Category	Project	Project Number	Project Category	Project
<u>CREEKS</u>			<u>PARKS (cont'd.)</u>		
10370	Creeks	Creek Revitalization	10367	Parks	Downtown Park*
10421	Creeks	Cardinet Trail Restoration	10368	Parks	City Hall Park
<u>FACILITIES</u>			10374	Parks	North Valley Park*
10337	Facilities	Keller House Preservation*	10375	Parks	Samuel Ct. Park
10337A	Facilities	Keller House Rehabilitation	10380	Parks	Community Park - Rt. Turn Lane**
10338	Facilities	Endeavor Hall*	10381	Parks	Bocce Ball Courts**
10339	Facilities	Youth Center/Gym*	10385	Parks	Community Park Tot Lot*
10350	Facilities	Downtown Elec. Conn.*	10393	Parks	Skateboard Park
10351	Facilities	Fire Station*	10407	Parks	Community Park Upgrades*
10357	Facilities	Old City Hall Renovation*	10413	Parks	Community Park Parking Lot Exp.*
10358	Facilities	Grove Property Acquisition*	10415	Parks	Well Renovation*
10359	Facilities	Endeavor Hall Parking I*	10419	Parks	Community Park Lighting, etc.
10360	Facilities	Endeavor Hall Parking II*	10420	Parks	School Bridge Area Improvements
10361	Facilities	Stanley Property	<u>STREETS</u>		
10362	Facilities	Stanley Property Parking**	10330	Streets	Overlays*
10363	Facilities	Corp. Yard Expansion*	10331	Streets	Slurry Seals (deleted)*
10365	Facilities	Library Parking Expansion*	10332	Streets	High Street Bridge*
10366	Facilities	Police Parking Expansion*	10333	Streets	Marsh Creek Road - TEA-21*
10376	Facilities	Equestrian Staging Area*	10341	Streets	Center Street Crossing*
10423	Facilities	Library Upgrades	10353	Streets	Downtown Revitalization*
10426	Facilities	City Hall Parking Area Rehabilitation	10354	Streets	Four Oaks Area*
10427	Facilities	Library Parking Lot Rehabilitation	10355	Streets	Oak Street Bridge*
10428	Facilities	Lydia Lane Park Parking Rehabilitation	10364	Streets	Downtown Signage**
10429	Facilities	2012 Trail Repaving Project	10369	Streets	Marsh Creek Road Narrowing**
<u>GHAD</u>			10371	Streets	Survey Monuments*
10342	GHAD	Windmill Debris Basin*	10372	Streets	Traffic Signal Modifications*
10343	GHAD	Crow Debris Basin	10373	Streets	Peacock Creek Dr. Signal*
10344	GHAD	Obsidian Landslide*	10377	Streets	DVMS - Right Turn Lane*
10345	GHAD	Clayton Rd. Landslides*	10378	Streets	Keller Ridge Drive Planters*
10346	GHAD	Black Diamond Landslide**	10379	Streets	Pine Hollow Road - Upgrade
10347	GHAD	V-ditch Repairs*	10384	Streets	Mitchell Canyon Rd. Overlay*
10347A	GHAD	Eagle Peak Slope Repair	10387	Streets	Pavement Rehab 2002/03*
10348	GHAD	Keller Ridge Slope Repair	10388	Streets	Pavement Rehab 2003/04*
10349	GHAD	Community Park Slide Repair	10389	Streets	Pavement Rehab 2004*
10382	GHAD	Inclinometers*	10390	Streets	Pavement Rehab 2005**
10383	GHAD	Keller Ridge Drive Subdrain*	10391	Streets	Pavement Rehab 2006*
10386	GHAD	Wells (cancelled)*	10394	Streets	Handicap Ramps - RDA Area*
<u>LANDSCAPE</u>			10394A	Streets	ADA Compliance Program
10340	Landscape	Marsh Creek Road LS*	10395	Streets	Catch Basin Modification
10352	Landscape	Library Landscaping*	10396	Streets	East Marsh Creek Road Signal
10356	Landscape	Westwood Open Space*	10397	Streets	Utility Undergrounding
10430	Landscape	Clayton Road Median Landscaping	10398	Streets	Clayton Rd. MCR Slurry Seal*
10431	Landscape	Daffodil Hill Landscaping	10401	Streets	Pedestrian Xing Signals**
<u>OTHER</u>			10402	Streets	Clayton Road Trail Connection*
10392	Sewers	Oak - High Street*	10403	Streets	Downtown Entry Signs*
10399	Sewers	Pine Hollow Area*	10404	Streets	Marsh Creek Rd. Retaining Wall*
10400	Other	Downtown Economic Development	10405	Streets	2007 Pavement Patching Project*
10400A	Other	Town Center Property Purchase	10406	Streets	2008 Pavement Rehab Project*
10422	Sewers	El Molino Drive Sanitary Sewer Imp.	10408	Streets	2009 Pavement Rehab Project**
<u>PARKS</u>			10409	Streets	2010 Pavement Rehab Project*
10334	Parks	Community Dog Park*	10410	Streets	2011 Neighborhood Street Project**
10335	Parks	El Molino Park*	10411	Streets	2012 Neighborhood Street Project
10336	Parks	Lydia Lane Park Ph. II*	10412	Streets	2009 Arterial Overlay Project*
			10414	Streets	East Marsh Creek Rd. Upgrade
			10416	Streets	Marsh Creek Rd. (old) Overlay*
			10417	Streets	2013 Neighborhood Street Project
			10418	Streets	2014 Neighborhood Street Project
			10424	Streets	2015 Neighborhood Street Project
			10425	Streets	Collector Street Rehabilitation Project
			10430	Streets	2016 Neighborhood Street Project
			10433	Streets	DVMS - Safety Signing

2013/14-2017/18 Capital Improvement Program

Category	Project Number	Project
Facilities	10337A	Keller House Rehabilitation

DESCRIPTION - LOCATION

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



COMMENTS

Estimated Cost	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
Preliminary Design								
Final Design								
Construction							\$2,000,000	\$2,000,000
CM/Inspection								
ROW Acquisition								
Other								
TOTAL							\$2,000,000	\$2,000,000

Funding (Sources)	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
Unfunded							\$2,000,000	\$2,000,000
Total							\$2,000,000	\$2,000,000

City of Clayton

2013/14-2017/18 Capital Improvement Program

Category	Project Number	Project
GHAD	10343	Crow Place – Debris Basin

DESCRIPTION - LOCATION

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



COMMENTS

Subject to approval of increased assessments.

Estimated Cost	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
Preliminary Design								
Final Design							\$10,000	\$10,000
Construction							\$95,000	\$95,000
CM/Inspection							\$5,000	\$5,000
ROW Acquisition								
Other								
TOTAL							\$110,000	\$110,000

Funding (Sources)	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
Unfunded							\$110,000	\$110,000
Total							\$110,000	\$110,000

City of Clayton

2013/14-2017/18 Capital Improvement Program

Category	Project Number	Project
GHAD	10347A	Eagle Peak Slope Repair

DESCRIPTION - LOCATION

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

COMMENTS

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



Estimated Cost	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
Preliminary Design								
Final Design							\$70,000	\$70,000
Construction							\$1,140,000	\$1,140,000
CM/Inspection							\$40,000	\$40,000
ROW Acquisition								
Other								
TOTAL							\$1,250,000	\$1,250,000

Funding (Sources)	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
Unfunded							\$1,250,000	\$1,250,000
Total							\$1,250,000	\$1,250,000

City of Clayton

2013/14-2017/18 Capital Improvement Program

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

DESCRIPTION - LOCATION

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

COMMENTS

Subject to approval of increased assessments.



Estimated Cost	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
Preliminary Design								
Final Design							\$5,000	\$5,000
Construction							\$50,000	\$50,000
CM/Inspection							\$5,000	\$5,000
ROW Acquisition								
Other								
TOTAL							\$60,000	\$60,000

Funding (Sources)	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
Unfunded							\$60,000	\$60,000
Total							\$60,000	\$60,000

City of Clayton

2013/14-2017/18 Capital Improvement Program

Category	Project Number	Project
GHAD	10349	Community Park - Landslide

DESCRIPTION - LOCATION

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

COMMENTS

Subject to approval of increased assessments.



Estimated Cost	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
Preliminary Design								
Final Design							\$7,000	\$7,000
Construction							\$93,000	\$93,000
CM/Inspection							\$8,000	\$8,000
ROW Acquisition								
Other								
TOTAL							\$110,000	\$110,000

Funding (Sources)	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
Unfunded							\$110,000	\$110,000
Total							\$110,000	\$110,000

City of Clayton

2013/14-2017/18 Capital Improvement Program

Category	Project Number	Project
Facilities	10361	Stanley Property

DESCRIPTION - LOCATION

Assist in the development and construction of affordable housing.

COMMENTS

Funding availability uncertain due to demise of RDA



Estimated Cost	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
Preliminary Design								
Final Design								
Construction								
CM/Inspection								
Acquisition								
Other							\$350,000	\$350,000
TOTAL							\$350,000	\$350,000

Funding (Sources)	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
Unfunded							\$350,000	\$350,000
Total							\$350,000	\$350,000

City of Clayton

2013/14-2017/18 Capital Improvement Program

Category	Project Number	Project
Creeks	10370	Creek Revitalization

DESCRIPTION - LOCATION

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

City-Wide

COMMENTS

Catch-all project for when City hits the lottery.

Estimated Cost	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
Preliminary Design								
Final Design								
Construction							\$3,000,000	\$3,000,000
CM/Inspection								
ROW Acquisition								
Other								
TOTAL							\$3,000,000	\$3,000,000

Funding (Sources)	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
Unfunded							\$3,000,000	\$3,000,000
Total							\$3,000,000	\$3,000,000

City of Clayton

2013/14-2017/18 Capital Improvement Program

Category	Project Number	Project
Streets	10375	Samuel Ct. Park

DESCRIPTION - LOCATION

Install landscaping and irrigation improvements.

COMMENTS



Estimated Cost	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
Preliminary Design								
Final Design							\$5,000	\$5,000
Construction							\$75,000	\$75,000
CM/Inspection							\$5,000	\$5,000
ROW Acquisition								
Other								
TOTAL							\$85,000	\$85,000

Funding (Sources)	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
Unfunded							\$85,000	\$85,000
Total							\$85,000	\$85,000

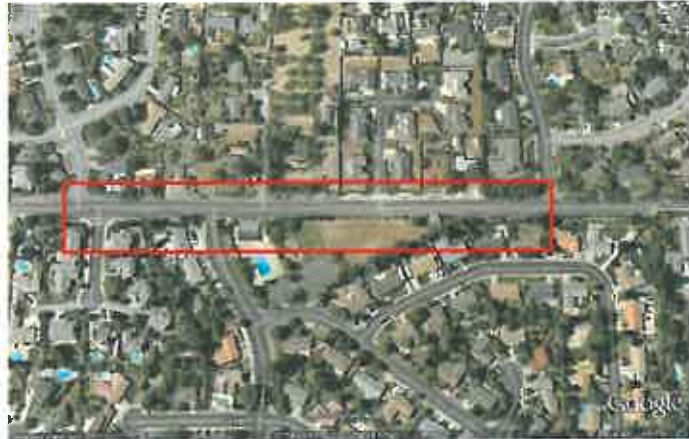
City of Clayton

2013/14-2017/18 Capital Improvement Program

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

DESCRIPTION - LOCATION

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



COMMENTS

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

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

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

Estimated Cost	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
Preliminary Design								
Final Design								\$25,000
Construction								\$235,000
CM/Inspection								\$15,000
ROW Acquisition								\$50,000
Other								
TOTAL								\$325,000

Funding (Sources)	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
Unfunded								\$325,000
Total								\$325,000

City of Clayton

2013/14-2017/18 Capital Improvement Program

Category	Project Number	Project
Parks	10393	Skateboard Park

DESCRIPTION - LOCATION

Construct skateboard park at an undetermined location.

COMMENTS

Undetermined

Estimated Cost	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
Preliminary Design								
Final Design							\$45,000	\$45,000
Construction							\$660,000	\$660,000
CM/Inspection							\$45,000	\$45,000
ROW Acquisition								
Other								
TOTAL							\$750,000	\$750,000

Funding (Sources)	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
Unfunded							\$750,000	\$750,000
Total							\$750,000	\$750,000

City of Clayton

2013/14-2017/18 Capital Improvement Program

Category	Project Number	Project
Streets	10394A	ADA Compliance Program

DESCRIPTION - LOCATION

Construction of various improvements.

COMMENTS

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

City-Wide

Estimated Cost	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
Preliminary Design								
Final Design								
Construction							\$500,000	\$500,000
CM/Inspection								
ROW Acquisition								
Other								
TOTAL							\$500,000	\$500,000

Funding (Sources)	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
Gas Tax	\$16,190	\$6,000	\$6,000	\$6,000	\$6,000	\$6,000	\$453,910	\$500,000
Total	\$16,190	\$6,000	\$6,000	\$6,000	\$6,000	\$6,000	\$453,910	\$500,000

City of Clayton

2013/14-2017/18 Capital Improvement Program

Category	Project Number	Project
Streets	10395	Catch Basin Modifications

DESCRIPTION - LOCATION

Add bar across openings.

COMMENTS

City Wide

Estimated Cost	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
Preliminary Design								
Final Design								
Construction							\$100,000	\$100,000
CM/Inspection								
ROW Acquisition								
Other								
TOTAL							\$100,000	\$100,000

Funding (Sources)	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
Unfunded							\$100,000	\$100,000
Total							\$100,000	\$100,000

City of Clayton

2013/14-2017/18 Capital Improvement Program

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

DESCRIPTION - LOCATION

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

COMMENTS

City Council postponed project.



Estimated Cost	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
Preliminary Design							\$20,000	\$20,000
Final Design							\$230,000	\$230,000
Construction							\$20,000	\$20,000
CM/Inspection								
ROW Acquisition							\$80,000	\$80,000
PG&E Poles							\$350,000	\$350,000
TOTAL								

Funding (Sources)	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
Unfunded							\$350,000	\$350,000
Total							\$350,000	\$350,000

City of Clayton

2013/14-2017/18 Capital Improvement Program

Category	Project Number	Project
Streets	10397	Utility Undergrounding

DESCRIPTION - LOCATION

Underground overhead utility lines at undetermined locations.

COMMENTS

City Wide

Estimated Cost	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
Preliminary Design								
Final Design								
Construction							\$3,000,000	\$3,000,000
CM/Inspection								
ROW Acquisition								
Other								
TOTAL							\$3,000,000	\$3,000,000

Funding (Sources)	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
Unfunded							\$2,658,531	\$2,658,531
PG&E Rule 20A	\$236,469	\$21,000	\$21,000	\$21,000	\$21,000	\$21,000		\$341,469
Total	\$236,469	\$21,000	\$21,000	\$21,000	\$21,000	\$21,000	\$2,658,531	\$3,000,000

City of Clayton

2013/14-2017/18 Capital Improvement Program

Category	Project Number	Project
Other	10400	Downtown Economic Development

DESCRIPTION - LOCATION

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

COMMENTS

Transferred \$1,0408,843 to CIP No. 10400A in FY 12/13 for the purchase of a 1.67 Acre parcel in the Town Center (from Clayton Community Church)



Estimated Cost	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
Preliminary Design								
Final Design								
Construction								
CM/Inspection								
ROW Acquisition								
Other							\$125,738	\$125,738
TOTAL							\$125,738	\$125,738

Funding (Sources)	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
CIP Const	\$125,738							\$125,738
Total	\$125,738							\$125,738

City of Clayton

2013/14-2017/18 Capital Improvement Program

Category	Project Number	Project
Other	10400A	Town Center Property Purchase

DESCRIPTION - LOCATION

Purchase of a 1.67 acre parcel in the town center (from Clayton Community Church)



COMMENTS

Funding transferred from CIP no. 10400

Estimated Cost	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
Preliminary Design								
Final Design								
Construction								
CM/Inspection								
R/W Acquisition								
Other	1,040,843							1,040,843
TOTAL	1,040,843							1,040,843

Funding (Sources)	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
CIP No. 10400	1,040,843							1,040,843
Total	1,040,843							1,040,843

City of Clayton

2013/14-2017/18 Capital Improvement Program

Category	Project Number	Project
Streets	10411	2012 Neighborhood Street Project

DESCRIPTION - LOCATION

Pavement resurfacing and treatment on various streets throughout City.

Various Locations

COMMENTS

Prior year funding from CIP 10410.
Local Street and Road Shortfall (LS&RS)
Funds plus \$76,000 in Gas Tax Funds moved
to CIP 10425 per Council direction 5/25/12

Project cancelled due to high bids. Funding transferred to CIP 10417 (2013 Paving Project). Also \$76,000 in Gas tax funds previously transferred to CIP 10425 (Council direction 5/25/12) are now transferred to CIP 10417.

Estimated Cost	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
Preliminary Design								
Final Design								
Construction								
CM/Inspection								
ROW Acquisition								
Other								
TOTAL								

Funding (Sources)	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
Gas Tax								
Measure J								
Total								

City of Clayton

2013/14-2017/18 Capital Improvement Program

Category	Project Number	Project
Streets	10414	East Marsh Creek Road Upgrade

DESCRIPTION - LOCATION

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

COMMENTS

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



Original budget was \$1,200,000; \$119,000 transferred to Marsh Creek Road (old) Overlay project , CIP Project No. 10416; upon completion of 10416, \$41,224 transferred back to 10414.

Estimated Cost	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
Preliminary Design	\$30,000							\$30,000
Final Design	\$60,000							\$60,000
Construction			\$942,224					\$942,224
CM/Inspection			\$60,000					\$60,000
ROW Acquisition			\$30,000					\$30,000
Other								
TOTAL	\$90,000		\$1,032,224					\$1,122,224

Funding (Sources)	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
Measure J (grant)	\$100,000		\$1,022,224					\$1,122,224
Total	\$100,000		\$1,022,224					\$1,122,224

City of Clayton

2013/14-2017/18 Capital Improvement Program

Category	Project Number	Project
Streets	10417	2013 Neighborhood Street Project

DESCRIPTION - LOCATION

Pavement resurfacing and treatment on various streets throughout City.

COMMENTS

Moved to FY 12/13 per Council direction on 1/15/13. Includes funding from FYs 2011, 2012 and 2013

Various Locations

Estimated Cost	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
Preliminary Design								
Final Design	\$20,000							\$20,000
Construction	\$1,150,839							\$1,150,839
CM/Inspection	\$25,000							\$25,000
ROW Acquisition								
Other								
TOTAL	\$1,195,839							\$1,195,839

Funding (Sources)	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
Gas Tax	\$279,558	\$110,000						\$389,558
Measure J	\$534,281	\$205,000						\$739,281
Gas Tax (from 10425)	\$76,000							\$76,000
Total	\$889,839	\$315,000						\$1,195,839

City of Clayton

2013/14-2017/18 Capital Improvement Program

Category	Project Number	Project
Streets	10418	2014 Neighborhood Street Project

DESCRIPTION - LOCATION

Pavement resurfacing and treatment on various streets throughout City.

Various Locations

COMMENTS

Estimated Cost	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
Preliminary Design								
Final Design			\$10,000					\$10,000
Construction			\$290,000					\$290,000
CM/Inspection			\$15,000					\$15,000
ROW Acquisition								
Other								
TOTAL			\$315,000					\$315,000

Funding (Sources)	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
Gas Tax		\$45,822	\$110,000					\$155,822
Measure J			\$205,000					\$205,000
Total		\$45,822	\$315,000					\$360,822

City of Clayton

2013/14-2017/18 Capital Improvement Program

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

DESCRIPTION - LOCATION

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

COMMENTS

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



Estimated Cost	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
Preliminary Design								
Final Design								
Construction							\$4,084,000	\$4,084,000
CM/Inspection								
ROW Acquisition								
Other								
TOTAL							\$4,084,000	\$4,084,000

Funding (Sources)	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
Unfunded							\$4,084,000	\$4,084,000
Total							\$4,084,000	\$4,084,000

City of Clayton

2013/14-2017/18 Capital Improvement Program

Category	Project Number	Project
Streets	10420	School Bridge Area Improvements

DESCRIPTION - LOCATION

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



COMMENTS

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

Project now unfunded due to RDA demise.

Estimated Cost	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
Preliminary Design								
Final Design							\$20,000	\$20,000
Construction							\$160,000	\$160,000
CM/Inspection							\$20,000	\$20,000
ROW Acquisition								
Other								
TOTAL							\$200,000	\$200,000

Funding (Sources)	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
Unfunded							\$200,000	\$200,000*
Total							\$200,000	\$200,000*

City of Clayton

2013/14-2017/18 Capital Improvement Program

Category	Project Number	Project
Streets	10421	Cardinet Trail Restoration

DESCRIPTION - LOCATION

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

Various Locations

COMMENTS

Funding from Citywide Landscape Maintenance District; significant permitting requirements

Estimated Cost	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
Preliminary Design								
Final Design	\$10,000							\$10,000
Construction	\$35,000							\$35,000
CM/Inspection	\$5,000							\$5,000
ROW Acquisition								
Other								
TOTAL	\$50,000							\$50,000

Funding (Sources)	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
LMD	\$50,000							\$50,000
Total	\$50,000							\$50,000

City of Clayton

2013/14-2017/18 Capital Improvement Program

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

DESCRIPTION - LOCATION

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



COMMENTS

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

Estimated Cost	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
Preliminary Design								
Final Design	\$10,000						\$30,000	\$40,000
Construction							\$270,000	\$270,000
CM/Inspection							\$20,000	\$20,000
ROW Acquisition								
Other								
TOTAL	\$10,000						\$320,000	\$330,000

Funding (Sources)	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
RDA	\$10,000*							\$10,000*
Unfunded							\$320,000	\$320,000
Total	\$10,000*							\$330,000*

*transfer from CIP 10400

City of Clayton

2013/14-2017/18 Capital Improvement Program

Category	Project Number	Project
Streets	10423	Library Upgrades

DESCRIPTION - LOCATION

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



COMMENTS

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

Estimated Cost	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
Preliminary Design								
Final Design								
Construction							\$850,000	\$850,000
CM/Inspection								
ROW Acquisition								
Other							\$150,000	\$150,000
TOTAL							\$1,000,000	\$1,000,000

Funding (Sources)	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
Unfunded							\$1,000,000	\$1,000,000
Total							\$1,000,000	\$1,000,000

City of Clayton

2013/14-2017/18 Capital Improvement Program

Category	Project Number	Project
Streets	10424	2015 Neighborhood Street Project

DESCRIPTION - LOCATION

Pavement resurfacing and treatment on various streets throughout City.

Various Locations

COMMENTS

Estimated Cost	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
Preliminary Design								
Final Design				\$10,000				\$10,000
Construction				\$290,000				\$290,000
CM/Inspection				\$15,000				\$15,000
ROW Acquisition								
Other								
TOTAL				\$315,000				\$315,000

Funding (Sources)	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
Gas Tax				\$110,000				\$110,000
Measure J				\$205,000				\$205,000
Total				\$315,000				\$315,000

City of Clayton

2013/14-2017/18 Capital Improvement Program

Category	Project Number	Project
Streets	10425	Collector Street Rehabilitation Project

DESCRIPTION - LOCATION

Pavement resurfacing and treatment on various collector streets throughout City.

COMMENTS

Local Streets & Roads Shortfall (LS&RS) funding is federal requiring extensive processing for construction approval. Gas Tax funding from CIP 10411 for Regency Drive west of El Molino Dr. to end.

Various Locations

Regency Drive moved to CIP 10417; Gas Tax amount covers city share as required by federal funding.

Estimated Cost	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
Preliminary Design			\$15,000					\$15,000
Final Design			\$10,000					\$10,000
Construction			\$269,438					\$269,438
CM/Inspection			\$25,000					\$25,000
ROW Acquisition								
Other								
TOTAL			\$319,438					\$319,438

Funding (Sources)	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
LS&RS			\$285,438					\$285,438
Gas Tax*			\$34,000					\$34,000
Total			\$319,438					\$319,438

*from 10411 per Council direction 5/15/12; revised per Council direction 1/15/13

City of Clayton

2013/14-2017/18 Capital Improvement Program

Category	Project Number	Project
Streets	10426	City Hall Parking Area Rehabilitation Project

DESCRIPTION - LOCATION

Pavement resurfacing of Heritage Trail and City Hall parking areas

COMMENTS

Included in CIP 10411 bid.

Funding per Council authorization 1/15/13.



Estimated Cost	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
Preliminary Design								
Final Design								
Construction	\$43,000							\$43,000
CM/Inspection	\$2,000							\$2,000
ROW Acquisition								
Other								
TOTAL	\$45,000							\$45,000

Funding (Sources)	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
Financing Authority	\$45,000							\$45,000
Total	\$45,000							\$45,000

City of Clayton

2013/14-2017/18 Capital Improvement Program

Category	Project Number	Project
Streets	10427	Library Parking Lot Rehabilitation Project

DESCRIPTION - LOCATION

Pavement resurfacing of Library Parking Lot.

COMMENTS

Included in CIP 10411 bid.

Funding per Council authorization 1/15/13.



Estimated Cost	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
Preliminary Design								
Final Design								
Construction	\$73,000							\$73,000
CM/Inspection	\$2,000							\$2,000
ROW Acquisition								
Other								
TOTAL	\$75,000							\$75,000

Funding (Sources)	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
Financing Authority	\$75,000							\$75,000
Total	\$75,000							\$75,000

City of Clayton

2013/14-2017/18 Capital Improvement Program

Category	Project Number	Project
Streets	10428	Lydia Lane Park Parking Area Rehabilitation Project

DESCRIPTION - LOCATION

Pavement resurfacing of Lydia Lane Park parking area.

COMMENTS

Included in CIP 10411 bid.

Funding per Council authorization 1/15/13.



Estimated Cost	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
Preliminary Design								
Final Design								
Construction	\$18,000							\$18,000
CM/Inspection	\$2,000							\$2,000
ROW Acquisition								
Other								
TOTAL	\$20,000							\$20,000

Funding (Sources)	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
Financing Authority	\$20,000							\$20,000
Total	\$20,000							\$20,000

City of Clayton

2013/14-2017/18 Capital Improvement Program

Category	Project Number	Project
Streets	10429	2012 Trail Repaving Project

DESCRIPTION - LOCATION

Repave the Bruce Lee Trail from Center St. to Grenache Circle

COMMENTS

Included in CIP 10411 bid.

Funding per Council authorization 1/15/13.



Estimated Cost	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
Preliminary Design								
Final Design								
Construction	\$48,000							\$48,000
CM/Inspection	\$2,000							\$2,000
ROW Acquisition								
Other								
TOTAL	\$50,000							\$50,000

Funding (Sources)	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
LMD	\$50,000							\$50,000
Total	\$50,000							\$50,000

City of Clayton

2013/14-2017/18 Capital Improvement Program

Category	Project Number	Project
Streets	10430	Clayton Road Median Landscaping Project

DESCRIPTION - LOCATION

Install new landscaping and irrigation in Clayton Road Medians between Mitchell Canyon Road and Oakhurst Drive

COMMENTS

Includes landscaping along CVS retaining walls.

Completed in FY 12/13.



Estimated Cost	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
Preliminary Design								
Final Design								
Construction	\$292,000							\$292,000
CM/Inspection	\$28,000							\$28,000
ROW Acquisition								
Other								
TOTAL	\$320,000							\$320,000

Funding (Sources)	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
LMD	\$320,000							\$320,000
Total	\$320,000							\$320,000

City of Clayton

2013/14-2017/18 Capital Improvement Program

Category	Project Number	Project
Streets	10431	Daffodil Hill Landscaping Project

DESCRIPTION - LOCATION

Modify irrigation and install landscaping
on Daffodil Hill at SE corner of Clayton
Road and Marsh Creek Road



COMMENTS

Completed in FY 12/13

Estimated Cost	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
Preliminary Design								
Final Design								
Construction	\$45,000							\$45,000
CM/Inspection	\$5,000							\$5,000
ROW Acquisition								
Other								
TOTAL	\$50,000							\$50,000

Funding (Sources)	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
LMD	\$25,000							\$25,000
CBCA	\$25,000							\$25,000
Total	\$50,000							\$50,000

City of Clayton

2013/14-2017/18 Capital Improvement Program

Category	Project Number	Project
Streets	10432	2016 Neighborhood Street Project

DESCRIPTION - LOCATION

Pavement resurfacing and treatment on various streets throughout City.

Various Locations

COMMENTS

Estimated Cost	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
Preliminary Design								
Final Design					\$10,000			\$10,000
Construction					\$290,000			\$290,000
CM/Inspection					\$15,000			\$15,000
ROW Acquisition								
Other								
TOTAL					\$315,000			\$315,000

Funding (Sources)	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
Gas Tax					\$110,000			\$110,000
Measure J					\$205,000			\$205,000
Total					\$315,000			\$315,000

City of Clayton

2013/14-2017/18 Capital Improvement Program

Category	Project Number	Project
Streets	10433	DVMS Safety Signing

DESCRIPTION - LOCATION

Install flashing beacons, signs and radar speed readout on Marsh Creek/Clayton Road, north and south of DVMS entry.



COMMENTS

Estimated Cost	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
Preliminary Design								
Final Design								
Construction		\$40,000						\$40,000
CM/Inspection								
ROW Acquisition								
Other								
TOTAL		\$40,000						\$40,000

Funding (Sources)	Prior Yrs.	2013-14	2014-15	2015-16	2016-17	2017-18	Future	TOTAL
511 Grant		\$40,000						\$40,000
Total		\$40,000						\$40,000

City of Clayton

**MINUTES
REGULAR MEETING
OAKHURST GEOLOGICAL HAZARD ABATEMENT DISTRICT (GHAD)
June 18, 2013**

Agenda Date: 7-16-13
Agenda Item: 3a GHAD

1. **CALL TO ORDER AND ROLL CALL** – the meeting was called to order at 7:46 p.m. by Chairman Shuey. Boardmembers present: Chairman Shuey, Vice Chairman Diaz, Boardmembers Pierce and Stratford. Boardmembers absent: Boardmember Geller. Staff present: City Manager Napper, General Legal Counsel Subramanian, and Secretary Jackson.

2. **PUBLIC COMMENTS** - None.

3. **CONSENT CALENDAR** – It was moved by Boardmember Pierce, seconded by Boardmember Stratford, to approve the Consent Calendar as submitted (Passed; 4-0 vote).

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

4. **PUBLIC HEARINGS**- None.

5. **ACTION ITEMS**

(a) Presentation and consideration of the proposed Oakhurst Geological Hazard Abatement District (GHAD) Budget for Fiscal Year 2013-2014.

The District Manager presented the proposed FY 2013-14 budget and a Resolution of Intention to levy the annual real property tax assessments. He stated these assessments are the sole source of revenue for the District and the new monitoring of the Kelok Way hillside will severely impact the GHAD finances. He stated \$2,600 will be needed from the GHAD reserves this year which will bring the reserve fund down to \$21,000.

No public comments were received.

It was moved by Boardmember Stratford, seconded by Vice Chairman Diaz, to adopt Resolution 02-2013 approving the District's Budget for FY 2013-2014, which action also sets July 16, 2013 as the Public Hearing date on the proposed GHAD real property assessments for FY 2013-2014 (Passed; 4-0 vote).

6. **BOARD ITEMS** – None.

7. **ADJOURN**- on call by Chairman Shuey the meeting adjourned at 7:50 p.m.

Respectfully submitted,

Laci J. Jackson, Secretary

Approved by the Board of Directors
Geological Hazard Abatement District

David T. Shuey, Chairman



Agenda Date: 7-16-13
Agenda Item: 4a

GHAD STAFF REPORT

TO: HONORABLE CHAIRPERSON AND BOARDMEMBERS

FROM: RICK ANGRISANI, DISTRICT MANAGER

DATE: JULY 16, 2013

SUBJECT: CONSIDERATION OF A RESOLUTION ORDERING IMPROVEMENTS AND CONFIRMING ASSESSMENTS FOR FY 2013-14

RECOMMENDATION

Approve the attached Resolution.

BACKGROUND

The District's 2013-14 Budget, approved at the Board's June 18th meeting, recommended increasing assessments by the allowable 2.40% increase in the annual Consumer Price Index (CPI).

Tonight, the Board will hold the required public hearing to hear any comments or protests from its affected citizens. Upon completion of public testimony, the Board may close the public hearing and consider action on this Resolution.

FISCAL IMPACT

If this Resolution is not approved, the Oakhurst Geological Hazard Abatement District (GHAD) will not be able to fund any maintenance or monitoring work in the coming year, as the District has no other source of revenues other than this \$35,651.52 annual assessment paid by real property owners. Further, no increase in assessment revenues (beyond the allowable CPI increase) can occur without property owners' affirmative vote.

CONCLUSION

Based upon the above, staff recommends the Board approve this Resolution ordering improvements and confirming assessments within the GHAD for FY 2013-14.

Attachments: Resolution confirming Assessments [3 pp.]
Notice of Assessment mailed [2 pp.]
District Budget

GHAD RESOLUTION NO. -2013

**A RESOLUTION ORDERING IMPROVEMENTS AND CONFIRMING
ASSESSMENTS FOR FISCAL YEAR 2013-14**

**THE BOARD OF DIRECTORS
Oakhurst Geological Hazard Abatement District
Clayton, California**

WHEREAS, by adoption of Resolution No. XX-2013 the Board of Directors of the Oakhurst Geological Hazard Abatement District (GHAD) approved the District's Budget, declared its intention to levy and collect assessments for fiscal year 2013-14, and set a public hearing thereon for July 16, 2013, at the regular meeting place of the Board of Directors; and

WHEREAS, notice of said hearing and the adoption of Resolution No. XX-2013 was duly given as required by the provisions of Division 17, Chapter 6 of the Public Resources Code (Section 26650 et seq.); and

WHEREAS, all owners of property to be assessed within the District were given written notice by first class mail of the proposed assessments in accordance with Public Resources Code Section 26652; and

WHEREAS, on July 16, 2013, the Board of Directors held a public hearing on the proposed assessment for the fiscal year 2013-14 and heard and considered all oral statements and written communications made and filed thereon by interested persons;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors as follows:

1. The Board of Directors hereby orders the improvements as set forth in the District's Budget, dated June 18, 2013, and confirms the assessments as recommended by the District Manager.
2. The GHAD consists of a portion of the City of Clayton as shown on the boundary map on file with the District's Secretary.
3. A benefit allocation has been determined by the District Manager, upon consultation with the firm of Leptien, Cronin and Cooper that establishes three areas and three categories of benefit. The Areas are as follows:

Area 1 Lower 6000's, Duets, lower Townhouses

Area 2 Upper 6000's and 8000's, upper Townhouses

Area 3 10000's.

The three categories are as follows:

- a. Single family homes, regardless of lot size, will be the basic unit of benefit, all lots in the same area to be charged equally.
- b. Duet parcels to be charged 75% of the basic unit due to increased density.
- c. Townhouse parcels to be charged 50% of the basic unit due to increased density.

The actual assessments for each lot in the listed subdivisions shall be:

<u>GHAD AREA</u>	<u>SUBD</u>	<u># UNITS</u>	<u>TYPE</u>	<u>\$ ASSESS PER LOT</u>	<u>TOTAL \$</u>
I	6990	92	sfd	\$19.60	\$1,803.20
I	7065	108	duets	\$14.68	\$1,585.44
I	7066	117	multi-family	\$9.84	\$1,151.28
I	7303	52	multi-family	\$9.84	\$511.68
I	7311	118	duets	\$14.68	\$1,732.24
I	7768	55	sfd	\$19.60	\$1,078.00
I	7769	53	sfd	\$19.60	\$1,038.80
II	7256	70	sfd	\$26.10	\$1,827.00
II	7257	60	sfd	\$26.10	\$1,566.00
II	7260	75	sfd	\$26.10	\$1,957.50
II	7261	70	sfd	\$26.10	\$1,827.00
II	7262	99	sfd	\$26.10	\$2,583.90
II	7263	101	sfd	\$26.10	\$2,636.10
II	7264	102	sfd	\$26.10	\$2,662.20
II	7766	35	sfd	\$26.10	\$913.50
II	7766	60	multi-family	\$13.10	\$786.00
II	7767	76	multi-family	\$13.10	\$995.60
III	7249	69	sfd	\$62.88	\$4,338.72
III	7255	72	sfd	\$62.88	\$4,527.36

4. The Board of Directors declares this Resolution to be, and the same shall constitute, the levy of an assessment for the fiscal year 2013-14 as hereinabove referred to.
5. The Board directs the Secretary immediately to have recorded a notice of assessment, as provided for in Section 3114 of the Street and Highways Code.
6. The Board also directs that the assessments are payable in the same manner as general taxes and hereby directs the Secretary to file the boundary map and assessment list, or certified copy thereof, together with a certified copy of this resolution, with the County Auditor.

PASSED, APPROVED AND ADOPTED by the Board of Directors of the Oakhurst Geological Hazard Abatement District at a regular public meeting thereof held on 16th day of July 2013 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

THE BOARD OF DIRECTORS OF GHAD

David Shuey, Chairman

ATTEST:

Laci J. Jackson, Secretary

I hereby certify that the foregoing resolution was duly and regularly passed by the Board of Directors of the Oakhurst Geological Hazard Abatement District at a regular public meeting held on July 16, 2013.

Laci J. Jackson, Secretary

NOTICE OF PUBLIC HEARING ON THE LEVYING OF ASSESSMENTS ON PROPERTY IN THE OAKHURST GEOLOGICAL HAZARD ABATEMENT DISTRICT PURSUANT TO PUBLIC RESOURCES CODE SECTION 26652.

KNOW ALL INTERESTED PARTIES BY THIS NOTICE THAT:

1. The District Manager did present on June 18, 2013, to the Board of Directors, his report dated June 18, 2013, indicating a total budget for FY 2013-14 of \$38,235.00 and recommending the assessments shown on the attached table to pay for the obligations of the Oakhurst Geological Hazard Abatement District ("District") during the 2013-14 fiscal year.

2. The Board of Directors accepted and approved the report on June 18, 2013, by adopting GHAD Resolution No. 02-2013, which set forth, among other things:

- a. The Board's intent to levy and collect a per unit assessment in accordance with the recommendations of the District Manager as specified to pay for the obligations of said District during the 2013-14 fiscal year.
- b. The date of Tuesday, July 16, 2013, at 7:00 p.m., at Hoyer Hall in the Clayton Community Library, situated at 6125 Clayton Road, Clayton, California, as the date, time and place for hearing protests against the levying of said assessments in the District for the cost of operating in fiscal year 2013-14.

3. The per unit assessments for the 2012-13 fiscal year were as shown on the attached table. The proposed per unit assessments, representing an increase of less than the latest annual increase in the San Francisco, All Items, All Urban Consumers Index (2.40%; April '12 – April '13) and therefore within the formula limits previously approved by ballot, do not constitute an increase in assessments.

4. A general description of the items to be maintained and operated in the District and paid for by the assessment is as follows: open space areas and geological hazard mitigation devices and improvements.

5. All interested parties may obtain further particulars concerning the proposed per unit assessments in the District and a description and map of the boundaries of the District by referring to GHAD Resolution 02-2013, and the report of June 18, 2013, which are on file with the Secretary in the Clayton City Office. In addition, interested parties may contact the District Manager directly by phone at (925) 363-7433 or in person at 5375 Clayton Road, Concord, California, or view the reports at www.ci.clayton.ca.us.

NOW, THEREFORE, any and all persons having any interest in lands within the District liable to be assessed for the expenses of the district for fiscal year 2013-14, may appear at the public hearing, the time and place thereof being set forth above, and offer protest to said assessments, and any of said persons may also present any objections that they may have by written protest filed with the Secretary, Oakhurst Geological Hazard Abatement District, City of Clayton, 6000 Heritage Trail, Clayton, California, 94517, at or before the time set for public hearing.

LACI J. JACKSON

Secretary

Oakhurst Geological Hazard Abatement District

DATED: June 18, 2013

***Notice of Proposed Assessment
Per GHAD Resolution -02 - 2013***

Page 1 of 2

OAKHURST GEOLOGICAL HAZARD ABATEMENT DISTRICT
PROPOSED ANNUAL ASSESSMENTS
FISCAL YEAR 2013/14

GHAD AREA	SUBD. NAME	SUBD. #	# UNITS	TYPE	PROPOSED ASSESS.	2012-2013 ASSESS.	ANNUAL \$ INCREASE
I	Windmill Canyon I	6990	92	6,000 sf	\$19.60	\$19.12	0.48
I	Black Diamond I	7065	108	Duets	\$14.68	\$14.34	0.34
I	Chaparral Springs I	7066	117	Multi-family	\$9.84	\$9.58	0.26
I	Chaparral Springs II	7303	52	Multi-family	\$9.84	\$9.58	0.26
I	Black Diamond II	7311	118	Duets	\$14.68	\$14.34	0.34
I	Oak Hollow IIA	7768	55	5,000 sf	\$19.60	\$19.12	0.48
I	Oak Hollow IIB	7769	53	5,000 sf	\$19.60	\$19.12	0.48
II	Eagle Peak I	7256	70	8,000 sf	\$26.10	\$25.50	0.60
II	Eagle Peak II	7257	60	8,000 sf	\$26.10	\$25.50	0.60
II	Falcon Ridge I	7260	75	8,000 sf	\$26.10	\$25.50	0.60
II	Falcon Ridge II	7261	70	8,000 sf	\$26.10	\$25.50	0.60
II	Windmill Canyon II	7262	99	6,000 sf	\$26.10	\$25.50	0.60
II	Windmill Canyon III	7263	101	6,000 sf	\$26.10	\$25.50	0.60
II	Windmill Canyon IV/Ironwood	7264	102	6,000 sf	\$26.10	\$25.50	0.60
II	Oak Hollow I	7766	35	5,000 sf	\$26.10	\$25.50	0.60
II	Diablo Ridge I	7766	60	Multi-family	\$13.10	\$12.78	0.32
II	Diablo Ridge II	7767	76	Multi-family	\$13.10	\$12.78	0.32
III	Peacock Creek I	7249	69	10,000 sf	\$62.88	\$61.40	1.48
III	Peacock Creek II	7255	72	10,000 sf	\$62.88	\$61.40	1.48

GHAD BUDGET REPORT

DATE: JUNE 18, 2013

TO: BOARD OF DIRECTORS

FROM: RICK ANGRISANI, DISTRICT MANAGER

RE: FISCAL YEAR 2013-14

BACKGROUND

In April 2000, the property owners within the Oakhurst Geological Hazard Abatement District (GHAD) approved, by ballot, assessments to cover the routine maintenance and operations needs of the District. The ballot measure also allowed increases in the annual assessment not to exceed the CPI. These annual assessments are the only source of revenues to the District as it is solely funded by the private property owners within the District. Without the real property owners' approval, the District cannot create or mandate additional revenues to fund hazard abatement or prevention services.

As reported last year, due to the minimal income from assessments, the District has ceased monitoring of slope below Pebble Beach Drive near Inverness Way.

Kelok Way Dewatering Wells

A settlement agreement was reached last calendar year to satisfy numerous lawsuits related to ongoing movement throughout the Oakhurst Country Club development area. As part of the agreement, funds were provided for the installation of six large dewatering wells and inclinometers in Kelok Way in order to increase the stability of the large slope between Kelok Way and North Valley Park. The work was completed within the anticipated budget and the GHAD was able to deposit excess funds of almost \$11,500 into its reserves.

Unfortunately, the inclinometers will require ongoing monitoring on a semiannual basis to ensure that dewatering wells have slowed or halted the slope movement as well as continuing to function as designed. The geotechnical engineer has provided a proposal for the monitoring with a cost of \$11,700 the first year and approximately \$9,600 each year thereafter. This cost has been included in this year's proposed budget. The excess settlement funds will cover most of the first year's cost. However, future year expenditures will have to come out of the annual assessments and any reserve funds the GHAD may possess.

Fund Balance (reserves)

The GHAD's fund balance is expected to have a surplus of \$23,506 at the end of FY 2012-13, and there will be approximately \$119,200 in remaining funds from the original Presley lawsuit settlement (2003). The proposed assessments will not cover all of the District's operations due primarily to the addition of monitoring costs for the

Kelok Way Dewatering Wells. We anticipate that the fund balance will be reduced by \$2,583 to \$20,922 at the end of FY 2013-14.

It was, of course, originally intended that the remaining original Presley lawsuit settlement funds be used to rehabilitate the street pavement in the Keller Ridge area once the ongoing movement ceased. While some pavement work has been accomplished, having no other reserves and no interest by the property owners in raising the annual assessments, the District has no choice but to eventually use these funds to cover any of the District's funding shortfalls that may occur for as long as possible.

FY 2013-14 BUDGET

This Budget proposes to continue funding just the routine operations, along with the ongoing monitoring and legal defense costs, of the District through the allowable annual assessments. The year to year increase allowable per the most current CPI is 2.40% (April 2012 to April 2013, San Francisco, All Items, All Urban Consumers Index).

Following is the recommended budget for the GHAD for FY 2013-14:

EXPENSES

Postage	\$700.00
Legal Notices	95.00
Insurance Premium Surcharge (transfer to General Fund)	13,750.00
County Collections Charge	1,400.00
Engineering Services	3,000.00
Kelok Way Monitoring	11,700.00
Legal Services	1,000.00
Miscellaneous	267.00
Administration (transfer to General Fund)	<u>6,323.00</u>
<i>TOTAL EXPENSES</i>	<i>\$38,235.00</i>

INCOME

Property Assessments	\$35,521.52
Interest on Funds	<u>130.00</u>
<i>TOTAL INCOME</i>	<i>\$35,651.52</i>
Funds from GHAD Fund Balance	\$ 2,583.48

FY 2013-14 PROPERTY ASSESSMENTS

As stated above, the annual assessment will be the same as last year except for an increase consistent with the increase in the CPI. Exhibit A explains the methodology of the assessments and provides a summary of the proposed assessment for this year.

EXHIBIT A
OAKHURST GEOLOGICAL HAZARD ABATEMENT DISTRICT
METHOD OF ASSESSMENT

A Geological hazard abatement district is essentially a benefit assessment district. Therefore, the assessments must be apportioned to individual parcels according to the benefit received.

Based upon discussions with the City's consultant, Randy Leptien of Leptien, Cronin & Cooper, the various areas and types of development in Oakhurst require that the assessments be broken down by area as well as type of unit. The areas have been broken down to reflect, as much as possible, units with an equal amount of risk and benefit.

The total development has been divided into three areas for assessment:

Area 1	Lower 6000's, lower 5000's, Duets, and Townhouses
Area 2	Upper 6000's, upper 5000's, 8,000's, condominiums
Area 3	10000's

After reviewing the needs of each area and the benefits of the District to each area, we have assigned each area the following share of the District's costs (including reserves);

Area 1	25%
Area 2	50%
Area 3	25%

As will be noted, the number of units in each area is not considered a factor and the amount of assessment per unit will vary greatly from area to area. Since there are different types of housing mixed in Areas 1 and 2, we have assigned different assessment units to each type of housing as follows:

Single Family (regardless of size)	1.00
Duets	0.75
Multi-family	0.50

District Boundaries

As of FY 1999-00, the District was complete and consisted of 200 single family homes, 226 duets, and 169 townhouses in Area 1; 612 single family homes and 136 condos in Area 2; and 141 single family homes in Area 3.

Summary of Assessments

AREA I 2013-14 ASSESSMENT			Total =	\$8,900.64		
Subarea	# Units	Type	Factor	Ass. Units	13/14 Asses	Total
Tr. 6990	92	sfd	1.00	92.00	\$19.60	\$1,803.20
Tr. 7065	108	duets	0.75	81.00	\$14.68	\$1,585.44
Tr. 7066	117	multifamily	0.50	58.50	\$9.84	\$1,151.28
Tr. 7303	52	multifamily	0.50	26.00	\$9.84	\$511.68
Tr. 7311	118	duets	0.75	88.50	\$14.68	\$1,732.24
Tr. 7768	55	sfd	1.00	55.00	\$19.60	\$1,078.00
Tr. 7769	53	sfd	1.00	53.00	\$19.60	\$1,038.80
Subtotals	595			454.00		\$8,900.64
AREA II 2013-14 ASSESSMENT			Total =	\$17,754.80		
Subarea	# Units	Type	Factor	Ass. Units	13/14 Asses	Total
Tr. 7256	70	sfd	1.00	70.00	\$26.10	\$1,827.00
Tr. 7257	60	sfd	1.00	60.00	\$26.10	\$1,566.00
Tr. 7260	75	sfd	1.00	75.00	\$26.10	\$1,957.50
Tr. 7261	70	sfd	1.00	70.00	\$26.10	\$1,827.00
Tr. 7262	99	sfd	1.00	99.00	\$26.10	\$2,583.90
Tr. 7263	101	sfd	1.00	101.00	\$26.10	\$2,636.10
Tr. 7264	102	sfd	1.00	102.00	\$26.10	\$2,662.20
Tr. 7766	35	sfd	1.00	35.00	\$26.10	\$913.50
Tr. 7766	60	multifamily	0.50	30.00	\$13.10	\$786.00
Tr. 7767	76	multifamily	0.50	38.00	\$13.10	\$995.60
Subtotals	748			680.00		\$17,754.80
AREA III 2013-14 ASSESSMENT			Total =	\$8,666.08		
Subarea	# Units	Type	Factor	Ass. Units	13/14 Asses	Total
Tr. 7249	69	sfd	1.00	69.00	\$62.68	\$4,338.72
Tr. 7255	72	sfd	1.00	72.00	\$62.68	\$4,527.36
Subtotals	141			141.00		\$8,866.08
Grand Totals	1,484			1,275.00		\$35,521.52