CITY OF CLAYTON
Founded 1857 .. Incorporated 1964

AGENDA

REGULAR MEETING

* * *

CLAYTON CITY COUNCIL

* * *

TUESDAY, December 17, 2013

7:00 P.M.

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

Mayor: Hank Stratford
Vice Mayor: David T. Shuey

Council Members
Jim Diaz
Howard Geller
Julie K. Pierce

- 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 *

December 17, 2013

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

2. **PLEDGE OF ALLEGIANCE** – led by Mayor Stratford.

3. **CONSENT CALENDAR**

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

(a) Information Only – No Action necessary.
1. City Attorney memo regarding new Brown Act governing body public voting requirements, effective 01 January 2014.

(b) Approve the minutes of the regular meeting of December 3, 2013.

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

(d) Adopt a Resolution setting, adjusting and approving the City Manager's salary range and ordering employee compensation and benefits adjustments via a First Amendment to the Employee Employment Agreement.

(e) Adopt a Resolution accepting completion of the City's 2013 Neighborhood Street Pavement Rehab Project (CIP No. 10417), the City Hall Parking Area Repaving Project (CIP No. 10426), the Library Parking Lot Repaving Project (CIP No. 10427), the Lydia Lane Parking Lot Repaving Project (CIP No. 10428), and the 2012 Trail Repaving Project (CIP No. 10429), and ordering the City Clerk to file the Notice of Completion.

(f) Approve the Mayoral re-appointment of Joyce Atkinson to serve on the Contra Costa County Library Commission and Jeanne Boyd as the Alternate Library Commissioner, each with a term of office ending June 30, 2016.

(g) Approve the Mayoral re-appointment of Peggie Howell to serve as a Trustee on the Contra Costa County Mosquito and Vector Control District for a two year term expiring January 1, 2016.

(h) Adopt a Resolution approving and appropriating a total of $182,671 in General Fund excess monies from FY 2011-12 into two City Funds and one Account in FY 2013-14 for organizational priorities of the City's general governmental operations.

(i) Approve the Mayoral appointment of the Community Development Director as the replacement City member to the Oversight Board of the Clayton Successor Agency, pursuant to Section 34179 of the California Redevelopment Law.

4. RECOGNITIONS AND PRESENTATIONS

(a) Recognition and appreciation to Merry Pelletier, City Finance Manager retiring on December 31, 2013, following thirteen years of service to the City and community of Clayton.

5. REPORTS

(a) Planning Commission – Commissioner David Bruzzone.
(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

6. 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.

7. PUBLIC HEARINGS - None.

8. ACTION ITEMS

(a) Consideration of the City's Annual Report concerning the City's levy, collection and disposition of development impact mitigation fees during Fiscal Year 2011-2012, in compliance with the *California Government Code* (AB 1600). (Assistant to the City Manager)

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

(b) Review and determination of City Council ad-hoc, committee, inter-governmental and regional board assignments for 2014.
(Mayor Stratford)

Staff recommendation: Following report by Mayor Stratford, approve by motion the proposed Council Member assignments for calendar year 2014.

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

10. CLOSED SESSIONS

(a) *Government Code Section 54956.9(d)(1)*
Conference with Legal Counsel – Existing Litigation
City of Brentwood, et al. v. Campbell – Superior Court Case No. A138268

(b) *Government Code Section 54957.6*, Conference with Labor Negotiator
Instructions to City-designated labor negotiator: City Manager.

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

Reports out from Closed Session: Mayor Stratford.

11. ADJOURNMENT– the next regularly scheduled City Council meeting is January 7, 2014.

# # # # #

Agenda Date: 12/17/2013

Agenda Item: 3a

BEST BEST & KRIEGER LLP
ATTORNEYS AT LAW

To: Gary Napper, City Manager

From: Best Best & Krieger LLP

Date: December 12, 2013

Re: SB 751: New Law Requires Agencies to Publicly Announce Votes

The Legislature recently adopted Senate Bill 751, and this new law will take effect on January 1st. SB 751 requires all agencies to publicly report the vote of all Council or Board members/ Commissioners. While this does not require the City to conduct a roll-call vote for all matters, agencies must ensure that it is clear how each Council or Board members/ Commissioners voted on each matter. If the vote is unanimous, this will be very easy. However, if there are dissenting votes, the Mayor/President/Chairperson or Clerk may need to publicly announce the dissenting votes and clarify which member dissented if it is unclear. In addition, all votes should be reflected in the meeting minutes.

ANALYSIS

S.B. 751 amends Government Code section 54953 to require that "…[t]he legislative body of a local agency shall publicly report any action taken and the vote or abstention of that action of each member present for the action." The legislative history of S.B. 731 indicates that the Legislature was concerned that it had become difficult for members of the public to accurately track the votes of individual members, especially for larger boards and councils. The intent of this bill was to avoid this confusion so it was clear how each member voted. (See Senate Floor Analysis of S.B. 731 (August 13, 2013), p. 2.)

Some have questioned whether S.B. 751 will require agencies to conduct all votes by roll call. Roll call votes are most likely not required for two reasons. First, section 54953 requires that agencies simply "publicly report" votes. By contrast, the section explicitly requires a "roll call" vote for actions taken during a teleconference meeting. The use of these different terms is most likely intentional, and a formal roll call vote is not required for all votes. Second, nothing in the legislative history indicates an intent to require a formal roll call vote. Rather, the Legislature was simply concerned with ensuring the public could accurately track votes.

In light of this, the City will need to ensure that beginning January 1st the votes of each Council or Board members/ Commissioners are accurately recorded. Theses votes should be recorded in the meeting minutes. If a vote is unanimous, this will be easy to report as unanimously approved. However, if there are dissenting votes, the City will need to ensure it is clear who dissented. This can be difficult with simultaneous "ay" or "nay" votes, and the Mayor/President/Chairperson or Clerk may need to clarify after votes how each person voted or at least who dissented. If there is a split vote, the Mayor/President/Chairperson should first ensure he or she knows who dissented and then report the action. For example, a 3-2 vote could be reported as "Motion passes 3-2, Councilmembers Smith and Jones dissenting."

We hope this has been helpful in explaining the new requirements of S.B. 751. Please let me know if you have any questions.

MALA SUBRAMANIAN

Agenda Date: 12/17/2013

Agenda Item: 3b

MINUTES
OF THE
REGULAR MEETING
CLAYTON CITY COUNCIL

TUESDAY, December 3, 2013

1. **CALL TO ORDER & ROLL CALL** – The meeting was called to order at 7:00 p.m. by Mayor Pierce in Hoyer Hall of the Clayton Community Library, 6125 Clayton Road, Clayton, CA. Councilmembers present: Mayor Pierce, Vice Mayor Stratford, Councilmembers Diaz, Geller and Shuey. Staff present: City Manager Gary Napper, City Attorney Mala Subramanian, Community Development Director Charlie Mullen, and Interim City Clerk Janet Brown.

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

3. **CONSENT CALENDAR- It was moved by Councilmember Geller, seconded by Councilmember Diaz, to approve the Consent Calendar as submitted (Passed; 5-0).**

(a) Information Only
1. Notification by Republic Services (aka Allied Waste Services) that residential and Commercial solid waste collection and disposal services rates will increase by 1.40% (90% of the annual October-October Consumer Price Index change, per the City's Franchise Agreement), effective 01 January 2014.

2. Notice of Public Hearing on Wednesday, January 8, 2014 by the Contra Costa Water District Board (CCWD) of its consideration of a treated water revenue increase of up to 3.5%.

(b) Approved the minutes of the regular meeting of November 19, 2013.

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

(d) Approved the rescission of a contract with Konica Minolta Business Systems for replacement of the existing City Hall copier machine, and approve a multi-year lease agreement with Caltronics Business Solutions to replace the City Hall copier.

(e) Adopted a Resolution approving and implementing a City Administrative Policy concerning Mandatory Reporting of incidents or reports of the abuse of minors.

(f) Adopted a Resolution approving Christopher Diaz with the law firm of Best Best & Krieger, LLP, as the Assistant City Attorney/Assistant General Counsel of and for the City of Clayton.

4. **RECOGNITIONS AND PRESENTATIONS** – Recognition of Jad Ghannam, BSA Eagle Scout candidate, for preparation and installation of two (2) sets of bicycle racks in Stranahan Park and Westwood Park as his Eagle Scout Project.

The Mayor announced that since he could not attend the meeting, his recognition would be mailed to him.

5. ANNUAL REORGANIZATION OF CLAYTON CITY COUNCIL

(a) Election of Mayor by the City Council

Mayor Pierce opened the floor to nominations. Councilmember Geller nominated Hank Stratford for the position of Mayor. Councilmember Shuey seconded the nomination. There were no other nominations and Mayor Pierce closed the nominations. **On call by Mayor Pierce, the election of Hank Stratford as Mayor passed by acclamation (Passed;5-0 vote).**

(b) Election of Vice Mayor by the City Council

Mayor Stratford opened the floor to nominations. Mayor Stratford nominated David T. Shuey for the position of Vice Mayor. Councilmember Diaz seconded the nomination. There were no other nominations and Mayor Stratford closed the nominations. **On call by Mayor Stratford, the election of David Shuey as Vice Mayor passed by acclamation (Passed;5-0 vote).**

(c) Recognitions and comments by Mayor and Council Members.

Mayor Stratford thanked Councilmember Pierce for her term and leadership as Clayton's Mayor and presented her with an engraved jewelry box for her service as Mayor in 2013. Councilmember Pierce thanked the Council for the gift and their support.

6. REPORTS

(a) Planning Commission – No meeting held

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

(c) City Manager/Staff
The City Manager thanked former Mayor Pierce for her Mayoral leadership and welcomed Mayor Stratford back as Mayor. He advised them the new Finance Manager, Kevin Mizuno, will be starting on Monday, December 9th. He also introduced Janet Brown as the Interim City Clerk. The City Manager invited the community to attend the Tree Lighting Event hosted by CBCA that is taking place Saturday, December 7th at 6:00 p.m. in Downtown.

(d) City Council - Reports from Council liaisons to Regional Committees, Commissions and Boards.

Councilmember Geller stated he was in attendance at the CBCA meeting

Councilmember Pierce reported she was in attendance at the Self Help Counties Coalition meeting that included 19 counties at a conference in San Diego. The main focus was on trains. It was followed immediately by the California Transportation Foundation meeting. She is recommending a change in Bylaws with the Councils of Government statewide and working on revising the habits of HCD Housing & Community Development. Councilmember Pierce also had a conference call with Mary Peinado regarding Hospice's Tree of Lights ceremony. Council and the Clayton community are invited to attend that event taking place on December 9th at 5:30 pm at John Muir Medical in Concord at parking lot.

Councilmember Diaz attended the Clayton Library Board meeting and has a few items for the City Manager, which he will get to Gary. CBCA meeting on the 21st and on the 22nd he attended the retirement of former City Clerk, Laci Jackson Kolc

Mayor Stratford noted the community trait focus word is "Kindness" for the month of December.

(e) Other

Mayor Stratford invited Laura Case to the podium at this time.

Laura Case from Supervisor Karen Mitchoff's office extend congratulations to Mayor Stratford on his selection Supervisor Mitchoff wants to extend her thanks to all of the Council for the past year and looks forward to partnering with the Council in the next year.

7. **PUBLIC COMMENT ON NON-AGENDA ITEMS** - None

8. **PUBLIC HEARINGS**

(a) Public Hearing to consider an amendment to the City Master Fee Schedule establishing a fee deposit for processing appeals of Administrative Code Enforcement violation citations.
(Community Development Director)

The Community Development Director presented the staff report. He stated that there was a revision to Exhibit A, Amendment of the Fee Schedule, which was placed on the Council dais this evening indicating the recommended deposit is $1,800, not $2,000 Ordinance 451 did not incorporate the monies needed for the appeal process since fees are set by Council resolution. The current amount of $53.00 is not enough for the appeals process. The new fee of timer time and material with an initial deposit of $1,800 should cover the costs.

Councilmember Diaz asked if this was the complete fee schedule?

The Community Development Director advised the fee amendment is indicated in red.

Councilmember Diaz expressed interest in fees for modification to Commercial facilities in the downtown area on how those are established and where is that listed?

The Community Development Director stated that subject is outside of the discussion for tonight's meeting and that he could go over that matter with him at City Hall.

Councilmembers Diaz, Pierce and Mayor Stratford agreed that it would be better to take action at this time on this fee.

Mayor Stratford opened up the Public hearing at 7:20 p.m. and asked if there additional comments. No public comments were provided. Mayor Stratford closed the Public Hearing at 7:21 p.m.

It was moved by Councilmember Pierce, seconded by Councilmember Geller, to adopt Resolution 38-2013 approving an amendment to the City Master Fee Schedule establishing a fee deposit for processing appeals of Administrative Code Enforcement violation citations. (Passed;5-0 vote)

9. ACTION ITEMS

(a) City Council discussion and direction to staff regarding the disposition of General Fund excess monies in the amount of $182,671 from FY 2011-12.
(City Manager)

The City Manager presented the staff report about the disposition of General Fund excess monies in the amount of $182,671 from FY 2011-12. The City Manager asked the Council to direct staff on how it would like to allocate the excess funds. Rather than it allow the surplus to be deposited into the General Fund Reserve, it was recommended that $103,517 go into the Labor Relations Contingency, $54,154 to Replenish Self Insurance Funds (No. 501) and $25,000 to Capital Equipment Replacement Fund (No. 502).

Mayor Stratford asked if there were any questions.

Councilmember Geller understood the need to transfer funds to replenish Self Insurance and Capital Equipment Replacement Funds, however he would like to place the funds recommended for the Labor Relations Contingency into the General Fund Reserve.

Mayor Stratford and Councilmember Diaz shared some concerns of the monies being transferred to the Labor Relations Contingency as it sets up the expectation at the Labor negotiation table

The City Manager reiterated that if the excess funds were to be put into the General Fund Reserve, it can appear that the City has $5 million in monies for Labor negotiations, which the City does not wish to consider.

Mayor Stratford does not want to send the wrong message to the public by pulling funds out of the General Fund Reserve for budgeting negotiations. He expressed preference to budget appropriately and not use the savings.

Councilmember Pierce agreed with Mayor Stratford

Councilmember Geller prefers to put the excess funds into the General Fund Reserve and transfer funds when needed for Labor negotiations

Councilmember Pierce agreed to move it as the recommended contingency and to acknowledge it as a position rather than an absolute commitment.

It was moved by Councilmember Pierce, seconded by Councilmember Diaz, to consider disposition of General Fund Excess, FY 2011-12 as outlined in the staff report. (Passed;4-1 vote, Geller- no).

(b) Council Member request to discuss proposal for an expanded permanent stage off the existing gazebo at The Grove Park for concerts or other theatrical or musical productions, plus electrical power supply upgrade to 50 amps and a band shade.
(Councilmember Geller).

Councilmember Geller presented a feasibility study to build a raised stage in The Grove Park and upgrade the electrical service. The Saturday Concerts in The Grove as well as the Thursday night concerts series has completed its 6th year. Some issues in the past have been the amount of power for sound equipment and visibility of the band. After speaking with three sound companies, an upgrade to 50 amps of power is suggested. Councilmember Geller handed out plans of a permanent stage option. It was also suggested that other Clayton town events would be able to make use of the stage and additional power. In addition to a stage, there is also a need for a shade structure.

Mayor Stratford asked the type of material the stage would be made out of?

Councilmember Geller suggested Trek wood match the existing gazebo.

Mayor Stratford asked about a removable stage option.

Councilmember Geller responded a removable option comes in pieces and requires someplace to store it and a crew to set it up and tear it down for the events.

Councilmember Diaz agrees on the upgrade of the power to 50 amps and finds the gazebo an attractive structure but not functional for live music. Councilmember Diaz is in favor of a removable shade structure that can be used at other Clayton town events.

Councilmember Pierce agrees with the upgrade to 50 amps and made the suggestion that it needs to be weatherproof. She also asked the Community Development Director about the requirement of some sort of hand rail or barrier needed on the permanent raised platform.

The Community Development Director advised that a hand rail or barrier is likely needed as it presents a health and safety issue

Councilmember Pierce is not in favor of the stage; she feels that it takes away from other uses in the park. Councilmember Pierce also suggested a temporary shade structure with removable poles that can be capped off when not in use.

Vice Mayor Shuey suggested Councilmember Geller have someone do a graphic rendering in 3D to see what it would look like, including storage, and seek community input.

Mayor Stratford agrees to upgrade the power supply and was inclined to support a temporary stage.

Councilmember Geller would like to move forward with the 50 amps and suggested a custom fit cantilever shade. Also requested staff provide the safety requirements needed for the stage.

Vice Mayor Shuey suggested the shade structure would need to be pretty high and he does not want to impede grass area play for park users. Suggested a temporary dance floor rather than stage.

Councilmember Pierce doesn't want to lose view of Mt. Diablo with a shade structure.

Vice Mayor Shuey noted he originally suggested additional shade needed by play structure. The existing trees were not creating enough shade for area. However, since that time he has seen how permanent shade structures can be used as alternative creative play structures by kids and he would advise against them.

The City Manager noted a Council's previous goal from last year's Council Manager Goals Study Session was for staff to research the expense for a 50 amp system, and staff is already looking into the upgrade to 50 amps.

No public comments were received.

It was moved by Councilmember Pierce, and seconded by Vice Mayor Shuey, to approve the upgrade to 50 amps at The Grove Park (Passed;5-0 vote).

10. **COUNCIL ITEMS – limited to requests and directives for future meetings.**
None.

11. **RECESS** At 8:22 p.m., the Council recessed the meeting until the conclusion of the Oakhurst Geological Hazard Abatement District Meeting.

12. **RE-OPEN THE CITY COUNCIL MEETING** – Mayor Stratford reopened the City Council meeting at 8:36 p.m.

13. **8:38 p.m. CLOSED SESSIONS** – on call by Mayor Stratford, the City Council adjourned into Closed Session for the following purposes:

(a) *Government Code Section 54956.9(d)(1)*
Conference with Legal Counsel – Existing Litigation
City of Brentwood, et al. v. Campbell – Superior Court Case No. A138268

(b) *Government Code Section 54957.6*, Conference with Labor Negotiator
Instructions to City-designated labor negotiator: City Manager.

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

(c) *Government Code Section 54957*
Public Employee Annual Performance Evaluation
Position Title: City Manager

(d) *Government Code Section 54957.6*, Conference with Labor Negotiator
Instructions to City-designated Representative: Julie K. Pierce, Council Member
Unrepresented City Employee: Gary Napper, City Manager

Reports out from Closed Session: At 9:52 p.m. Mayor Stratford announced re-opened the public meeting and announced there was no reportable action taken.

14. **ADJOURNMENT**– on call by Mayor Stratford the meeting adjourned at 9:52 p.m.

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Respectfully submitted,

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Janet Brown, Interim City Clerk

APPROVED BY CLAYTON CITY COUNCIL

____
Hank Stratford, Mayor

Agenda Date 12/17/2013

Agenda Item: 3c

CITY OF CLAYTON
Founded 1857 .. Incorporated 1964

Approved:

Gary A. Napper
City Manager

STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: Merry Pelletier, Finance Manager

DATE: 12/17/2013

SUBJECT: INVOICE SUMMARY

RECOMMENDATION:

Approve the following Invoices:

12/13/2013 Cash Requirements Report	$113,898.86
12/13/2013 US Bank - CalCard	$ 12,796.95
Total:	$126,695.81

Attachments:
Cash Requirements Report dated 12/13/2013 (4 pages)
US Bank Cal Card $12,796.95

City of Clayton
Cash Requirements Report
City Council Meeting 12/17/2013

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
AT&T/ CalNet 2								
AT&T/ CalNet 2	12/17/2013	11/22/2013	October	Phone Service October 2013	$1,899.23	$0.00		$1,899.23
				Totals for AT&T/ CalNet 2:	*$1,899.23*	*$0.00*		*$1,899.23*
Bay Area News Group East Bay (CCT)								
Bay Area News Group East Bay (CCT)	12/17/2013	11/30/2013	0000710296	Legal Ads 11/22/13-11/29/13	$423.00	$0.00		$423.00
				Totals for Bay Area News Group East Bay (CCT):	*$423.00*	*$0.00*		*$423.00*
CalPERS Retirement								
CalPERS Retirement	12/17/2013	12/11/2013	PPE 12/8/13	Retirement PPE 12/8/13, Pay 12/11/13	$21,390.61	$0.00		$21,390.61
				Totals for CalPERS Retirement:	*$21,390.61*	*$0.00*		*$21,390.61*
CCWD								
CCWD	12/17/2013	12/4/2013	F Series	Water/Irrigation	$16,459.02	$0.00		$16,459.02
				Totals for CCWD:	*$16,459.02*	*$0.00*		*$16,459.02*
Clean Street								
Clean Street	12/17/2013	11/30/2013	72605	Monthly Sweep Fee - November 2013	$3,500.00	$0.00		$3,500.00
				Totals for Clean Street:	*$3,500.00*	*$0.00*		*$3,500.00*
Concord Garden Equipment								
Concord Garden Equipment	12/17/2013	12/3/2013	468384	Hedge Trimmer Grease	$40.07	$0.00		$40.07
				Totals for Concord Garden Equipment:	*$40.07*	*$0.00*		*$40.07*
Contra Costa County Library								
Contra Costa County Library	12/17/2013	11/21/2013	7/1/13-9/30/13	Additional hours of Library Service FY 13/14	$3,918.98	$0.00		$3,918.98
				Totals for Contra Costa County Library:	*$3,918.98*	*$0.00*		*$3,918.98*
Contra Costa Transportation Authority								
Contra Costa Transportation Authority	12/17/2013	12/4/2013	FY 12-13 Prop 111	Local Jurisdiction Share FY 12/13 Congestion	$792.00	$0.00		$792.00
				Totals for Contra Costa Transportation Authority:	*$792.00*	*$0.00*		*$792.00*
Cropper Accountancy Corp								
Cropper Accountancy Corp	12/17/2013	10/31/2013	797	2012 & 2011 RDA Report	$12,200.00	$0.00		$12,200.00
Cropper Accountancy Corp	12/17/2013	11/30/2013	807	First progress billing - audit - 6/30/13	$17,000.00	$0.00		$17,000.00
				Totals for Cropper Accountancy Corp:	*$29,200.00*	*$0.00*		*$29,200.00*
Jason Delmar								
Jason Delmar	12/17/2013	11/27/2013	220	Services	$375.00	$0.00		$375.00
				Totals for Jason Delmar:	*$375.00*	*$0.00*		*$375.00*
Doug Stuart Woodcarving								
Doug Stuart Woodcarving	12/17/2013	12/2/2013	Clayton Signs	Balance Due for City of Clayton Monument S	$4,329.35	$0.00		$4,329.35
				Totals for Doug Stuart Woodcarving:	*$4,329.35*	*$0.00*		*$4,329.35*

City of Clayton
Cash Requirements Report
City Council Meeting 12/17/2013

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
Tony Eichers								
Tony Eichers	12/17/2013	12/3/2013	1761	Deposit refund for EH rental 11/16/13	$500.00	$0.00		$500.00
				Totals for Tony Eichers:	*$500.00*	*$0.00*		*$500.00*
Hammons Supply Company								
Hammons Supply Company	12/17/2013	11/8/2013	80703	supplies PD	$71.35	$0.00		$71.35
				Totals for Hammons Supply Company:	*$71.35*	*$0.00*		*$71.35*
Health Care Dental Trust								
Health Care Dental Trust	12/17/2013	12/3/2013	168086	December Dental 2013	$2,966.76	$0.00		$2,966.76
				Totals for Health Care Dental Trust:	*$2,966.76*	*$0.00*		*$2,966.76*
J & R Floor Services								
J & R Floor Services	12/17/2013	12/1/2013	eleven	October Billing	$5,000.00	$0.00		$5,000.00
J & R Floor Services	12/17/2013	12/4/2013	December	Volunteer Coordinator Hours for December 2	$900.00	$0.00		$900.00
				Totals for J & R Floor Services:	*$5,900.00*	*$0.00*		*$5,900.00*
Jarvis Fay Doporto & Gibson, LLP								
Jarvis Fay Doporto & Gibson, LLP	12/17/2013	11/15/2013	5794	Chevron Property Tax Refund Matter October	$42.01	$0.00		$42.01
				Totals for Jarvis Fay Doporto & Gibson, LLP:	*$42.01*	*$0.00*		*$42.01*
John Deere Landscapes Inc								
John Deere Landscapes Inc	12/17/2013	11/21/2013	66739925	irrigation supplies - order # 73853728	$643.19	$0.00		$643.19
				Totals for John Deere Landscapes Inc:	*$643.19*	*$0.00*		*$643.19*
LarryLogic Productions								
LarryLogic Productions	12/17/2013	12/4/2013	1377	City Council Meeting 12/3/13	$300.00	$0.00		$300.00
				Totals for LarryLogic Productions:	*$300.00*	*$0.00*		*$300.00*
Marken Mechanical Services Inc								
Marken Mechanical Services Inc	12/17/2013	11/6/2013	413-1151-11	City Hall Maintenance November 2013	$150.00	$0.00		$150.00
Marken Mechanical Services Inc	12/17/2013	11/6/2013	413-1152-11	Library Maintenance November 2013	$150.00	$0.00		$150.00
				Totals for Marken Mechanical Services Inc:	*$300.00*	*$0.00*		*$300.00*
Menard Consulting, Inc								
Menard Consulting, Inc	12/17/2013	12/3/2013	362	GASB 45 actuarial for FY 2013	$1,500.00	$0.00		$1,500.00
				Totals for Menard Consulting, Inc:	*$1,500.00*	*$0.00*		*$1,500.00*
MPA								
MPA	12/17/2013	12/4/2013	December 2013	LTD/Life for December 2013	$1,437.03	$0.00		$1,437.03
				Totals for MPA:	*$1,437.03*	*$0.00*		*$1,437.03*
Muir/ Diablo Occupation Medicine								
Muir/ Diablo Occupation Medicine	12/17/2013	11/27/2013	245216	Exam - Admin Employee	$70.00	$0.00		$70.00
				Totals for Muir/ Diablo Occupation Medicine:	*$70.00*	*$0.00*		*$70.00*

City of Clayton
Cash Requirements Report
City Council Meeting 12/17/2013

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
PERMCO, Inc.								
PERMCO, Inc.	12/17/2013	12/10/2013	10120	Retainer - General Services	$1,585.00	$0.00		$1,585.00
PERMCO, Inc.	12/17/2013	12/10/2013	10121	Silver Oaks Estates Review Initial Study/MN	$300.00	$0.00		$300.00
				Totals for PERMCO, Inc.:	*$1,885.00*	*$0.00*		*$1,885.00*
PG&E								
PG&E	12/17/2013	11/20/2013	2131151100-4 11/13	electricity service	$11.32	$0.00		$11.32
				Totals for PG&E:	*$11.32*	*$0.00*		*$11.32*
Pinnacle Construction Services, Inc								
Pinnacle Construction Services, Inc	12/17/2013	10/25/2013	1801	Management for Diablo Estates November 2	$4,099.00	$0.00		$4,099.00
Pinnacle Construction Services, Inc	12/17/2013	12/3/2013	1831	management for Diablo Estates December 20	$4,099.00	$0.00		$4,099.00
				Totals for Pinnacle Construction Services, Inc:	*$8,198.00*	*$0.00*		*$8,198.00*
Raney Planning & Management, Inc.								
Raney Planning & Management, Inc.	12/17/2013	11/15/2013	1322E-4	Labor October 2013	$3,545.19	$0.00		$3,545.19
				Totals for Raney Planning & Management, Inc.:	*$3,545.19*	*$0.00*		*$3,545.19*
Rock & Waterfall Co								
Rock & Waterfall Co	12/17/2013	11/28/2013	114-69	waterfall maintenance	$650.00	$0.00		$650.00
				Totals for Rock & Waterfall Co:	*$650.00*	*$0.00*		*$650.00*
Leticia Rodriguez								
Leticia Rodriguez	12/17/2013	12/3/2013	111017	Deposit Refund for EH Rental 8/3/13	$500.00	$0.00		$500.00
				Totals for Leticia Rodriguez:	*$500.00*	*$0.00*		*$500.00*
Christine Smith								
Christine Smith	12/17/2013	12/12/2013	11/30/13	Deposit Refund for EH 11/30/2013	$500.00	$0.00		$500.00
				Totals for Christine Smith:	*$500.00*	*$0.00*		*$500.00*
SPRAYTEC (Sprayer Sales Co)								
SPRAYTEC (Sprayer Sales Co)	12/17/2013	10/9/2013	12037	KW-106402120 Tornado 3000 lance	$189.88	$0.00		$189.88
SPRAYTEC (Sprayer Sales Co)	12/17/2013	12/5/2013	12129	monthly maintenance waste water treatment 1	$225.00	$0.00		$225.00
				Totals for SPRAYTEC (Sprayer Sales Co):	*$414.88*	*$0.00*		*$414.88*
Sprint Comm (PW & ADM)								
Sprint Comm (PW & ADM)	12/17/2013	11/29/2013	531409315-139	phone service 10/26/13-11/25/13	$319.93	$0.00		$319.93
				Totals for Sprint Comm (PW & ADM):	*$319.93*	*$0.00*		*$319.93*
Thor Doors and Construction, Inc								
Thor Doors and Construction, Inc	12/17/2013	11/8/2013	7676PR	Repair front doors Library 11/8-11/15/13	$886.44	$0.00		$886.44
				Totals for Thor Doors and Construction, Inc:	*$886.44*	*$0.00*		*$886.44*
US Bank (CM 9690)								
US Bank (CM 9690)	12/17/2013	11/25/2013	3543352	CC Facilities Dist 1990 1 Special Tax Bonds F	$577.50	$0.00		$577.50

City of Clayton
Cash Requirements Report
City Council Meeting 12/17/2013

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
				Totals for US Bank (CM 9690):	*$577.50*	*$0.00*		*$577.50*
Western Exterminator								
Western Exterminator	12/17/2013	11/30/2013	1808459	November 2013	$353.00	$0.00		$353.00
				Totals for Western Exterminator:	*$353.00*	*$0.00*		*$353.00*
				GRAND TOTALS:	**$113,898.86**	**$0.00**		**$113,898.86**

usbank.

P.O. BOX 6343
FARGO ND 58125-6343

ACCOUNT NUMBER	4246 0445 5565 0674
STATEMENT DATE	11-22-2013
AMOUNT DUE	$26,230.70
NEW BALANCE	$26,230.70

PAYMENT DUE ON RECEIPT

AMOUNT ENCLOSED
$ 12,796.95

Please make check payable to "U.S. Bank"

000000674 2 AT 0.384 106481359885793 P

CITY OF CLAYTON
LYNN CUPIT
6000 HERITAGE TRAIL
CLAYTON CA 94517-1249

U.S. BANK CORPORATE PAYMENT SYST
P.O. BOX 790428
ST. LOUIS, MO 63179-0428

4246044555650674 002623070 002623070

Please tear payment coupon at perforation.

CORPORATE ACCOUNT SUMMARY

CITY OF CLAYTON 4246 0445 5565 0674	Previous Balance	+ Purchases And Other Charges	+ Cash Advances	+ Cash Advance Fees	+ Late Payment Charges	- Credits	- Payments	= New Balance
Company Total	$27,645.78	$12,796.95	$0.00	$.00	$0.00	$0.00	$14,212.03	$26,230.70

CORPORATE ACCOUNT ACTIVITY

CITY OF CLAYTON
4246-0445-5565-0674

Pmt made $13,433.95

TOTAL CORPORATE ACTIVITY
$14,212.03CR

Post Date	Tran Date	Reference Number	Transaction Description	Amount
11-12	11-12	74798263316000000000343	PAYMENT - THANK YOU 00000 C	14,212.03 PY

NEW ACTIVITY

MARK JANNEY	CREDITS	PURCHASES	CASH ADV	TOTAL ACTIVITY
4246-0400-1392-6722	$0.00	$4,282.74	$0.00	$4,282.74

Post Date	Tran Date	Reference Number	Transaction Description	Amount
10-28	10-24	24316053298548591000580	SHELL OIL 57444673503 CONCORD CA	63.67
10-31	10-29	24164073303105123396780	STAPLES 00113654 CONCORD CA	34.87
10-31	10-29	24323043303577013011201	J & S EQUIPMENT CONCORD CA	261.60
11-01	10-30	24692163304000439691587	KELLYMOORE PAINTS623 CONCORD CA	139.91
11-06	11-05	24246513309092102227213	ORCHARD SUPPLY #251 CONCORD CA	7.28
11-06	11-05	24755423309643094331085	DOLANS OF CONCORD CONCORD CA	1,567.51

CUSTOMER SERVICE CALL
800-344-5696

ACCOUNT NUMBER
4246-0445-5565-0674

STATEMENT DATE	DISPUTED AMOUNT
11/22/13	.00

SEND BILLING INQUIRIES TO:
U.S. Bank National Association
C/O U.S. Bancorp Purchasing Card Program
P.O. Box 6335
Fargo, ND 58125-6335

AMOUNT DUE
26,230.70

ACCOUNT SUMMARY	
PREVIOUS BALANCE	27,645.78
PURCHASES & OTHER CHARGES	12,796.95
CASH ADVANCES	.00
CASH ADVANCE FEES	.00
LATE PAYMENT CHARGES	.00
CREDITS	.00
PAYMENTS	14,212.03
ACCOUNT BALANCE	26,230.70

Agenda Date: 12/17/2013

Agenda Item: 3d

CITY OF CLAYTON
Founded 1857 ... Incorporated 1964

AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: CITY ATTORNEY

DATE: December 17, 2013

SUBJECT: RESOLUTION SETTING, ADJUSTING AND APPROVING CITY MANAGER'S SALARY RANGE AND AUTHORIZING MAYOR TO EXECUTE AN AMENDMENT TO THE CITY MANAGER'S AGREEMENT FOR COMPENSATION AND BENEFITS ADJUSTMENTS

RECOMMENDATION

Consider adoption of Resolution setting, adjusting and approving the City Manager's salary range and authorizing the Mayor to execute an amendment to the City Manager's agreement for compensation and benefits adjustments.

BACKGROUND

The City Council directed the City Attorney to prepare a resolution setting, adjusting and approving the City Manager's salary range and authorizing the Mayor to execute an amendment to the City Manager's agreement for compensation and benefits adjustments. That resolution and amendment to the City Manager's agreement for compensation and benefits adjustments are attached here for your consideration.

CITY RESOLUTION NO. - 2013

A RESOLUTION SETTING, ADJUSTING AND APPROVING THE CITY MANAGER'S SALARY RANGE AND AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE CITY MANAGER'S AGREEMENT FOR COMPENSATION AND BENEFITS ADJUSTMENTS

THE CITY COUNCIL
City of Clayton, California

WHEREAS, since November 1, 2013, the City Council and City Manager have been actively discussing and negotiating regarding the City Manager's salary and compensation; and

WHEREAS, in light of the City Manager's work performance during the last year, the City Council wishes to adjust the City Manager's current salary range and amend the City Manager's agreement to increase the City Manager's salary, restore furlough days consistent with treatment of other City staff, and provide for a pay for performance bonus program as set forth in this Agreement; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of Clayton, California does hereby find, determine and approve as follows:

Section 1. That the above Recitals are true and correct facts pertaining to an important matter of public policy to the City.

Section 2. The City Manager's salary range effective July 1, 2013 through October 28, 2013 is $151,044.00 to $183,601.60 and effective October 29, 2013 is $156,142.78 to $191,702.37.

Section 3. The Mayor is hereby authorized and directed to execute the First Amendment to City Manager Employment Contract ("First Amendment") with Gary A. Napper for and on behalf of the City, a true and correct copy of the First Amendment being attached hereto as Attachment 1.

Section 4. This Resolution shall and does take immediate effect from and after its passage and adoption.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Clayton, California at a duly-noticed public meeting thereof held on the 17th day of December 2013 by the following recorded vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

THE CITY COUNCIL OF CLAYTON, CA

Hank Stratford, Mayor

ATTEST:

Janet Brown, Interim City Clerk

FIRST AMENDMENT TO CITY MANAGER EMPLOYMENT CONTRACT

THIS FIRST AMENDMENT TO THE AGREEMENT ("First Amendment") is entered into this 17th day of December, 2013, by and between the City of Clayton, Contra Costa County, State of California, a municipal corporation (hereinafter "Employer" or "City"), and Gary A. Napper (hereinafter "Employee"), both of who understand the follows:

WHEREAS, the parties have heretofore entered into that certain Employment Agreement, dated October 16, 2001 (the "Agreement"); and

WHEREAS, since that time, the Council has made periodic public adjustments to Employee's salary, including increases and more recently successive voluntary decreases self-imposed by Employee.

WHEREAS, since November 1, 2013, the Council and Employee have been actively discussing and negotiating regarding Employee's salary and compensation.

WHEREAS, in light of the City Manager's work performance during the last year, the City Council wishes to amend the Agreement in order to increase the City Manager's salary, restore furlough days consistent with treatment of other City staff, and provide for a pay for performance bonus program as set forth in this Agreement; and

NOW, THEREFORE, in consideration of the terms, covenants and promises contained herein, the above-named parties hereby mutually agree and promise as follows:

1. <u>Amendment of Salary</u>. Section 6 of the Agreement is hereby amended as follows:

"Effective July 1, 2013 through October 28, 2013, City agrees to restore nine of the eleven furlough days and pay Employee for his services an annual base salary of $182,189.28. Effective October 29, 2013, City agrees to pay Employee for his services an annual base salary of $190,227.81. City shall pay Employee said base salary in bi-weekly installments at the same time as other employees of the City are paid.

Employee is eligible for enrollment in the City-provided CalPERS retirement system and the City-provided disability, health (medical and dental) and term life insurance programs. City shall pay 100% of the expense for those benefits, and Employee is not eligible for any "in lieu" payments.

Employee shall also be annually eligible to receive and increase in the base salary for performance pay, if he achieves the mutually agreeable goals as identified in Section 7 of this Agreement, as determined by the Council in its sole discretion. Employee shall be eligible for the first performance payments on Employee's next employment anniversary date along with his annual performance evaluation in November of each year.

Beginning Fiscal Year 2013-14, the City may acknowledge Employee for exceptional outcomes, effective teamwork and encourage continued high level performance through discretionary pay for performance rewards as set forth in this section and as funded each year by the City. The City will determine each year during its annual and mid-year budgeting processes whether funding will be made available for such rewards. The rewards may be cash payments or other forms of recognition that are approved by the City and within its authority.

In addition, City may increase said base salary and/or other benefits of Employee in such amounts and to such extent as the Council may determine that is desirable to do so on the basis of an annual salary review in November of each year."

2. Effect on Agreement. Except as amended by this Amendment, all other provisions of the Agreement remain in full force and effect. From and after the date of this Amendment, whenever the term "Agreement" appears in the Agreement, it shall mean the Agreement as amended by this Amendment.

CITY OF CLAYTON

By: ____________________
Hank Stratford, Mayor

EMPLOYEE

By: ____________________
Gary A. Napper

Attest: ____________________
Janet Brown, Interim City Clerk

Approved as to Form:

____
Malathy Subramanian, City Attorney

Agenda Date: 12/17/2013
Agenda Item: 3e

CITY OF CLAYTON
Founded 1857 . . Incorporated 1964

Approved:

Gary A. Napper
City Manager/Executive Director

STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: RICK ANGRISANI, CITY ENGINEER

DATE: DECEMBER 17, 2013

SUBJECT: A RESOLUTION ACCEPTING THE CONSTRUCTION OF THE 2013 PAVEMENT REHABILITATION PROJECT (CIP #10417), THE CITY HALL PARKING AREA REHABILITATION PROJECT (CIP #10426), THE LIBRARY PARKING AREA REHABILITATION PROJECT (CIP #10427), THE LYDIA LANE PARK PARKING LOT REHABILITATION PROJECT (CIP #10428) AND THE 2012 TRAIL REPAVING PROJECT (CIP #10429) AS COMPLETE AND ORDERING THE FILING OF A NOTICE OF COMPLETION

RECOMMENDATION

Adopt Resolution.

BACKGROUND

The contractor, MCK Services, Inc., has finally completed construction and remedial work of the 2013 Pavement Rehabilitation Project (CIP #10417), the City Hall Parking Area Rehabilitation Project (CIP #10426), the Library Parking Area Rehabilitation Project (CIP #10427), the Lydia Lane Park Parking Lot Rehabilitation Project (CIP #10428) and the 2012 Trail Repaving Project (CIP #10429) and has requested acceptance of the work.

Overall, the work went very well and we had few instances of inconvenience to the residents, especially compared to prior pavement rehabilitation projects. The work significantly improved many streets and City facilities. However, as explained in the attached Final Project Report, we did run into some issues (such as the trail repaving and the Regency Drive overlay) that increased the cost of the work significantly'

The Engineering Department has now completed inspection of the improvements and submits that the project passes our standards and is now ready for acceptance.

FISCAL IMPACT

As explained in the Final Project Report, the final cost of the project came in at $1,422,258.47 or $86,419.47 (6.6%) over the approved budget.

In order to provide the additional funding without impacting the City's General Fund, staff is recommending that the additional funding required be allocated from the Gas Tax and Landscape Maintenance funds.

CONCLUSION

The project is complete and the work has satisfied the project's specifications. Therefore, staff recommends approval of this Resolution accepting the work as complete, ordering the filing of a Notice of Completion, and the payment of all retained funds 35 days after filing of the notice.

Attachments: Resolution
Notice of Completion
Final Project Report

Attachment 1

RESOLUTION NO. - 2013

A RESOLUTION ACCEPTING THE CONSTRUCTION OF THE 2013 PAVEMENT REHABILITATION PROJECT (CIP #10417), THE CITY HALL PARKING AREA REHABILITATION PROJECT (CIP #10426), THE LIBRARY PARKING AREA REHABILITATION PROJECT (CIP #10427), THE LYDIA LANE PARK PARKING LOT REHABILITATION PROJECT (CIP #10428) AND THE 2012 TRAIL REPAVING PROJECT (CIP #10429) AS COMPLETE AND ORDERING THE FILING OF A NOTICE OF COMPLETION

THE CITY COUNCIL
City of Clayton, California

WHEREAS, on March 5, 2013 the City Council of Clayton, California did award a contract to MCK Services, Inc. for the construction of the 2013 Pavement Rehabilitation Project (CIP #10417), the City Hall Parking Area Rehabilitation Project (CIP #10426), the Library Parking Area Rehabilitation Project (CIP #10427), the Lydia Lane Park Parking Lot Rehabilitation Project (CIP #10428) and the 2012 Trail Repaving Project (CIP #10429); and

WHEREAS, MCK Services, Inc. has now represented their work is complete and they are requesting acceptance by the City; and

WHEREAS, the City Council must accept the work as complete and order the filing of a Notice of Completion prior to release of the retained funds; and

WHEREAS, the City Engineer has inspected the work, declares the contract and related project specifications have been fulfilled, and the City Engineer now requests the City Council to accept the work and authorize the filing of a Notice of Completion.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Clayton, California does hereby accept as completed as of the date of adoption of this Resolution the construction of the 2013 Pavement Rehabilitation Project (CIP #10417), the City Hall Parking Area Rehabilitation Project (CIP #10426), the Library Parking Area Rehabilitation Project (CIP #10427), the Lydia Lane Park Parking Lot Rehabilitation Project (CIP #10428) and the 2012 Trail Repaving Project (CIP #10429) and hereby authorizes the City Engineer to file a Notice of Completion with the County Recorder, and further authorizes the release of the contract retention after the required 35 day waiting period; and

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California at a regular public meeting thereof held on the 17th day of December, 2013 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT: THE CITY COUNCIL OF CLAYTON, CA

HANK STRATFORD, Mayor

ATTEST:

____
Janet Brown, Interim City Clerk

\# # # # #

I hereby certify that the foregoing resolution was duly and regularly passed by the City Council of the City of Clayton at its regular public meeting held on December 17, 2013.

____
Janet Brown, Interim City Clerk

ATTACHMENT TO
NOTICE OF ACCEPTANCE
AND COMPLETION OF PUBLIC WORKS

Project: 2013 Pavement Rehabilitation Project

Contractor: MCK Services, Inc.

Streets:

Ahwanee Lane
Blackpoint Court
Blackpoint Place
Caulfield Drive
Del Trigo Lane
Gamay Drive
Jeffry Ranch Court
Jeffry Ranch Place
Marsh Creek Circle
Mt. Davidson Court
Mt. Duncan Drive
Mt. Everest Court
Mt. Sierra Place
Mt. Washington Way
Mt. Whitney Court
Oak Court
Pine Hollow Court
Raven Place
Regency Drive
Samuel Court
Semillon Circle
W. Myrick Court
Wawona Lane
Windmill Canyon Drive
Xavier Place
Yolanda Circle

Recorded at the request of:

City of Clayton
6000 Heritage Trail
Clayton, CA 94517

NOTICE OF ACCEPTANCE AND COMPLETION OF PUBLIC WORKS

NOTICE IS HEREBY GIVEN that the City of Clayton did, on or about March 15, 2013, contract with MCK Services, Inc., P.O. Box 5697, Concord, California, 94524, for the construction of the 2013 Pavement Rehabilitation Project (CIP #10417), the City Hall Parking Area Rehabilitation Project (CIP #10426), the Library Parking Area Rehabilitation Project (CIP #10427), the Lydia Lane Park Parking Lot Rehabilitation Project (CIP #10428) and the 2012 Trail Repaving Project (CIP #10429) in accordance with the plans and specifications prepared by the City of Clayton and said contractor's surety was and is Fidelity and Deposit Company of Maryland, 525 Market Street, Suite 2900, San Francisco, CA 94105.

NOTICE IS FURTHER GIVEN that the Clayton City Engineer has inspected said work of the Contractor and reported that the work complies with the approved plans and specifications and recommended its acceptance as complete; also that the City Council of the City of Clayton, California, by adopting Resolution No. XX-2013 on December 17, 2013, accepted said public work as complete.

I hereby certify that the foregoing is true and correct and that the aforesaid action of the City Council of the City of Clayton, in accepting said public work as completed, was duly entered on the minutes of said Council's meeting of December 17, 2013. I declare under penalty of perjury that the foregoing is true and correct.

Dated: December 18, 2013, at Clayton, California.

Janet Brown, Interim City Clerk

CITY OF CLAYTON
ENGINEERING DEPARTMENT
925/363-7433

FINAL PROJECT REPORT

2013 PAVEMENT REHABILITATION PROJECT (CIP 10417)
CITY HALL PARKING AREA REHABILITATION (CIP 10426)
LIBRARY PARKING AREA REHABILITATION (CIP 10427)
LYDIA LANE PARK PARKING LOT REHABILITATION (CIP 10428)
2012 TRAIL REPAVING (CIP 10429)

Project Description

Under a single construction contract with MCK Services, Inc., the five CIP projects listed above were completed. The work included the pavement rehabilitation (repairs and thin overlays) of numerous subdivision streets and public parking areas as well as the repaving of a large portion of the Mt. Diablo Creek trail.

Scope Changes During Construction

The original bid for the 2013 Pavement Rehabilitation Project from MCK Services was $1,271,742.90. In order to get the construction costs closer to the budgeted figure ($1,165,000), we eliminated two streets from the project (Zinfandel Circle and Mt. Olivet Place). This reduced the starting construction contract to $1,196,843.90 (further reduced to $1,157,843 by anticipated payment from CCWD for water valve can reconstruction).

The original section of Mt. Diablo Creek trail intended for repaving ran from Center Street to Grenache Circle (the section between Marsh Creek Road and Grenache Circle was repaved in 2010). Due to the excellent unit price bid we were also able to extend the repaving from Marsh Creek Road to the vehicle barrier approximately 100 feet south of Bigelow Circle. However, in order to terminate the repaving at a logical stopping point, we exceeded the allotted funding ($50,000) by approximately $10,000.

The existing depressions and uneven surfacing of Regency Drive required that we install a leveling course prior to the overlay in order to assure a smooth ride for residents after completion of the overlay. It was also necessary to repair signal loops and install irrigation sleeves to the existing median at Marsh Creek Road in order to allow for future landscaping improvements. This work added approximately $60,000 to the construction costs.

We had originally estimated design and inspection costs at approximately $35,000 (2.7% of project costs). Due to the extra work required (including overseeing repairs of the original work where needed), the design and inspection costs increased to almost $52,000 (3.6% of the final project costs). Altogether, the above changes plus the final quantity adjustments added an additional $87,000 to the total project costs.

2013 PAVEMENT REHABILITATION PROJECT (CIP 10417) et al

CIP Budget and Funding Sources

Total Budget:	Original Amount (3/5/13)	$1,315,839

Sources:

Gas Tax	$456,558
Measure J (per capita)	739,281
Landscape Maintenance District	50,000
Clayton Financing Authority	90,000
Total	$1,315,839

Final Costs

Permco (design, admin & inspect. – est. to compl.)	$52,000.00	
City personnel	2,241.75	
MCK Services (paid to date)	1,339,886.92	
MCK Services (retention)	70,520.37	
Legal Advertising	1,405.70	
County Signals	2,331.46	
Total Project Costs	$1,486,386.20	
Less CCWD payment	($46,127.73)	
Total Project Costs	$1,422,258.47	
Budget Variance: over (under)	$86,419.47	6.6%

Funding Recommendations

In order to provide accurate figures, the Finance Department has been going through the books for the last few years. As it turns out, the available funds from Gas Tax and Measure J are significantly higher than originally believed.

Funding Source	Estimated	Actual
Gas Tax	$456,558	$616,051
Measure J	$739,281	$863,281

Based upon these findings, staff recommends the following:

		Change
Gas Tax	$532,977	+76,419
Measure J (per capita)	739,281	0
Landscape Maintenance District	60,000	+10,000
Clayton Financing Authority	90,000	0
Total	$1,422,258	

Agenda Date: 12/17/2013

Agenda Item: 3F

CITY OF CLAYTON
Founded 1857 . . Incorporated 1964

Approved:

Gary A. Napper
City Manager

AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: JANET BROWN, INTERIM CITY CLERK

DATE: DECEMBER 17, 2013

SUBJECT: COUNCIL REAPPOINTMENT OF JOYCE ATKINSON AS REPRESENTATIVE AND JEANNE BOYD AS THE ALTERNATE TO THE CONTRA COSTA COUNTY LIBRARY COMMISSION FOR THE TERM JULY 1, 2013 THROUGH JUNE 30, 2016.

RECOMMENDATION

Appoint Joyce Atkinson to the serve as the City of Clayton's representative and Jeanne Boyd as the Alternate to the Contra Costa County Library Commission for a three-year term ending 30 June 2016.

BACKGROUND

Staff received a letter from the County Librarian indicating the terms of office for Clayton's representatives ended on June 30, 2013.

Staff contacted Joyce Atkinson and Jeanne Boyd (Alternate) to seek re-appointment of the representative for the City of Clayton on the Library Commission.

FISCAL IMPACT

None.

Attachments:
Letter from Contra Costa County Librarian (2 pages)

County Library

1750 Oak Park Boulevard
Pleasant Hill, California 94523-4497
(925) 646-6423
FAX (925) 646-6461

Contra
Costa
County

Cathy E. Sanford
Interim County Librarian

December 6, 2013

Hank Stratford, Mayor
City of Clayton
6000 Heritage Trail
Clayton, CA 94517

Dear Mayor Stratford:

According to our records, your agency needs to make an appointment to the Contra Costa County Library Commission through June 30, 2014 for a Commission member and alternate, if so desired. Your current appointee to the Contra Costa County Library Commission is Joyce Atkinson and Jeanne Boyd is the alternate. Your appointee's term can be reauthorized for this period (or longer) or a new appointment for a member and an alternate (if so desired) may be made.

The Library Commission has met 6 times during the past year. A record of attendance for your current appointees is attached.

Included with this letter are the current Contra Costa County Library Commission By-Laws, along with the May 26, 2011 Board of Supervisors' Board Order and a June 6, 2011 letter from the Mayors' Conference both reauthorizing the Library Commission for five more years, through June 30, 2016.

Currently the Commission meets every other month, on the fourth Thursday evening at 7pm. As the Contra Costa County Library looks to better serve the needs of its increasingly ethnically and culturally diverse constituency, the ability of the Library Commission to reflect this diversity will be extremely important.

If you have any questions, please call me at (925) 646-6423.

Sincerely,

Cathy E. Sanford

Cathy E. Sanford
Interim Contra Costa County Librarian

cc: Gary A. Napper, City Manager
Joyce Atkinson, Library Commissioner
Jeanne Boyd, Alternate Library Commissioner
Karen Hansen-Smith, Senior Community Library Manager

1913 - 2013
CONTRA COSTA
COUNTY LIBRARY
ccclib.org
100 Years of Bringing People and Ideas Together

LIBRARY COMMISSION ATTENDANCE
January 2013 - November 2013

COMMISSIONER: Joyce Atkinson

ALTERNATE: Jeanne Boyd

REPRESENTING: City of Clayton

MEETING DATE	PRESENT	EXCUSED	ABSENT
January 24, 2013	X		
March 28, 2013	X		
May 23, 2013	X		
July 25, 2013	X		
September 5, 2013	X		
November 21, 2013	X		

Total meetings: 6
Present: 6
Excused: 0
Absent: 0

CITY OF CLAYTON
Founded 1857 .. Incorporated 1964

Agenda Date: 12/17/2013

Agenda Item: 3g

Approved:

Gary A. Napper
City Manager

STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: JANET BROWN, INTERIM CITY CLERK

DATE: DECEMBER 17, 2013

SUBJECT: Council Reappointment of Peggie Howell to the Board of Trustees Contra Costa Mosquito and Vector Control District as Clayton's representative for the term January 1, 2014 through January 1, 2016.

RECOMMENDATION

By minute motion confirm the reappointment by the Mayor Stratford reappointment of Peggie Howell to the serve as the City of Clayton representative on the Board of Trustees of the Contra Costa Mosquito and Vector Control District.

BACKGROUND

Staff received a letter from the Contra Costa Mosquito & Vector Control District that the term of Trustee Peggie Howell will expire on January 1, 2014.

Staff contracted Peggie Howell to confirm her continued interest in serving on the Board of Trustees for the Contra Costa Mosquito and Vector Control District. Peggie has been attending the board meetings regularly and is also serving on the Budget Committee. A trap in Clayton is even installed on the fence in her backyard (facing open space).

The next Mosquito and Vector Control Board meeting is scheduled for January 2014.

FISCAL IMPACT

None.

CONCLUSION

Reappoint Peggie Howell to serve on the Contra Costa Mosquito and Vector Control District, as Clayton's representative for a term of January 1, 2014 through January 1, 2016.

City Clerk

From: dpstheory@comcast.net
Sent: Monday, November 25, 2013 12:01 PM
To: cityclerk@ci.clayton.ca.us
Subject: Reappointment for Board of Trustees for Contra Costa Mosquito and Vector Control District

Hello Laci. Per our phone conversation, I would like to be reappointed for the next term. I have been attending the board meetings regularly. I am on the Budget Committee and attend those meetings as well. The CCMVD maintains mosquito traps in various locations in Contra Costa County for surveillance and identification of the mosquito populations. The trap for Clayton is installed on the fence in my back yard (facing open space), and I pay for the electricity to operate it year round. CCMVD has an important role in the public health of the citizens of Contra Costa County and I am pleased to contribute.

Thank you.

Peggie Howell

City Clerk

From:	dpstheory@comcast.net
Sent:	Thursday, December 12, 2013 9:56 AM
To:	cityclerk@ci.clayton.ca.us
Subject:	Re: Trustee Reappointment for the Mosquito & Vector Control District

A two year is probably the best option right now.
Thank you.
Peggie Howell

From: "City Clerk" <cityclerk@ci.clayton.ca.us>
To: dpstheory@comcast.net
Sent: Monday, December 9, 2013 10:04:44 AM
Subject: Trustee Reappointment for the Mosquito & Vector Control District

Good Morning Peggie,

I was just working on the staff report for the trustee reappointment for the Mosquito & Vector Control District. Would you prefer a 2 (2016) or 4 year (2018) term?

Janet Brown
Interim City Clerk
City of Clayton
6000 Heritage Trail
Clayton, CA 94517
925-673-7304
cityclerk@ci.clayton.ca.us

Agenda Date: 12/17/2013

Agenda Item: 3h

CITY OF CLAYTON
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Approved:

Gary A. Napper
City Manager

AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: CITY MANAGER

DATE: 17 DECEMBER 2013

SUBJECT: RESOLUTION ALLOCATING GENERAL FUND EXCESS, FY 2011-12

RECOMMENDATION

It is recommended the City Council, by minute motion, adopt the attached Resolution allocating and appropriating $182,671 in one-time General Fund excess monies documented by the Audited Financial Statements of the City for FY 2011-12 into the FY 2013-14 City Budget for the following general governmental operation purposes:

1. Labor Relations Contingency Account (General Fund)	$103,571
2. Replenish (revenue) Self Insurance Fund (No. 501	$ 54,154
3. Augment (revenue) Capital Equipment Replacement Fund (No. 502)	$ 25,000
Total:	**$182,671**

BACKGROUND

At its public meeting on 19 November 2013, the City Council accepted the City's Audited Financial Statements for the closure of Fiscal Year 2011-12. The financial statements indicated the City's General Fund operated in the black for that fiscal year resulting in a one-time excess of $182,671. At that public meeting and again at its public meeting on 03 December 2013, the City Council consider the recommendations of its Audit Committee and its City Manager to allocate these excess monies to the above noted operational priorities and deficiencies in the FY 2013-13 City Budget.

A majority of the City Council (4-1 vote) approved the recommendation and instructed staff to prepare for this public meeting a Resolution officially authorizing the allocation and appropriation into the FY 2013-14 City Budget.

FISCAL IMPACT

The City's General Fund Reserve as of 30 June 2012 is $5.356 million. Approval of this action will slightly reduce the unassigned General Fund Reserve to $5.173 million, or 142% of the annual General Fund operating budget of FY 2013-14.

Attachments: A. City Resolution [2 pp.]
B. Staff Report, 03 December 2013 City Council meeting [4 pp.]

Attachment A

RESOLUTION NO. – 2013

A RESOLUTION APPROVING AND APPROPRIATING A TOTAL OF $182,671 IN GENERAL FUND EXCESS MONIES FROM FY 2011-12 INTO TWO CITY FUNDS AND ONE ACCOUNT IN FY 2013-14 FOR ORGANIZATIONAL PRIORITIES OF THE CITY'S GENERAL GOVERNMENTAL OPERATIONS

THE CITY COUNCIL
City of Clayton, California

WHEREAS, at its public meeting held on 19 November 2013, the Clayton City Council received a presentation by its independent auditing firm, Cropper Accountancy Corporation, LLP, regarding the results of its audit of the City's financial records and transactions for the fiscal year ending 30 June 2012 (aka "FY 2011-12"); and

WHEREAS, at the conclusion of said public meeting it was determined the City of Clayton had an excess of actual revenues over actual expenditures in its General Fund by the annual amount of $182,671.00, which is typical of the City's fiscal history of its annual operations; and

WHEREAS, at that public meeting and again at its public meeting held on 03 December 2013, the City Council received reports and recommendations from its City Manager to appropriate and allocate all of the one-time excess General Fund monies to deferred organizational priorities of the City in its FY 2013-14 Budget, including replenishment of the City's Self-Insurance Fund (No. 501), augmentation of its Capital Equipment Replacement Fund (aka "CERF"; Fund No. 502), and establishment of a contingency account for Labor Relations arising from on-going and concluded collective bargaining negotiations with its City employee labor units and employees; and

WHEREAS, the City's General Fund Reserve amount as of 30 June 2012 is $5,356,422 as certified by the City's independent audit and documented in the approved Audited Financial Statements of the City for FY 2011-12; and

WHEREAS, at the conclusion of its 03 December 2013 public discussion of the disposition of said one-time excess General Fund monies from FY 2011-12, the City Council did vote to approve the recommendation and instructed its City Manager to prepare the appropriate Resolution for official approval and allocation of said monies for the general governmental purposes, as recommended by its Audit Committee and the City Manager;

NOW, THEREFORE, BE IT RESOLVED the City Council of the City of Clayton, California does hereby approve and authorize as follows:

Section 1

The above recitals are true and correct facts and constitute in part its findings for the actions and intentions of the Clayton City Council concerning the appropriation and allocation of one-time General Fund excess monies in the amount of $182,671.00 arising from its closed FY 2011-12 Budget into the City's current FY 2013-14 City Budget.

Section 2

The allocations listed below are hereby approved and authorized by the Clayton City Council, and the City Manager is specifically authorized and instructed herein to effect the appropriate financial transactions accordingly:

a.	Labor Relations Contingency Account		$ 103,517.00
b.	Replenish Self-Insurance Fund	Fund No. 501	$ 54,154.00
c.	Augment Capital Equipment Replacement Fund	Fund No. 502	$ 25,000.00
		Total:	**$182,671.00.**

Section 3

The orders directed herein by the City Council's adoption of this Resolution take effect immediately and the City Manager is herewith instructed to cause the implementation of the financial appropriations and transactions in accordance with this Resolution.

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California at a noticed public meeting thereof held on 17 December 2013 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

THE CITY COUNCIL OF CLAYTON, CA

Hank Stratford, Mayor

ATTEST:

Janet Brown, Interim City Clerk

ATTACHMENT B

Agenda Date: 12/3/2013

Agenda Item: 9a

Approved:

Gary A. Napper
City Manager

CITY OF CLAYTON

AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: CITY MANAGER

DATE: 03 DECEMBER 2013

SUBJECT: CONSIDER DISPOSITION OF GENERAL FUND EXCESS, FY 2011-12

RECOMMENDATION

Following staff report and public comments, it is recommended the City Council direct staff to prepare a Resolution to authorize the allocation of $182,671 in General Fund annual excess from Fiscal Year 2011-12 to the following organizational priorities of the City's general governmental operations:

1. Labor Relations Contingency (Gen. Fund)	$103,517
2. Replenish Self Insurance Fund (No. 501)	$ 54,154
3. Capital Equipment Replacement Fund (No. 502)	$ 25,000
Total:	**$182,671**

BACKGROUND

At its latest public meeting on 19 November 2013, the City Council received and accepted the City's Audited Financial Statement of FY 2011-12 prepared and submitted by the City's independent auditor, Cropper Accountancy Corporation. Among the other notable items contained in the Report, the City received positive news that its General Fund (used to operate the general government requirements of the City) concluded that fiscal year with revenues exceeding expenditures by $182,671. This one-time annual excess offers a policy determination of the City Council on whether those monies should automatically be defaulted into the City' General Fund Reserves or whether the City Council should consider allocation of those monies to other operational priorities of the City.

At the November 19th meeting, members of the City Council received a verbal report from its Council Budget Sub-Committee/Audit Committee and its City Manager suggesting the General Fund excess be allocated as noted above. Following discussion, and noting two of its members were not present, the City Council instructed staff to place specific discussion of this matter on its agenda for the December 3rd meeting.

ALLOCATION RECOMMENDATIONS

The City's General Fund Reserve remains healthy (over $5 million) and continued to operate in the black during the Great Recession years, as evidenced by the auditor's report for FY 2011-12. During those years, the City obtained multiple year employment concessions from its Miscellaneous Unit and its Police Officers' Association; these labor concessions contributed to the City's fiscal sustainability and its ability to weather these difficult challenges without reductions in City public services (except closure of City Hall for eleven unpaid employee furlough days).

The policy question posed by the $182,671 in FY 2011-12 General Fund excess is whether the City Council wishes the surplus to automatically default to further augment the General Fund Reserve or whether it wishes to consider allocation of the one-time monies to other operational or deferred purposes. The following recommendations, prepared by the City Manager and tendered through the Council's Audit Committee, are outlined below:

1. Labor Relations Contingency $103,517

   Under state law (Meyers-Milias-Brown Act), the City has two labor groups to which it must negotiate terms and conditions of City employment, namely the Miscellaneous City Employees Group and the Clayton Police Officers' Association ("CPOA"; sworn law enforcement personnel only). Each unit's labor contract expired on 30 June 2013 and the City has been in negotiations with each group during the ensuing time period.

   At its public meeting on 05 November 2013 the City Council adopted a Resolution approving a one year Memorandum of Agreement (MOA) with its Miscellaneous City Employees Group effective 01 July 2013. The fiscal year cost of that package was calculated to be $46,270 and in its action the City Council expected to utilize monies from the anticipated General Fund excess in FY 2011-12 to underwrite the expense.

   The balance of $57,247 is similarly requested to establish a labor relations contingency in anticipation of continued good faith bargaining efforts of the City with the CPOA and its City Manager. Should the contingency prove to be unnecessary or not fully utilized, the residual monies would then default once again to the City's General Fund Reserve. Establishing such a contingency does not obligate the City Council to action or expenditure but it does foresee a potential expense and to plan accordingly.

2. Replenish Self Insurance Fund (No. 501) $54,154

   The following excerpt from the City Manager's Budget Message for FY 2013-14 is inserted below for context on this recommendation:

   > "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?)."

Since preparation of that narrative, the Finance Manager now reports Fund 501 has a current cash position of $20,846 as of 18 November 2013. Recent special legal services required of the City for outside counsel (e.g. MPA, PTAF and Chevron litigation) required expense from this Fund of $113,032. Consistent with prior years' Budget Messages and given the present status of this Fund, it is recommended the allocation be authorized such that it will elevate the Fund's equity position to $75,000.

3. Capital Equipment Replacement Fund (No. 502) $25,000
The following excerpts from the City Manager's Budget Message for FY 2103-14 are inserted below for context on this recommendation:

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 (DOF) rejection for the repayment of two City loans valued at $976,900 from the former Clayton Redevelopment Agency [note: which would have constituted General Fund revenue].

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."

As of 18 November 2013, the City's Finance Manager reports the cash balance of the Capital Equipment Replacement Fund (CERF) is $84,751. Authorization of the allocation of $25,000 from the one-time General Fund excess will result in a CERF net position of $109,751. As one example of pressing operational needs from CERF, the City Maintenance Department indicates it is time to replace its 20-year old tractor, which replacement expense is estimated to cost $50,000 - $60,000.

FISCAL IMPACT

Two of the above recommendations for allocation of the FY 2011-12 General Fund excess of $182,671 are consistent with multiple-year recommendations by the City Manager to aid the general governmental operations of the City organization. A portion of the Labor Relations Contingency allocation (45%) recognizes a pre-obligation of the City arising from the current collective bargaining process during FY 2013-14 and presents a hedge for any further outcomes of the labor negotiation process.

According to the independent auditor's report for FY 2011-12, the amount of $182,671 is available for consideration by the City Council for affirmative action to allocate in contrast to allowing the monies to default to the City General Fund Reserve of over $5 million.

Agenda Date: 12/17/2013
Agenda Item: 3i

CITY OF CLAYTON
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Approved:

Gary A. Napper, City Manager

STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: Laura Hoffmeister, Asst. to the City Manager

MEETING DATE: December 17, 2013

SUBJECT: Mayoral appointment to the Oversight Board for the City as the Successor Agency to the Former Clayton RDA

REQUEST

It is recommended that Mayor Hank Stratford formally appoint Charlie Mullen to replace the former City Clerk, Laci Jackson Kolc, to the Oversight Board of the City as Successor Agency to the former Clayton Redevelopment Agency (RDA) regarding the conclusion of fiduciary responsibilities of the former Clayton RDA.

BACKGROUND

Under AB1x 26, all redevelopment agencies were dissolved effective 01 February 2012 and replaced by "Successor Agencies" responsible for winding down the affairs of each redevelopment agency including liquidation and disposal of assets. By action at its public meeting on 17 January 2012, the Clayton City Council exercised its priority right to become the "Successor Agency" and the "Successor Housing Agency" to the former Clayton Redevelopment Agency.

Successor Agencies became operative on February 1st and on that date all assets, properties, contracts, and leases of the former redevelopment agency were transferred to the Successor Agency. The City of Clayton therefore is the Successor Agency of the Clayton Redevelopment Agency and hereafter manages and administers the fiduciary responsibilities of the former RDA pursuant to the enforceable obligations identified of the former RDA. Such matters as debt retirement, contractual obligations, loan payments and ensuring all rights are preserved of the various public taxing entities (including those of the City of Clayton) are charges within the Successor Agency's purview. While the former Clayton RDA did not own title to any real properties, it still has significant debt obligations to retire and contracts to honor over the next several years.

OVERSIGHT BOARDS

Stipulated by law, the respective Oversight Board to the Clayton Successor Agency is composed of seven (7) members with each member appointed as follows:

a. One member appointed by the Contra Costa County Board of Supervisors (Karen Mitchoff)
b. One member appointed by the mayor of the community (former Mayor/Councilmember Geller).
c. One member appointed by the largest Special District, (Contra Costa County Fire Protection District)
d. One member appointed by elected County Board of Education Superintendent Joseph A. Ovick (Jane Shamieh)
e. One member appointed by the Chancellor of the California Community Colleges (forgot name)
f. One member of the public appointed by the Contra Costa County Board of Supervisors (Dan Richardson).
g. One member representing the employees of the former redevelopment agency, appointed by the Mayor, from the largest recognized employee organization from the City of Clayton (currently vacant).

Oversight Board member serves at the pleasure of one's appointing entity or person or resign. If a vacancy occurs the law requires a replacement to be appointed within 30 days, otherwise the State Governor makes an appointment to the vacant position of his choosing.

One Member representing Employees of the former Clayton RDA

The former City Clerk, Laci Jackson Kolc, was appointed by then Mayor Geller, on February 21, 2013 as the one member representing employees of the former Clayton RDA. Ms. Kolc recently left City employment, and resigned from the Oversight Board effective November 29, 2013.

For Clayton and many others public entities having small redevelopment agencies, this particular appointment is slightly problematic. The Clayton Redevelopment Agency did not have any employees; existing City employees provided each year numerous and varied operational, professional and programmatic services for and on behalf of the Clayton RDA. The City was reimbursed for its staff time spent in that regard via an annual transfer of monies from the Clayton RDA to the City's General Fund (FY 11-12 budgeted at $400,000). Consequently, there is no person that expressly matches the qualifying definition provided by AB1x 26 as it pertains to Clayton's situation. In the Legislature's vision of these Oversight Boards the concept template was likely large redevelopment agencies that separately employed their own paid staff. The language specifying this membership does conclude with an added qualifier of, *"... from the largest recognized employee organization."* Application of this condition suggests it may have been the Legislature's intent this particular membership would fall to a former RDA employee holding a job classification within the largest employee bargaining unit working for the RDA [or City?].

Embracing that possible intent, the City Manager of Clayton, although an officer of the former Clayton RDA, does not belong to any employee bargaining unit. For that matter, the only "recognized" employee bargaining organization of the City of Clayton is the Clayton Police Officers Association (CPOA), which entity had no individual working for or in behalf of the former Clayton RDA. The Clayton Miscellaneous Employees Group is not a "recognized" employee bargaining unit (definition under the Meyers Milias Brown Act) of the City, although the City does "negotiate" with this informal loose-knit group for purpose of satisfying public employment law to bargain in "good-faith."

Routinely there were several City of Clayton employees that spent time working on a variety of tasks and responsibilities to and for the former Clayton RDA. In present day, the following City employees primarily provided those services:

Gary Napper	City Manager
Vacant	City Clerk/HR Manager
Charlie Mullen	Community Development Director
Merry Pelletier	Finance Manager
Laura Hoffmeister	Assistant to the City Manager
Jennifer Giantvalley	Accounting Technician

However the Asst. to the City Manager serves as the Oversight Board Clerk/Secretary; the Finance Manager is responsible for preparation of the financial statements to the Oversight Board; the City Manager serves in the oversight capacity to the Finance Manager, and the City Clerk, who has been the appointed representative, has recently left employment with the City and the position is currently being filled by a temporary employee. Of the remaining two positions, the Community Development Director draws the closest match as working in Redevelopment as the duties included RDA projects and affordable housing projects which were funded through the RDA, and is a member of the largest employee non-sworn bargaining unit of the City (although not an officially "recognized" organization pursuant to the applicable Meyers Milias Brown Act). Therefore, in the absence of any clearer legislative guidance in this situation, and to provide the safest harbor for the City's Mayoral appointment in this category to defend against any remote challenge of qualification to serve on the Clayton Oversight Board, it is staff's recommendation that Mr. Charlie Mullen is the City's strongest candidate for appointment to the recent vacancy in this category.

FISCAL IMPACT

None. Members appointed to the Clayton Oversight Board do not receive any compensation or stipend for their service.

Attachments:
Letter of resignation from Laci Jackson Kolc

Laura Hoffmeister

From: Laci Jackson <ljackson@ci.clayton.ca.us>
Sent: Friday, November 08, 2013 12:18 PM
To: lhoffmeister@ci.clayton.ca.us; gnapper@ci.clayton.ca.us
Subject: Successor Agency Oversight Board Resignation

This is notice of my resignation from the Clayton Successor Agency Oversight Board effective November 29, 2013. Please let me know if you have any questions.
Thanks,
Laci

Laci J. Kolc
City Clerk
City of Clayton
6000 Heritage Trail
Clayton, CA 94517
925-673-7304
ljackson@ci.clayton.ca.us

CITY OF CLAYTON
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Approved:
Gary A. Napper City Manager/Executive Director

Agenda Date: 12/17/2013

Agenda Item: 8a

STAFF REPORT

TO: **HONORABLE MAYOR AND COUNCILMEMBERS**

FROM: **Laura Hoffmeister, Assistant to the City Manager**
Kevin Mizuno and Merry Pelletier, Finance Managers

DATE: **December 17, 2013**

SUBJECT: **Review of the City's Annual Report on Developer Fees for FY 2011-12 in compliance with the reporting requirements of Section 66006 of the State Government Code (AB 1600)**

RECOMMENDATION

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

BACKGROUND

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

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

DISCUSSION

Section 66006 (b)(1) of the Government Code requires each local agency to make public a report on developer fees within 180 days after the last day of each fiscal year. Section 66006 (2) also requires each local agency to review the report at a public meeting not earlier than 15 days after the information is made available to the public. The City of Clayton presented its year-end audited financial statement and closing reports for fiscal year ended June 30, 2013 at the City Council meeting on November 19, 2013.

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

Development Impact Fees are due at different times in the stage of a development project. Some of the fees are due at time of final map, or building permit issuance; others not until final occupancy. As outlined in Attachment 4, the City collected the following development fees during FY 11/12: Childcare Facility, Offsite Arterial Improvement, Fire Protection, Community Facilities, Police Impact, and Open Space In-Lieu. In addition, interest earnings on previously collected fees which were allocated to each development fee fund balance appropriately.

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

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

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

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

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

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

5. If fees remain unexpended or uncommitted five years after being collected, the local agency is to make a finding that there remains a reasonable relationship between the current need for the fees and the purposes for which they were originally collected (Section 66001(d)).

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

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

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

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

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

Of the aforementioned five reportable developer fees, one currently complies with the provision of AB1600 that funds be expended within five years of their collection – the Parkland Dedication fee. Collections of Childcare Facility fees, Offsite Arterial Improvement fees, the Fire Protection fees, and the Community Facilities fees have not been used to fund expenditures in excess of 5 years.

Child Care Facilities: At the end of FY 11/12 there was a fund balance (including interest) of $41,414 available. Oakhurst development did not pay into these funds as it was established after Oakhurst was approved. Thus the small fund balance and long periods are needed to achieve sufficient resources to utilize as intended. These funds are available to be used for the after-school care equipment for services or programming of the Gym. Purchases of these capital assets will assist in the development of the Middle School Gym after-school childcare needs. In prior years during the 1990's some funds were provided to the Contra Costa Child Care Council for material needs of programs and to provide outreach to Clayton residents as to home and other child care opportunities and programs. There is a need to continue this impact fee in order to collect sufficient funds to address future new capital needs for childcare. In FY 11/12 the City collected approximately $3,485 in Child Care Facilities fees from the Diablo Estates Development and allocated approximately $966 in interest to the fund.

Parkland Dedication: At the end of FY 11/12 there was a fund balance (including interest) of $60,121 available. During FY 11/12 there was not any fees collected as there was no project activity requiring payment of this fee. Interest earnings of $1,404 were allocated to this fund in FY 2011/12. These funds are collected when a development project files its final map. The City Council already has identified future improvements in the CIP to which park funds would be needed and used, including the Community Park. These projects costs combined are estimated at least $3.3 million, thus a need exists to continue this impact fee.

Offsite Arterial: At the end of FY 11/12 there was a fund balance (including interest) of $175,147 available. These funds can only be used for non maintenance capital projects on arterial roads which are Oakhurst Blvd., Marsh Creek Road, Pine Hollow Road, and Clayton Road. In FY 11/12 the City collected approximately $24,753 in Offsite Arterial fees from the Diablo Estates Development and allocated approximately $4,090 in interest to the fund. The current balance is due to the collection in prior fiscal years from six projects (Pine Hollow Estates, Mitchell Creek Pl, Longs, Flora Square, Village Market, and Diablo Estates).

The collection of fees pertaining to the Pine Hollow Estates development has not been expended within 5 years as of the year ended June 30, 2012. These fees will be used for projects outlined in the City's CIP budget such as traffic signal on eastern Marsh Creek Road, Pine Hollow Road Upgrades etc., which cost, estimated at $1.5 million, exceed current available funds and thus more time is needed in order to collect sufficient funds. Other funding is expected to come from other sources such as Measure C/J State (Caltrans), federal, and other sources. In general, the City does not have control over the funding process of other agencies. However, the City must have adequate funds on hand to leverage and provide matching funds as required when the other funds do become available to the City, and to maintain a competitive position to obtain the funds thus a need exists to continue this impact fee.

Fire Protection: In 1999/2000, the City's former RDA provided a loan of $350,000 in added funding for the new District's Clayton Fire Station. All Fire Mitigation funds to that time were also directed to this project/loan. During FY 11/12 the City collected approximately $5,100 in fire protection fees from the Diablo Estates development and allocated interest of approximately $122 to the fund. The former RDA contribution has not been fully repaid to the Successor Agency from the mitigation fees. Funds collected had been transferred to the former RDA, and in FY 11/12 the loan balance was $307,091. Pursuant to the Dissolution RDA processes under ABx1 26 and AB 1484, future funds collected will be held in the impact fee fund account until the RDA dissolution and interagency loan processes/approvals with Dept. of Finance have been better understood. However since there is still an outstanding loan balances there is a need exists to continue this impact fee.

Community Facilities: At the end of FY 11/12 there was a fund balance (including interest) of $14,432 available. These funds are limited for improvements to City owned facilities (buildings and associated grounds). These and future funds are to be for future new capital projects such as the Keller House renovation, Endeavor Hall, Library, City Hall, or Corporation Yard improvements or upgrades, which combined total exceeds $1.7 million. Therefore there is a demonstrated need to continue this impact fee. During FY 11/12 the City collected approximately $7,650 in Community Facilities fees from the Diablo Estates development and allocated approximately $337 in interest to the fund.

Marsh Creek Road Sewer: In FY 04/05 the City established a Marsh Creek Road Sewer Impact fund for tracking purposes. This fund was initially loaned $60,000 from the City General Fund to advance a master Sewer Plan for the March Creek Road Specific Plan area. To date there has been spent $63,566 associated with studies to determine a future development impact fee, which would include reimbursement of this loan eventually to the General Fund. There were no expenses except for the allocation of interest expense of $56 resulting from the negative fund balance of $2,392 as of June 30, 2012.

Police Service Mitigation Fee: The City has in certain newer development projects through the CEQA process, identified impacts to Police Services and developed a mitigation measure to provide funding to reduce the identified impact. During FY 11/12 the City collected approximately $28,404 in Police Service Mitigation fees resulting from Diablo Estates development and allocated approximately $1,351 in interest to the fund. As of June 30, 2013 the fund balance was $57,835 (including interest earnings). The fees are determined on a project-by-project basis through the CEQA process and are not subject to AB 1600 reporting requirements but are included for tracking purposes only, similar to Marsh Creek Road Sewer fund.

Open Space (active/passive) In Lieu Contribution Fee: In 2007 the City adopted a new ordinance provision, [Section 17.28.100C. (a),(b)] allowing an option for Planned Development zoned projects, in lieu of providing the on site open space (active and/or passive), a financial contribution could be provided. The funds collected for the active requirement can be used for acquisition and/or maintenance of active recreation areas in the City's park system. The passive potion can be used for maintenance of the City's trail system. The option for consideration of a developer request in lieu fee payment lies with the City. There is no set amount as it is determined on a case by case basis using criteria in the ordinance and is not subject to AB 1600 reporting requirements but is included for tracking purposes only. In FY 06/07 the City received $40,000 from the Mitchell Creek Place specified for a project for a future tot lot at Lydia Lane Park. As of June 30, 2013 the fund balance was $191,736 (including interest earnings). During FY 11/12 the City collected approximately $187,259 in Open Space In-Lieu fees resulting from the Diablo Estates development and allocated approximately $4,477 interest to the fund.

SUMMARY

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

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

As indicated in Attachment 3, City's Capital Improvement Program, there are many projects that have time frames that vary widely notably being Parks, Community Facility, as well as street improvements which total over $15,683,818. Of these about $7,076,477 are eligible project costs to which collected development fees are needed. The fund needs for the identified projects are far greater than the amount of fees that are possible to collect in a five-year period. Construction will only be possible by leveraging these funds to obtain matching monies from Measure C/J, State, federal, regional or other sources.

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

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

Staff believes that the intent of the legislation is to provide a reasonable period of time to close the books in order to provide accurate financial information, including all outstanding expenditures and revenues for the entire fiscal year. The City presented its FY 11/12 year-end financial statements on November 19, 2013.

As also noted above, not less than 15 days after the information is made public, the City Council is required to review this information at its next regularly scheduled public meeting. Since this information was made available to the public on November 19, 2013, with the posting of the council Agenda materials on line, the information has been placed on the December 17, 2013 Council agenda for review, in compliance with the reporting requirements.

FISCAL IMPACT

None

CONCLUSION

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

Attachments:

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

RESOLUTION NO. ___-2013

A RESOLUTION FINDING THAT THERE REMAINS A REASONABLE RELATIONSHIP BETWEEN CURRENT NEEDS FOR THE CITY'S DEVELOPMENT IMPACT FEES AND THE PURPOSES FOR WHICH THEY WERE ORIGINALLY CHARGED (GOVERNMENT CODE SECTION 66000 ET. SEQ.) RELATED TO THE CITY'S ANNUAL REPORT ON DEVELOPER FEES FOR FY 2011-12

THE CITY COUNCIL
City of Clayton, California

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

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

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

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

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

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

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

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

WHEREAS, certain fees collected in the Child Care Fund are more than five years old, however are still necessary pursuant to AB1600 for the purpose in which they are collected as project costs exceed current available funds collected thus it will take longer to collect the necessary funds for the improvements and capital assets as identified in the City's adopted CIP.

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

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

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California at a regular public meeting thereof held on the 17th day of December, 2013 by the following vote:

AYES:

NOES:

ABSENT:

THE CITY OF CLAYTON, CA

____

Julie K. Pierce

ATTEST:

____

Janet Brown, City Clerk

ALLOCATED
FUND BALANCE
AS OF 06-30-12

ATTACHMENT 2

FUND	(A) FUND BALANCE	(B) RESERVES	(C) DESIGNATED	(D) TOTAL ALLOCATED FUND BALANCE (B+C=D)	(E) UNALLOCATED RESERVES (A-D)
CHILDCARE FACILITIES	41,414		41,414	41,414	-
PARKLAND DEDICATION	60,121		60,121	60,121	-
OFFSITE ARTERIAL IMPROVEMENT	175,148		175,148	175,148	-
FIRE PROTECTION FEES	5,222		5,222	5,222	-
COMMUNITY FACILITIES	14,432		14,432	14,432	-
MARSH CREEK ROAD SEWER FEES	(2,392)		(2,392)	(2,392)	-
POLICE IMPACT FEES	57,835		57,835	57,835	-
OPEN SPACE IN-LIEU FEES	191,736		191,736	191,736	-
TOTAL	**543,516**	**-**	**543,516**	**543,516**	**-**

Footnotes:	
1. Fire Station loan balance from RDA	$ 307,092
2. Sewer Study loan balance from GF	$ 60,000

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 2012/13	FY 2013/14	FY 2014/15	FY 2015/16	FY 2016/17	Future Costs	Total Budget
10330	Streets	Overlays	$ 514,000.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 514,000.00
10331	Streets	Slurry Seals	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
10332	Streets	High Street Bridge	$ 65,000.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 65,000.00
10333	Streets	Marsh Creek Road - TEA-21	$ 1,300,000.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 1,300,000.00
10334	Parks	Community Dog Park	$ 27,500.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 27,500.00
10335	Parks	El Molino Park	$ 30,000.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 30,000.00
10336	Parks	Lydia Lane Park Ph. II	$ 48,814.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 48,814.00
10337	Facilities	Keller House Preservation	$ 219,523.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 219,523.00
10337A	**Facilities**	**Keller House Rehabilitation**	$ -	$ -	$ -	$ -	$ -	$ -	$ 1,780,477.00	$ 1,780,477.00
10338	Facilities	Endeavor Hall	$ 1,450,000.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 1,450,000.00
10339	Facilities	Youth Center/Gym	$ 4,900,000.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 4,900,000.00
10340	Landscape	Marsh Creek Road Landscape	$ 400,000.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 400,000.00
10341	Streets	Center Street Crossing	$ 172,000.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 172,000.00
10342	GHAD	Windmill Debris Basin	$ 75,000.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 75,000.00
10343	**GHAD**	**Crow Debris Basin**	$ -	$ -	$ -	$ -	$ -	$ -	$ 100,000.00	$ 100,000.00
10344	GHAD	Obsidian Landslide (in 10347)	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
10345	GHAD	Clayton Rd. Landslides	$ 1,240,000.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 1,240,000.00
10346	GHAD	Black Diamond Landslide**	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
10347	GHAD	V-ditch Repairs	$ 144,063.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 144,063.00
10347A	**GHAD**	**Eagle Peak Slope Repair**	$ -	$ -	$ -	$ -	$ -	$ -	$ 1,125,000.00	$ 1,125,000.00
10348	**GHAD**	**Keller Ridge Drive Area Slope Repair**	$ -	$ -	$ -	$ -	$ -	$ -	$ 50,000.00	$ 50,000.00
10349	**GHAD**	**Community Park Slide Repair**	$ -	$ -	$ -	$ -	$ -	$ -	$ 100,000.00	$ 100,000.00
10350	Facilities	Downtown Elec Conn.	$ 40,000.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 40,000.00
10351	Facilities	Fire Station	$ 1,610,000.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 1,610,000.00
10352	Landscape	Library Landscaping	$ 194,000.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 194,000.00
10353	Streets	Downtown Revitalization	$ 3,003,500.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 3,003,500.00
10354	Streets	Four Oaks Area	$ 237,700.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 237,700.00
10355	Streets	Oak Street Bridge	$ 62,000.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 62,000.00
10356	Landscape	Westwood Open Space	$ 166,000.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 166,000.00
10357	Facilities	Old City Hall Renovation	$ 72,000.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 72,000.00
10358	Facilities	Grove Property Acquisition	$ 500,000.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 500,000.00
10359	Facilities	Endeavor Hall Parking I	$ 108,000.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 108,000.00
10360	Facilities	Endeavor Hall Parking II	$ 165,500.76	$ -	$ -	$ -	$ -	$ -	$ -	$ 165,500.76
10361	**Facilities**	**Stanley Property**	$ -	$ -	$ -	$ -	$ -	$ -	$ 325,000.00	$ 325,000.00
10362	Facilities	Stanley Property Parking**	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
10363	Facilities	Corp. Yard Expansion	$ 598,720.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 598,720.00
10364	Streets	Downtown Signage**	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
10365	Facilities	Library Parking Expansion	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
10366	Facilities	Police Parking Expansion	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
10367	Parks	Downtown Park	$ 2,009,700.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 2,009,700.00
10368	Parks	City Hall Park**	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
10369	Streets	Marsh Creek Road Narrowing**	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
10370	**Creeks**	**Creek Revitalization**	$ -	$ -	$ -	$ -	$ -	$ -	$ 3,000,000.00	$ 3,000,000.00
10371	Streets	Survey Monuments	$ 30,000.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 30,000.00
10372	Streets	Traffic Signal Modifications	$ 9,900.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 9,900.00
10373	Streets	Peacock Creek Dr Signal	$ 155,000.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 155,000.00
10374	Parks	North Valley Park	$ 45,000.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 45,000.00
10375	**Parks**	**Samuel Ct. Park**	$ -	$ -	$ -	$ -	$ -	$ -	$ 75,000.00	$ 75,000.00
10376	Facilities	Equestrian Staging Area	$ 140,000.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 140,000.00
10377	Streets	DVMS - Right Turn Lane	$ 51,100.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 51,100.00
10378	Streets	Keller Ridge Drive Planters	$ 100,000.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 100,000.00

Attachment 3 (a)

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

Project Number	Project Category	Project Description	Prior Year Funding	FY 2012/13	FY 2013/14	FY 2014/15	FY 2015/16	FY 2016/17	Future Costs	Total Budget
10379	Streets	Pine Hollow Road - Upgrade	$ -	$ -	$ -	$ -	$ -	$ -	$ 300,000.00	$ 300,000.00
10380	Parks	Community Park - Rt. Turn Lane**	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
10381	Parks	Bocce Ball Courts	$ 43,431.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 43,431.00
10382	GHAD	Inclinometers	$ 50,000.00	$ -		$ -	$ -	$ -	$ -	$ 50,000.00
10383	GHAD	Keller Ridge Drive Subdrain	$ 5,000.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 5,000.00
10384	Streets	Mitchell Canyon Rd. Overlay	$ 125,000.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 125,000.00
10385	Parks	Community Park Tot Lot Upgrade	$ 112,496.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 112,496.00
10386	GHAD	Wells**	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
10387	Streets	Pavement Rehab 2002/03	$ 994,000.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 994,000.00
10388	Streets	Pavement Rehab 2003/04	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
10389	Streets	Pavement Rehab 2004	$ 537,650.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 537,650.00
10390	Streets	Pavement Rehab 2005**	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
10391	Streets	Pavement Rehab 2006	$ 11,190,552.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 11,190,552.00
10392	Sewers	Oak - High Street	$ 384,718.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 384,718.00
10393	Parks	Skateboard Park	$ -	$ -	$ -	$ -	$ -	$ -	$ 300,000.00	$ 300,000.00
10394	Streets	Handicap Ramps - RDA Area	$ 60,182.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 60,182.00
10394A	Streets	ADA Compliance Program	$ 10,190.00	$ 6,000.00	$ 6,000.00	$ 6,000.00	$ 6,000.00	$ 6,000.00	$ 459,810.00	$ 500,000.00
10395	Streets	Catch Basin Modifications	$ -	$ -	$ -	$ -	$ -	$ -	$ 75,000.00	$ 75,000.00
10396	Streets	East Marsh Creek Road Signal	$ -	$ -	$ -	$ -	$ -	$ -	$ 230,000.00	$ 230,000.00
10397	Streets	Utility Undergrounding	$ 215,469.00	$ 21,000.00	$ 21,000.00	$ 21,000.00	$ 21,000.00	$ 21,000.00	$ 2,679,531.00	$ 3,000,000.00
10398	Streets	Clayton Rd. MCR Slurry Seal	$ 235,456.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 235,456.00
10399	Sewers	Pine Hollow Area	$ 141,596.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 141,596.00
10400	Other	Downtown Economic Development	$ 1,166,581.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 1,166,581.00
10401	Streets	Pedestrian Xing Signals**	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
10402	Streets	Clayton Road Trail Connection	$ 264,879.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 264,879.00
10403	Streets	Downtown Entry Signage (in 10402)	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
10404	Streets	Marsh Creek Rd. Retaining Wall	$ 319,980.17	$ -	$ -	$ -	$ -	$ -	$ -	$ 319,980.17
10405	Streets	2007 Pavement Patching Project	$ 128,684.22	$ -	$ -	$ -	$ -	$ -	$ -	$ 128,684.22
10406	Streets	2008 Pavement Rehab Project	$ 1,060,427.62	$ -	$ -	$ -	$ -	$ -	$ -	$ 1,060,427.62
10407	Streets	Clayton Road Trail Connection	$ 465,000.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 465,000.00
10408	Streets	2009 Pavement Rehab Project**	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
10409	Streets	2010 Pavement Rehab Project	tbd	$ -	$ -	$ -	$ -	$ -	$ -	$ -
10410	Streets	2011 Neighborhood Street Project**	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
10411	Streets	2012 Neighborhood Street Project	$ 316,060.00	$ 317,645.00		$ -	$ -	$ -	$ -	$ 633,705.00
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	$ -	$ -	$ 315,000.00	$ -	$ -	$ -	$ -	$ 315,000.00
10418	Streets	2014 Neighborhood Street Project	$ -	$ -	$ -	$ 315,000.00	$ -	$ -	$ -	$ 315,000.00
10419	Parks	Community Park Lighting, etc.	$ -	$ -	$ -	$ -	$ -	$ -	$ 4,084,000.00	$ 4,084,000.00
10420	Parks	School Bridge Area Improvements	$ 200,000.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 200,000.00
10421	Creeks	Cardinet Trail Restoration	$ 50,000.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 50,000.00
10422	Sewers	El Molino Drive Sanitary Sewer Impr.	$ 330,000.00	$ -	$ -	$ -	$ -	$ -	$ -	$ 330,000.00
10423	Facilities	Library Upgrades	$ -	$ -	$ -	$ -	$ -	$ -	$ 1,000,000.00	$ 1,000,000.00
10424	Streets	2015 Neighborhood Street Project	$ -	$ -	$ -	$ -	$ 315,000.00	$ -	$ -	$ 315,000.00
10425	Streets	Collector Street Rehabilitation Project	$ -	$ 361,438.00	$ -	$ -	$ -	$ -	$ -	$ 361,438.00
10426	Facilities	City Hall Parking Area Rehabilitatoin	$ -	$ 27,000.00	$ -	$ -	$ -	$ -	$ -	$ 27,000.00
10427	Facilities	Library Parking Lot Rehabilitatoin	$ -	$ 51,000.00	$ -	$ -	$ -	$ -	$ -	$ 51,000.00
10428	Facilities	Lydia Lane Park Parking Rehabilitation	$ -	$ 11,000.00	$ -	$ -	$ -	$ -	$ -	$ 11,000.00
10429	Facilities	2012 Trail Resoving 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
		Cost Totals	$ 40,415,744.77	$ 2,237,307.00	$ 342,000.00	$ 342,000.00	$ 342,000.00	$ 342,000.00	$ 15,683,818.00	$ 59,704,869.77

Red denotes completed projects
Green denotes active projects funded in FY 12/13
Blue denotes active projects funded prior to FY 12/13
** Deleted by City Council

2012/13-2016/17 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.	2012-13	2013-14	2014-15	2015-16	2016-17	Future	TOTAL
Preliminary Design								
Final Design								
Construction							$1,780,477	$1,780,477
CM/Inspection								
ROW Acquisition								
Other								
TOTAL							$1,780,477	$1,780,477

Funding (Sources)	Prior Yrs.	2012-13	2013-14	2014-15	2015-16	2016-17	Future	TOTAL
Unfunded							$1,780,477	$1,780,477
Total							$1,780,477	$1,780,477

2012/13-2016/17 Capital Improvement Program

Category	Project Number	Project
Parks	10375	Samuel Ct. Park

<u>DESCRIPTION - LOCATION</u>

Install landscaping and irrigation improvements.

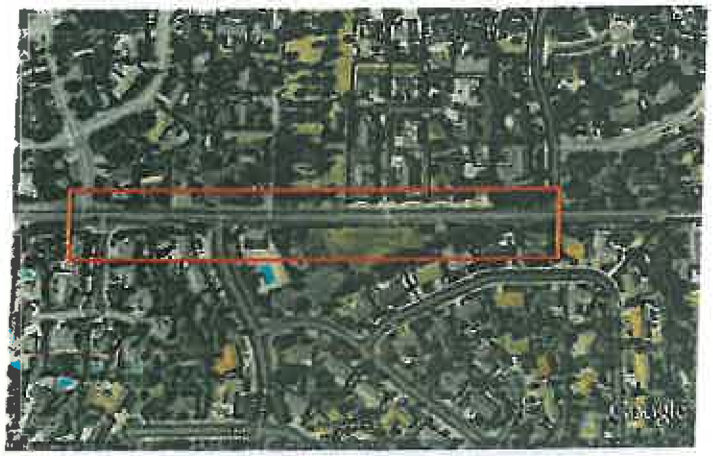
<u>COMMENTS</u>

Estimated Cost	Prior Yrs.	2012-13	2013-14	2014-15	2015-16	2016-17	Future	TOTAL
Prelim. Design								
Final Design							$5,000	$5,000
Construction							$65,000	$65,000
CM/Inspection							$5,000	$5,000
ROW Acquisition								
Other								
TOTAL							$75,000	$75,000

Funding (Sources)	Prior Yrs.	2012-13	2013-14	2014-15	2015-16	2016-17	Future	TOTAL
Unfunded							$75,000	$75,000
Total							$75,000	$75,000

2012/13-2016/17 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.	2012-13	2013-14	2014-15	2015-16	2016-17	Future	TOTAL
Preliminary Design								
Final Design								$25,000
Construction								$202,000
CM/Inspection								$15,000
ROW Acquisition								$50,000
Other								
TOTAL								$292,000

Funding (Sources)	Prior Yrs.	2012-13	2013-14	2014-15	2015-16	2016-17	Future	TOTAL
Unfunded			[illegible]					$292,000
Total								$292,000

City of Clayton

2012/13-2016/17 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.	2012-13	2013-14	2014-15	2015-16	2016-17	Future	TOTAL
Preliminary Design								
Final Design							$25,000	$25,000
Construction							$240,000	$240,000
CM/Inspection							$35,000	$35,000
ROW Acquisition								
Other								
TOTAL							$300,000	[illegible]

Funding (Sources)	Prior Yrs.	2012-13	2013-14	2014-15	2015-16	2016-17	Future	TOTAL
Unfunded							$300,000	$300,000
Total							$300,000	$300,000

2012/13-2016/17 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.	2012-13	2013-14	2014-15	2015-16	2016-17	Future	TOTAL
Preliminary Design								
Final Design							$15,000	$15,000
Construction							$150,000	$150,000
CM/Inspection							$15,000	$15,000
ROW Acquisition								
PG&E Poles							$50,000	$50,000
TOTAL							$230,000	$230,000

Funding (Sources)	Prior Yrs.	2012-13	2013-14	2014-15	2015-16	2016-17	Future	TOTAL
Unfunded							$230,000	$230,000
Total							$230,000	$230,000

2012/13-2016/17 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.	2012-13	2013-14	2014-15	2015-16	2016-17	Future	TOTAL
Preliminary Design	$20,000	$10,000						$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	$20,000	$100,000	$1,002,224					$1,122,224

Funding (Sources)	Prior Yrs.	2012-13	2013-14	2014-15	2015-16	2016-17	Future	TOTAL
Measure J	$100,000	$1,022,224						$1,122,224
Total	$100,000	$1,022,224						$1,122,224

2012/13-2016/17 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.	2012-13	2013-14	2014-15	2015-16	2016-17	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.	2012-13	2013-14	2014-15	2015-16	2016-17	Future	TOTAL
Unfunded							$4,084,000	$4,084,000
Total							$4,084,000	$4,084,000

2012/13-2016/17 Capital Improvement Program

Category	Project Number	Project
Sewer	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.	2012-13	2013-14	2014-15	2015-16	2016-17	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.	2012-13	2013-14	2014-15	2015-16	2016-17	Future	TOTAL
CIP Const.	$330,000*							$330,000*
Total	$330,000*							$330,000*

*transfer from CIP 10400

2012/13-2016/17 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.	2012-13	2013-14	2014-15	2015-16	2016-17	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.	2012-13	2013-14	2014-15	2015-16	2016-17	Future	TOTAL
Unfunded							$1,000,000	$1,000,000
Total								

DEVELOPMENT IMPACT FEES
REVENUES & EXPENDITURES
FY 2005 to FY 2012

Attachment 4 (a)

	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	Ending Balance
CHILDCARE FACILITY FEES										
REVENUE										
Childcare Facility Fees (5307)	-	-	-	-	6,483	-	-	-	3,485	9,968
Interest	549	780	487	662	1,105	1,024	1,417	404	966	7,394
EXPENDITURES										
Total	-	-	-	-	-	-	-	-	-	-
Total Revenue/over(under) Expenditures	549	780	487	662	7,588	1,024	1,417	404	4,451	17,362
OTHER FINANCING SOURCES (USES)										
Operating Transfers in	-	-	-	-	-	-	-	-		
Operating Transfers out										
Total	-	-	-	-	-	-	-	-	-	-
Excess(Deficiency) of Revenue and Other Sources Over(Under) Expenses & Other Financing Sources	549	780	487	662	7,588	1,024	1,417	404	4,451	17,362
FUND BALANCE JULY 1	24,052	24,601	25,381	25,868	26,530	34,118	35,142	36,559	36,963	**41,414**
FUND BALANCE JUNE 30	**24,601**	**25,381**	**25,868**	**26,530**	**34,118**	**35,142**	**36,559**	**36,963**	**41,414**	

	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	Ending Balance
PARKLAND DEDICATION FEES										
REVENUE										
Parkland Dedication Fees (5313)	-	-	21,912	23,121	60,016	280	-	55,885	-	161,214
Interest	1,345	1,815	455	1,210	3,634	12	2,238	302	1,404	12,415
EXPENDITURES										
Westwood Park CIP 079										-
Endeavor Hall Parking Lot CIP 017										-
Community Park Tot Lot CIP 092	75,000	6,500	-	-	-	-	-	-	-	81,500
Downtown Park CIP 090			57,234							57,234
Community Park Upgrades CIP 10407	-	-	-	-	112,163	-	-	-	-	112,163
Total	75,000	6,500	57,234	-	112,163	-	-	-	-	250,897
										-
Total Revenue/over(under) Expenditures	(73,655)	(4,685)	(34,867)	24,331	(48,513)	292	2,238	56,187	1,404	(77,268)
OTHER FINANCING SOURCES (USES)										
Operating Transfers In	-	-	-	-	-	-	-	-	-	-
Operating Transfers out	-	-	-	-	-	-	-	-	-	-
Total	-	-	-	-	-	-	-	-	-	-
Excess(Deficiency) of Revenue and Other Sources Over(Under) Expenses & Other Financing Sources	(73,655)	(4,685)	(34,867)	24,331	(48,513)	292	2,238	56,187	1,404	**(77,268)**
FUND BALANCE JULY 1	137,389	63,734	59,049	24,182	48,513	0	292	2,530	58,717	**60,121**
FUND BALANCE JUNE 30	**63,734**	**59,049**	**24,182**	**48,513**	**0**	**292**	**2,530**	**58,717**	**60,121**	

DEVELOPMENT IMPACT FEES
REVENUES & EXPENDITURES
FY 2005 to FY 2012

Attachment 4 (b)

	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	Ending Balance
OFFSITE ARTERIAL IMPROVEMENT FEES										
REVENUE										
Offsite Arterial Improvement Fees (5314)	-	-	11,648	-	114,147	-	-	-	24,753	150,548
Interest	31	77	271	369	4,317	4,163	5,476	3,423	4,090	22,217
EXPENDITURES										-
Total	-	-	-	-	-	-	-	-	-	-
Total Revenue/over(under) Expenditures	31	77	11,919	369	118,464	4,163	5,476	3,423	28,843	172,764
OTHER FINANCING SOURCES (USES)										
Operating Transfers in										-
Operating Transfers out										-
Total	-	-	-	-	-	-	-	-		-
Excess(Deficiency) of Revenue and Other Sources Over(Under) Expenses & Other Financing Sources	31	77	11,919	369	118,464	4,163	5,476	3,423	28,843	**172,764**
FUND BALANCE JULY 1	2,383	2,414	2,491	14,410	14,779	133,242	137,405	142,881	146,304	**175,147**
FUND BALANCE JUNE 30	**2,414**	**2,491**	**14,410**	**14,779**	**133,242**	**137,405**	**142,881**	**146,304**	**175,147**	

	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	Ending Balance
FIRE PROTECTION FEES										
REVENUE										
Fire Protection Fees (5317)	2,400	-	-	-	8,397	2,700	-	-	5,100	18,597
Interest	961	-	-	-	281	476	-	-	122	1,840
EXPENDITURES										-
Reimbursement for Clayton Fire Station		-	-	-						-
Total	-	-	-	-	-	-	-	-	-	-
Total Revenue/over(under) Expenditures	3,361	-	-	-	8,678	3,176	-	-	5,222	20,437
OTHER FINANCING SOURCES (USES)										
Operating Transfers in										-
Operating Transfers out to RDA		42,908	-	-			11,854			54,762
Total	-	(42,908)	-	-	-	-	(11,854)	-	-	(54,762)
Excess(Deficiency) of Revenue and Other Sources Over(Under) Expenses & Other Financing Sources	3,361	(42,908)	-	-	8,678	3,176	(11,854)	-	5,222	**(34,325)**
FUND BALANCE JULY 1	39,547	42,908	-	-	-	8,678	11,854	(0)	(0)	**5,222**
FUND BALANCE JUNE 30	**42,908**	-	-	-	**8,678**	**11,854**	**(0)**	**(0)**	**5,222**	

DEVELOPMENT IMPACT FEES
REVENUES & EXPENDITURES
FY 2005 to FY 2012

Attachment 4 (c)

	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	Ending Balance
COMMUNITY FACILITIES FEES										
REVENUE										
Community Facilities Fees (5323)	-	-	3,600	-	19,041	-	-	-	7,650	30,291
Interest	(265)	(382)	(169)	(230)	329	214	-	1,107	337	941
EXPENDITURES										
Corp Yard CIP 060			-	-						-
Endeavor Hall Shudders						5,024	-	-	-	5,024
Total	-	-	-	-	-	5,024	-	-	-	5,024
Total Revenue/over(under) Expenditures	(265)	(382)	3,431	(230)	19,370	(4,810)	-	1,107	7,987	26,208
OTHER FINANCING SOURCES (USES)										
Operating Transfers in										
Operating Transfers out										
Total	-	-	-	-	-	-	-	-	-	-
Excess(Deficiency) of Revenue and Other Sources Over(Under) Expenses & Other Financing Sources	(265)	(382)	3,431	(230)	19,370	(4,810)	-	1,107	7,987	**26,208**
FUND BALANCE JULY 1	(11,776)	(12,041)	(12,423)	(8,992)	(9,222)	10,148	5,338	5,338	6,445	**14,432**
FUND BALANCE JUNE 30	**(12,041)**	**(12,423)**	**(8,992)**	**(9,222)**	**10,148**	**5,338**	**5,338**	**6,445**	**14,432**	

	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	Ending Balance
MARSH CREEK RD SEWER FEES										
REVENUE										
Marsh Creek Rd Sewer Fees	-	-	-	-	-	-	-	-	-	-
Interest	(22)	946	243	330	(37)	(88)	-	(142)	(56)	1,175
EXPENDITURES										
Marsh Creek Road Sewer Survey	896	29,239	18,112	-	14,344	976				63,567
Total	896	29,239	18,112	-	14,344	976	-	-	-	63,567
Total Revenue/over(under) Expenditures	(918)	(28,293)	(17,869)	330	(14,381)	(1,064)	-	(142)	(56)	(62,392)
OTHER FINANCING SOURCES (USES)										
Operating Transfers In General Fund Loan		60,000	-	-	-	-	-	-	-	60,000
Operating Transfers out										
Total	-	60,000	-	-	-	-	-	-	-	60,000
Excess(Deficiency) of Revenue and Other Sources Over(Under) Expenses & Other Financing Sources	(918)	31,707	(17,869)	330	(14,381)	(1,064)	-	(142)	(56)	**(2,392)**
FUND BALANCE JULY 1	-	(918)	30,789	12,921	13,251	(1,130)	(2,194)	(2,194)	(2,336)	**(2,392)**
FUND BALANCE JUNE 30	**(918)**	**30,789**	**12,921**	**13,251**	**(1,130)**	**(2,194)**	**(2,194)**	**(2,336)**	**(2,392)**	

DEVELOPMENT IMPACT FEES
REVENUES & EXPENDITURES
FY 2005 to FY 2012

Attachment 4 (d)

	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	Ending Balance
POLICE IMPACT FEE										
REVENUE										
Police Impact Fee	-	-	10,155	-	-	13,410	-	-	28,404	51,969
Interest	-	-	195	265	355	1,020	1,030	1,651	1,351	5,866
EXPENDITURES										
	-	-	-	-	-	-	-	-	-	-
Total	-	-	-	-	-	-	-	-	-	-
Total Revenue/over(under)Expenditures	-	-	10,350	265	355	14,430	1,030	1,651	29,755	57,835
OTHER FINANCING SOURCES (USES)										
Operating Transfers In	-	-	-	-	-	-	-	-	-	-
Operating Transfers Out	-	-	-	-						-
Total	-	-	-	-	-	-	-	-	-	-
Excess(Deficiency) of Revenue and Other Sources Over (Under) Expenses & Other Financing Sources	-	-	10,350	265	355	14,430	1,030	1,651	29,755	**57,835**
FUND BALANCE JULY 1	-	-	-	10,350	10,615	10,970	25,400	26,429	28,080	**57,835**
FUND BALANCE JUNE 30	-	-	**10,350**	**10,615**	**10,970**	**25,400**	**26,429**	**28,080**	**57,835**	
OPEN SPACE IN-LIEU FEE										
REVENUE										
Open Space In-Lieu Fee	-	-	-	40,000	-	-	-	-	187,259	227,259
Interest	-	-	-	1,023	1,374	1,773	1,760	-	4,477	10,407
EXPENDITURES										
Total	-	-	-	-	-	-	-	-	-	-
Total Revenue/over(under)Expenditures			-	41,023	1,374	1,773	1,760	-	191,736	237,666
OTHER FINANCING SOURCES (USES)	-	-	-	-	-	-	-	-	-	-
Operating Transfers In	-	-	-	-	-	-	-	-	-	-
Operating Transfers Out	-	-	-	-	-	-	-	45,930	-	45,930
Total	-	-	-	-	-	-	-	(45,930)	-	(45,930)
Excess(Deficiency) of Revenue and Other Sources Over (Under) Expenses & Other Financing Sources			-	41,023	1,374	1,773	1,760	(45,930)	191,736	**191,736**
FUND BALANCE JULY 1	-	-	-	-	41,023	42,397	44,170	45,930	-	**191,736**
FUND BALANCE JUNE 30	-	-	-	**41,023**	**42,397**	**44,170**	**45,930**	-	**191,736**	
All FUND BALANCES	**120,698**	**105,288**	**78,738**	**145,488**	**238,423**	**257,407**	**257,474**	**274,174**	**543,516**	**543,516**

City of Clayton
Childcare Facility Fees 304-5307
1999-2012

Attachment 5 (a)

Date	Receipt	Paid By	Amount	
10/18/1999	8437	Paula Pedersen	205	
1/20/2000	8467	Presley	1,230	
4/14/2000	9272	Wm Lyon Homes-Diablo Village	1,435	
5/11/2000	9289	Wm Lyon Homes-Diablo Village	1,640	
5/23/2000	9293	Wm Lyon Homes-Diablo Village	1,845	
5/23/2000	9291	L. Afford-8106 Marsh Ck Rd	205	
5/31/2000	9296	S. Carvajal-989 Oak St	205	
5/31/2000	9295	Wm Lyon Homes-Diablo Village	410	
6/22/2000	9312	Wm Lyon Homes-Diablo Village	205	
6/30/2000		**General Ledger Balance**		**7,380**
11/6/2000	9383	B&B Properties	665	
12/11/2000	9399	Clyde Miles Construction (115 Oak Ct)	205	
11/3/2000	9379	Ocean West-Commercial (Post Office)	713	
9/22/2000	9352	Smith Quality Homes-Oakwood Cir	205	
4/4/2001	10634	Aspen Valley Builders-Oakwood Cir	205	
5/30/2001	10660	Lemke-Oakwood Cir	205	
6/30/2001		**General Ledger Balance**		**9,578**
11/26/2001	10731	Diamond Terrace	7,800	
8/28/2002	12368	Larwin Vintage Clayton-Bridlewood	615	
11/1/2002	13452	Larwin Vintage Clayton-Bridlewood	3,075	
11/27/2002	13467	Lydia-Rachel Ranch	1,640	
3/21/2003	13509	Larwin Vintage Clayton-Bridlewood	205	
6/30/2003		**General Ledger Balance**		**22,913**
6/30/2004		**General Ledger Balance**		**22,913**
6/30/2004		Interest Booked	1,688	
6/30/2005		Interest Booked	780	25,381
6/30/2006		Interest Booked	487	**25,868**
6/30/2007		Interest Booked	662	
7/31/2007	18577	Pine Hollow Estates	1,640	
9/30/2007	20008	Mitchell Creek Place	1,845	
10/31/2007	20691	Longs Drug Store	1,387	
10/31/2007	20698	Oak Center-Flora Square	1,497	
12/31/2007	20959	Village Market	114	**33,013**
6/30/2008		Interest Booked	1,105	**34,118**
6/30/2009		Interest Booked	1,024	**35,142**
6/30/2010		Interest Booked	1,417	**36,559**
6/30/2011		Interest Booked	404	**36,962**
8/6/2011		Toll Bros- Diablo Estates	205	**37,167**
1/3/2012		Toll Bros- Diablo Estates	1,025	
3/19/2012		Toll Bros- Diablo Estates	1,640	
4/17/2012		Toll Bros- Diablo Estates	615	
6/30/2012		Interest Booked	967	**41,414**
6/30/2012		**Adjusted General Ledger Balance**		**41,414**

City of Clayton
Park Dedication Fees - 304-5313
1999-2012

Attachment 5 (b)

Date	Receipt	Paid By	Amount	
10/18/1999	8437	Paula Pedersen-Oakwood Cir	2,569	
1/20/2000	8467	Presley-Diablo Village	8,107	
4/14/2000	9272	Wm Lyon Homes-Diablo Village	9,458	
5/11/2000	9289	Wm Lyon Homes-Diablo Village	10,809	
5/23/2000	9293	Wm Lyon Homes-Diablo Village	12,160	
5/23/2000	9291	L. Afford - 8106 Marsh Ck Rd.	2,569	
5/31/2000	9296	S. Carvajal - 989 Oak St.	2,569	
5/31/2000	9295	Wm Lyon Homes-Diablo Village	2,702	
6/22/2000	9312	Wm Lyon Homes-Diablo Village	1,351	
6/30/2000		**General Ledger Balance**		**52,293**
9/22/2000	9352	Smith Quality Homes-Oakwood Cir	2,569	
12/13/2000	9399	Miles Construction-115 Oak Ct.	2,569	
4/4/2001	10634	Aspen Valley Builders-1116 Oakwood Cir	2,569	
5/30/2001	10660	Lemke Construction-Oakwood Cir	2,569	
6/30/2001		**General Ledger Balance**		**62,569**
11/1/2001	11783	Mardel LLC-Bridlewood	48,811	
2/20/2002	11917	Lydia Associates-Rachel Ranch	20,552	
2002		CIP Projects-Westwood Park	(48,500)	
2002		CIP Project-Endeavor Hall Parking Lot	(27,595)	
6/30/2002		**General Ledger Balance**		**55,837**
9/23/2002		Diamond Terrace	75,268	
6/30/2003		**General Ledger Balance**		**131,105**
2004		Community Park Tot Lot (CIP)	(75,000)	
6/30/2004		**General Ledger Balance**		**56,105**
6/30/2004		Interest Booked	7,629	
6/30/2005		Community Park Tot Lot (CIP)	(6,500)	
6/30/2005		Interest Booked	1,815	**59,049**
10/27/2005		Lenox Homes-Pine Hollow Estates	20,272	
2/24/2009		Transfer from Lenox C&D Deposit	280	
5/31/2006	18577	Pine Hollow Estates	1,640	
12/31/2005		CIP Project - Down Town Park	(57,234)	
6/30/2006		Interest Booked	455	**24,462**
6/29/2007		Mitchell Creek Place	23,121	47,583
6/30/2007		Interest Booked	1,210	**48,793**
7/31/2007	18577	Pine Hollow Estates (s/b childcare)	(1,640)	47,153
3/10/2008	21232	Lemke Construction - Diablo Point	61,656	
6/30/2008		Interest Booked	3,634	
6/30/2008		Trans to Community Park Upgrades CIP 10407	(112,443)	**-**
1/31/2009		Trans from Pine Hollow Estates	280	
6/30/2009		Interest Booked	12	**292**
6/30/2010		Interest Booked	2,238	
6/30/2011		Trans from Oakhurst AD for CCPark Project	55,885	
6/30/2011		Interest Booked	302	
6/30/2012		Interest Booked	1,404	
6/30/2012		**Adjusted General Ledger Balance**		**60,121**

City of Clayton

Off Site Arterial Improvement Fees 304-5314

1999-2012

Attachment 5 (c)

Date	Receipt	Paid By	Amount	CIP 304-5314 Balance
10/18/1999	8437	Paula Pedersen-1103 Oakwood Cir	1,456	
1/20/2000	8467	Presley-Diablo Village	8,736	
4/14/2000	9272	Wm Lyon Homes-Diablo Village	10,192	
5/11/2000	9289	Wm Lyon Homes-Diablo Village	11,648	
5/23/2000	9293	Wm Lyon Homes-Diablo Village	13,104	
5/23/2000	9291	L. Afford-8106 Marsh Ck Rd	1,456	
5/31/2000	9296	S. Carvajal-989 Oak St	1,456	
5/31/2000	9295	Wm Lyon Homes-Diablo Village	2,912	
6/22/2000	9312	Wm Lyon Homes-Diablo Village	1,456	
6/30/2000		**General Ledger Balance**		**52,416**
9/22/2000	9352	Smith Quality Homes-Oakwood Cir	1,456	
11/3/2000	9379	Ocean West-Commercial Post Office	24,028	
11/6/2000	9383	B&B Properties-Commercial	22,417	
12/11/2000	9399	Clyde Miles-115 Oak	1,456	
4/4/2001	10634	Aspen Valley Builders-Oakwood Cir	1,456	
5/30/2001	10660	Lemke-Oakwood Cir	1,456	
6/30/2001		**General Ledger Balance**		**104,685**
11/26/2001	10731	Diamond Terrace	87,634	
6/30/2002		**General Ledger Balance**		**192,319**
8/28/2002	12368	Larwin Vintage Clayton-Bridlewood	4,368	
11/1/2002	13452	Larwin Vintage Clayton-Bridlewood	21,840	
3/21/2003	13509	Larwin Vintage Clayton-Bridlewood	1,456	
11/27/2002	13467	Lydia Assoc-Rachael Ranch	11,648	
6/30/2003		**General Ledger Balance**		**231,631**
2003		CIP Projects-Marsh Creek Road	(230,000)	
1/3/2003		Kelok&Keller Ridge Signs, striping	(346)	
6/30/2004		**General Ledger Balance**		**1,285**
6/30/2004		Interest Booked	1,129	
6/30/2005		Interest Booked	77	**2,491**
5/9/2006	18577	Pine Hollow Estates	11,648	
6/30/2006		Interest Booked	271	**14,410**
6/30/2007		Interest Booked	369	
8/31/2007	20008	Mitchell Creek Place	13,104	
10/2/2007	20691	Longs Drug Store	46,725	
10/3/2007	20698	Oak Center Project-Flora Square	50,456	
12/27/2007	20959	Village Market	3,862	
6/30/2008		Interest Booked	4,317	**133,243**
6/30/2009		Interest Booked	4,163	**137,406**
6/30/2010		Interest Booked	5,476	**142,882**
6/30/2011		B&B Properties-Commercial	3,423	**146,305**
8/16/2011		Toll Bros- Diablo Estates	1,456	
1/3/2012		Toll Bros- Diablo Estates	7,280	
3/19/2012		Toll Bros- Diablo Estates	11,648	
4/17/2012		Toll Bros- Diablo Estates	4,368	**171,057**
6/30/2012		Interest Booked	4,090	
6/30/2012		**Adjusted General Ledger Balance**		**175,147**

City of Clayton
Fire Protection Fees 303-5317
1999-2012

Attachment 5 (d)

Date	Receipt	Paid By	General Fund Amount	Fund Balance
10/18/1999	8437	Paula Pedersen-1103 Oakwood Cir	300	
1/20/2000	8467	Presley-Diablo Village	1,800	
4/14/2000	9272	Wm Lyon Homes-Diablo Village	2,100	
5/11/2000	9289	Wm Lyon Homes-Diablo Village	2,400	
5/23/2000	9293	Wm Lyon Homes-Diablo Village	2,700	
5/23/2000	9291	L. Afford-8106 Marsh Ck Rd	300	
5/31/2000	9296	S. Carvajal-989 Oak St	300	
5/31/2000	9295	Wm Lyon Homes-Diablo Village	600	
6/22/2000	9312	Wm Lyon Homes-Diablo Village	300	
6/30/2000		**General Ledger Balance**		**10,800**
9/22/2000	9352	Smith Quality Homes-Oakwood Cir	300	
11/3/2000	9379	Ocean West-Commercial-Post Office	1,426	
11/6/2000	9383	B&B Properties-Commercial	1,330	
12/11/2000	9399	Clyde Miles Construction-115 Oak St	300	
4/4/2001	10634	Aspen Valley Builders-Oakwood Cir	300	
5/30/2001	10660	Lemke-Oakwood Cir	300	
6/30/2001		**General Ledger Balance**		**14,756**
11/26/2001	10731	Diamond Terrace	17,200	
8/28/2002	12368	Larwin Vintage Clayton-Bridlewood	900	
11/1/2002	13452	Larwin Vintage Clayton-Bridlewood	4,500	
3/21/2002	13509	Larwin Vintage Clayton-Bridlewood	300	
6/30/2003		**General Ledger Balance**		**37,656**
6/30/2004		**General Ledger Balance**	**2,400**	**40,056**
6/30/2004		Interest Booked	2,852	
6/30/2004		**Adjusted General Ledger Balance**		**42,908**
3/24/2005		Fireprotection fee reimbursement to RDA	(42,908)	
6/30/2006		**General Ledger Balance**		-
10/2/2007		Longs Drug Store	2,773	
10/2/2007	20691	Oak Center-Flora Square	2,994	
10/9/2007	20701	Pine Hollow Estates	2,401	
12/27/2007	20959	Village Market	229	**8,397**
6/30/2008		**Interest Booked**	281	
8/13/2008	21056	Mitchell Creek Place	2,700	
6/30/2009		**Interest Booked**	476	**11,854**
1/15/2010		Transfer to RDA (JE Dec18)	(11,854)	**-**
6/30/2011		**Interest Booked**	-	
8/16/2011		Toll Bros- Diablo Estates	300	
1/3/2012		Toll Bros- Diablo Estates	1,500	
3/19/2012		Toll Bros- Diablo Estates	2,400	
4/17/2012		Toll Bros- Diablo Estates	900	**5,100**
6/30/2012		**Interest Booked**	**122**	**5,085**
6/30/2012		**Adjusted General Ledger Balance**		**5,222**

FY 2000/01	RDA Loan to Fire Station	350,000
FY 2004-05	Fire protection fee reimbursement	(42,908)
6/30/2011	Balance due RDA	307,092

City of Clayton
Property Development Fees 303-5323
Reclassed to Community Facilities Development Fees 304-5323
1999-2012

Attachment 5 (e)

Date	Receipt	Paid By	Amount	Balance
10/04/99	8437	Pedersen	450	
01/20/00	8467	Presley	2,700	
04/14/00	9272	Wm Lyon Homes-Diablo Village	3,150	
05/11/00	9289	Wm Lyon Homes-Diablo Village	3,600	
06/22/00	9312	Wm Lyon Homes-Diablo Village	450	
05/23/00	9293	Wm Lyon Homes-Diablo Village	4,050	
05/23/00	9291	L. Afford-8106 Marsh Ck Rd	450	
05/31/00	9296	S. Carvajal-989 Oak St	450	
05/31/00	9295	Wm Lyon Homes-Diablo Village	900	
6/30/2000		**General Ledger Balance**		**16,200**
09/22/00	9352	Smith Quality Homes-Oakwood Cir	450	
11/03/00	9379	Ocean West-Post Office	3,565	
11/06/00	9383	B&B Properties	3,326	
12/11/00	9399	Clyde Miles- 115 Oak	450	
04/04/01	10634	Aspen Valley-Oakwood Cir	450	
05/30/01	10660	Lemke-Oakwood Cir	450	**24,891**
11/26/01	10731	Diamond Terrace	10,750	
6/30/2002		**General Ledger Balance**		**35,641**
08/28/02	12368	Larwin Vintage Clayton-Bridlewood	1,350	
11/01/02	13452	Larwin Vintage Clayton-Bridlewood	6,750	
03/21/02	13509	Larwin Vintage Clayton-Bridlewood	450	
06/30/02		CIP Projects-Corp Yard	(67,976)	
11/27/02	13467	Lydia Assoc.-Rachael Ranch	3,600	
6/30/2003		**General Ledger Balance**		**(20,185)**
6/30/2004		**General Ledger Balance**		**(20,185)**
06/30/04		**Interest Booked**	(997)	
03/24/05		Transfer from CIP (Corp Yard)	9,141	
6/30/2005		**Interest Booked**	(382)	**(12,423)**
05/09/06	18577	Pine Hollow Estates	3,600	
06/30/06		**Interest Booked**	(169)	
6/30/2007		**Interest Booked**	(230)	**(9,222)**
08/31/07	20008	Mitchell Creek Place	4,050	
10/02/07	20691	Longs Drug Stores	6,932	
10/03/07	20698	Oak Center Project-Flora Square	7,486	
12/27/07	20959	Village Market	573	**9,819**
06/30/08		**Interest Booked**	329	
03/12/09		Transfer to Endeavor Hall (Shutters)	(5,024)	
06/30/09		**Interest Booked**	214	**5,338**
06/30/10		**Interest Booked**	-	**5,338**
06/30/11		**Interest Booked**	1,107	**6,445**
08/06/11		Toll Bros- Diablo Estates	450	
01/03/12		Toll Bros- Diablo Estates	2,250	
03/19/12		Toll Bros- Diablo Estates	3,600	
04/17/12		Toll Bros- Diablo Estates	1,350	**14,095**
06/30/12		**Interest Booked**	337	**14,432**
6/30/2012		**Adjusted General Ledger Balance**		**14,432**

City of Clayton
Marsh Creek Road Sewer
2004-2012

Attachment 5 (f)

Date	Receipt	Paid By	Amount	Balance
6/30/2004		Expense	**(896)**	
6/30/2004		Interest Booked	**(22)**	
9/30/2004		Transfer from General Fund (Loan)	**35,000**	
6/30/2005		Expense	**(29,239)**	
5/17/2005		Transfer from General Fund (Loan)	**25,000**	
6/30/2005		Interest Booked	**946**	**30,789**
6/30/2006		Expense	**(18,112)**	
6/30/2006		Interest Booked	**243**	**12,921**
6/30/2007		Interest Booked	**330**	**13,251**
6/30/2008		Expense	**(14,344)**	**(1,093)**
6/30/2008		Interest Booked	**(37)**	
8/6/2008		Expense	**(732)**	
8/29/2008		Expense	**(61)**	
9/12/2008		Expense	**(183)**	
6/30/2009		Interest Booked	**(88)**	
6/30/2010		Interest Booked	**-**	**(2,194)**
6/30/2011		Interest Booked	**(142)**	**(2,336)**
6/30/2012		Interest Booked	**(56)**	
6/30/2012		**Projected Fund Balance**		**(2,392)**

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

City of Clayton
Police Services Impact Fee
2007-2012

Attachment 5 (g)

Date	Receipt	Paid By	Amount	Balance
5/9/2006	18578	Pine Hollow Estates	10,155	**10,155**
6/30/2006		Interest Booked	195	**10,350**
6/30/2007		Interest Booked	265	**10,615**
6/30/2008		Interest Booked	355	**10,970**
8/13/2008	21056	Mitchell Creek Place	13,410	**24,380**
6/30/2009		Interest Booked	1,020	**25,400**
6/30/2010		Interest Booked	1,030	**26,430**
6/30/2011		Interest Booked	1,651	**28,080**
8/16/2011		Toll Bros- Diablo Estates	1,665	**29,745**
1/3/2012		Toll Bros- Diablo Estates	8,356	**38,101**
3/19/2012		Toll Bros- Diablo Estates	13,370	**51,470**
4/17/2012		Toll Bros- Diablo Estates	5,014	**56,484**
6/30/2012		Interest Booked	1,351	**57,835**
6/30/2012		**Adjusted General Ledger Balance**		**57,835**

City of Clayton
Open Space In-Lieu Contributions
2006-2012

Attachment 5 (h)

Date	Receipt	Paid By	Parks *Active Rec	Trail *Maintenance	Balance
6/26/2007	18578	Mitchell Creek Place	40,000		**40,000**
6/30/2007		Interest Booked	1,023		**41,023**
6/30/2008		Interest Booked	1,374		**42,397**
6/30/2009		Interest Booked	1,773		**44,170**
6/30/2010		Interest Booked	1,760		**45,930**
6/30/2011		Transfer to Lydia Land Park CIP #10336	(45,930)		**-**
8/16/2011		Toll Bros Lot 19 Impact Fees	11,015		**11,015**
1/3/2012		Toll Bros Impact Fees	55,076		**66,091**
3/19/2012		Toll Bros Impact Fees	88,122		**154,213**
4/17/2012		Toll Bros Impact Fees	33,046		**187,259**
6/30/2012		Interest Booked	4,477		**191,736**
6/30/2012		**Adjusted General Ledger Balance**			
			191,736		**191,736**

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

ATTACHMENT 6(a)

CITY OF CLAYTON
DEVELOPMENT IMPACT and Related FEES

rev. April 10, 2009

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

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

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

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

ATTACHMENT 6(c)

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

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

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

Agenda Date: 12/17/2013

Agenda Item: 8b

CITY OF CLAYTON
Founded 1857 .. Incorporated 1964

Approved:

Gary A. Napper
City Manager

AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: CITY MANAGER

DATE: 17 DECEMBER 2013

SUBJECT: DETERMINATION OF COUNCIL COMMITTEE ASSIGNMENTS

RECOMMENDATION

It is recommended the City Council determine its Council ad-hoc and committee assignments for the ensuing year of 2014.

BACKGROUND

In addition to its primary role as elected officials of the City of Clayton, members of the City Council hold a variety of ad-hoc and committee assignments that involve the direct participation of its members in a host of local and regional issues and intergovernmental organizations. Pursuant to the adopted *Council Guidelines and Procedures*, the Mayor assigns the Council ad-hoc and committee appointments annually each December. It further presents an opportunity to review the established committees and determine continued relevance, need to create new ones or abolish existing ones. In making the assignments, the Mayor is encouraged to seek individual input from members of the City Council regarding appointment preferences.

Attached is the current list of City Council sub-committees and associated assignments during 2013. The list has been updated (*in blue font*) to reflect the elections made at the Council Reorganization Meeting held on December 3rd relative to the chair and vice chair of the Oakhurst Geological Hazard Abatement District (GHAD). The Clayton Financing Authority (CFA) chair and vice chair are automatically filled by the mayor and vice mayor of the City, respectively, per its By-Laws.

Also attached are the pertinent pages from the *Council Guidelines and Procedures* referencing Council ad-hoc and committee assignments.

Attachments: City Council Committee Assignments – 2013 [2 pp.]
Council Guidelines and Procedures [2 pp.]

CITY COUNCIL ASSIGNMENTS
AD-HOC COMMITTEES
<u>CITY OF CLAYTON</u>
2013

Association of Bay Area Governments (ABAG)	Julie Pierce Alternate: David Shuey
Budget/Audit Committee	Hank Stratford, Jim Diaz
Citizens Corps Council (CERT)	Hank Stratford
Clayton Financing Authority [CFA]* *[offices automatically go to Mayor & Vice Mayor, per Bylaws]	President – Hank Stratford Vice President – David Shuey
Clayton "Unsung Heroes" Recognition Program	David Shuey, Hank Stratford
Contra Costa Water District [CCWD] Liaison	Howard Geller
Central Contra Costa Transit Authority [CCCTA]	Gregg Manning Alternate: David Shuey
Downtown Activities Committee	Howard Geller, Jim Diaz
East Bay Division - League of California Cities	David Shuey Alternate: Howard Geller
East Contra Costa County Habitat Conservancy	Hank Stratford Alternate: David Shuey
Economic Development Ad-hoc Committee	Julie Pierce, David Shuey Alternate: Howard Geller
Endeavor Hall Marketing Committee	Howard Geller, Jim Diaz

Fire Services Ad-hoc Committee	Jim Diaz, David Shuey
Garbage & Recycling Committee	Hank Stratford, David Shuey
Interview Committees:	
a. Planning Commission applicants	City Council
b. Trails and Landscaping Committee applicants	Vice Mayor Howard Geller
Library Foundation Liaison	Jim Diaz Alternate: Howard Geller 2nd Alternate: David Shuey
Mayors' Conference – Contra Costa County	Mayor & Council
Mt. Diablo School District Liaison Committee	Julie Pierce, David Shuey Alternate: Howard Geller
Oakhurst Geological Hazard Abatement District [GHAD]	Chair – Jim Diaz Vice Chair – Howard Geller
Trails and Landscaping Committee (TLC) Liaison	Vice Mayor Alternate: Howard Geller
TRANSPAC	Julie Pierce Alternate: Jim Diaz

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Revised: *03 December 2013*
Original Adoption: 17 December 2004

4. Council Members exhibit care and respect for each other as persons.

5. Council Members promote care and respect for each other's point of view. Each Member has a right to be heard.

6. Opinions are expressed honestly, openly, civilly and with integrity.

7. Humor is an important tool.

8. Traditions are respected but not always binding.

C. COUNCIL INTERACTION AND COMMUNICATION

1. The Mayor makes Council sub-committee appointments annually in December; the Mayor is encouraged to seek input from Council regarding appointment preferences.

2. Members will take seriously the responsibility of reporting to Council on sub-committees and other regional, state and national board/agency/group activities in which they are involved.

3. Each Council Member has the responsibility to initiate resolution of problems as soon as possible.

4. Members shall recall and abide by the Brown Act when giving information to each other outside of public meetings.

5. Cheap shots at each other are not allowed by Members during public meetings, in the media, or at any other time.

6. Relationships are informal, but Council Members need to be aware of impact on and perception of the public.

7. Council Members will be flexible in covering Council responsibilities for each other.

8. Council Sub-Committees.

    a. Sub-committee areas belong to the Council as a whole; they are not seen as territorial.

    b. Sub-committees shall keep the rest of the Council fully informed. The rest of the Council is responsible for letting a sub-committee know if they want more information or to give input.

    c. Before sub-committees start moving in new directions, they will obtain direction from the rest of the Council.

d. Sub-committee reports will be made under "Council Reports" at Council meetings, when appropriate.

e. Sub-committee memos will be sent on an interim basis to update other Council Members on:

1). Issues being discussed.

2). Options being considered.

3). Progress.

f. Appropriate reports will also be included in the City Manager's "Weekly Report".

g. Council may contact Department Heads or the City Manager to be briefed on any sub-committee work.

h. Council shall review the performance of citizen committees no less frequently than every six months.

i. Sub-committees are task oriented with scheduled dates of completion.

D. COUNCIL INTERACTION AND COMMUNICATION WITH STAFF

1. City Manager.

a. Council Members should always feel free to communicate with the City Manager.

b. When a Council Member is unhappy about the performance of a Department, he/she should discuss this with the City Manager, not any other employee [the City Manager will inform the Mayor of any serious violations of this norm].

c. Concerns about the performance of Department Heads must be taken to the City Manager and/or Mayor first for resolution through proper channels.

d. In passing along critical information, the City Manager will inform all Council Members.

e. Council will provide ongoing feedback, information and perceptions to the City Manager, including some response to the "Weekly Report".

f. Council will page the City Manager if there is an emergency and he/she cannot be reached by phone.