CITY OF CLAYTON

Founded 1857 . . Incorporated 1964

AGENDA

REGULAR MEETING

* * *

CLAYTON CITY COUNCIL

* * *

TUESDAY, May 20, 2014

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 *

May 20, 2014

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) Approve the minutes of the regular meeting of May 6, 2014. (View Here)

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

(c) Adopt a Resolution of Intention approving the Engineer's Report for the Diablo Estates Benefit Assessment District real property tax assessments in FY 2014-15 and setting a noticed public hearing on July 15, 2014. (View Here)

4. RECOGNITIONS AND PRESENTATIONS

(a) Recognition of Police Sergeant Richard McEachin in appreciation for service to the Clayton community as a local law enforcement officer since November 2005.

5. REPORTS

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

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) Consider certain matters associated with the placement of a local tax ballot measure on the November 4, 2014 General Municipal Election ballot pertaining to voter-determination to extend the existing real property special tax to continue funding the annual operations and maintenance of "The Grove Park" in the Clayton Town Center:

1. Adopt a Resolution of Consideration to propose extending the existing special tax for Community Facilities District 2006-1 (Downtown "The Grove" Park) for a 15-year period ending June 2032 and retaining the current tax rate methodology;

2. Schedule a public hearing for July 1, 2014 regarding the Resolution of Consideration; and

3. City Council review and policy direction to staff regarding the proposed text of the ballot measure for voter consideration. (View Here)
(Assistant to the City Manager)

Staff recommendations: Following staff presentation and opportunity for public comments, the City Council: **1.** By motion, adopt the Resolution and set July 1, 2014 as the date for a public hearing on this matter; and **2.** Provide direction to staff concerning the proposed text for the ballot measure.

(b) Consider the proposed improvement plans of the Clayton Historical Society, in conjunction with the Clayton Business and Community Association (CBCA), of a garden plaza and exterior site additions to the outdoor area of the Clayton Museum building (6101 Main Street; APN 119-011-004), including an entryway arbor, circular garden plaza, decorative seat walls, memorial bench, fencing, trellis, hardscape and walkway paths, historic tractor display and associated water efficient landscaping. (View Here)
(Community Development Director)

Staff recommendation: Following staff presentation and public comment, the City Council provide policy direction to staff regarding acceptance of all or a portion of the proposed exterior improvements planned for City-owned real property.

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

10. CLOSED SESSION

(a) *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).

Report out from Closed Session: Mayor Stratford.

11. ADJOURNMENT – the next regularly scheduled City Council meeting is June 3, 2014.

# # # # #

Agenda Date: 5-20-2014

Agenda Item: 3a

MINUTES
OF THE
REGULAR MEETING
CLAYTON CITY COUNCIL

TUESDAY, May 6, 2014

1. **CALL TO ORDER & ROLL CALL** – The meeting was called to order at 7:03 p.m. by Mayor Stratford (and by "Mayor for the Day" Scott Tomaszewicz) in Hoyer Hall, Clayton Community Library, 6125 Clayton Road, Clayton, CA. Councilmembers present: Mayor Stratford, Vice Mayor Shuey (arrived at 7:45 p.m.) Councilmembers Geller and Pierce. Councilmembers absent: Councilmember Diaz (excused absence). Staff present: City Manager Gary Napper, City Attorney Mala Subramanian, City Clerk Janet Brown, Finance Manager Kevin Mizuno.

2. **PLEDGE OF ALLEGIANCE** – led by "Mayor for the Day" Scott Tomaszewicz.

Mayor Stratford introduced Scott Tomaszewicz, as "Mayor for the Day" and presented him with a certificate of recognition.

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

(a) Information Only – No action necessary.
1. Notification to Clayton real property owners of a City of Concord annual sewer service charge increase effective July 1, 2014 (10.74% increase to $402/year for a single-family dwelling) for real property sewer services and maintenance, repair and operation of Clayton's municipal sewer system.

(b) Approved the minutes of the regular meeting of April 15, 2014.

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

(d) Adopted Resolution 07-2014 approving a three (3)-year time extension through June 30, 2017 of the City's agreement with Contra Costa County for continuance of contract Building Plan Check and Inspection Services for the City of Clayton.

(e) Adopted Resolution 08-2014 calling for the preparation of an Engineer's Report for calculation of the real property tax assessments in FY 2014-15 for the Diablo Estates at Clayton Benefit Assessment District (BAD).

(f) Adopted Resolution 09-2014 approving a Joint Powers Authority (JPA) for TRANSPAC (central county transportation) purposes and issues, and authorizing the Mayor to execute the JPA Agreement.

4. **RECOGNITIONS AND PRESENTATIONS**

(a) Proclamation presented declaring May 7, 2014 as "Scott Tomaszewicz Day" in the City of Clayton in recognition of being "Mayor for the Day."

(b) Certificates of Recognition to "Do The Right Thing" public school students selected for exemplifying the character trait of "Integrity".

Principal Patti Bannister showed a video featuring Diablo View Middle School students; "The Upstander Project" by Ms. Ploetz's class.

Mayor Stratford and Mt. Diablo School teachers Mrs. Clary and Mrs. Osterkamp and Principal Irene Keenan recognized students Kelsey Macaulay and Kyle Pacak.

Mayor Stratford and Diablo View Middle School teachers and Principal Patti Bannister recognized students Alli Moody and Courtney Lally.

Mayor Stratford and Clayton Valley Charter High School teachers Mrs. Ihle and Ms. Jones recognized students Kelly Dugan, Jordan Tate, Haley Cappa, and Jonathan Allen (who was unable to attend the meeting).

(c) A Proclamation declaring May 2014 as "American Red Cross Month" in the City of Clayton.

Mayor Stratford read a Proclamation declaring May 2014 as "American Red Cross Month" in the City of Clayton.

5. REPORTS

(a) Planning Commissioner Dan Richardson reported on the April 22nd meeting of the Planning Commission; the Commission approved a request for a sign variance permit by Transwestern Commercial Real Estate to advertise the City's vacant undeveloped property for sale located off Main Street in the Clayton Town Center.

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

(c) City Manager/Staff – None.

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

Councilmember Geller attended Clayton Cleans Up which was attended by approximately 300 volunteers; he thanked the *Clayton Pioneer* owners, Tamara and Bob Steiner, for their sponsorship of this community event. He also attended the Clayton Business and Community Association's annual Art and Wine Festival.

Councilmember Pierce attended Clayton Cleans Up and also thanked the *Clayton Pioneer* for sponsoring the event. Councilmember Pierce also attended several meetings including the Contra Costa Transportation Authority, Associated Bay Area Government, TRANSPAC, Bay Area Council Institute, and the Mayors' Conference. She also attended the Clayton Business and Community Association annual Art and Wine Festival. Councilmember Pierce

announced a few upcoming events: Saturday's "Concerts in The Grove", Clayton's Certified Farmers' Market opens, and a 5K Run takes place on July 19th for a local Girl Scout's Gold Award project.

Councilmember Geller noted the recent Clayton Bocce Ball team signups were originally scheduled for several days and times; however, the first signup had over 700 people. Currently there is a waiting list of over 100 people. Opening day is projected for June 16th. He also announced community events beginning this weekend: Clayton's Certified Farmers' Market; and the first "Concerts in The Grove" features Mike Amaral's California Beach Boys.

Vice Mayor Shuey arrived at the meeting and reported on Clayton Valley Charter High School and Mt. Diablo Unified School District Board matters concerning expansion plans, sports fields and Measure C Funds. On behalf of the Clayton Valley Little League (CVLL), Vice Mayor Shuey expressed appreciation to City Maintenance staff and the City Manager on their responsive efforts to accommodate CVLL's rapid need to relocate to and improve the playing fields at Clayton Community Park.

Mayor Stratford attended the Mayors' Conference and the East Contra Costa Habitat Conservancy meeting that was held in Clayton Community Library. Mayor Stratford announced the Do The Right Thing character trait for the next three months is "Courage".

(e) Other- None.

6. PUBLIC COMMENT ON NON-AGENDA ITEMS

a. Battalion Fire Chief Dominic Ciotola updated the City Council on recent activity regarding a structural fire off Kirkwood and vegetation fires outside of Clayton. He also reported Engine 22 will be covering the Clayton zone during the upcoming Clayton Business and Community Association annual Art and Wine Festival. The District's website had some recent upgrades including Public Information Officer updates now available to the community on Twitter. A Fire Academy will begin on May 19th in order to hire new personnel to fill the temporary re-opening of fire stations using SAFER grant monies.

Mayor Stratford asked how long is the fire academy? Battalion Chief Ciotola advised the fire academy is a 16 week process.

b. Maria Xiaris, founder of the Clayton Valley Village Group, asked the Council's help in developing the leadership of the group by recommending former Councilmembers with community outreach experience. Mayor Stratford advised he is familiar with the Clayton Valley Village Group through one of his neighbors.

c. Ayore Riaunda, Oakley resident and a County accountant for 17 years, asked the Council to consider taking the lead on adoption of a resolution asking the County to allow every property taxpayer to easily find out exactly how much of their 1% property tax dollars are distributed to each government agency. Mr.

Riaunda would also like to encourage the County Auditor-Controller's website to easily display information regarding how the 1% property tax is allocated.

d. Jessica Millender, Area Manager with the Pacific Coast Farmers' Market Association, introduced Caitlin Orton who will be the Clayton's Certified Farmers' Market Manager for the 2014 Season. Mayor Stratford asked if Ms. Millender will actually be at the market on those Saturday mornings? Ms. Millender replied Ms. Orton will indeed be there.

Councilmember Pierce asked if there will be the ceremonial "Catch a Cabbage" by Mayor Stratford? Mayor Stratford noted he will be out of town on May 10th and asked if Vice Mayor Shuey would attend in his place? Vice Mayor Shuey will attend the Market ribbon cutting and "Catch a Cabbage" at 9:30 am.

7. **PUBLIC HEARINGS** - None.

8. **ACTION ITEMS**

(a) Consideration of two Resolutions related to the regularly-scheduled General Municipal Election to be held on November 4, 2014 to elect two (2) City Council Members to public office for 4-year terms ending December 2018.
(City Clerk)

City Clerk Janet Brown presented the staff report to the City Council requesting passage of the two Resolutions. The first Resolution is needed to call the election. The second Resolution establishes the Voluntary Candidate Statement word count; the City Council has the option of setting a 200 or 400 word cap per Statement, according to Election Code 13307. If the word count is increased, the estimated deposit for the voluntary Candidate Statement must increase as well.

There were no public comments provided on this item.

It was moved by Councilmember Pierce, seconded by Councilmember Geller, to adopt a Resolution calling the General Municipal Election of November 4, 2014, requesting and consenting to consolidation and handling of the election by the Contra Costa County Elections Office, and setting specification of the election order. (Passed; 4-0 vote).

It was moved by Councilmember Pierce, seconded by Councilmember Geller, to adopt a Resolution setting and adopting a policy of a 200 word cap limit for voluntary Candidates' Statements printed in the November 4, 2014 Voters' Information Pamphlet. (Passed; 4-0 vote).

(b) Consider the 2nd Reading and Adoption of proposed Ordinance No. 455 adding a new Chapter 9.35 to the *Clayton Municipal Code* regarding camping and public urination within the city limits of Clayton.
(Chief of Police)

City Manager Gary Napper informed the City Council this item is the second reading needed for adoption of proposed Ordinance No. 455 and reported there have not been any public comments received regarding adding new Chapter 9.35 to the *Clayton Municipal Code*.

Mayor Stratford opened the floor to receive public comments; no public comments were offered.

It was moved by Councilmember Pierce, seconded by Vice Mayor Shuey, to have the City Clerk read Ordinance No. 455 by title and number only and waive further reading. (Passed; 4-0 vote).

The City Clerk read Ordinance No. 455 by title and number only.

It was moved by Councilmember Pierce, seconded by Vice Mayor Shuey, to approve Ordinance No. 455 with findings its adoption will not have a significant adverse impact on the environment and is therefore exempt under CEQA. (Passed; 4-0 vote).

(c) Consider a proposed 15-year time extension to the existing Community Facilities District (CFD) real property parcel tax supporting and funding the Downtown Park's ["The Grove Park"] operation and maintenance by placement of a local ballot measure on the November 2014 General Municipal Election. (Assistant to the City Manager)

Assistant to the City Manager Laura Hoffmeister presented the staff report and noted with City Council approval this item will return at the May 20th meeting for additional action. The existing real property parcel tax will expire in 2016-17 following its initial 10-year approval by voters and staff proposes to seek voter approval now to extend the monetary support to operate and maintain the popular park for an additional 15 years.

City Manager Gary Napper added the Community Facilities District real property tax ballot measure will not request any changes to the current tax rate with its CPI escalator clause capped at 3% per year. This year, single family dwelling property owners pay a total of $18.56 per year to fund the park's maintenance and operation.

Mayor Stratford asked if there are limits or options to the length of time extension? Assistant to the City Manager Laura Hoffmeister advised this parcel tax can be of any term length.

Councilmember Geller asked if the amount of $18.56 per year is enough? City Manager Gary Napper responded the $18.56 per single family dwelling per year has been sufficient and the ballot measure further required revenue funds be set aside for a reserve and replacement improvements to such park features as the play surface, tot lot apparatus, and the water play area including its sprayers. Future improvements will likely be needed for the wooden gazebo and picnic shelter.

Mayor Stratford opened the agenda item for public comment. No public comments were offered.

It was moved by Councilmember Pierce, seconded by Vice Mayor Shuey, to adopt a motion to provide policy directing staff to move forward with a November 2014 ballot measure for a proposed 15-year time extension only to the existing Downtown Park special parcel tax and retaining its current tax rate methodology. (Passed; 4-0 vote).

9. **COUNCIL ITEMS** – None.

10. **CLOSED SESSION 9:12 p.m. –** on call by Mayor Stratford, the City Council adjourned into Closed Session for the following purpose:

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

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

9:37 p.m. Report out from Closed Session:
Mayor Stratford announced Council received information and gave direction to its Labor Negotiator.

11. **ADJOURNMENT**– on call by Mayor Stratford the City Council meeting adjourned at 9:37 p.m. Its next regular meeting will be on Tuesday, May 20th at 7:00 p.m.

# # # # #

Respectfully submitted,

_____
Janet Brown, City Clerk

APPROVED BY CLAYTON CITY COUNCIL

_____
Hank Stratford, Mayor

# # # # #

CITY OF CLAYTON
Founded 1857 . . . Incorporated 1964

Agenda Date 5/20/2014

Agenda Item: 3b

Approved:

Gary A. Napper
City Manager

STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: Kevin Mizuno, FINANCE MANAGER

DATE: 5/20/2014

SUBJECT: INVOICE SUMMARY

RECOMMENDATION:

Approve the following Invoices:

5/16/2014	Cash Requirements Report	$145,405.40
	Checks Cut Prior to City Council Meeting	
5/14/2014	Deposit refund, Jeff Fosbery Check # 030281	$ 2,000.00
5/14/2014	Scoreboard Installation, Larry Velasco Check # 030282	$ 21,112.60

Note: Above invoices delivered to finance after deadline for prior City Council Mtg.

Attachments:
Cash Requirements Report dated 5/16/2014 (6 pages)
Copy of Check and Invoice for #030281, 030282 (4 pages)

City o. Clayton
Cash Requirements Report
City Council Meeting 5/20/14

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
AAUW								
AAUW	5/20/2014	5/14/2014	026142	Deposit refund EH	$500.00	$0.00		$500.00
				Totals for AAUW:	*$500.00*	*$0.00*		*$500.00*
All City Management Services, Inc.								
All City Management Services, Inc.	5/20/2014	5/14/2014	34933	Crossing Guard Services 3/30/14-4/12/14	$467.70	$0.00		$467.70
All City Management Services, Inc.	5/20/2014	5/14/2014	35179	School Crossing Guard Services 4/13/14-4/26	$233.85	$0.00		$233.85
				Totals for All City Management Services, Inc.:	*$701.55*	*$0.00*		*$701.55*
Bay Area Barricade Serv.								
Bay Area Barricade Serv.	5/20/2014	5/14/2014	0303975-IN	stencil - "service vehicles only"	$107.37	$0.00		$107.37
Bay Area Barricade Serv.	5/20/2014	5/14/2014	0304890-IN	prod code 582	$1,746.85	$0.00		$1,746.85
Bay Area Barricade Serv.	5/20/2014	5/14/2014	0305295-IN	prod code 40000-1	$106.27	$0.00		$106.27
Bay Area Barricade Serv.	5/20/2014	5/14/2014	0304889-IN	prod code 653	$103.33	$0.00		$103.33
Bay Area Barricade Serv.	5/20/2014	5/14/2014	0303973-IN	prod code 40000	$2,023.53	$0.00		$2,023.53
Bay Area Barricade Serv.	5/20/2014	5/14/2014	0304704-IN	prod code 40000, 94, 254	$477.42	$0.00		$477.42
				Totals for Bay Area Barricade Serv.:	*$4,564.77*	*$0.00*		*$4,564.77*
Best Best & Kreiger LLP								
Best Best & Kreiger LLP	5/20/2014	5/14/2014	723358	March 2014	$2,592.26	$0.00		$2,592.26
Best Best & Kreiger LLP	5/20/2014	5/14/2014	725193	General Services April, 2014	$8,000.00	$0.00		$8,000.00
Best Best & Kreiger LLP	5/20/2014	5/14/2014	725194	Skipolini's Management Plan Review	$158.00	$0.00		$158.00
Best Best & Kreiger LLP	5/20/2014	5/14/2014	725195	POA Negotiations	$962.50	$0.00		$962.50
Best Best & Kreiger LLP	5/20/2014	5/14/2014	725196	Transpac JPA	$1,540.00	$0.00		$1,540.00
				Totals for Best Best & Kreiger LLP:	*$13,252.76*	*$0.00*		*$13,252.76*
Jason Browne								
Jason Browne	5/20/2014	5/14/2014	CAP 0104	deposit refund 15 Seminary Ridge Place	$1,856.82	$0.00		$1,856.82
				Totals for Jason Browne:	*$1,856.82*	*$0.00*		*$1,856.82*
CalPERS Health								
CalPERS Health	5/20/2014	5/16/2014	1421	Health benefits June 2014	$35,254.48	$0.00		$35,254.48
				Totals for CalPERS Health:	*$35,254.48*	*$0.00*		*$35,254.48*
CalPERS Retirement								
CalPERS Retirement	5/20/2014	5/14/2014	PPE 5/11/14	Retirement PPE 5/11/14	$21,244.83	$0.00		$21,244.83
CalPERS Retirement	5/20/2014	5/14/2014	City Council	Retirement City Council ending 4/24/14	$369.48	$0.00		$369.48
				Totals for CalPERS Retirement:	*$21,614.31*	*$0.00*		*$21,614.31*
Rob Cardoso								
Rob Cardoso	5/20/2014	5/14/2014	4/25/14	Deposit refund EH 4/25/14-4/26/14	$500.00	$0.00		$500.00
				Totals for Rob Cardoso:	*$500.00*	*$0.00*		*$500.00*
Joann G Caspar								
Joann G Caspar	5/20/2014	5/14/2014	CAP 0091	deposit refund 945 Oak Street	$1,832.96	$0.00		$1,832.96

City of Clayton
Cash Requirements Report
City Council Meeting 5/20/14

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
				Totals for Joann G Caspar:	*$1,832.96*	*$0.00*		*$1,832.96*
CCWD								
CCWD	5/20/2014	5/14/2014	K348193	water 3/11/14-5/7/14	$106.62	$0.00		$106.62
				Totals for CCWD:	*$106.62*	*$0.00*		*$106.62*
Comcast								
Comcast	5/20/2014	5/14/2014	05/05/14	high speed internet 5/10/14-6/9/14	$395.70	$0.00		$395.70
				Totals for Comcast:	*$395.70*	*$0.00*		*$395.70*
Concord Garden Equipment								
Concord Garden Equipment	5/20/2014	5/14/2014	479814	repair edger	$115.71	$0.00		$115.71
				Totals for Concord Garden Equipment:	*$115.71*	*$0.00*		*$115.71*
Concord Uniforms								
Concord Uniforms	5/20/2014	5/14/2014	8332	Uniforms	$1,689.12	$0.00		$1,689.12
				Totals for Concord Uniforms:	*$1,689.12*	*$0.00*		*$1,689.12*
Contra Costa County Public Works Dept								
Contra Costa County Public Works Dept	5/20/2014	5/14/2014	5233	traffic signal maintenance March 2014	$1,701.18	$0.00		$1,701.18
				Totals for Contra Costa County Public Works Dept:	*$1,701.18*	*$0.00*		*$1,701.18*
Contra Costa County Sheriff - Forensic Svc Div (Lab)								
Contra Costa County Sheriff - Forensic S	5/20/2014	5/14/2014	CLPD-1403	Drug/Alcohol Testing March 2014	$560.00	$0.00		$560.00
Contra Costa County Sheriff - Forensic S	5/20/2014	5/14/2014	CLPD-114	Blood Withdrawal Services January-March 20	$226.80	$0.00		$226.80
				Totals for Contra Costa County Sheriff - Forensic Svc Div (Lab):	*$786.80*	*$0.00*		*$786.80*
Lori Dagg								
Lori Dagg	5/20/2014	5/14/2014	26654	Deposit refund - EH (cancelled)	$500.00	$0.00		$500.00
				Totals for Lori Dagg:	*$500.00*	*$0.00*		*$500.00*
Devils' Mountain Awards & Recognition								
Devils' Mountain Awards & Recognitio	5/20/2014	5/14/2014	15964	order 4/25/14	$91.56	$0.00		$91.56
				Totals for Devils' Mountain Awards & Recognition:	*$91.56*	*$0.00*		*$91.56*
Environtech Enterprises								
Environtech Enterprises	5/20/2014	5/14/2014	A001B-1B14	Mustard and yellow star thistle abatement	$13,000.00	$0.00		$13,000.00
Environtech Enterprises	5/20/2014	5/14/2014	A001-A1-14	Thistle Abatement	$10,200.00	$0.00		$10,200.00
				Totals for Environtech Enterprises:	*$23,200.00*	*$0.00*		*$23,200.00*
Jacob Flynn								
Jacob Flynn	5/20/2014	5/14/2014	CAP 0102	deposit refund - Starbucks	$500.00	$0.00		$500.00
				Totals for Jacob Flynn:	*$500.00*	*$0.00*		*$500.00*
Globalstar LLC								
Globalstar LLC	5/20/2014	5/14/2014	1000000005526496	service 3/16/' '15/14	$54.30	$0.00		$54.30

City of Clayton
Cash Requirements Report
City Council Meeting 5/20/14

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
				Totals for Globalstar LLC:	*$54.30*	*$0.00*		*$54.30*
Andres & Angelica Gonzalez								
Andres & Angelica Gonzalez	5/20/2014	5/14/2014	CAP 0086	deposit refund 944 Douglas Ct	$1,856.82	$0.00		$1,856.82
				Totals for Andres & Angelica Gonzalez:	*$1,856.82*	*$0.00*		*$1,856.82*
Graybar Electric Co, Inc								
Graybar Electric Co, Inc	5/20/2014	5/14/2014	972017579	replacement lighting	$584.80	$0.00		$584.80
Graybar Electric Co, Inc	5/20/2014	5/14/2014	971945658	repalcement lighting	$165.38	$0.00		$165.38
				Totals for Graybar Electric Co, Inc:	*$750.18*	*$0.00*		*$750.18*
Hammons Supply Company								
Hammons Supply Company	5/20/2014	5/14/2014	414-1147-4	city hall supplies	$59.31	$0.00		$59.31
				Totals for Hammons Supply Company:	*$59.31*	*$0.00*		*$59.31*
Health Care Dental Trust								
Health Care Dental Trust	5/20/2014	5/14/2014	175471	June Dental	$2,696.90	$0.00		$2,696.90
				Totals for Health Care Dental Trust:	*$2,696.90*	*$0.00*		*$2,696.90*
HUB Inter of CA Ins Svc								
HUB Inter of CA Ins Svc	5/20/2014	5/14/2014	March 2014	Insurance for March 2014	$822.98	$0.00		$822.98
				Totals for HUB Inter of CA Ins Svc:	*$822.98*	*$0.00*		*$822.98*
Innovative Impressions								
Innovative Impressions	5/20/2014	5/14/2014	716	business cards - concerts	$14.25	$0.00		$14.25
				Totals for Innovative Impressions:	*$14.25*	*$0.00*		*$14.25*
John Deere Landscapes Inc								
John Deere Landscapes Inc	5/20/2014	5/14/2014	67783089	parts/service order # 75535734	$536.13	$0.00		$536.13
				Totals for John Deere Landscapes Inc:	*$536.13*	*$0.00*		*$536.13*
Ken Joiret								
Ken Joiret	5/20/2014	5/14/2014	May 24, 2014	Sound for Concert on May 24, 2014	$600.00	$0.00		$600.00
				Totals for Ken Joiret:	*$600.00*	*$0.00*		*$600.00*
LarryLogic Productions								
LarryLogic Productions	5/20/2014	5/14/2014	1414	City Council Meeting 5/6/14	$350.00	$0.00		$350.00
				Totals for LarryLogic Productions:	*$350.00*	*$0.00*		*$350.00*
Marken Mechanical Services Inc								
Marken Mechanical Services Inc	5/20/2014	5/14/2014	414-1152-3	Library Maintenance March 2014	$150.00	$0.00		$150.00
Marken Mechanical Services Inc	5/20/2014	5/14/2014	414-1147-4	EH maintenance April 2014	$247.00	$0.00		$247.00
Marken Mechanical Services Inc	5/20/2014	5/14/2014	414-1152-5	Library Maintenance May 2014	$150.00	$0.00		$150.00
Marken Mechanical Services Inc	5/20/2014	5/14/2014	414-1151-5	City Hall Maintenance May 2014	$150.00	$0.00		$150.00
				Totals for Marken Mechanical Services Inc:	*$697.00*	*$0.00*		*$697.00*

City of Clayton
Cash Requirements Report
City Council Meeting 5/20/14

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
Muir/ Diablo Occupation Medicine								
Muir/ Diablo Occupation Medicine	5/20/2014	5/14/2014	260490	stress echo	$350.00	$0.00		$350.00
				Totals for Muir/ Diablo Occupation Medicine:	*$350.00*	*$0.00*		*$350.00*
Neopost Northwest								
Neopost Northwest	5/20/2014	5/14/2014	N4676675	lease 6/7/14-7/6/14	$158.20	$0.00		$158.20
				Totals for Neopost Northwest:	*$158.20*	*$0.00*		*$158.20*
NSP3								
NSP3	5/20/2014	5/14/2014	14871	P O 14-7753	$581.02	$0.00		$581.02
				Totals for NSP3:	*$581.02*	*$0.00*		*$581.02*
PERMCO, Inc.								
PERMCO, Inc.	5/20/2014	5/14/2014	10197	CAP Inspections	$373.50	$0.00		$373.50
PERMCO, Inc.	5/20/2014	5/14/2014	10195	General City Engineering Services	$3,805.75	$0.00		$3,805.75
PERMCO, Inc.	5/20/2014	5/14/2014	10196	General Stormwater Tasks and Inspections	$190.63	$0.00		$190.63
PERMCO, Inc.	5/20/2014	5/14/2014	10198	Diablo Estates BAD 2014-15 budget	$600.00	$0.00		$600.00
PERMCO, Inc.	5/20/2014	5/14/2014	10199	Sewer Systerm Maint Plan - Kickoff Meeting \	$122.00	$0.00		$122.00
PERMCO, Inc.	5/20/2014	5/14/2014	10200	Skips - Meeting/discussion with Kent, Bob, C	$233.00	$0.00		$233.00
				Totals for PERMCO, Inc.:	*$5,324.88*	*$0.00*		*$5,324.88*
PG&E								
PG&E	5/20/2014	5/14/2014	Diablo Estates BAD	service 3/24/14-4/22/14	$11.15	$0.00		$11.15
				Totals for PG&E:	*$11.15*	*$0.00*		*$11.15*
PMC (Planning)								
PMC (Planning)	5/20/2014	5/14/2014	40131	services from 3/29/14-4/25/14	$1,152.50	$0.00		$1,152.50
				Totals for PMC (Planning):	*$1,152.50*	*$0.00*		*$1,152.50*
Rex Lock & Safe, Inc.								
Rex Lock & Safe, Inc.	5/20/2014	5/14/2014	105225	labor, teardown door panels, reattach linkage	$240.00	$0.00		$240.00
				Totals for Rex Lock & Safe, Inc.:	*$240.00*	*$0.00*		*$240.00*
Riso Products of Sacramento								
Riso Products of Sacramento	5/20/2014	5/14/2014	124527	contract 4/18/14-5/17/14	$94.86	$0.00		$94.86
				Totals for Riso Products of Sacramento:	*$94.86*	*$0.00*		*$94.86*
Rock & Waterfall Co								
Rock & Waterfall Co	5/20/2014	5/14/2014	116-94	waterfall maintenance	$650.00	$0.00		$650.00
				Totals for Rock & Waterfall Co:	*$650.00*	*$0.00*		*$650.00*
Sprint Comm (PD)								
Sprint Comm (PD)	5/20/2014	5/14/2014	703335311-149	service 3/26/14-4/25/14	$260.66	$0.00		$260.66
				Totals for Sprint Comm (PD):	*$260.66*	*$0.00*		*$260.66*

City of Clayton
Cash Requirements Report
City Council Meeting 5/20/14

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
Sprint Comm (PW & ADM)								
Sprint Comm (PW & ADM)	5/20/2014	5/14/2014	531409315-143	service 2/26/14-3/25/14	$294.11	$0.00		$294.11
Sprint Comm (PW & ADM)	5/20/2014	5/16/2014	531409315-144	service 3/26/14-4/25/14	$290.16	$0.00		$290.16
				Totals for Sprint Comm (PW & ADM):	*$584.27*	*$0.00*		*$584.27*
St Bonaventure Catholic Community								
St Bonaventure Catholic Community	5/20/2014	5/5/2014	Proj 0085	Deposit refund from Projects 0085 & 0587	$1,462.84	$0.00		$1,462.84
				Totals for St Bonaventure Catholic Community:	*$1,462.84*	*$0.00*		*$1,462.84*
Staples Advantage								
Staples Advantage	5/20/2014	5/14/2014	8029760494	Supplies April 2014	$110.03	$0.00		$110.03
				Totals for Staples Advantage:	*$110.03*	*$0.00*		*$110.03*
Stericycle Inc								
Stericycle Inc	5/20/2014	5/14/2014	3002610145	service 5/2014-7/2014	$300.78	$0.00		$300.78
				Totals for Stericycle Inc:	*$300.78*	*$0.00*		*$300.78*
Tri-City Fence Company, Inc								
Tri-City Fence Company, Inc	5/20/2014	5/14/2014	0061200-IN	Fence Installation CCP	$2,481.00	$0.00		$2,481.00
				Totals for Tri-City Fence Company, Inc:	*$2,481.00*	*$0.00*		*$2,481.00*
TTI Polygraph								
TTI Polygraph	5/20/2014	5/14/2014	14-004	polygraph test	$300.00	$0.00		$300.00
				Totals for TTI Polygraph:	*$300.00*	*$0.00*		*$300.00*
Waraner Brothers Tree Service								
Waraner Brothers Tree Service	5/20/2014	5/16/2014	11197	prune chinese elm in Grove park	$1,200.00	$0.00		$1,200.00
Waraner Brothers Tree Service	5/20/2014	5/16/2014	11196	Oak Tree at Marsh Creek and Oak, Lydia Ln a	$1,200.00	$0.00		$1,200.00
Waraner Brothers Tree Service	5/20/2014	5/16/2014	11195	pruned trees at Main St, Clayton Rd	$1,800.00	$0.00		$1,800.00
Waraner Brothers Tree Service	5/20/2014	5/16/2014	11199	Fire Abatement at Peacock Creek	$6,350.00	$0.00		$6,350.00
Waraner Brothers Tree Service	5/20/2014	5/16/2014	11198	CCP Crane Work, Scoreboards	$600.00	$0.00		$600.00
Waraner Brothers Tree Service	5/20/2014	5/16/2014	10911	Marsh Creek at Regency, Crane work - erect	$300.00	$0.00		$300.00
				Totals for Waraner Brothers Tree Service:	*$11,450.00*	*$0.00*		*$11,450.00*
Western Exterminator								
Western Exterminator	5/20/2014	5/14/2014	2199038	April Services	$353.00	$0.00		$353.00
				Totals for Western Exterminator:	*$353.00*	*$0.00*		*$353.00*
James Williamson								
James Williamson	5/20/2014	5/14/2014	May 24, 2014	Concert in the Grove - May 24, 2014	$1,900.00	$0.00		$1,900.00
				Totals for James Williamson:	*$1,900.00*	*$0.00*		*$1,900.00*
YP (Advertising)								
YP (Advertising)	5/20/2014	5/14/2014	YP	internet listing	$38.00	$0.00		$38.00
				Totals for YP (Advertising):	*$38.00*	*$0.00*		*$38.00*

City of Clayton
Cash Requirements Report
City Council Meeting 5/20/14

GRAND TOTALS:	**$145,405.40**	**$0.00**	**$145,405.40**

CITY OF CLAYTON • 6000 HERITAGE TRAIL - CLAYTON, CALIFORNIA 94517

030282
5/14/2014

To: Larry Velasco
8548 Riverwood Drive
Placerville, Ca 95667

INVOICE NUMBER	DATE	DESCRIPTION	AMOUNT	DISCOUNT	NET AMOUNT
scoreboard install	5/14/2014	Scoreboard Installation fields 1,2,3	$21,112.60	$0.00	$21,112.60
		Totals:	$21,112.60	$0.00	$21,112.60

Item # F935 To reorder, please call Blackbaud Forms at our toll free number, 866.422.3676

THIS DOCUMENT CONTAINS A TRUE WATERMARK - HOLD TO LIGHT TO VERIFY WATERMARK

VOID VOID VOID

CITY OF CLAYTON
Founded 1857 Incorporated 1964

BANK OF AMERICA, NA
11-35/1210

030282

FRAUD ARMOR

6000 HERITAGE TRAIL, CLAYTON, CALIFORNIA 94517

CHECK DATE: 5/14/2014
CHECK NO.: 30282

Twenty one thousand one hundred twelve and 60/100 Dollars

CHECK AMOUNT
$** 21,112.60

PAY
TO THE ORDER OF

Larry Velasco
8548 Riverwood Drive
Placerville, Ca 95667

VOID AFTER 6 MONTHS

AUTHORIZED SIGNATURE

MP

⑈030282⑈ ⑆121000358⑆ 00098250479⑈

April 16, 2014

Remit to:

Larry Velasco
8548 Riverwood Drive
Placerville, CA 95667
Home 530.626.1936 / Cell 510.200.3499
lavandlmv@gmail.com

Bill to:

City of Clayton
John Johnston
6000 Heritage Trail
Clayton, CA 94517

ENTERED

DESCRIPTION	AMOUNT
Scoreboard Installation	
Field 1	$ 7,583.80
Field 2	$ 7,583.80
Field 3	$ 5,945.00
Total Amount Due	$ 21,112.60

Thanks,

5-12-14
AUTHORIZED BY DATE
3342 Larry Velasco 303-7520-00-3025
VENDOR # ACCOUNT #
21,112.60
AMOUNT CITY MANAGER APPROVAL 05-14-14

X _____

Thank you for your business!

CITY OF CLAYTON • 6000 HERITAGE TRAIL - CLAYTON, CALIFORNIA 94517

030281
5/14/2014

To: Jeff Fosbery
5901 Wallace Drive
Clayton, CA 94517

INVOICE NUMBER	DATE	DESCRIPTION	AMOUNT	DISCOUNT	NET AMOUNT
CAP 0095	5/14/2014	Deposit refund - 5901 Wallace Drive	$2,000.00	$0.00	$2,000.00
		Totals:	$2,000.00	$0.00	$2,000.00

Item # F935 To reorder, please call Blackbaud Forms at our toll free number, 866.422.3676

THIS DOCUMENT CONTAINS A TRUE WATERMARK - HOLD TO LIGHT TO VERIFY WATERMARK

VOID VOID VOID VOID VOID

030281

CITY OF CLAYTON
Founded 1857 . . . Incorporated 1964

BANK OF AMERICA, NA
11-35/1210

FRAUD ARMOR

6000 HERITAGE TRAIL, CLAYTON, CALIFORNIA 94517

CHECK DATE: 5/14/2014
CHECK NO.: 30281

PAY **Two thousand and 00/100 Dollars**

CHECK AMOUNT
$** 2,000.00

TO THE ORDER OF
Jeff Fosbery
5901 Wallace Drive
Clayton, CA 94517

VOID AFTER 6 MONTHS

AUTHORIZED SIGNATURE

MP

⑈030281⑈ ⑆121000358⑆ 00098250479⑈

City of Clayton

Sheet 1 of 1

Running Balance on Construction Activity Permit Deposit Account

Construction Activity Permit # **0095**

Stormwater Fee Permit for Garage Addition

Project Location: 5901 Wallace Drive, Clayton

Reimbursement to Name: Jeff Fosbery

Reimbursement to Address: 5901 Wallace Drive, Clayton, CA 94517

Project 8095

Date	Deposit Amount	Engineering Inspection Costs	City Overhead 15%	Total Costs	Total Running Balance
			$ -	$ -	$ -
10/17/13	$ 1,000.00		$ -	$ -	$ 1,000.00
04/29/14			$ -	$ -	$ 1,000.00
			$ -	$ -	$ 1,000.00
			$ -	$ -	$ 1,000.00

Agenda Date: 5-20-2014
Agenda Item: 3c

CITY OF CLAYTON
Founded 1857 . . . Incorporated 1964

Approved:

Gary A. Napper
City Manager

STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: RICK ANGRISANI, CITY ENGINEER

DATE: MAY 20, 2014

SUBJECT: CONSIDERATION OF A RESOLUTION APPROVING THE ENGINEER'S REPORT FOR THE DIABLO ESTATES AT CLAYTON BENEFIT ASSESSMENT DISTRICT, DECLARING INTENT TO LEVY AND COLLECT ASSESSMENTS FOR FISCAL YEAR 2014-15, AND GIVING NOTICE OF THE TIME AND PLACE FOR A PUBLIC HEARING ON THE LEVY OF THE PROPOSED ASSESSMENTS.

RECOMMENDATION

Adopt the attached Resolution approving the Engineer's Report for the Diablo Estates at Clayton Benefit Assessment District ("BAD"), declaring intent to levy and collect real property assessments within the BAD for fiscal year 2014-15 and giving notice of the time and place for a public hearing.

BACKGROUND

At its May 6, 2014 meeting, the City Council directed the City Engineer to prepare an Engineer's Report in anticipation of levying real property assessments within the BAD for fiscal year 2014-15.

As directed, the City Engineer has prepared and now submits the attached Engineer's Report ("Report") for the Council's consideration. The Report proposes an assessment for fiscal year 2014-15 of $3,162 on each parcel within the District for a total assessment of $75,894. The proposed assessment represents a 2.0% increase (in accordance with the annual increase in the applicable Consumer Price Index) over the FY 2013-14 assessment, as allowed by the original ballot election.

FISCAL IMPACT

There is no impact to the City's General Fund as the requested formation of the BAD called for the assessments to include sufficient revenue to reimburse the City for all administrative costs involved in administering the District in behalf of and for the benefit of the real property owners.

CONCLUSION

Staff recommends the City Council approve the attached Resolution approving the Engineer's Report and calling for a public hearing on July 15, 2014 prior to levying the real property assessments of the BAD for fiscal year 2014-15.

Attachments:
Resolution
Notice
Engineer's Report

RESOLUTION NO. -2014

A RESOLUTION APPROVING THE ENGINEER'S REPORT AND DECLARING INTENT TO LEVY AND COLLECT REAL PROPERTY ASSESSMENTS FOR THE DIABLO ESTATES AT CLAYTON BENEFIT ASSESSMENT DISTRICT FOR FISCAL YEAR 2014-15, AND GIVING NOTICE OF THE TIME AND PLACE FOR A PUBLIC HEARINGS ON THE LEVY OF THE PROPOSED ASSESSMENTS.

THE CITY COUNCIL
City of Clayton, California

WHEREAS, by Resolution No. 04-2012, adopted February 7, 2012, the Clayton City Council formed the Diablo Estates At Clayton Benefit Assessment District ("District") pursuant to the provisions of the Landscaping and Lighting Act of 1972 (Government Code Section 22500 et seq.) and the Benefit Assessment Act of 1982 (Government Code Section 54703 et seq.); and

WHEREAS, while the Benefit Assessment Act of 1982 does not require additional actions prior to levying an annual assessment, the Landscaping and Lighting Act of 1972 ("Act") does require the preparation of an annual Engineer's Report and the holding of a public hearing prior to levying of an annual assessment; and

WHEREAS, the City Engineer has prepared the required Engineer's Report and submitted it to the City Council for review and approval; and

WHEREAS, the City Council has reviewed the Engineer's Report at its regular meeting on May 20, 2014 and found same to be satisfactory and in compliance with the Act; and

WHEREAS, it is now necessary for the City Council to approve the Engineer's Report, establish the date for a public hearing on the levying of the proposed assessments for fiscal year 2014-15 and to direct the City Clerk to give the required notice of the public hearing.

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

1. The Engineer's Report dated May 20, 2014, prepared by the City Engineer as the Engineer for the District, and each part thereof, is sufficient in each particular, has fairly and properly apportioned the cost of the improvement to each parcel of land in the District in proportion to the

estimated benefits to be received by each parcel respectively from such improvements, and is hereby approved as filed.

2. The City Council hereby declares its intent to levy and collect a real property assessment of $3,162.00 on each parcel within the District for a total assessment of $75,894 for fiscal year 2014-15.

3. The Assessment District includes Lots 1 through 24, inclusive, as shown on the map of Subdivision 8719 as was recorded in Book 506 of Maps at Page 45, in the Office of the County Recorder of Contra Costa County and as modified by Lot Line Adjustment Nos. 10-01 (2010-0239196) and 10-02 (2010-0239195).

4. As shown on the Engineer's Report on file with the City Clerk, the District will pay for the cost of maintaining storm drainage collection and treatment facilities, street lighting, landscaping and irrigation, and weed abatement using the proposed assessments during fiscal year 2014-15.

5. **A public hearing will be held on Tuesday, July 15, 2014, at the hour of 7:00 p.m., of said day, at a regular City Council public meeting at Hoyer Hall in the Clayton Community Library situated at 6125 Clayton Road, Clayton, California,** the regular meeting place of the Clayton City Council; any and all persons having any interest in the lands within the Diablo Estates At Clayton Benefit Assessment District, liable to be assessed for the expenses of the District for fiscal year 2014-15, may be heard, and any such persons may also present their protests against the proposed assessments with City Clerk at or before the time set for hearing.

6. The City Clerk shall mail notice of the passage of this Resolution and of the time and place of hearing to each owner of real property within the District, as required by Section 54954.6 of the Government Code.

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California at a regular public meeting thereof held on 20th day of May 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

THE CITY COUNCIL OF CLAYTON, CA

_____

Hank Stratford, Mayor

ATTEST:

_____

Janet Brown, City Clerk

I hereby certify that the foregoing resolution was duly and regularly passed by the City Council of the City of Clayton at a regular public meeting thereof held on May 20, 2014.

_____

Janet Brown, City Clerk

Diablo Estates at Clayton Benefit Assessment District

NOTICE TO PROPERTY OWNERS FOR LEVY OF ASSESSMENT

Reason for Assessment

At the request of the project developer, Toll Bros., Inc., the City of Clayton City Council ("Council") approved Resolution No. 04-2012 on February 7, 2012, forming the Diablo Estates at Clayton Benefit Assessment District ("District") to pay for the oversight and maintenance of certain facilities solely benefiting the District such as the stormwater treatment facilities, storm drain collection system, common area landscape and irrigation, private street lighting and weed abatement of natural slope areas, all as described in the Engineer's Report approved by the Council on March 20, 2012.

Notice

This notice informs you, as a real property owner within the Diablo Estates at Clayton Benefit Assessment District that on May 20, 2014, the Clayton City Council adopted Resolution No. XX-2014 approving an Engineer's Report for FY 2014-15, declaring its intent to levy assessments for fiscal year 2014-15 and setting a public hearing on the issue of the proposed assessments:

PUBLIC HEARING: **7:00 p.m. July 15, 2014**
Hoyer Hall (Library Meeting Room) **6125 Clayton Road**

Assessment Information

1. Total District Assessment for the fiscal year beginning on July 1, 2014 and ending June 30, 2015: $75,894.

2. Proposed assessment per parcel: The assessment for each parcel is proposed to be $3,162.00 which includes a 2.0% increase in the existing assessment of $3,100.26 per year in accordance with the annual increase in the applicable Consumer Price Index (Feb. 2013-Feb. 2014), as allowed by property owner balloting in 2012.

3. Duration of assessment: The assessment will be levied annually at the above proposed rate and collected via one's real property tax bill. The assessment may only be increased (other than the allowable annual CPI-U increase described above) in the future by approval of a majority of the property owners.

Questions

If any questions arise regarding the proposed real property assessments for fiscal year 2014-15, please contact the City Engineer Rick Angrisani: he may be reached at 925.363-7433.

ENGINEER'S REPORT

DATE: MAY 20, 2014

TO: CITY COUNCIL

FROM: CITY ENGINEER

RE: DIABLO ESTATES AT CLAYTON BENEFIT ASSESSMENT DISTRICT FISCAL YEAR 2014-15

This report has been prepared in accordance with the requirements of the Landscaping & Lighting Act of 1972 (Section 22500 et seq. of the Government Code).

HISTORICAL REVIEW

In 2012, at the request of Toll Brothers, the developer of the Diablo Estates at Clayton project (Subd. 8719), the City Council formed the Diablo Estates at Clayton Benefit Assessment District ("District" per Resolution No. 04-2012). The purpose of the District is to generate funds for the maintenance of various improvements constructed as part of the development to solely benefit the real property owner(s). The duties specified in the original Engineer's Report (prepared by SCI Consulting Group, dated March 2012) included maintenance of landscaping and irrigation, weed abatement, storm drainage facilities, and private street lighting.

The District was formed under the auspices of the Landscaping and Lighting Act of 1972 (Section 22500 et seq. of the Government Code) and the Benefit Assessment Act of 1982 (Section 54703 et seq. of the Government Code). The initial per lot annual assessment, approved by the property owner (Toll Bros.), was $3,027.62. The approval also allowed for an annual increase in the assessment amount equal to the annual increase in the Consumer Price Index ("CPI"), not to exceed 4% in any one year.

While the Benefit Assessment Act of 1982 does not require further action prior to the levy of annual assessments, the Landscaping and Lighting Act of 1972 requires the preparation of an Engineer's Report and notice to property owners of a public hearing each year. Since no increase, other than the already approved CPI increase, is proposed, the provisions of Proposition 218 do not apply.

DETERMINATION OF SPECIAL BENEFIT, METHOD OF ASSESSMENT AND DESCRIPTION OF DISTRICT IMPROVEMENTS

See original Engineer's Report attached hereto and made a part hereof.

ESTIMATED COSTS

The original budget included maintenance and District administrative costs, as well as reserve funds for future replacement of the maintained items. The relevant CPI increase for this past year (February 2013 – February 2014) was 2.0%. Following is a breakdown of the anticipated District costs including the allowable CPI increase:

Item	FY 2013-14 Budget	CPI Increase (2.0%)	FY 2014-15 Budget
District Maintenance:			
Common Area Landscape	$18,228	$365	$18,593
Weed Abatement	$12,196	$244	$12,440
Storm Drain System	$5,632	$113	$5,745
Private Street Lighting	$1,239	$25	$1,264
Sub-Total Maintenance:	$37,295	$746	$38,041
District Administration	$17,306	$346	$17,652
(includes Pinnacle Construction Services)			
District Reserves	$19,805	$396	$20,201
Total Annual Budget	**$74,406**	**$1,488**	**$75,894**

RESERVE FUNDS

The fund balance at the end of FY 2013/14 will be approximately $39,000. This balance will increase to approximately $59,000 at the end of FY 2014/15. The purpose of the Reserve is for scheduled and unexpected replacement of the capital investments, per the original Engineer's Report.

PER UNIT ALLOCATION

Based upon the proposed budget, the per-unit assessment will be $3,162.00 ($75,894/24 units).

ASSESSMENT HISTORY

Proposed FY 14-15	$3,162.00
FY 13-14	$3,100.26
FY 12-13	$3,027.62

Attachment: Original Engineer's Report (19 pp.)

CITY OF CLAYTON

DIABLO ESTATES AT CLAYTON BENEFIT ASSESSMENT DISTRICT

FOR LANDSCAPE AND LIGHTING AND BENEFIT ASSESSMENT

ENGINEER'S REPORT

FISCAL YEAR 2012-13

MARCH 2012

PURSUANT TO
THE LANDSCAPING AND LIGHTING ACT OF 1972,
THE BENEFIT ASSESSMENT ACT OF 1982, AND
ARTICLE XIIID OF THE CALIFORNIA CONSTITUTION

ENGINEER OF WORK:
SCIConsultingGroup
4745 MANGELS BOULEVARD
FAIRFIELD, CALIFORNIA 94534
PHONE 707.430.4300
FAX 707.430.4319
www.sci-cg.com

CITY OF CLAYTON

MAYOR

Howard Geller

CITY COUNCIL

Joseph A. Medrano
Julie K. Pierce
David T. Shuey
Hank Stratford

CITY MANAGER

Gary Napper

CITY ENGINEER

Rick Angrisani

CITY ATTORNEY

Malathy Subramanian

CITY CLERK

Laci Jackson

ENGINEER OF WORK

SCI Consulting Group

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INTRODUCTION

BACKGROUND

Formation of the "Diablo Estates at Clayton Benefit Assessment District" (the "Assessment District") within the City of Clayton (the "City") is proposed to provide funding for the maintenance, operation and improvement of the landscaping, street lighting, drainage and stormwater treatment facilities to benefit the properties in the Diablo Estates at Clayton subdivision that forms the Assessment District. The Diablo Estates at Clayton subdivision consists of 24 parcels east of Regency Drive and north of Rialto Drive with an approximate area of 19 acres.

This Engineer's Report (the "Report") was prepared to establish the budget for the services and improvements that would be funded by the proposed 2012-13 assessments and to determine the benefits received from the maintenance and improvements by property within the Assessment District and the method of assessment apportionment to lots and parcels. This Report and the proposed assessments have been made pursuant to the Landscaping and Lighting Act of 1972 and the Benefit Assessment Act of 1982 (the "Acts") and Article XIIID of the California Constitution (the "Article").

Following submittal of this Report to the City of Clayton City Council (the "City Council") for preliminary approval, the City Council may call for an assessment ballot proceeding and Public Hearing on the proposed establishment of assessments for the improvements.

If it is determined at the public hearing that the assessment ballots submitted in opposition to the proposed assessments do not exceed the assessment ballots submitted in favor of the assessments (weighted by the proportional financial obligation of the property for which ballots are submitted), the City Council may take action to form the Assessment District and approve the levy of the assessments for fiscal year 2012-13. If the assessments are so confirmed and approved, the levies would be submitted to the County Auditor/Controller in August 2012 for inclusion on the property tax roll for Fiscal Year 2012-13.

LEGISLATIVE ANALYSIS

PROPOSITION 218

The Right to Vote on Taxes Act was approved by the voters of California on November 6, 1996, and is now Article XIIIC and XIIID of the California Constitution. Proposition 218 provides for benefit assessments to be levied to fund the cost of providing services, improvements, as well as maintenance and operation expenses to a public improvement which benefits the assessed property. This Assessment District will be balloted and approved by property owners in accordance with Proposition 218.

SILICON VALLEY TAXPAYERS ASSOC., INC. V SANTA CLARA COUNTY OPEN SPACE AUTHORITY

In July of 2008, the California Supreme Court issued its ruling on the Silicon Valley Taxpayers Association, Inc. vs. Santa Clara County Open Space Authority (*SVTA*). This ruling is the most significant court case in further legally clarifying the substantive assessment requirements of Proposition 218. Several of the most important elements of the ruling included further emphasis that:

- Benefit assessments are for special benefits to property, not general benefits.
- The services and/or improvements funded by assessments must be clearly defined.
- Assessment districts must be drawn to contain all parcels that receive a special benefit from a proposed public improvement.
- Assessments paid in the assessment district must be proportional to the special benefit received by each such parcel from the improvements and services funded by the assessment.

This Engineer's Report and the process used to establish these proposed assessments for fiscal year 2012/2013 are consistent with the *SVTA* decision and with the requirements of Article XIIIC and XIIID of the California Constitution based on the following factors:

1. The Assessment District is narrowly drawn to include only the properties that receive special benefit from the specific Improvements and Services. Thus, zones of benefit are not required and the assessment revenue derived from real property in each Assessment District is extended only on the Services in the Assessment District.

2. The Improvements which are constructed and/or maintained with assessment proceeds in the Assessment District are located in close proximity to the real property subject to the assessment. The Improvements and Services provide illumination to streets and sidewalks

enabling improved access to the owners, residents, and guests of such assessed property. The proximity of the Improvements to the assessed parcels and the improved access and increased safety provided to of the residents of the assessed parcels by the Improvements provides a special benefit to the parcels being assessed pursuant to the factors outlined by the Supreme Court in that decision.

3. Due to their proximity to the assessed parcels, the Improvements and Services financed with assessment revenues in the Assessment District benefit the properties in the Assessment District in a manner different in kind from the benefit that other parcels of real property in the City derive from such Improvements and Services, and the benefits conferred on such property in the Assessment District are more extensive than a general increase in property values.

4. The assessments paid in the Assessment District are proportional to the special benefit that each parcel within that Assessment District receives from the Services because:

   a. The specific lighting Improvements and maintenance Services and utility costs thereof in the Assessment District and the costs thereof are specified in this Report; and

   b. The cost of the Services in the Assessment District is allocated among different types of property located within the Assessment District, and equally among those properties which have similar characteristics, such as single-family residential parcels, multi-family residential parcels, commercial parcels, or industrial parcels.

DAHMS V. DOWNTOWN POMONA PROPERTY

On June 8, 2009, the 4th Court of Appeal amended its original opinion upholding a benefit assessment for property in the downtown area of the City of Pomona. On July 22, 2009, the California Supreme Court denied review. On this date, Dahms became good law and binding precedent for assessments. In Dahms the Court upheld an assessment that was 100% special benefit (i.e. 0% general benefit) on the rationale that the services and improvements funded by the assessments were directly provided to property in the assessment district. The Court also upheld discounts and exemptions from the assessment for certain properties.

BONANDER V. TOWN OF TIBURON

On December 31, 2009, the 1st District Court of Appeal overturned a benefit assessment approved by property owners to pay for placing overhead utility lines underground in an area of

the Town of Tiburon. The Court invalidated the assessments on the grounds that the assessments had been apportioned to assessed property based in part on relative costs within sub-areas of the assessment district instead of proportional special benefits.

BEUTZ V. COUNTY OF RIVERSIDE

On May 26, 2010 the 4th District Court of Appeal issued a decision on the Steven Beutz v. County of Riverside ("Beutz") appeal. This decision overturned an assessment for park maintenance in Wildomar, California, primarily because the general benefits associated with improvements and services were not explicitly calculated, quantified and separated from the special benefits.

COMPLIANCE WITH CURRENT LAW

This Engineer's Report is consistent with the requirements of Article XIIIC and XIIID of the California Constitution and with the *SVTA* decision because the Improvements to be funded are clearly defined; the Improvements are directly available to and will directly benefit property in the Assessment District; and the Improvements and Services provide a direct advantage to property in the Assessment District that would not be received in absence of the Assessments.

This Engineer's Report is consistent with Beutz and Dahms because the Improvements and Services will directly benefit property in the Assessment District and the general benefits have been explicitly calculated and quantified and excluded from the Assessments. The Engineer's Report is consistent with Bonander because the Assessments have been apportioned based on the overall cost of the Improvements and Services and proportional special benefit to each property.

PLANS & SPECIFICATIONS

The work and improvements proposed to be undertaken by the City of Clayton and the Diablo Estates at Clayton Benefit Assessment District (the "Assessment District"), and the costs thereof paid from the levy of the annual assessments, provide special benefit to Assessor Parcels within the Assessment District as defined in the Method of Assessment herein. Consistent with the Landscaping and Lighting Act of 1972 and the Benefit Assessment Act of 1982 (the "Acts"), the work, services and improvements are generally described as follows:

Maintenance and servicing of public improvements, including but not limited to, storm drain system, landscaping and lighting and all necessary appurtenances, and labor, materials, supplies, utilities and equipment, and incidental costs as applicable, for property within the Assessment District that is owned or maintained by the City of Clayton (the "Improvements"). Any plans and specifications for these improvements will be filed with the City Engineer of the City of Clayton and are incorporated herein by reference. More specifically the improvements and associated plans are the storm drain system in the Improvement Plans, Diablo Pointe by David Evans and Associates Inc., the lighting in the Joint Trench Composite Plan, Diablo Pointe by Lighthouse Design Inc., and the shared landscaping, fencing, irrigation and entry monument in the Diablo Estates at Clayton Landscape Improvements plan by Thomas Bank and Associates LLP.

As applied herein, "maintenance" means the furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of any improvement, including repair, removal or replacement of all or any part of any improvement; providing for the life, health, and beauty of landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, or treating for disease or injury; the removal of trimmings, rubbish, debris, and other solid waste; the cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti; the cleaning and replacement of storm drain pipes, drop inlets, catch basins and manholes.

"Servicing" means the cost of maintaining any facility used to provide any service, the furnishing of electric current, or energy, gas or other illuminating agent for any public lighting facilities or for the lighting or operation of any other improvements; or water for the irrigation of any landscaping, or the maintenance of any other improvements.

The figure shown below displays the improvements, maintenance, replacement costs and services to be provided with the Diablo Estates at Clayton Benefit Assessment District.

FIGURE 1 – SUMMARY OF ESTIMATED ANNUAL COSTS FOR DIABLO ESTATES AT CLAYTON

CITY OF CLAYTON
Diablo Estates at Clayton Benefit Assessment District
Summary of Estimated Annual Cost
Fiscal Year 2012-13

Installation, Maintenance & Servicing Costs		
Common Landscaping	$19,426.99	
Weed Abatement (On-lot)	$11,910.00	
Storm Drain System	$27,966.00	
Street Lighting	$1,460.00	
Subtotal - Installation, Maintenance and Servicing		$60,762.99
Incidental Expenses and Administration Costs		$11,900.00
Totals for Installation, Maintenance, Servicing and Incidentals		$72,662.99
Net Cost of Maintenance, Servicing and Incidentals (Net Amount to be Assessed)		$72,662.99
Budget Allocation to Property		
Total Assessment Budget		**$72,662.99**
Single Family Equivalent Benefit Units		24
Assessment per Single Family Equivalent Unit		$3,027.62

ESTIMATE OF COST AND BUDGET – FISCAL YEAR 2012-13

FIGURE 2 – COST ESTIMATE BREAKDOWN FOR DIABLO ESTATES AT CLAYTON

CITY OF CLAYTON
Diablo Estates at Clayton Benefit Assessment District
Estimate of Maintenance, Replacement, and Administrative Costs

Item	Units	Unit Cost	Service Life (years)	Annual Cost		Annual Cost per Lot
Common Landscaping						
Landscape Maintenance	24,600 SF	$0.30		$7,380.00		
Landscape Replacement	24,600 SF	$0.05		$1,230.00		
Tree Maintenance	33 EA	$95.00		$3,135.00		
Tree Replacement - Materials	33 EA	$285.00	40	$235.13		
Water Usage	1,476 100CF	$2.86		$4,221.36		
Meter Charges	12 Mo	$51.00		$612.00		
Irrigation Maintenance & Repair	24,600 SF	$0.03		$738.00		
France Maintenance & Repair	1,870 LF	$0.65		$1,215.50		
Entry Monument Maintenance	1 EA	$500.00		$500.00		
Entry Monument Repair	1 LF	$4,000.00	25	$160.00		
					$19,426.99	$809.46
Weed Abatement (On-lot)						
Weed Abatement	397,000 SF	$0.03		$11,910.00		
					$11,910.00	$496.25
Storm Drain System						
Ditch - debris removal & maint	1 LS	$1,000.00		$1,000.00		
Ditch Repair	2,038 LF	$50.00	25	$4,076.00		
Vortsentry Maintenance	1 LS	$1,500.00		$1,500.00		
Vortsentry Replacement	1 LS	$100,000.00	100	$1,000.00		
Bio-Retention Basin Maintenance*	48 EA	$ -		$0.00		
Bio-Retention Basin Replacement	48 EA	$2,000.00	10	$9,600.00		
Stormwater Reporting Fee	1 LS	$5,000.00		$5,000.00		
Annual City Report Fee	1 LS	$2,000.00		$2,000.00		
Catch Basin/Manhole Cleaning	15 EA	$200.00		$3,000.00		
CB/MH/pipe repair	1 LS	$79,000.00	100	$790.00		
					$27,966.00	$1,165.25
Street Lighting						
Maintenance and Repair	1 LS	$500.00		$500.00		
Electricity	4 EA	$240.00		$960.00		
					$1,460.00	$60.83
Annual Administration						
Property Manager	12 Mo	$600.00		$7,200.00		
Annual City Engineer Services	1 LS	$2,500.00		$2,500.00		
Legal Notice/Mailing	1 LS	$100.00		$100.00		
County Collection	1 LS	$100.00		$100.00		
General Reserve	1 LS	$2,000.00		$2,000.00		
					$11,900.00	$495.83
Total					$72,662.99	$3,027.62
Number of Lots:					24	
Cost per Lot:					$3,027.62	

* homeowner responsibility

**assumes covenant with Toll Brothers, Inc. for 5 year maintenance period

Unit costs per direction of City of Clayton City Engineer

METHOD OF APPORTIONMENT

METHOD OF APPORTIONMENT

This section of the Engineer's Report includes an explanation of the benefits to be derived from the installation, maintenance and servicing of improvements and the methodology used to apportion the total assessment to properties within the Assessment District.

The Diablo Estates at Clayton Benefit Assessment District consists of all Assessor Parcels within the boundaries as defined by the Assessment Diagram included within this Report and the Assessor Parcel Numbers listed within the included Assessment Roll. The method used for apportioning the assessments is based upon the proportional special benefits to be derived by the properties in the Diablo Estates at Clayton Benefit Assessment District over and above general benefits conferred on real property or to the public at large. The apportionment of special benefit is a two step process: the first step is to identify the types of special benefit arising from the Improvements, and the second step is to allocate the assessments to property based on the estimated relative special benefit for each type of property.

DISCUSSION OF BENEFIT

In summary, the assessments can only be levied based on the special benefit to property. This benefit is received by property over and above any general benefits. Moreover, such benefit is not based on any one property owner's use of the District's storm drain system, streets and sidewalks, corridor landscaping, lighting, or a property owner's specific demographic status. With reference to the requirements for assessments, Section 22573 of the Landscaping and Lighting Act of 1972 states:

> *"The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the Improvements."*

The Benefit Assessment Act of 1982 states in Government Code Section 54711:

"The amount of the assessment imposed on any parcel of property shall be related to the benefit to the parcel which will be derived from the provision of service"

Proposition 218, as codified in Article XIIID of the California Constitution, has confirmed that assessments must be based on the special benefit to property:

"No assessment shall be imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel."

The following benefit categories summarize the types of special benefit to residential, commercial, industrial and other lots and parcels resulting from the installation, maintenance and servicing of the Improvements to be provided with the assessment proceeds. These categories of special benefit are derived in part from the statutes passed by the California Legislature and other studies which describe the types of special benefit received by property from the installation, maintenance and servicing of improvements such as those proposed by the City of Clayton and the Diablo Estates at Clayton Benefit Assessment District. These types of special benefit are summarized as follows:

- Creation of individual lots for residential use that, in absence of the services and improvements to be funded by the assessments, would not be created.
- Improved utility and usability of property
- Improved safety and security lighting for property
- Enhanced visual experience, and desirability of the area.
- Protection of views, scenery and other resources values and environmental benefits enjoyed by residents and guests and preservation of public assets maintained by the City
- Moderation of temperatures, dust control, and other environmental benefits.

These benefit factors, when applied to property in the Assessment District, specifically increase the utility of the property within the Assessment District. For example, the assessments will provide funding to maintain lighting that improves safety and access to the property after dark and landscaping that provides visual and environmental benefits to the properties within the Assessment District. Such improved and well-maintained public facilities enhance the overall usability, quality, desirability and safety of the properties. Moreover, funding for the maintenance and servicing of such public facilities is a condition of development of Diablo Estates at Clayton that is needed to mitigate the negative impacts of this development on the City. Without the Assessment District, this condition of development would not be satisfied, which could affect the approval of new homes on the property. This is another special benefit to the properties in the Assessment District.

GENERAL VERSUS SPECIAL BENEFIT

The proceeds from the Diablo Estates at Clayton Benefit Assessment District would be used to fund improvements and increased levels of maintenance to the public facilities that serve and benefit the properties in the Assessment District. In absence of the Diablo Estates at Clayton Benefit Assessment District, such Improvements would not be properly maintained. Therefore, the Assessment District is specifically proposed to ensure that the necessary and beneficial public facilities for property in the Assessment District are properly maintained and repaired over time. The assessments will ensure that landscaping and street lighting within and adjacent to the Assessment District are functional, well maintained, clean and safe. These public resources directly benefit the property in the Assessment District and will confer distinct and special benefits to the properties within the Assessment District.

In absence of the assessments, a condition of development would not be met and future home construction in the Assessment District could be denied. The creation of residential lots and the approval for the construction of homes in Diablo Estates at Clayton is the overriding clear and distinct special benefit conferred on exclusively on property in the Assessment District and not enjoyed by other properties outside the Assessment District. Moreover, benefits to the public at large, if any, will be offset by benefits residents within the Assessment District receive from the use of other similar public facilities not funded by the Assessment District. Therefore, the assessments solely provide special benefit to property in the Assessment District (100% special benefit) over and above the general benefits conferred to the public at large or properties outside the Assessment District.

METHOD OF ASSESSMENT

This process of apportioning assessments for each property involves determining the relative benefit received by each property in relation to a single family home, or, in other words, on the basis of Single Family Equivalent dwelling units (SFE). This SFE methodology is commonly used to distribute assessments in proportion to estimated special benefit and is generally recognized as providing the basis for a fair and appropriate distribution of assessments. For the purposes of this Engineer's Report, all properties are designated an SFE value, which is each property's relative benefit in relation to a single family home on one parcel. In this case, the "benchmark" property is the single family detached dwelling which is one Single Family Equivalent unit or one SFE.

ASSESSMENT APPORTIONMENT

The proposed assessments for the Diablo Estates at Clayton Benefit Assessment District would provide direct and special benefit to properties in the Assessment District. Diablo Estates at Clayton is a residential single family development project consisting of a total of 24 single family homes, each on a separate parcel. As such, each residential property receives similar benefit from the proposed Improvements. Therefore, the Engineer has determined that the appropriate method of apportionment of the benefits derived by all parcels is on a dwelling unit or single family residence basis. All improved properties or properties proposed for development are assigned an SFE factor equal to the number of dwelling units developed or planned for the property. In other words, developed parcels and vacant parcels with proposed development will be assessed 1 SFE. The assessments are listed on the Assessment Roll in Appendix A.

APPEALS AND INTERPRETATION

Any property owner who feels that the assessment levied on the subject property is in error as a result of incorrect information being used to apply the foregoing method of assessment, may file a written appeal with the City of Clayton City Engineer or his or her designee. Any such appeal is limited to correction of an assessment during the then current or, if before July 1, the upcoming fiscal year. Upon the filing of any such appeal, the City of Clayton City Engineer or his or her designee will promptly review the appeal and any information provided by the property owner. If the City of Clayton City Engineer or his or her designee finds that the assessment should be modified, the appropriate changes shall be made to the assessment roll. If any such changes are approved after the assessment roll has been filed with the County for collection, the City of Clayton City Engineer or his or her designee is authorized to refund to the property owner the amount of any approved reduction. Any property owner who disagrees with the decision of the City of Clayton City Engineer or her or his designee may refer their appeal to the City Council of the City of Clayton and the decision of the City Council of the City of Clayton shall be final.

CERTIFICATES

DIABLO ESTATES AT CLAYTON BENEFIT ASSESSMENT DISTRICT

1. The undersigned respectfully submits the enclosed Engineer's Report and does hereby certify that this Engineer's Report, and the Assessment and Assessment Diagram herein, have been prepared by me in accordance with the order of the City Council of the City of Clayton.

Engineer of Work, License No. C052091

2. I, the City Clerk, City of Clayton, County of Contra Costa, California, hereby certify that the enclosed Engineer's Report, together with the Assessment and Assessment Diagram thereto attached, was filed and recorded with me on March 14, 2012.

City Clerk

3. I, the City Clerk, City of Clayton, County of Contra Costa, California, hereby certify that the Assessment in this Engineer's Report was approved and confirmed by the City Council on _____, 2012, by Resolution No. _____.

City Clerk

4. I, the City Clerk of the City of Clayton, County of Contra Costa, California, hereby certify that a copy of the Assessment and Assessment Diagram was filed in the office of the County Auditor of the County of Contra Costa, California, on _____, 2012.

City Clerk

5. I, the County Auditor of the County of Contra Costa, California, hereby certify that a copy of the Assessment Roll and Assessment Diagram for fiscal year 2012-13 was filed with me on _____, 2012.

County Auditor, County of Contra Costa

And I do hereby assess and apportion said net amount of the cost and expenses of said Improvements, including the costs and expenses incident thereto, upon the parcels and lots of land within said Diablo Estates at Clayton Benefit Assessment District in accordance with the special benefits to be received by each parcel or lot from the Improvements, and more particularly set forth in the Cost Estimate and Method of Assessment hereto attached and by reference made a part hereof.

The assessments are made upon the parcels or lots of land within the Diablo Estates at Clayton Benefit Assessment District in proportion to the special benefits to be received by the parcels or lots of land, from said Improvements.

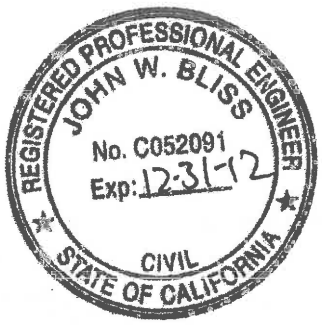
The assessments are subject to an annual adjustment tied to the Consumer Price Index for Urban Consumers (CPI-U) for the San Francisco Bay Area as of April of each succeeding year, with the maximum annual adjustment not to exceed 4%. In the event that the annual change in the CPI exceeds 4%, any percentage change in excess of 4% can be cumulatively reserved and can be added to the annual change in the CPI for years in which the CPI change is less than 4%.

Each parcel or lot of land is described in the Assessment Roll by reference to its parcel number as shown on the Assessor's Maps of the County of Contra Costa for the fiscal year 2012-13. For a more particular description of said property, reference is hereby made to the deeds and maps on file and of record in the office of the County Recorder of said County.

I hereby place opposite the Assessor Parcel Number for each parcel or lot within the Assessment Rolls, the amount of the assessment for the fiscal year 2012-13 for each parcel or lot of land within the said Diablo Estates at Clayton Benefit Assessment District.

Dated: March 6, 2012

Engineer of Work



By _____

John W. Bliss, License No. C052091

ASSESSMENT

WHEREAS, the undersigned Engineer of Work has prepared and filed a report presenting an estimate of costs, a diagram for the assessment districts and an assessment of the estimated costs of the Improvements upon all assessable parcels within the assessment district;

NOW, THEREFORE, the undersigned, by virtue of the power vested in me under said Acts and the order of the City Council of the City of Clayton, hereby make the following assessment to cover the portion of the estimated cost of said Improvements, and the costs and expenses incidental thereto to be paid by the assessment district.

The amounts to be paid for said Improvements and the expense incidental thereto, to be paid by the Diablo Estates at Clayton Benefit Assessment District for the fiscal year 2012-13, are generally as follows:

FIGURE 3 – SUMMARY COST ESTIMATES – FISCAL YEAR 2012-13

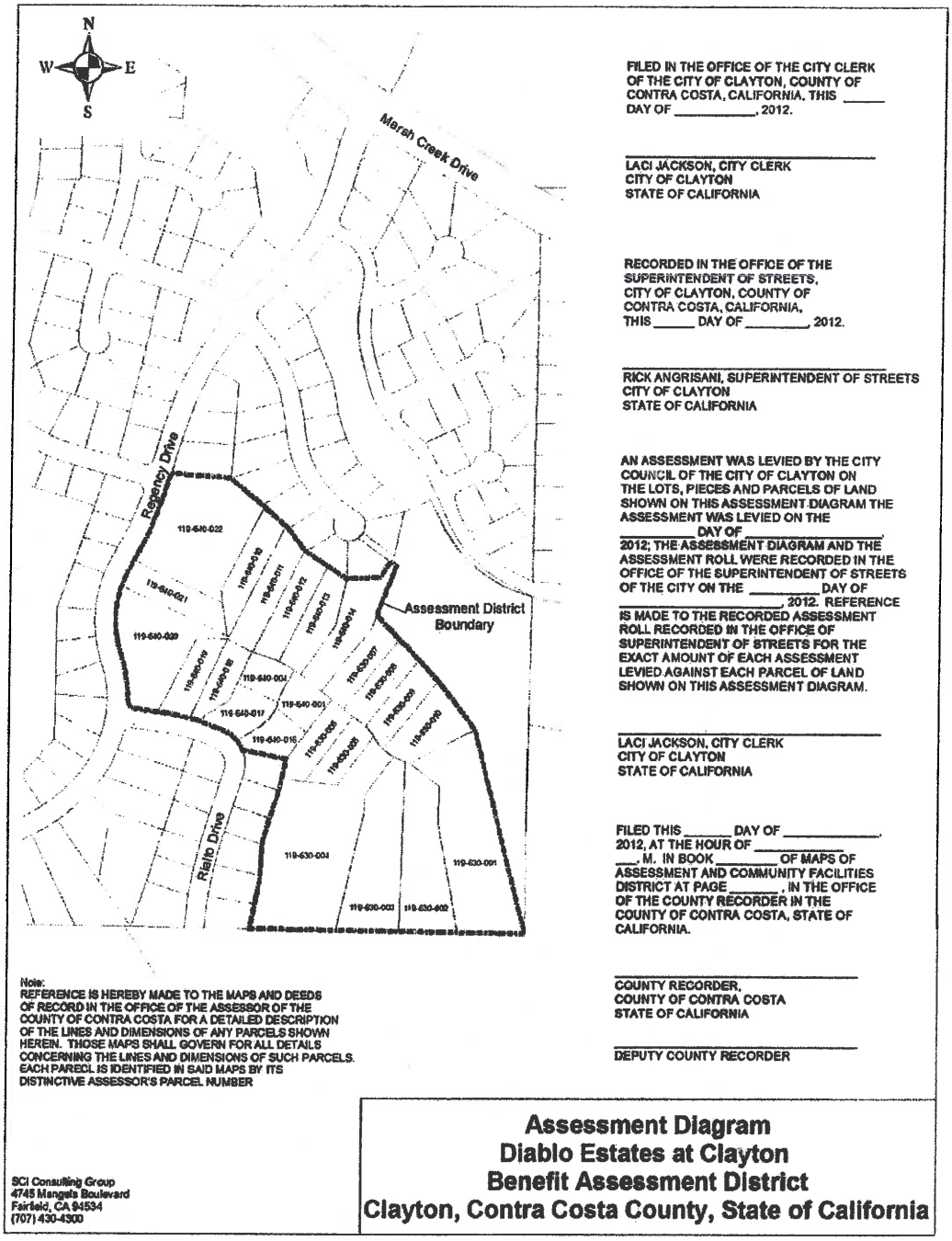
CITY OF CLAYTON
Diablo Estates at Clayton Benefit Assessment District
Summary Cost Estimate FY 2012-13

Installation, Maintenance & Servicing Costs	$60,763
Incidental Costs	$11,900
Total Budget	$72,663
Budget to Assessment	
Total Budget	$72,663
Total SFE Units	24
Rate per SFE Unit	$3,027.62

As required by the Acts, an Assessment Diagram is hereto attached and made a part hereof showing the exterior boundaries of said Diablo Estates at Clayton Benefit Assessment District. The distinctive number of each parcel or lot of land in said Diablo Estates at Clayton Benefit Assessment District is its Assessor Parcel Number appearing on the Assessment Roll.

ASSESSMENT DIAGRAM

The boundaries of the Diablo Estates at Clayton Benefit Assessment District are displayed on the following Assessment Diagram.



APPENDICES

APPENDIX A – ASSESSMENT ROLL, FISCAL YEAR 2012-13

An Assessment Roll (a listing of all parcels assessed within the Assessment District and the amount of the assessment) will be filed with the City Clerk and is, by reference, made part of this Report and is available for public inspection during normal office hours.

Each lot or parcel listed on the Assessment Roll is shown and illustrated on the latest County Assessor records and these records are, by reference made part of this Report. These records shall govern for all details concerning the description of the lots or parcels.

FIGURE 4 – ASSESSMENT ROLL

CITY OF CLAYTON
Diablo Estates at Clayton Assessment District
Assessment Roll

PARCEL NUMBER	OWNER	SITUS	SFE Units	ASSESSMENT
119-630-001	TOLL CA XIX L P	27 SEMINARY RIDGE PL CLAYTON CA 94517	1	$3,027.62
119-630-002	TOLL CA XIX L P	26 SEMINARY RIDGE PL CLAYTON CA 94517	1	$3,027.62
119-630-003	TOLL CA XIX L P	22 SEMINARY RIDGE PL CLAYTON CA 94517	1	$3,027.62
119-630-004	TOLL CA XIX L P	18 SEMINARY RIDGE PL CLAYTON CA 94517	1	$3,027.62
119-630-005	TOLL CA XIX L P	14 SEMINARY RIDGE PL CLAYTON CA 94517	1	$3,027.62
119-630-006	TOLL CA XIX L P	10 SEMINARY RIDGE PL CLAYTON CA 94517	1	$3,027.62
119-630-007	TOLL CA XIX L P	9 SEMINARY RIDGE PL CLAYTON CA 94517	1	$3,027.62
119-630-008	TOLL CA XIX L P	15 SEMINARY RIDGE PL CLAYTON CA 94517	1	$3,027.62
119-630-009	TOLL CA XIX L P	19 SEMINARY RIDGE PL CLAYTON CA 94517	1	$3,027.62
119-630-010	TOLL CA XIX L P	23 SEMINARY RIDGE PL CLAYTON CA 94517	1	$3,027.62
119-640-001	TOLL CA XIX L P	6 SEMINARY RIDGE PL CLAYTON CA 94517	1	$3,027.62
119-640-004	TOLL CA XIX L P	7 PROMONTORY PL CLAYTON CA 94517	1	$3,027.62
119-640-010	TOLL CA XIX L P	16 PROMONTORY PL CLAYTON CA 94517	1	$3,027.62
119-640-011	TOLL CA XIX L P	12 PROMONTORY PL CLAYTON CA 94517	1	$3,027.62
119-640-012	TOLL CA XIX L P	8 PROMONTORY PL CLAYTON CA 94517	1	$3,027.62
119-640-013	TOLL CA XIX L P	4 PROMONTORY PL CLAYTON CA 94517	1	$3,027.62
119-640-014	TOLL CA XIX L P	5 SEMINARY RIDGE PL CLAYTON CA 94517	1	$3,027.62
119-640-016	TOLL CA XIX L P	2 SEMINARY RIDGE PL CLAYTON CA 94517	1	$3,027.62
119-640-017	TOLL CA XIX L P	3 SEMINARY RIDGE PL CLAYTON CA 94517	1	$3,027.62
119-640-018	TOLL CA XIX L P	11 PROMONTORY PL CLAYTON CA 94517	1	$3,027.62
119-640-019	TOLL CA XIX L P	17 PROMONTORY PL CLAYTON CA 94517	1	$3,027.62
119-640-020	TOLL CA XIX L P	21 PROMONTORY PL CLAYTON CA 94517	1	$3,027.62
119-640-021	TOLL CA XIX L P	24 PROMONTORY PL CLAYTON CA 94517	1	$3,027.62
119-640-022	TOLL CA XIX L P	20 PROMONTORY PL CLAYTON CA 94517	1	$3,027.62
			24	$72,662.88

Agenda Date: 5-20-2014

Agenda Item: 8a

CITY OF CLAYTON
Founded 1857 – Incorporated 1964

Approved:

Gary A. Napper
City Manager

AGENDA REPORT

TO: **HONORABLE MAYOR AND COUNCIL MEMBERS**

FROM: **Laura Hoffmeister, Assistant to the City Manager**

DATE: **May 20, 2014**

SUBJECT: **Extension of Special Tax in Community Facilities District 2006-1 (Downtown Park Operation and Maintenance District)**

RECOMMENDATION

1. Adopt Resolution of Consideration to propose an extension of the existing special tax within Community Facilities District (CFD) 2006-1 (Downtown Park Operation and Maintenance District) at its current rate, subject to the same adjustment methodology, for fifteen years from Fiscal Year 2017/2018 through Fiscal Year 2031/2032.

2. Schedule a public hearing for July 1, 2014 regarding the Resolution of Consideration.

3. Review and provide direction to staff regarding potential ballot language regarding the proposed special tax.

BACKGROUND

In 2006 the City received two per capita State park grants and, when combined with park in-lieu fees and redevelopment funds, was able to accumulate sufficient funds to construct a new Downtown Park (The Grove Park). Before commencing construction the City Council determined General Fund monies were insufficient to undertake the ongoing maintenance and operations of the park. The City Council established a Community Facilities District (CFD) 2006-1, which would be able to receive dedicated maintenance and operation funds if the public voted for a special parcel tax to maintain the park. In November 2006 a ballot measure for such dedicated funds was placed before the voters for the special tax known as Measure "O" for a 10 year period through June 2017 (FY 16/17). It received 68.19% voter approval. The Grove Park was then constructed and opened to public use in January 2008. The special tax was initially collected via direct bill in November/December 2007 by the City due to timing of the election after the tax levy deadlines, however thereafter it has been levied on the real property tax bills.

On May 4, 2014, the City Council directed staff to explore placing a fifteen year extension of the special tax in the CFD2006-1 before the voters in the November 2014 general election. This item is the first step in the formal process to extend the existing special tax in the CFD until June 2032 with the same tax rate methodology.

DISCUSSION

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

This special tax serves as the sole funding source for the Downtown Park Operation and Maintenance — known officially as Community Facilities District (CFD) 2006-1. To levy the tax, the City placed a ballot measure on the November 2006 general election and received more than the minimum vote threshold (66.66%) to enact the tax. The tax revenue pays for costs related to the operation, maintenance, repair and replacement landscaping, irrigation, hardscape, lights, public restroom, gazebo, playground, water, electricity, etc. Other City parks are not maintained by this special tax (but through the General Fund).

In order to extend the current special tax to a longer period, the process requires technically the levying a new special tax in the CFD to extend the current tax; and consists of three major steps: (1) adopting a Resolution of Consideration to start the process, (2) conducting a public hearing on the Resolution and (3) submitting the tax extension to the voters. The enclosed Resolution of Consideration is the first step. It would schedule a public hearing for July 1st for affected parties to provide comments regarding the proposal. As long as less than half of all affected property owners do not submit written protests regarding the proposal at the hearing, the City Council can submit the measure to the voters at the November general election. The measure requires two-thirds (66.66%) voter support to be approved.

In addition to providing the City Council with the required Resolution of Consideration, staff provides a sample ballot language for the Council's consideration. The Council will not be approving this language tonight but simply providing direction to staff. Staff will ensure the Council's direction is incorporated when formal ballot language is provided at a future Council meeting.

The Ballot Language is limited to a maximum of 75 words including the Ballot Title.
Sample language options:

Option 1: (55 words)

Measure ___ Downtown Park Funding - Extension of Existing Special Tax, City of Clayton

Shall the Downtown Park's annual operation and maintenance expenses continue to be funded through citywide Community Facilities District 2006-1 by levying the current annual special tax with the same methodology rate in the District for Fiscal Years 2017/2018 through 2031/2032?

Option 2: (58 words)

Measure ___ Downtown Park Funding - Extension of Existing Special Tax, City of Clayton

In order to continue the maintenance and operation of the Downtown Park shall the existing special tax funded through citywide Community Facilities District 2006-1 levy be extended for Fiscal Years 2017/2018 through 2031/2032 at the current annual special tax with the same methodology rate?

Option 3: (58 words)

Measure ___ Downtown Park Funding - Extension of Existing Special Tax, City of Clayton

In order to continue the maintenance and operation of the Downtown Park shall the existing special tax funded through citywide Community Facilities District 2006-1 levy be extended at the current annual special tax with the same methodology rate for Fiscal Years 2017/2018 through 2031/2032?

FISCAL IMPACT

No General Fund monies will be expended in connection with this ballot measure; cost for the ballot portion related to the Park Tax would be paid from the CFD 2006-1 Funds. The cost for an election is less expensive when combined with a general consolidated election cycle rather than during a primary or off year (i.e.: 2015) election cycle. If the election is held in the next general election cycle (November 2016) and is unsuccessful there would be no opportunity to place it on a future election without a gap in the funding stream.

CONCLUSION

It is recommended the City Council:
(1) Adopt the attached Resolution of Consideration
(2) Schedule a public hearing regarding the same for July 1, 2014
(3) Provide direction to staff regarding the sample ballot language.

Attachment: Resolution of Consideration

RESOLUTION NO. __-2014

A RESOLUTION OF CONSIDERATION TO EXTEND THE EXISTING SPECIAL TAX SUBJECT TO THE SAME ADJUSTMENT METHODOLOGY FOR COMMUNITY FACILITIES DISTRICT 2006-1 FOR FIFTEEN YEARS

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

WHEREAS, the City of Clayton established Community Facilities District 2006-1 ("CFD") within the City of Clayton, authorized the levy of a special tax on real property within the CFD and established an initial appropriations limit for the CFD; and

WHEREAS, the special tax levied within the CFD is set to expire in Fiscal Year 2016/2017; and

WHEREAS, pursuant to the Mello-Roos Community Facilities Act of 1982 ("Act"), Chapter 2.5 (commencing with Section 53311) of Part 1 of Division 2 of Title 5 of the Government Code, the City Council of the City of Clayton has determined the public convenience and necessity require that an extension of the existing special tax should be proposed within the CFD to extend the existing special tax subject to the same adjustment methodology for fifteen years from Fiscal Year 2017/2018 (i.e., beginning July 1, 2017) through Fiscal Year 2031/2032 (i.e., ending June 30, 2032), and that it should, therefore, adopt a Resolution of Consideration pursuant to Sections 53331 and 53334 of the Act to initiate proceedings for the consideration of such special tax levy; and

WHEREAS, the City Council wishes to schedule a public hearing on such proposed tax extension for July 1, 2014.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLAYTON THAT:

SECTION 1. Findings and Background. The City Council finds the preceding recitals are correct and are incorporated into this Resolution.

SECTION 2. Affected Area. The affected area is the Community Facilities District 2006-1 (Downtown Park Operations and Maintenance District) ("CFD"). The territory within the District is generally shown and described on the map of the boundaries of the CFD which was recorded in the Contra Costa Recorder's Office on May 31, 2006 in Book 79 at page 50 of Maps of Assessment and Community Facilities Districts.

SECTION 3. Extended Special Tax. The City Council proposes that an extension of the existing special tax should be levied within the CFD to extend the existing special tax, at its current and existing rate and method of apportionment, for fifteen years from Fiscal Year 2017/2018 through Fiscal Year 2031/2032 ("Special Tax"). As such, all references to the expiration or term of the Special Tax in the rate and method of apportionment shall reflect the

new expiration date of Fiscal Year 2031/2032. The rate and method of apportionment for the Special Tax, subject to the extended term set forth in this section, is more particularly described and set forth in Resolutions No. 23-2006 and 24-2006. True and correct copies of these Resolutions are attached as Exhibit A and incorporated by this reference.

SECTION 4. No Changes to Services. This Resolution does not propose any changes to the services or facilities provided by the CFD. The CFD would continue to provide operation and maintenance services for the Downtown Park through the extended term of Fiscal Year 2031/2032 as it currently does without any amendments or modifications.

SECTION 5. Appropriations Limit. The previously approved appropriations limit for the CFD shall not be effected by this Resolution and shall be adjusted by the City as permitted by applicable law.

SECTION 6. Public Hearing. Notice is given that on July 1, 2014, at 7:00 p.m. or as soon thereafter as the matter may be heard, at Hoyer Hall, Clayton Community Library, 6125 Clayton Road, Clayton, CA 94517, a public hearing will be held where the City Council will consider the extension of the Special Tax as proposed herein. At the above-mentioned time and place for public hearing any persons interested, including taxpayers and property owners may appear and be heard. The testimony of all interested persons for or against the Special Tax will be heard and considered. Any protests may be made orally or in writing. However, any protests pertaining to the regularity or sufficiency of the proceedings shall be in writing and clearly set forth the irregularities and defects to which the objection is made. All written protests shall be filed with the City Clerk on or before the time fixed for the public hearing. Written protests may be withdrawn in writing at any time before the conclusion of the public hearing. If a written majority protest is filed against the Special Tax, the proceedings shall be abandoned.

SECTION 7. Election. If, following the public hearing described in the Section 6 above, the City Council determines to approve the extension of the existing Special Tax, the City Council shall then submit the amendment to the qualified electors of the CFD. As at least twelve (12) persons have been registered to vote within the CFD for each of the ninety (90) days preceding the close of the public hearing, the vote shall be by registered voters of the CFD, with each voter having one (1) vote. Approval of the Special Tax shall require two-thirds approval of those voting on the measure.

SECTION 8. Notice. The City Clerk shall provide notice of the public hearing identified in Section 6 as required by Government Code sections 53322 and 53335. The City Council elects not to provide the optional notice permitted by Government Code section 53322.4.

SECTION 9. Effective Date. This Resolution shall become effective immediately upon its adoption.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Clayton, California, at a special meeting thereof held on May 20, 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

THE CITY COUNCIL OF CLAYTON, CA

_____

Hank Stratford, Mayor

ATTEST:

_____

Janet Brown, City Clerk

I certify that the foregoing resolution was duly and regularly passed by the City Council of the City Clayton at a regular meeting held on May 20, 2014.

_____

Janet Brown, City Clerk

EXHIBIT A

Exhibit A

RESOLUTION NO. 23-2006

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

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

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

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

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

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

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

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

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

EXHIBIT A

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

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

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

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

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

4. CFD Established. The community facilities district designated "City of Clayton Community Facilities CFD No. 2006-1 (Downtown Park Operation and Maintenance District)" is hereby established pursuant to the Act.

5. Boundaries Described. The boundaries of the CFD, as set forth in the map of the CFD heretofore recorded in the Contra Costa County Recorder's Office on May 31, 2006 in Book 79 at page 50 of Maps of Assessment and Community Facilities Districts, are hereby approved and incorporated herein by reference and shall be the boundaries of the CFD.

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

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

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

9. Tax Lien. Upon recordation of a notice of special tax lien pursuant to Section 3114.5 of the California Streets and Highways Code, a continuing lien to secure each

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

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

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

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

******

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

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

NOES: None.

ABSENT: None.

ABSTAIN: None.

THE CITY COUNCIL OF CLAYTON, CA

David T. Shuey
DAVID T. SHUEY, MAYOR

ATTEST:

Rhonda K Basore
Rhonda K. Basore, City Clerk

EXHIBIT A

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

DESCRIPTION OF SERVICES TO BE FINANCED BY THE CFD

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

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

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

Definition

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

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

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

Special Tax Formula

A. Residential Parcels:

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

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

B. Downtown Core Parcels:

An annual special tax will be levied on all non-Residential Parcels within the Downtown Core area (see map, Attachment 1), at the per ¼-acre or fraction thereof parcel rate shown below for each fiscal year 2007-2008 through 2016-2017:

Downtown Core Parcel Annual Special Tax Rate: $221.05 per ¼-acre or fraction thereof parcel size as shown on the County tax roll.

C. Other Commercial Parcels:

An annual special tax will be levied on all non-Residential Parcels outside the Downtown Core area, as defined above, at the per ¼-acre or fraction thereof parcel rate shown below for each fiscal year 2007-2008 through 2016-2017:

Other Commercial Parcel Annual Special Tax Rate: $96.92 per ¼-acre or fraction thereof parcel size as shown on the County tax roll.

D. Recreational Open Space Parcels:

An annual special tax will be levied on all Private Golf Course Parcels, as defined above, at the per ¼-acre or fraction thereof parcel rate shown below for each fiscal year 2007-2008 through 2016-2017:

Recreational Open Space Parcel Annual Special Tax Rate: $48.46 per ¼-acre or fraction thereof parcel size as shown on the County tax roll.

E. Multi-Family Residential Care Facilities Parcels:

An annual special tax will be levied on all Multi-Family Residential Care Facilities Parcels, as defined above, at the per ¼-acre or fraction thereof parcel rate shown below for each fiscal year 2007-2008 through 2016-2017:

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

EXHIBIT B

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

RATE AND METHOD OF LEVY OF SPECIAL TAX

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

Definitions

Taxable Parcels:	Parcels of land within the boundaries of the CFD that are not included in the "Exempt Parcel" category listed below.
Exempt Parcels:	Parcels of land owned by a public school district, and parcels of land owned by the City of Clayton or the Clayton Redevelopment Agency outside the boundaries of the defined Downtown Core area (see map, Attachment 1 of Exhibit B).
Residential Parcels:	Taxable Parcels of land in the District that are classified in the City of Clayton General Plan as either single-family, multi-family or rural estate residential parcels.
Downtown Core Parcels:	Taxable Parcels within the Downtown Core area that are not classified as "Residential Parcels".
Other Commercial Parcels:	Taxable Parcels outside the boundaries of the Downtown Core area that are not classified as "Residential Parcels", "Recreational Open Space Parcels" or "Multi-Family Residential Care Facilities".
Recreational Open Space Parcels:	Taxable Parcels classified as "Private Golf Course" in the City of Clayton General Plan.
Multi-Family Residential Care Facilities Parcels:	Taxable Parcels having institutional or congregate care residential units within a facility with an on-site manager.
Special Tax:	The special tax allowed to be levied on property within the CFD, calculated pursuant to this Rate and Method of Apportionment of Special Tax.

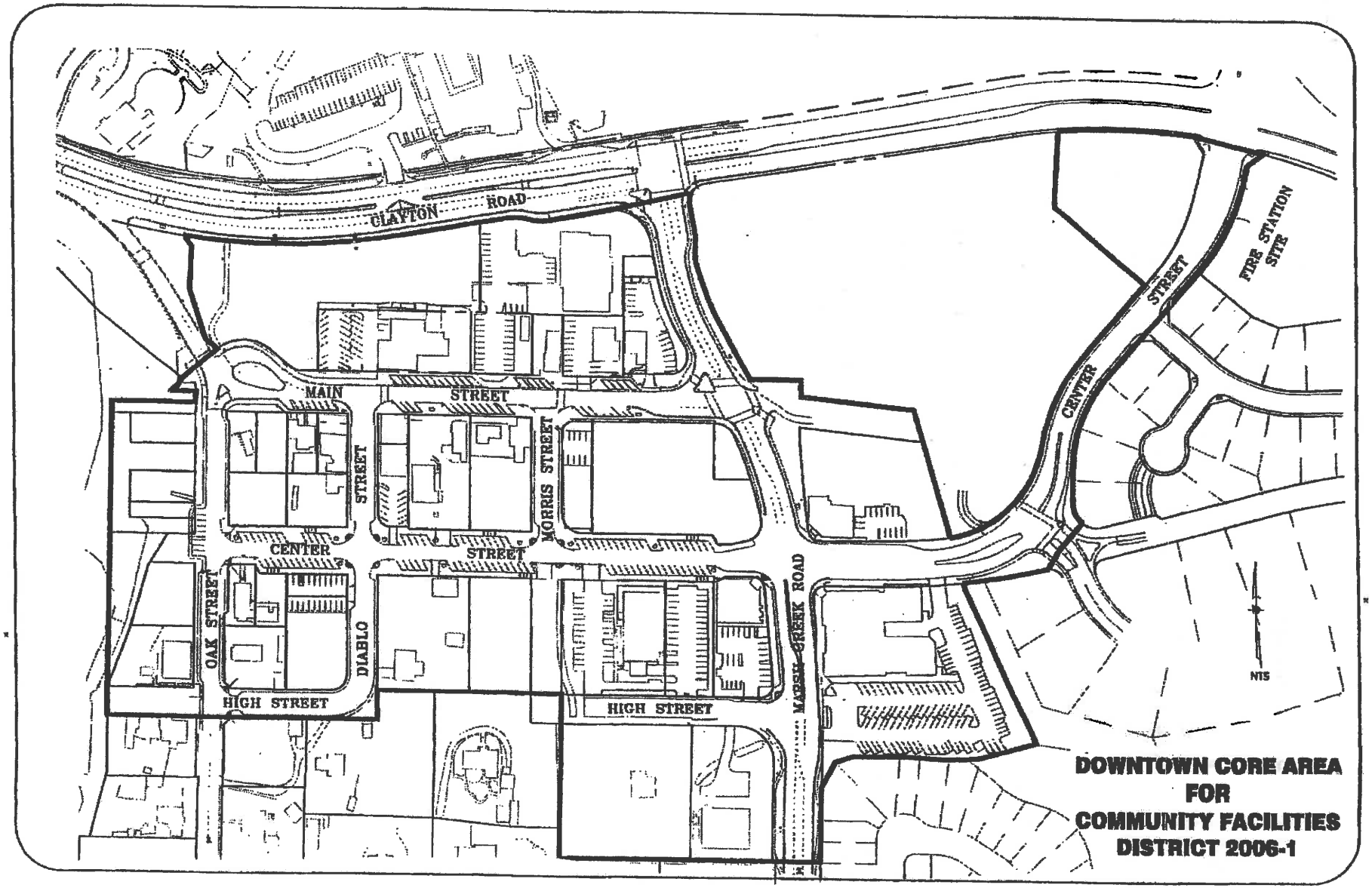
Duration of Special Tax Levy

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

Special Tax Escalator Factor

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

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


CLAYTON ROAD
MAIN STREET
OAK STREET
DIABLO STREET
MORRIS STREET
CENTER STREET
CENTER STREET
FIRE STATION SITE
HIGH STREET
HIGH STREET
MARSH CREEK ROAD
NTS
DOWNTOWN CORE AREA
FOR
COMMUNITY FACILITIES
DISTRICT 2006-1

RESOLUTION NO. 24-2006

A RESOLUTION CALLING A SPECIAL ELECTION IN A COMMUNITY FACILITIES DISTRICT

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

* * * * * *

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

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

NOES: None.

ABSENT: None.

ABSTAIN: None.

THE CITY COUNCIL OF CLAYTON, CA

David T. Shuey
DAVID T. SHUEY, MAYOR

ATTEST:

Rhonda K Basore
Rhonda K. Basore, City Clerk

CITY OF CLAYTON
Founded 1857 . . . Incorporated 1964

Agenda Date: 5-20-2014

Agenda Item: 8b

Approved:

Gary A. Napper
City Manager

STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: CHARLIE MULLEN, COMMUNITY DEVELOPMENT DIRECTOR

DATE: MAY 20, 2014

SUBJECT: CONSIDERATION OF THE CLAYTON HISTORICAL SOCIETY'S PROPOSED GARDEN PLAZA AND SITE IMPROVEMENT MODIFICATIONS TO THE EXISTING OUTDOOR AREA ADJACENT TO THE CLAYTON MUSEUM BUILDING LOCATED ON CITY-OWNED PROPERTY AT 6101 MAIN STREET; APN: 119-011-004 (CDD-10-14).

RECOMMENDATION

Staff recommends the City Council adopt the attached Resolution approving the Clayton Historical Society's proposed garden plaza and site improvement modifications to the existing outdoor area adjacent to the Clayton Museum building located on City-owned property.

BACKGROUND

In 1978, the Clayton Historical Society officially opened the doors to the Clayton Museum building to the public. The Museum maintains a collection of historic artifacts, antiques, photos and other items, dating back to Native American habitation to present day. Items are either stored in the Museum archives, or are on display in the Museums limited indoor and outdoor exhibit spaces (see Attachments for more historical and informational background on the Museum).

In 2000, the current rustic garden plaza area improvements were installed as the Museum's 'Educational Garden'. Over the years the area has continued to see minor enhancements being made. More recently the Clayton Historical Society Board of Directors began working on the subject concept proposal and is now seeking formal City approval.

On May 13, 2014, the Planning Commission reviewed and then recommended City Council approval of the proposed Museum garden plaza and site improvements (see Attached report). The Planning Commission spoke very positively about the proposed improvements and expressed their support for the project. No members of the public spoke on the proposal.

DISCUSSION

The Clayton Historical Society is proposing garden plaza and site improvement modifications to the existing outdoor area adjacent to the Clayton Museum building located on a City-owned property at 6101 Main Street in Clayton's Town Center (see Attached vicinity map). The proposed improvement modifications to the existing garden plaza and site include such amenities as an entryway arbor, garden plaza, decorative seatwalls, memorial bench, fencing, trellis, hardscape and walkway paths, historic tractor display, and associated landscaping (see Attachment plans project information and site photographs).

The existing garden plaza area located on the west side of the Clayton Museum building currently contains ornamental landscaping, a small informal gravel plaza, pathways, a picnic table, and, near the rear (north) area of the lot, are located several interpretive display items including horse-drawn agricultural equipment, an ore box, dipping pot, and structural outhouse and jail exhibits.

The applicant is proposing to install a white picket fence (to match existing) along the front of the site as well as a new entryway arbor in the center of the front fence. The existing small informal gravel plaza, picnic table in the center of the plaza, and pathways leading to the plaza are proposed to be removed to allow installation of slightly larger circular garden plaza area (referred to as the "Wagonwheel Plaza"). The plaza would be surrounded by a low decorative seatwall with three connecting access pathways. The plaza and pathways are proposed to be adorned with inset laser engraved bricks. Ornamental boulders would be used to embellish the pathways with each boulder progressively getting larger as one approaches the plaza.

At the north end of the garden plaza, the applicant is proposing installation of a memorial bench adjacent to the Clayton Museum building on the east side of the existing main concrete walk. The existing "S" path connecting the main concrete walk to the walkway accessing the existing Clayton Business and Community Association (CBCA) storage building will be re-surfaced, and an additional pathway will also be installed connecting the concrete walk running along the west side of project site to the CBCA storage building access walkway.

At the rear of the property, the applicant is proposing installation of a decorative iron fence that will encompass a portion of the agricultural display area between the main concrete walk and the CBCA storage building. This new agricultural display area would include installation of a pathway, grapevine trellis, and a historic tractor display as well as relocation of the existing horse-drawn agricultural equipment, dipping pot, and agricultural pump. Just outside the enclosure would be a relocated bench, picnic table, and "Keller" post.

Much of the existing landscaping is proposed to be retained with some additional landscape plantings proposed to be installed in and around the entryway and front fence area, while the bulk of new plantings are proposed to be located in the center of the lot between the plaza, CBCA storage building, and enclosed agricultural display. The new landscaping would include installation of water-efficient shrubs and low-growing plants and grasses. Grapevines are also proposed to be installed on the trellis within the agricultural display area. The remaining existing and proposed landscaping are intended to create a more water-efficient and drought-tolerant garden area.

INTERNAL REVIEW

The City Maintenance Department has reviewed the proposal and recommends an arborist report be prepared to assess the potential impacts of the proposed improvements slated to occur within the dripline of the existing heritage oak tree located adjacent to and north of the rear property line of the subject property. The Planning Commission affirmed this recommendation and the applicant verbally indicated they are in agreement to obtain an arborist report upon receiving City Council approval.

If the proposed concept improvement plans are supported and approved by the City Council, then appropriate City staff will continue to work with the Clayton Historical Society on finalizing the project improvement plans and construction details. In addition, staff considers it necessary and timely to review the original Museum/Historical Society lease and/or use agreement for this City-owned property to determine if it warrants any refreshing in general, including as to understandings of improvements ownership, maintenance, repair, liability, and removal.

The Clayton Historical Society representatives were originally hoping to immediately begin construction of the project improvement upon receiving City Council approval, in hopes of being completed before the July 4th downtown parade. Recognizing a July 4th completion date may not be realistic, the applicant has revised their schedule with a goal to begin construction shortly after July 4th, as they do not desire to have the Museum site fenced off and under construction during the July 4th parade.

FISCAL IMPACT

Funding for this project will be entirely paid for by the Clayton Historical Society augmented by donations from the Clayton Business and Community Association and private donors (i.e. bricks). With the exception of some staff plan review time, staff report preparation time and some printing cost associated with preparation of this report no other City costs are expected to be needed.

ATTACHMENTS

1. Resolution Approving Clayton Historical Society Museum Garden Improvements Project
2. Vicinity Map
3. Clayton Historical Society Museum Garden Improvements Project Plans, date stamped April 29, 2014
4. Letter from the Clayton Historical Society, date stamped May 2, 2014
5. Clayton Historical Society Museum Garden Improvements Project Description, date stamped April 28, 2014
6. Clayton Historical Society Museum Garden Improvements Site History
7. Clayton Historical Society Museum Garden Site Photographs
8. Planning Commission Staff Report, dated May 13, 2014 (excluding attachments).

RESOLUTION NO. -2014

A RESOLUTION APPROVING THE CLAYTON HISTORICAL SOCIETY'S PROPOSED GARDEN PLAZA AND OTHER ON-SITE EXTERIOR IMPROVEMENTS ON CITY-OWNED REAL PROPERTY LOCATED AT 6101 MAIN STREET (AKA "CLAYTON MUSEUM") (CDD-10-14)

THE CITY COUNCIL
City of Clayton, California

WHEREAS, in 1978, the Clayton Historical Society officially opened to the public the doors of the Clayton Museum building located at 6101 Main Street in Clayton's Town Center (APN 119-011-004); and

WHEREAS, the Museum resides on City-owned real property and maintains a collection of historic artifacts, antiques, photos and other items dating back to Native American habitation to present day; and

WHEREAS, in the Year 2000, the current rustic garden plaza area improvements were installed as the Museum's 'Educational Garden'; and

WHEREAS, the Clayton Historical Society, in conjunction with the Clayton Business and Community Association ("the Applicants"), did submit concept plans and drawings to the City on April 29, 2014 for its proposed Museum Garden Improvements ("the Plans"); and

WHEREAS, on May 13, 2014, the Clayton Planning Commission reviewed the Plans and subsequently did recommend City Council approval of the proposed Museum garden plaza and associated exterior site improvements; and

WHEREAS, the proposed Museum garden plaza and site improvements (the Plans) are determined to be categorically exempt per Sections 15301 and 15303 of the California Environmental Quality Act (CEQA) Guidelines; and

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

NOW, THEREFORE, BE IT RESOLVED that the City Council of Clayton, California does hereby approve the concept Plans for the proposed Museum garden plaza and site improvements, a copy of which is attached hereto as "Exhibit A" and incorporated herein by reference, and does herewith authorize City staff to continue to work with the Clayton Historical Society on finalizing the project improvement Plans to include specific construction details sufficient to administratively permit Applicants to commence the Plans' installation; and

ATTACHMENT - 1

BE IT FURTHER RESOLVED the City Manager is herewith instructed to review the original Museum/Historical Society lease and/or use agreement for this City-owned real property to determine if it warrants any refreshing in general, including as to understandings of improvements ownership, maintenance, repair, liability, and removal and to return any recommended lease modifications or understandings to the City Council for its consideration and formal acceptance.

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California at a regular public meeting thereof held on May 20, 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

THE CITY COUNCIL OF CLAYTON, CA

_____
Hank Stratford, Mayor

ATTEST

_____
Janet Brown, City Clerk

I hereby certify that the foregoing resolution was duly adopted and passed by the City Council of Clayton, California at a regular public meeting thereof held on May 20, 2014.

_____
Janet Brown, City Clerk

Attachment:
Exhibit A: Clayton Historical Society Museum Garden Improvements Project Plans, date stamped April 29, 2014

VICINITY MAP

CITY OF CLAYTON	**Clayton Museum** **CDD-10-14** **Garden Plaza and Site Improvements** **6101 Main Street** **APN: 119-011-004**	N (Not to Scale)

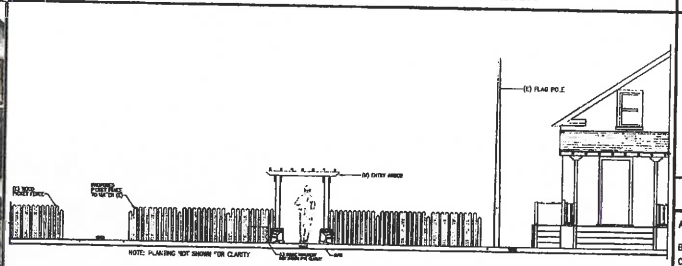
ATTACHMENT - 2

CLAYTON HISTORICAL SOCIETY (CHS) - MUSEUM GARDEN IMPROVEMENTS

EXISTING MAIN STREET VIEW PHOTO

MUSEUM GARDEN - EXISTING MAIN STREET VIEW PHOTOGRAPH - LOOKING NORTH, SPRING 2012
PHOTO: MARY SPRYER

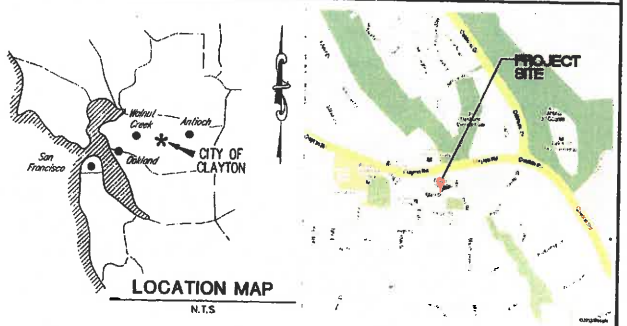
PROPOSED IMPROVEMENTS - MAIN STREET VIEW SKETCH



GOOGLE AERIAL PHOTO OF DOWNTOWN ca. 1938

GOOGLE SATELLITE SITE MAP ca. 2011

LOCATION MAPS



DRAFT PROJECT PROPOSAL STATEMENT

Clayton Historical Society Museum Garden Improvements – DRAFT Proposal Statement

Background:

The Clayton Historical Society (CHS) Museum has been valuable educational resource to our community since it's doors opened to the public in 1978. The Museum maintains a collection of historic artifacts, antiques, photos and other items, dating back to Native American habitation up to present day. Items are either stored in the Museum archives, or are on display in the Museum's limited indoor and outdoor exhibit spaces.

Since it's inception in 1974, the CHS's mission has been to educate the public of Clayton's history of being a major Bay Miwok Indian village and burial site; into an evolving Pioneer community, named after it's founder, Joel Clayton in 1857; to it's incorporation as a City in 1964 to limit development and maintain it's historical charm; onward to it's more recent history as ranking number 83 of the top 100 best places to live in the United States (Money magazine, 2011).

Since 1978, the City of Clayton has subleased the CHS the property in which the Museum and Historical Society operate from, including the parcel directly west of the museum building, where the Clayton Business and Community Association's (CBCA's) storage building is located; a site where agricultural and blacksmith artifacts are displayed; and the site where the Museum's 'Educational Garden' has been evolving since the year 2000.

NOTE: A detailed history of the Museum Garden site is a part of the 'Museum Garden Improvements' drawing submittal package.

Proposed Museum Garden Site Improvements:

At this time, the CHS Board of Directors is proposing to City of Clayton Staff – Improvements to the Museum's current Educational Garden.

The proposed Improvements to the Garden are intended to educate the public of the site's historical significance, including: 1) it's Native American Indian heritage, 2) it's Native California Plant and imported Ornamental Plant heritage, 3) it's former history as a Blacksmith site, 4) it's acquired landscape stones – once the foundation stones of the historic Endeavor Hall, originally built in 1862.

In addition – as part of this Improvements Proposal – the Clayton Business and Community Association (CBCA) wishes to propose a display for one of their historic tractors a 1930's McCormick and Deering W-30 steel-wheeled tractor. The proposed display would have a backdrop of an historic grapevine trellis and living grapevine -- as a reminder of Clayton's agricultural history, and of Clayton's earliest award-winning agricultural crops, first planted by it's City's founder. Additionally, the CBCA wishes to propose improvements to the existing agricultural displays, and repaint their storage building in the same color scheme as the Museum building – giving the buildings and site a unified look, and the charm of an historic building complex and garden in the heart of Downtown.

The proposed improvements will aid with new(*) and existing educational goals for the following:

A. Visiting 3rd grade Elementary school children, learning-of, playing-with, and creating – toys of early Pioneer games – serving as an outdoor, hands-on classroom.

B* Visiting 4th grade Elementary school children, learning about Native American peoples and the artifacts and plants used for sustenance, including Native California plants serving as a living, visual, tactile and interactive Native American plant reference library.

C. Museum visitors, and the greater community – to learn-of, see, touch and smell various flowering and drought-tolerant California plants native to the Clayton Valley, in a home garden setting – serving as an evolving and inspirational Native California Plant educational, "Demonstration Garden" for the Community.

D. *Museum visitors, and the greater community – to learn-of and see various "Historic / Cottage Garden" plant selections (annuals & perennials), and an appropriate-to 1..1800's style picket fence and trellis/arbor structure typical of a modest Clayton home cottage/pioneer garden, constructed in a convincing manner – making for a true 'Destination Garden' (especially in the Spring) for visitors within the local community and areas beyond.

E. Museum visitors, and the greater community – as an extension of the indoor Museum Exhibit space – an outdoor "classroom" and botanical exhibit space.

F. A uniquely public, yet intimate, downtown, 'Main Street' historic and educational garden.

NOTE: The Museum Garden is open to the public 365 days a year; is frequently visited by employees of Downtown Businesses during lunch hours on weekdays, and up to hundreds of visitors during Special Events on Main Street throughout the year. Currently, the Museum and Garden host 2000+ visitors annually.

The intended Museum Garden Improvements of this 2014 proposal include the following:

A. New, approx. 400 sq. ft. oval-shaped flagstone central garden plaza / "Wagonwheel Plaza"; replacing the existing, odd-shaped decomposed granite central garden plaza.

B. New, approx. 52 lin. ft. stone and/or brick faced, low garden/seat wall; replacing existing, irregular-shaped, dilapidated-looking concrete block and random stone garden wall.

C. Three new salt finish "gold fine" colored, gently sloping walks from central patio to surrounding perimeter sidewalks and Museum's concrete walk; remedying the existing elevation drops from existing concrete walks to existing decomposed granite walking surfaces.

D. New flat pebble, exposed aggregate concrete "S" shaped path at North side of Garden (from CBCA Storage Building walk to West Porch of Museum); replacing the existing decomposed granite "S-path" with elevation drops at each end.

E. New concrete pad for a "Memorial" bench on the West side of the Museum - looking into the improved Garden.

F. New, laser engraved "donor" bricks in (6) radiating "spokes" of proposed "Wagonwheel Plaza"; and in the proposed low Garden/Seat Wall. Engraved bricks – in addition to being a unique design feature – would recognize a person's donation to the proposed Museum Garden Improvements project. Engraved bricks are intended to be a major funding component for the proposed Museum Garden Improvements project – ideally funding 1/3 - 1/2 of the project cost.

STANDARD ABBREVIATIONS

&	AND	GA	GAUGE	RELO	RELOCATE(D)
@	AT	GALV	GALVANIZED	REQ'D	REQUIRED
℄	CENTER LINE	HORIZ.	HORIZONTAL	RWD	REDWOOD
ø	DIAMETER	IRRIG	IRRIGATION	SF	SQUARE FEET/FOOT
ADJ	ADJUSTABLE	MAX	MAXIMUM	SIM	SIMILAR
BLDG	BUILDING	MFR	MANUFACTURER	SQ	SQUARE
CLR	CLEAR	MIN	MINIMUM	SURF.	SURFACE
CONC	CONCRETE	MISC	MISCELLANEOUS	TYP	TYPICAL
CONT	CONTINUOUS	(N)	NEW	UON	UNLESS OTHERWISE NOTED
D.G.	DECOMPOSED GRANITE	NIC	NOT IN CONTRACT	VERT	VERTICAL
EQ	EQUAL	NTS	NOT TO SCALE	VIF	VERIFY IN FIELD
(E)	EXISTING	OC	ON CENTER	W/	WITH
FIN	FINISH	P.T.	PRESSURE-TREATED	W/O	WITHOUT
FT	FOOT OR FEET			WP	WATERPROOF OR WEATHERPROOF

DESCRIPTION OF PROPOSED WORK

A. VISUAL AND OPERATIONAL INSPECTION / "SURVEY" OF EXISTING SITE CONDITIONS PLANTING, IRRIGATION SYSTEM AND RELATED EQUIPMENT, PRIOR TO ANY REMOVAL WORK.

B. REMOVAL OF EXISTING DECOMPOSED GRANITE, CONCRETE WALL BLOCKS, AND PLANTING AS REQUIRED FOR NEW WORK.

C. MOVEMENT OF SOIL AND NEW DRAINAGE IMPROVEMENTS AS REQUIRED FOR NEW WORK.

D. NEW HARDSCAPE CONSTRUCTION AS INDICATED AND DETAILED IN THIS PLAN SET.

E. IRRIGATION SYSTEM ALTERATIONS AS REQUIRED FOR NEW HARDSCAPE WORK, AND FOR NEW AND EXISTING PLANTING LOCATIONS. EXISTING SPRAY IRRIGATION TO BE RETROFITTED WITH COMMERCIAL QUALITY BUBBLERS AND DRIP IRRIGATION.

F. NEW CALIFORNIA NATIVE AND HISTORIC PLANTING INSTALLATION AS INDICATED AND DETAILED IN THIS PLAN SET.

G. NEW PICKET FENCING AND MAIN STREET GARDEN ENTRY ARBOR AS INDICATED AND DETAILED IN THIS PLAN SET.

H. NEW DISPLAY FOR CLAYTON BUSINESS AND COMMUNITY ASSOCIATION'S (CBCA's) HISTORIC 1930's McCORMICK & DEERING TRACTOR; PAINTING OF CBCA BLDG. TO MATCH MUSEUM; IMPROVEMENTS TO (E) AGRICULTURAL DISPLAYS AS INDICATED.

CODE INFO AND REQUIREMENTS

ALL NEW WORK SHALL COMPLY WITH THE 2013 CALIFORNIA BUILDING CODE (CBC) WHERE APPLICABLE, 2013 CALIFORNIA PLUMBING CODE (CPC), COUNTY AND LOCAL CODES, INCLUDING:

CITY OF CLAYTON 'STANDARD SPECIFICATIONS' AND 'STANDARD PLANS'

PROJECT SITE INFO

BLOCK and LOT INFO:	BLOCK 1, LOT 5 (AS PER JOEL CLAYTON'S ORIGINAL 1853 TOWN MAP)
APN:	119-011-002
ZONING:	L-C (LIMITED COMMERCIAL)
TOTAL PARCEL AREA:	10,000 SF (PER COUNTY ASSESSOR'S DATA)

PROPOSED GARDEN IMPROVEMENTS AREA OF WORK: 2,247 SF (APPROX. 23% OF TOTAL PARCEL AREA)

PROPOSED AGRICULTURAL DISPLAY IMPROVEMENTS AREA OF WORK: 824 SF (APPROX. 8% OF PARCEL AREA)

PROJECT CONTACTS

PROJECT DEVELOPER:
CLAYTON HISTORICAL SOCIETY (CHS)
(LANDSCAPE & HARDSCAPE IMPROVEMENTS)
P.O BOX 94
CLAYTON, CA 94517
CONTACT: JoANN CASPAR, PRESIDENT
PH: (925) 672-7880

CLAYTON BUSINESS AND COMMUNITY ASSN. (CBCA)
(TRACTOR & AGRICULTURAL DISPLAY IMPROVEMENTS)
P.O BOX 436
CLAYTON, CA 94517
CONTACT: GREGG MANNING, CURRENT PRESIDENT
OR, KEITH HAYDON, PAST PRESIDENT
PH: (925) 672-8262

PROPERTY OWNER / REVIEWING AGENCY:
CITY OF CLAYTON
6000 HERITAGE TRAIL
CLAYTON, CA 94517
CONTACT: CHARLIE MULLEN,
COMMUNITY DEVELOPMENT DIRECTOR
PH: (925) 673-7340

PROJECT DESIGNER / PROJECT MANAGER
STEVEN M. LANE
245 MOUNTAIRE CIRCLE
CLAYTON, CA 94517
PH: (925) 686-7057
EMAIL: slane23@msn.com

LANDSCAPE CONTRACTOR:
TBD

SHEET INDEX

L0 COVER SHEET
L0.1 PROPOSED, CONCEPTUAL "BIRD'S EYE" ILLUSTRATION, AND CONCEPT IMAGES
L1 MUSEUM GARDEN SITE HISTORY
L2 EXISTING CONDITIONS PLAN; DEMOLITION PLAN / HARDSCAPE LOCATION PLAN
L3 PROPOSED HARDSCAPE PLAN; STREET ELEVATIONS; SITE SECTIONS; WALL DETAIL
L4 PROPOSED PLANTING PLAN; PLANTING KEY (HISTORICAL & STREETSCAPE PLANTS)
L4.1 PLANTING KEY (CONTINUED - NATIVE AMERICAN & CALIFORNIA NATIVE PLANTS)
L5 EXISTING IRRIGATION PLAN, IRRIGATION ALTERATION PLAN
L6 PLANTING, IRRIGATION, CONSTRUCTION DETAILS, NOTES - DEFERRED SUBMITTAL

RECEIVED
APR 29 2014
CITY OF CLAYTON
COMMUNITY DEVELOPMENT

ATTACHMENT - 3

REVISIONS

STEVEN M. LANE DESIGN

COVER SHEET

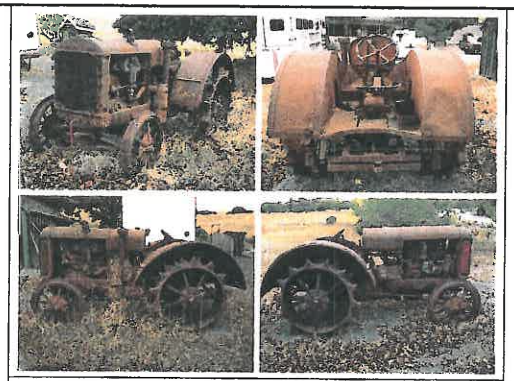
CLAYTON HISTORICAL SOCIETY (CHS)
MUSEUM GARDEN IMPROVEMENTS
6101 MAIN STREET
CLAYTON, CA 94517
Owner: CITY OF CLAYTON

Date 4/28/14
Scale AS NOTED
Drawn SML
Job
Sheet L0 Of Sheets

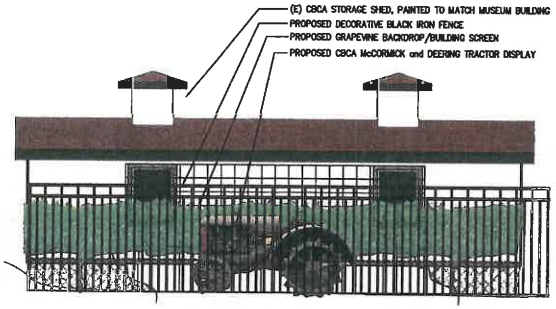
CITY STAFF REVIEW SET

CLAYTON HISTORICAL SOCIETY (CHS) MUSEUM GARDEN IMPROVEMENTS

PROPOSED CBCA HISTORIC TRACTOR DISPLAY



IMAGES OF CBCA-OWNED HISTORIC 1930's McCORMICK and DEERING W-30, STEEL-WHEELED TRACTOR (STORED AT THE CLAYTON QUARRY), AS PROPOSED FOR THE CBCA-SPONSORED HISTORIC TRACTOR DISPLAY AT THE CHS MUSEUM.



EXAMPLES OF AREA MUSEUM'S HISTORIC TRACTOR DISPLAYS

(ABOVE) PHOTOS OF HISTORIC TRACTOR DISPLAYS AT FOREST HOME FARMS HISTORIC MUSEUM, SAN RAMON

(BELOW) PHOTO AND CAPTION OF THE HISTORIC TRACTOR DISPLAY AT THE MARTINEZ HISTORICAL MUSEUM

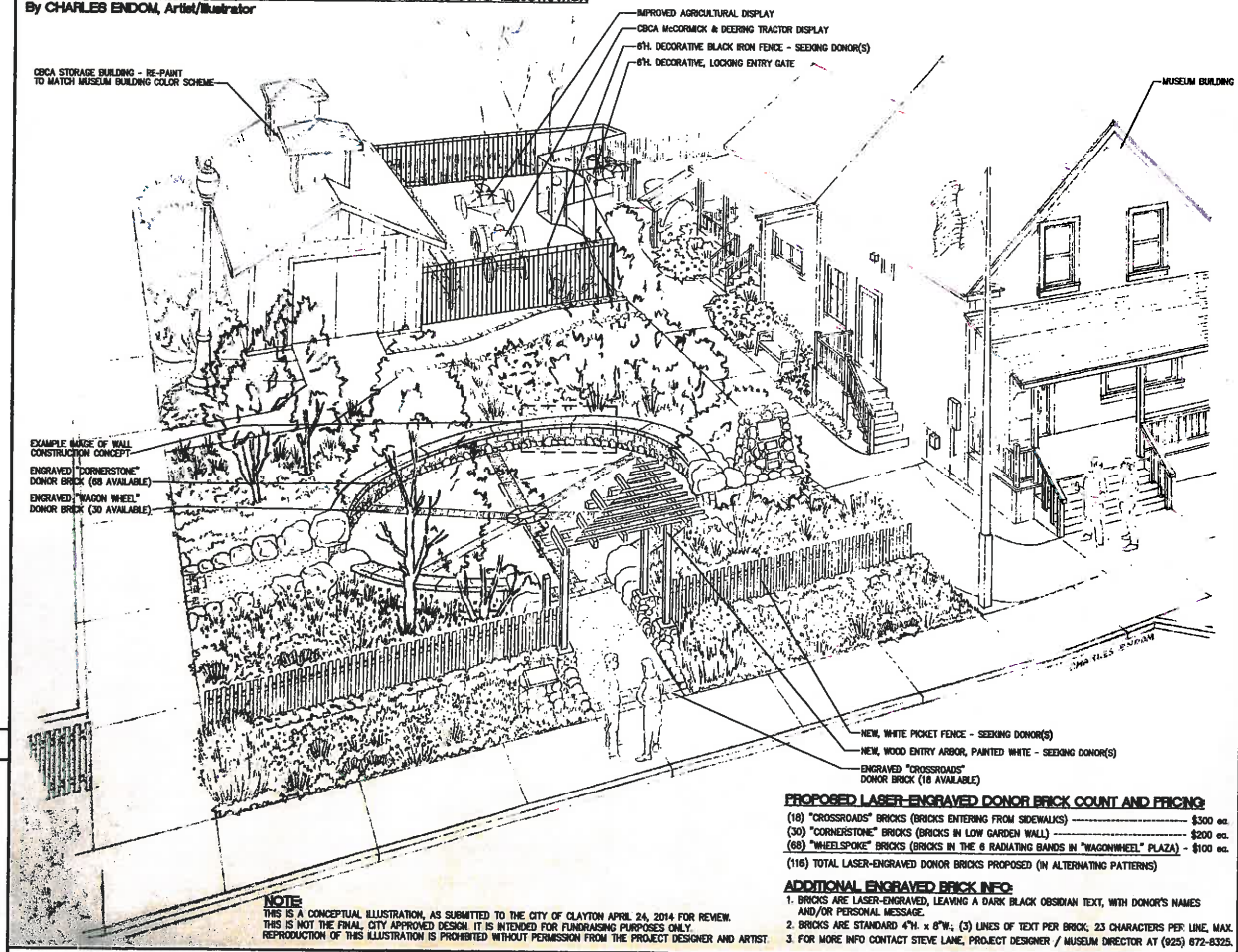
D2 Caterpillar Tractor

This original 40" narrow gauge Tracklayer 3400, with it's giant 38 HP engine, Was used in the fields around Martinez and Roberts Island by the Frank Avilla Family. Donated by Rhonda Avilla. Rustic Outhouse "Privy" Circa 1939. Built by Jim Tocco to replace another, this was a well-known part of farm and even city-living at one time. Donated by Ed & Margaret Tocco-Sequeira.

PROPOSED IMPROVEMENTS - "BIRD'S EYE" ILLUSTRATION / PRELIMINARY FUNDRAISING and PROMOTIONAL ILLUSTRATION

PROPOSED MUSEUM GARDEN IMPROVEMENTS - CONCEPTUAL "BIRD'S EYE" ILLUSTRATION

By CHARLES ENDOM, Artist/Illustrator



PROPOSED LASER-ENGRAVED DONOR BRICK COUNT AND PRICING:

(18) "CROSSROADS" BRICKS (BRICKS ENTERING FROM SIDEWALKS) ---------- $300 ea.
(30) "CORNERSTONE" BRICKS (BRICKS IN LOW GARDEN WALL) ---------- $200 ea.
(68) "WHEELSPOKE" BRICKS (BRICKS IN THE 6 RADIATING BANDS IN "WAGONWHEEL" PLAZA) - $100 ea.

(116) TOTAL LASER-ENGRAVED DONOR BRICKS PROPOSED (IN ALTERNATING PATTERNS)

ADDITIONAL ENGRAVED BRICK INFO:

1. BRICKS ARE LASER-ENGRAVED, LEAVING A DARK BLACK OBSIDIAN TEXT, WITH DONOR'S NAMES AND/OR PERSONAL MESSAGE.
2. BRICKS ARE STANDARD 4"H. x 8"W.; (3) LINES OF TEXT PER BRICK; 23 CHARACTERS PER LINE, MAX.
3. FOR MORE INFO CONTACT STEVE LANE, PROJECT DESIGNER / MUSEUM DIRECTOR AT (925) 672-8325.

NOTE:
THIS IS A CONCEPTUAL ILLUSTRATION, AS SUBMITTED TO THE CITY OF CLAYTON APRIL 24, 2014 FOR REVIEW. THIS IS NOT THE FINAL, CITY APPROVED DESIGN. IT IS INTENDED FOR FUNDRAISING PURPOSES ONLY.
REPRODUCTION OF THIS ILLUSTRATION IS PROHIBITED WITHOUT PERMISSION FROM THE PROJECT DESIGNER AND ARTIST.

EXAMPLE OF LOW GARDEN WALL CONCEPTUAL DESIGN and MATERIALS

EXAMPLE OF 'LASER IMPRESSIONS' (COMPANY) - LASER ENGRAVED BRICK

REVISIONS	BY

STEVEN M. LANE DRAFTING DESIGN
LAKE MERRITT/OAK CIRCLE
OAKLAND, CALIFORNIA 94607
PH/FX (510) 893-7657 / PH (925) 672-8325
EMAIL: SMLANE@COMCAST.NET

PROPOSED CONCEPTUAL "BIRD'S EYE" ILLUSTRATION and IMAGES

CLAYTON HISTORICAL SOCIETY (CHS)
MUSEUM GARDEN IMPROVEMENTS
6101 MAIN STREET
CLAYTON, CA 94517
Owner: CITY OF CLAYTON

Date	4/28/14
Scale	AS NOTED
Drawn	SML
Job	
Sheet	L0.1
Of	Sheets

CITY STAFF REVIEW SET

CHS MUSEUM GARDEN SITE HISTORY - EARLY HISTORY to PRESENT

Clayton Historical Society Museum Garden – Site History

Early History – to the year 2000:

The earliest history of the Clayton area has been studied since the late 1800s. Several Native American Indian sites with cultural deposits, indicating long-term habitation have been designated. The former Keller Ranch and surrounding areas near the Downtown area contain some of the most important Native American Indian archaeological sites.

According to a 1983 environmental consulting firm [LSA] report - the Keller Ranch site, just north of the Museum Garden site, was "probably" the principal 'Bay Miwok' Indian tribe settlement in the area, believed to have been the largest settlement site in interior Contra Costa County. The 1983 LSA report references an earlier 1982 [Holman and Associates] study, which concludes that the southern portion of the Keller Ranch site [and surrounding areas] have significant cultural deposits of habitation of over approximately 3000 years. This 1982 study also states that the Keller Ranch site [and surrounding areas], were once the location of a large, Indian village, including a religious-cultural center with a large formal cemetery; having been an area of major importance to the local Bay Miwok Indian tribe.

The Native American Heritage Preservation Project - a local group, quoted in the 1983 LSA report, states "... *the Keller Ranch site* [and surrounding areas] *are one of the few locations where the opportunity exists to revive Native American traditions and ceremonies as a result of its location adjacent to Mt. Diablo* ... [given, the] *size of the site, indicating an important village,* [with] *the presence of the burial areas, and sufficient undisturbed portions of the site* [still] *available on which to conduct ceremonies.*"

Based from the reports and statements above - the Keller Ranch site and surrounding areas (likely including the current. Museum Garden site) - were a part of the principal village site of Bay Miwok Indian tribe, whose religious & cultural ceremonies took place, including burials, births, and everyday events, spanning a period beyond 3000 years.

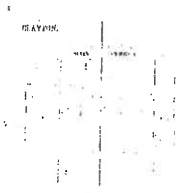
Given this history – one may ask - *what happened to the Bay Miwok Indians of Clayton?*

The Bay Miwok and other local Contra Costa Native Indian tribelets were affected by diseases introduced by Spanish Missionaries and Mexican Land Owners; diseases including Cholera in 1833, and smallpox in 1838, which decimated local tribes so rapidly that the dead could not always be buried. By 1879 scarcely 50 Native Americans lived in Contra Costa County, according to a Smith and Elliott publication.

The Natives disappeared without leaving any written or oral history of their long existence in the Clayton Valley, or elsewhere. They left behind a valley of unspoiled natural beauty a testimony to their reverence for the land, its native plants and wildlife, providing inspiration for future inhabitants.

Clayton was previously known as the *Deadfall*, named such according to one source, for the accumulation of numerous dead trees. Another source states the name 'Deadfall' came from an entry in the journal of William H Brewer of the Whitney US Geological Survey Party, whom camped near Joel Clayton's house. (A landmark fallen giant oak tree or trees likely accounted for the name).

Interestingly, 'Deadfall' was never part of any Mexican Land Grant, and was earliest discovered in 1850 by unsuccessful gold miners who continued west of Stockton in search better places. By 1852 about ten families squatted on several square miles of level. 'Deadfall' land.



In 1853 Joel Clayton purchased 40 acres from an early 'Deadfall' settler, E.J Clark. Clayton's wife, Margaret Ellen McLay Clayton, and their three children settled in the Mitchell Canyon area. Joel had two homes built in the Deadfall – one in Mitchell Canyon, and one near what would eventually become the Keller Ranch site.

1.

(above) 1964 photo of the remaining Black Walnut orchard / today's Museum Garden site.
(right) Pope House (the rear half of today's Museum building) being moved in to position in 1976 over the former Morris Street right-of-way / dirt lot into it's present-day location - north of the moved Clayton - Keller house, fronting Main Street. The two buildings form today's Clayton Historical Society Museum building. Notice the vacant dirt lot adjacent to the truck (far right of photo) - the present-day Museum Garden site.

(left) Also, in 1976, Clayton's first Mayor, Bob Hoyer, and Historical Society volunteers, including Bob's wife Eldeen, and daughter Helen, installed the Museum's flagpole, at its present-day location, between the Museum Building and the Museum Garden.

(right) 1978 Museum Dedication Master of Ceremonies – Bob Hoyer speaks to a crowd of Historical Society and Museum supporters, volunteers and bystanders from the front porch of the Museum building.
Note: Vacant Museum Garden site over Bob's left shoulder,

(right) 1978 Dedication ceremonies at the present-day Museum Garden site.
Note: the (then) recently erected Joaquin Murrieta stone monument; one of the relocated stone Keller pillars, surrounded by Boy Scouts; and a remaining Black Oak tree.

3.

From 2001 to mid-2011 / approximately 10 years – the 'Butterfly Garden' was maintained by volunteers from both the Clayton Historical Society (CHS) and the Clayton Valley Garden Club (CVGC).

In 2008, during the Summer and Fall - a Museum Garden Landscape Committee was formed, including: Jeff Crudy, Mary Speyer, JoAnn Caspar, Peggy Arundell, and Renee Wing. The Committee met approximately 2 times per month. Originally, the Committee was formed to address a large water bill, and eventually evolved into planning committee for a potential Water-wise and Educational downtown Museum Garden.

In August 2008 a garden clean-up day was organized by Museum Volunteers. Green Waste containers for this event were donated by BFI.

(Above) 2008 images of an overgrown "Butterfly Garden," prior to major weeding and clean-up efforts by Museum Volunteers

2009 to present - Historical Society Board members begin looking for ways to raise money, including a Christmas Home Tour fundraiser, and a wall-hanging raffle, for potential Museum Garden Improvements.

In the Spring 2010 - Volunteers from the Historical Society and Clayton Valley Garden Club helped with another major weeding and cleanup of the Museum Garden.

(Above) Clayton Valley Garden Club and Historical Society Volunteers doing a major weeding and clean-up, Spring, 2010

(Above) Spring, 2010 clean-up Volunteers:
(Back row – L to R): Tami Pierce, Barbara Hill
(Front row – L to R): Dennis Kinsey, Linda Cruz, Sue Fletcher, Don Richardson, Dick Ellis

5.

starting for local 4th Graders studying Native American Indians.

(Left) Fall 2010 *Week of Caring* Museum Garden Volunteers:
(Back row – L to R): *Don Lokin, Debbie Bleeker, *Chris Cloud, Mary Speyer, *Marie Kluge, Linda Cruz
(Front row – L to R): *Alec Greier, *Cathy Burgess, *Eloise Pedrotti, *Christine Heier, *Vickie Babcock, *Pooki Hoang, Steve Lane, and Dick Ellis
*indicates Chevron employee volunteers

Early Fall 2011 – Phase II: Native California Plant and "Historic" Plant Educational Garden:

Further implementing the 2008 Museum Garden Committee's plan an attractive display of various California native plants were planted, including pure species & hybrids developed for gardens, in hopes to encourage visitors to consider planting natives in their gardens, and to place emphasis on "Pollinators" - plants that attract butterflies and hummingbirds. In addition, a "Historical" or traditional 'cottage-type' garden strip along the sidewalk was planted, preserving the historical atmosphere of downtown Clayton.

Phase II work was, again scheduled in coordination with the Fall *"Week of Caring"* event. 2011 Volunteers came from Dow Chemical, Chevron, the CES, and the CVGC. Volunteers from the CES and CVGC helped install new sprinkler heads prior to the Week of Caring work days.

Thanks to donations and funds dedicated to the garden, the CHS was able to reconfigure the sprinkler lines, add new sprinkler heads, purchase quality soil amendment. Install chicken wire under each plant to deter gophers, plant 48 - 4" color plants, 40 - 1-gallon shrubs and 10 - 5-gallon shrubs, and apply black mulch. During the two September 2011 'Week of Caring' work days; nearly 50 hours of free labor were volunteered. This along with discounted plants, and plants started by cuttings, and other donated supplies, made Phase II a real bargain.

(Above) Fall, 2011 'Week of Caring' Museum Garden Work Day: Steve Lane (standing, far left) and Anna Woodorf (kneeling), with Dow Chemical employee volunteers, take a break after planting ¾ of the Historical Streetscape Garden plants, September 12, 2011. Photo: Mary Speyer

(Above) Fall, 2011 'Week of Caring' Museum Garden Work Day: Steve Lane (far right) and Anna Woodorf (3rd from right), with Chevron employee volunteers, take a break after planting the 2nd ½ of the Historical Streetscape Garden plants, September 13, 2011. Photo: Mary Speyer

2012 – Improved garden regularly maintained by paid gardeners hired by the CHS.

January 2012 - Steve Lane, 2012 Clayton Valley Garden Club VP, and Clayton-raised and based Designer and Project Management Consultant, was contracted by the CHS to help see through the Proposed Landscape and Hardscape Improvements of Anna Woodorf's 2010 plan, as well as prepare the necessary proposed Improvements package to be submitted to the City of Clayton for review & approvals, followed by Landscape Contractor bidding, and eventual construction ideally to be completed in 2014 - Clayton's 50th Anniversary as a City.

7.

In 1857 Joel Clayton stepped-out the town of Clayton, which, according to legend, could have been named *Rhineswine*, if Joel hadn't won a coin toss with Charles Rhine, a former coal miner, and fellow entrepreneur.

On Clayton's map – the present Museum Building site was the former right-of-way of Morris Street. The present Museum Garden is directly to the Museum's Building's west side – Block 1, Lot 5 on Clayton's Map.

As Clayton's town grew in population, needs for goods and services arose. New businesses soon began occupying the vacant lots along Main Street.

In 1864, Shadrick Jones had a Blacksmith Shop on the current Museum Garden site. The shop closed on an unknown date. The former building was razed, and the site remained vacant of any other buildings, until 1999, when a storage building was moved from the former Jawad property and rebuilt on the northwest corner of the Museum Garden site.

By 1939 the current Museum Garden site had several non-native [English] Black Walnut trees. Many trees were cut-down, and the site remained a vacant lot & orchard for 60+ years, with few trees surviving. The site is believed to have been owned by the former owners of the Clayton Hotel - up to the Pioneer Inn (the Jawad family).

In 1976, when the presumed, former Joel Clayton / later John and Celestia Keller house (located in the Bele across from today's City Hall) became available, the City granted use of the former Morris Street right-of-way to the Clayton Historical Society, and allocated Bicentennial era Federal Block Grant funding to help relocate the former Clayton/Keller House to its present location, and establish the Clayton Museum.

Clayton / Keller ranch house BEFORE move, circa 1933 at original location - southwest of the Keller House &

Relocated Clayton / Keller ranch house, today's Museum building, circa 2012 on Main Street, with Museum Garden west of the building.

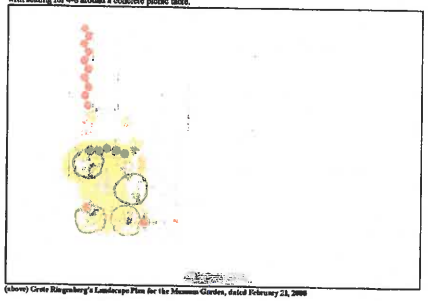
2.

From 1996-on the current Museum Garden site remained a vacant, fenced lot (with 'brick red' painted grape-stake fence boards), with all but a few surviving black oak trees, for a brief period of 2 years.

Recent History – year 2000 to present:

In the year 2002, a new shared public parking lot & newly-built KinderCare Preschool were built to the west and to the north of the current Museum Garden site. Also in 2008, a new *Butterfly Garden* was planned for the former vacant lot / current with seating for 4-8 around a concrete picnic table.

Museum Garden site. The 'Butterfly Garden' was designed by Clayton Landscape Designer, Greta Ringenberg.



(above) Greta Ringenberg's Landscape Plan for the Museum Garden, dated February 23, 2008

In 2001 the 'Butterfly Garden' was planted with assistance and donations from the City of Clayton. The Clayton Business and Community Association (CBCA) donated the picnic table and funds for the irrigation system - totaling nearly $3300). Historical Society, Clayton Valley Garden Club, community, volunteers, and individual donors. Much of the stones along the walkways of the 'Butterfly' and present-day Museum Garden are the original foundation stones of the Endeavor Hall's former stone foundation, which was improved to concrete when the building was restored & renovated in 2000. At this time, Laura Hoffmeister, Assistant to the City Manager, witnessed elder Historical Society members, Bob Hoyer and Don Arundell hauling several wheelbarrow loads of the historic foundation stones through downtown, from the Endeavor Hall site to the Main Street Museum Garden site - to be preserve them as historical artifacts, as Garden border stones.

4.

Late Summer 2010 - the Clayton Valley Garden Club Board and Membership approve a proposal to fund $200 to help purchase educational, Native California plants and a Black Oak tree - plants used by Native American Indians on, and around the Museum Garden site many, many years ago.

Late Summer – Early Fall 2010 - A New Landscape and Hardscape Plan was voluntarily drawn by Anna Woodorf, Landscape Designer, Historical Society member and Museum Docent. The Plan was approved by the Historical Society Board, and was decided to be implemented in three phases, as follow:

(above) Museum Docent and Landscape Designer, Anna Woodorf's volunteered 2011 Landscape & Hardscape Improvements Plan

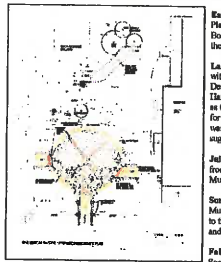
Early Fall 2010 – Phase I – Native American Plant Garden: The Historical Society and the Clayton Valley Garden Club partnered together for the Volunteer Contest of the East Bay's *"Week of Caring"* event, coordinating Chevron and Bank of the West employee/volunteers to help with preparation and planting of the *Native American Plant Garden*. Volunteers from the CHS and CVGC helped in many ways during the two days of work. Through this event - the 2008 Garden Committee's objectives were implemented - to display locally native plants, which were used by the native people of the Mt. Diablo area, and to label the native plants to identify their uses to educate the public. Eventually, the Native American Garden will become a "living" part of an educational Field Trip program the Museum will soon be

(Above) Fall 2010 *Week of Caring* Volunteers:
(Back row – L to R): Tami Pierce, Linda Cruz, *Kathy Duff
(Front row – L to R): Dick Ellis, *Jessica Gerosimo, Steve Lane, Anna Woodorf, *Evelyn Hixon, and *Amy Chan
* indicates Bank of the West employee volunteers

6.

Late Winter 2012 – A new, 2012 'Museum Garden Committee' formed consisting: of Steve Lane; Dick Ellis, CHS VP; JoAnn Caspar, CHS Treasurer; with Garden Advisor, Mary Speyer, Museum Curator.

March 2012 – Last remaining, Black Walnut tree was removed from the site, due to not being a non-Native California tree, but more due to the fact that it was near the end of it's effective life. In addition it's location in the garden made it difficult to plant under its drip-line, or to be comfortably under, due to excessive dropping.



Early May 2012 - Preliminary Hardscape Improvements Plans and Cost Estimates were presented to the CHS Board of Directors by Steve Lane, and were approved by the Board.

Late May 2012 - 2012 Museum Garden Committee met with David Wetherig, City of Clayton Community Development Director, to discuss the proposed Hardscape, Planting and Irrigation Improvements, as well as the CHS & Museum's aesthetic and educational goals for the proposed Museum Garden Improvements. David was very helpful with comments and City Staff's/retail suggestions and follow-up information.

July 2012 – Clayton Valley Garden Club donates $300 from their Annual Plant Sale to go towards the proposed Museum Garden Improvements Project.

Summer – Fall 2012 – Steve Lane begins preparing Museum Garden Improvements documents for submittal to the City of Clayton for Staff review; eventual approval; and for engraved brick project fundraising efforts.

Fall – Winter 2013 Discussions between the Historical Society and the Clayton Business and Community Association (CBCA) take place to consider displaying one of the CBCA's antique tractors on the Museum grounds; and include a CBCA Tractor Display as part of the Museum Garden Improvements submittal to the City.

February 2014 - The Museum Garden Improvements Brick Fundraiser goes public – promoting engraved bricks, designed as a part of the Hardscape Improvements, providing an opportunity for project supporters to be recognized in the Museum Garden hardscape for generations. Sign-ups/inquiring of persons interested in purchasing a brick are pending. No bricks will be sold until project is approved by the City.

April 2014 - Museum Garden Improvements - Staff Review Submittal is submitted to the City of Clayton for City Staff Review.

Improvements Project Funding Sources [in addition to Brick Fundraiser] - will come from the Historical Society's Memorial Fund. Additional support is anticipated from other community organizations, such as the CBCA, and local businesses that would be willing to donate funds, services, materials, and labor to this worthwhile and visible Downtown community improvement project and educational resource on Clayton's Main Street.

Ongoing Maintenance and Annual Donations – The aesthetic and educational aspects of the proposed Museum Garden Improvements ensure that continued volunteer maintenance work, and funding from the Clayton Valley Garden Club (CVGC) will continue as long as the CVGC and Museum Garden exist, as the project is inline with Club's objectives: *to encourage interest in all phases of gardening, to promote conservation of natural resources, to aid in civic beautification, and to the education of the community and to our members.*

8.

REVISIONS	BY

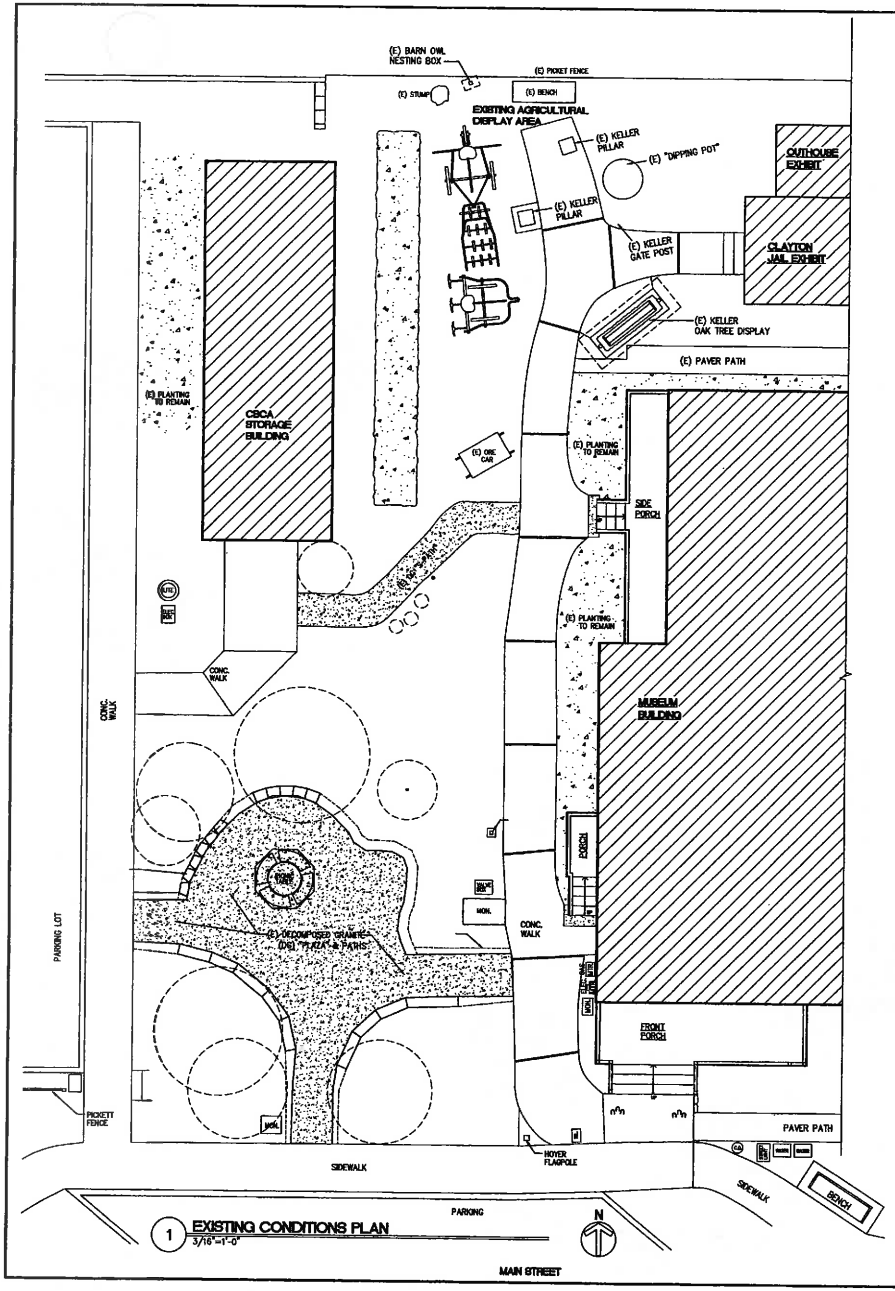
STEVEN M LANE DESIGN
LANDSCAPE ARCHITECTURE & PLANNING
1548 MOUNTAIN BOULEVARD
CLAYTON, CALIFORNIA 94517
PHONE (925) 672-8657
EMAIL: STEVELANE@SBCGLOBAL.NET

CHS MUSEUM GARDEN SITE HISTORY – EARLY HISTORY to PRESENT

CLAYTON HISTORICAL SOCIETY (CHS)
MUSEUM GARDEN IMPROVEMENTS
6101 MAIN STREET
CLAYTON, CA 94517
Owner: CITY OF CLAYTON

Date 4/28/14
Scale AS NOTED
Drawn SML
Job
Sheet L1
Of Sheets

CITY STAFF REVIEW SET



1 EXISTING CONDITIONS PLAN
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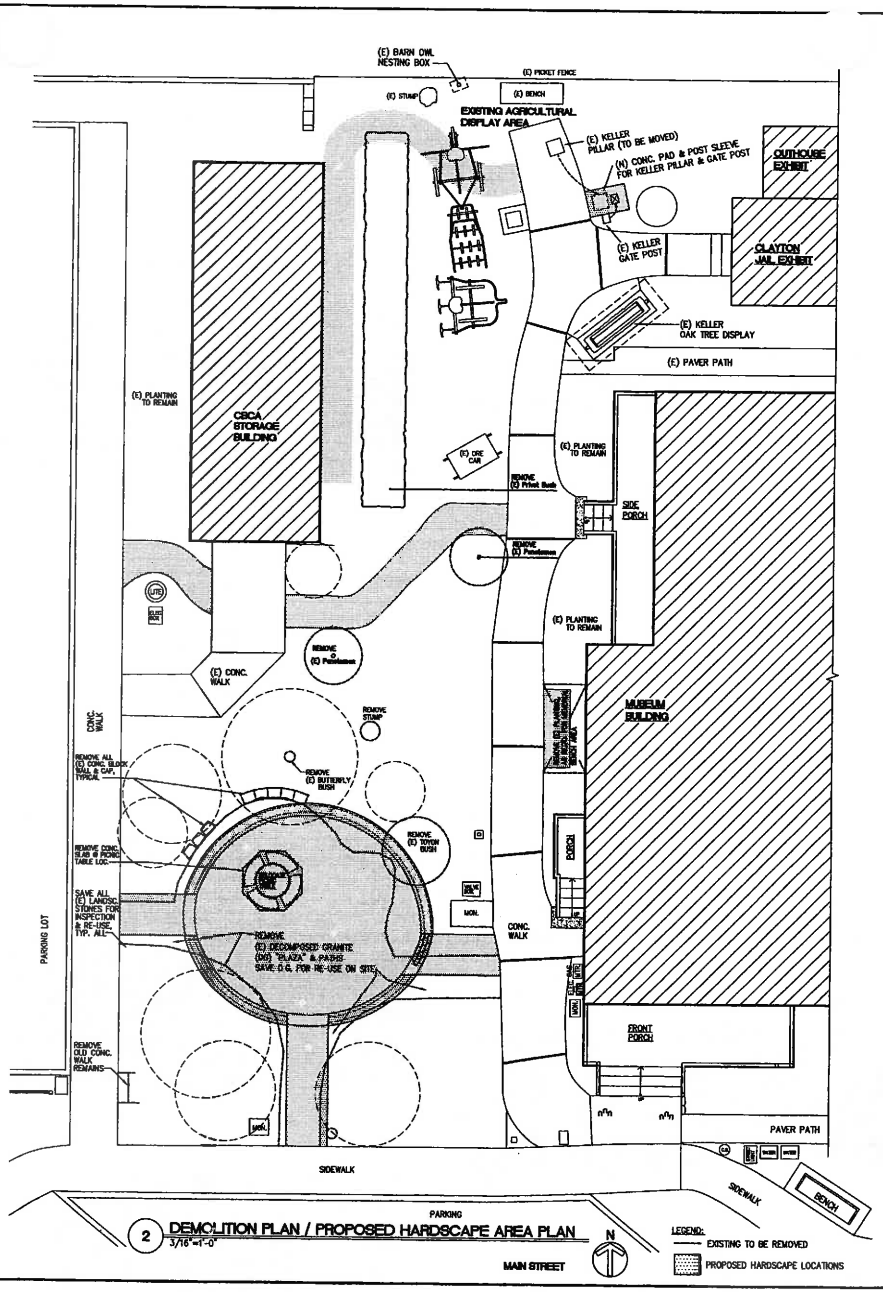


2 DEMOLITION PLAN / PROPOSED HARDSCAPE AREA PLAN
3/16"=1'-0"

REVISIONS	BY

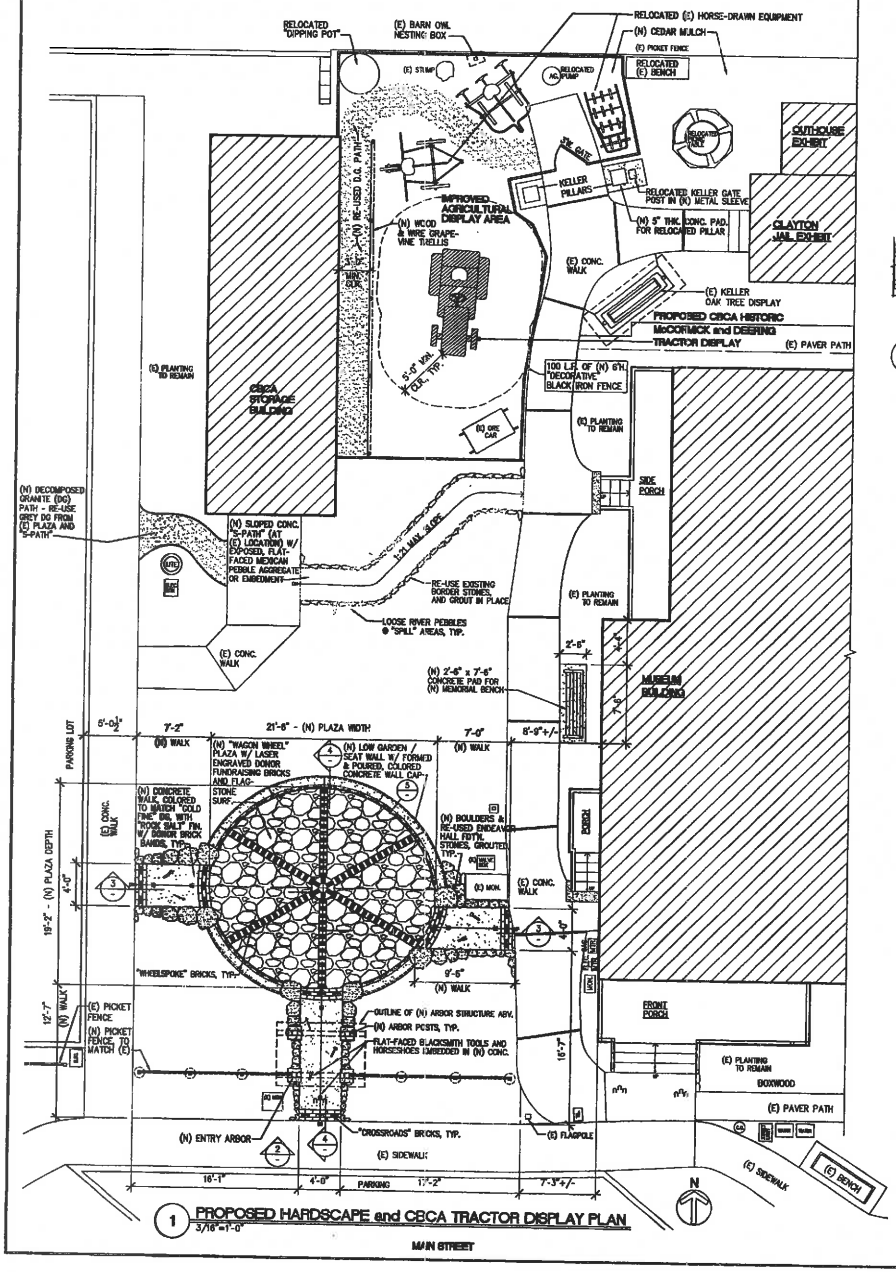
STEVEN MAHAFFEY LANDSCAPE DESIGN
DBA REMOTE SENSE
CLAYTON, CALIFORNIA 94517
PH: (510) 672-9775 FAX: (925) 672-9665
SMAILLC.com/remotesense.com

EXISTING CONDITIONS PLAN
DEMOLITION / PROPOSED HARDSCAPE AREA LOCATIONS

CLAYTON HISTORICAL SOCIETY (CHS)
MUSEUM GARDEN IMPROVEMENTS
6101 MAIN STREET
CLAYTON, CA 94517
Owner: CITY OF CLAYTON

Date 4/28/14
Scale AS NOTED
Drawn SML
Job
Sheet L2
Of Sheets

CITY STAFF REVIEW SET



1 PROPOSED HARDSCAPE and CECA TRACTOR DISPLAY PLAN
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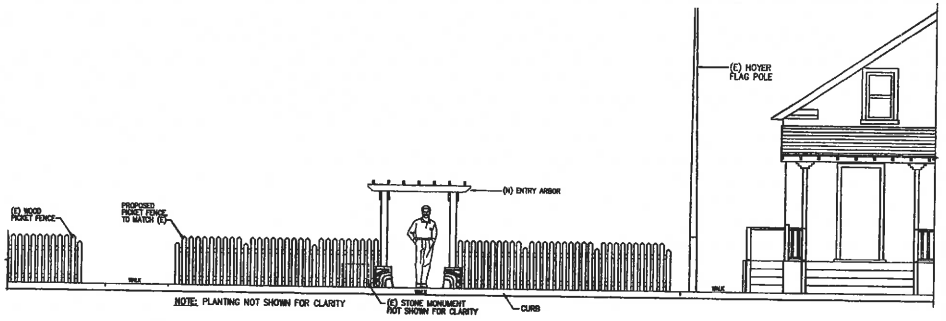
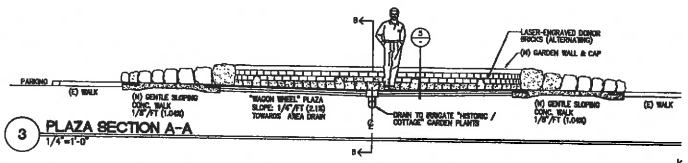
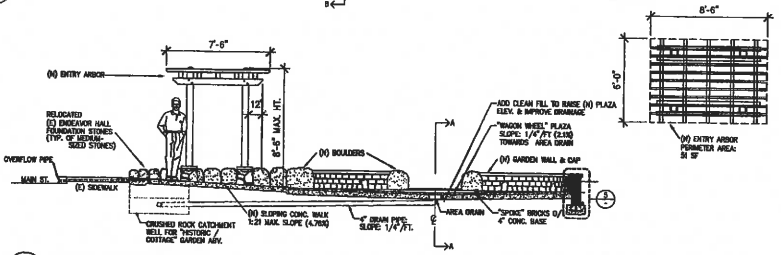


2 PROPOSED PICKET FENCE AND NEW ENTRY ARBOR - MAIN STREET VIEW
1/4"=1'-0"



3 PLAZA SECTION A-A
1/4"=1'-0"



4 PLAZA SECTION B-B
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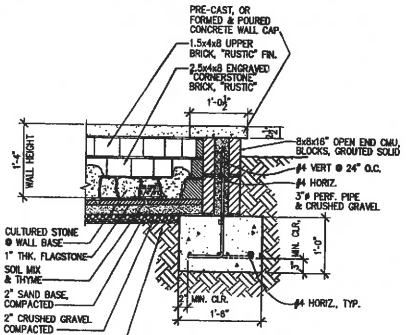

5 GARDEN WALL and FLAGSTONE PLAZA DETAILS
1"=1'-0"

REVISIONS | BY

STEVEN M LANE DRAFTING DESIGN
1441 DE SANTIBAÑES STREET
CLAYTON, CALIFORNIA 94517
PH: (925)672-7577 / FAX: (925)672-4663
EMAIL: SMLANE@COMCAST.NET

PROPOSED HARDSCAPE PLAN, MAIN STREET ELEVATION, SITE SECTIONS, DETAILS

CLAYTON HISTORICAL SOCIETY (CHS)
MUSEUM GARDEN IMPROVEMENTS
601 MAIN STREET
CLAYTON, CA 94517
Owner: CITY OF CLAYTON

Date 4/28/14
Scale AS NOTED
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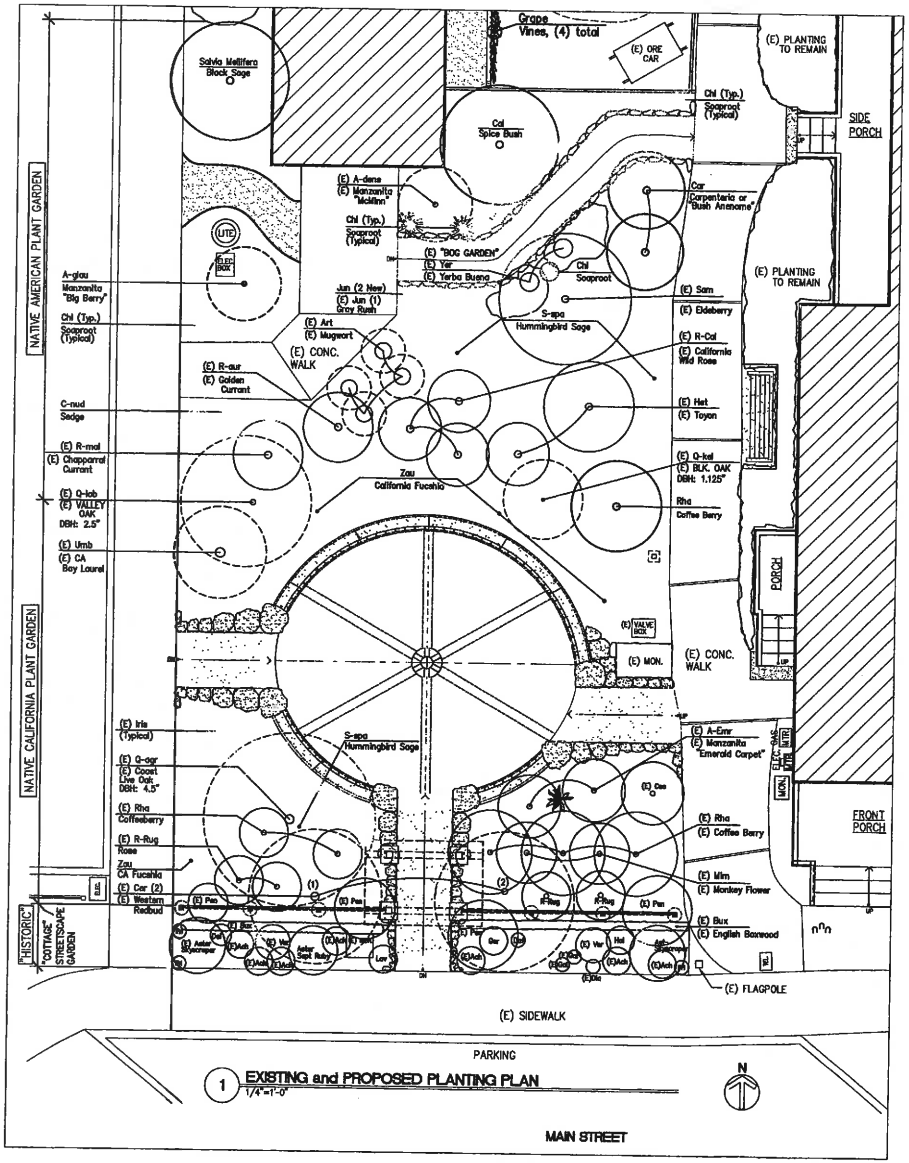
CITY STAFF REVIEW SET



1 EXISTING and PROPOSED PLANTING PLAN
1/4"=1'-0"

CHS MUSEUM - HISTORIC / STREETSCAPE GARDEN - EXISTING (E) AND PROPOSED PLANTING KEY

IMAGE	ABBREVIATION ON PLAN	SCIENTIFIC NAME / COMMON NAME / PLANT SIZE / WUCOLS IV RATING (2014) PLANT TYPE - COMMENTS	QUANTITY	POT SIZE
	(E) Ach	(E) *Achillea millefolium 'Summerwine'* / Yarrow, 'Summerwine' / Up to 2' Tall Perennial; Low Water Use / WUCOLS IV rating: M Gray to gray-green fern-like foliage / fine leaves; Deep, wine-red finely divided flower pods from Spring thru Early Summer; Full Sun; Clayton tolerant; Some maintenance - cut back flowers after bloom and divide into clumps when plant becomes crowded.	7 (Existing)	
	(E) Ast	(E) *Aster novae angliae / Aster, New England* / 3-5' Tall and Wide Flowering Perennial; Moderate Water Use / WUCOLS IV rating: M Stout-stemmed plant with hairy, green 6" long leaves; 2" long violet-blue flowers with some shades of blue, white-pink, nearly red, and deep-purple; Full Sun; Clayton tolerant; Low Maintenance - dead-head spent flower blooms.	8 (Existing)	
	(E) Bux	(E) *Buxus sempervirens / English Boxwood* / Up to 13-15' Tall and Wide (if un-sheared) Evergreen Shrub; Moderate Water Use / WUCOLS IV rating: M Dense foliage with medium-size, dark green oval leaves; Clayton tolerant; Low Maintenance - shear as a low box hedge, as needed.	(Existing)	
	(E) Dia	*Dianthus barbatus 'Sweet William' / Dianthus - 'Sweet William'* / 20" Tall and 12" Wide Flowering Biennial; Moderate Water Use / WUCOLS IV rating: M Evergreen clumps, with flat, 1-1/2 - 3" long dark green leaves; Single, semi-double or double pink, red, white to near-white flowers in mid-Summer; Full sun to Light Shade; Clayton tolerant, low maintenance - remove spent flower heads as needed	2 (Existing)	
	(E) Gai	*Gaillardia 'Goblin' / Gaillardia 'Goblin'* / to 12" Tall and Wide Flowering Perennial; Low water use / WUCOLS IV rating: M Downy, Olive-Green leaves; Orange petals with yellow serrated tips that surround an ember-red center, which bloom from Early Summer to Fall; Full Sun; Clayton tolerant, low maintenance - remove spent flower heads as needed	2 (Existing)	
	Iris	*Iris germanica / Bearded Iris* / from 1-3' Tall and 1' - 1-1/2' Wide Flowering Bulb Plants; Low water use / WUCOLS IV rating: L Typically herbacious bulbs with long pointed green to gray-green foliage and Spring, Summer (and some Fall) Blooms. Several different varieties to be selected from Robert Hoyer's (Clayton's First Mayor's) Garden; Full sun, Clayton tolerant, low maintenance	__ Bulbs	n/a
	Lav	*Lavandula sagustifolia / 'Lady' Lavender* / 13-18" Tall and Wide Flowering Perennial; Low water use / WUCOLS IV rating: L Silvery-gray foliage with narrow, smooth-edged leaves to 2" long; Flower stalks rise 4-12" above foliage, topped with narrow 1-4" spikes of white-pink to lavender-blue flowers with Early thru mid-Summer blooms; Full Sun; Requires excellent drainage - use pea gravel or decomposed granite for bulk of backfill; Full sun; Clayton tolerant, low maintenance - no fertilizer; trim spent stalks to foliage height.	1	1 Gal.
	(E) Pen	*Penstemon garnet / Penstemon, 'Beard Tongue'* / 2-3' Tall (and nearly as wide) Flowering Perennial / Low water use / WUCOLS IV rating: Low Dark green foliage with 2-4" long leaves with smooth margins; Blooms with narrow 1" long bright orange-red blossoms Summer to Early Fall; Full sun; Clayton tolerant, low maintenance - thrives on neglect; prune facing stalks after flowering	4 (Existing)	
	(E) R-rug	(E) *Rosa rugosa / 'Sea Rose' or 'Japanese Rose'* / 4-6' Tall and Wide Flowering Shrub; Low Water Use / WUCOLS IV rating: L Deep green foliage with 1 - 3-1/2" elliptic leaves; pink 2-1/2" - 3-1/2" blooms from June to frost; Orange to red Rose Hips to Late Fall; Full Sun; Clayton tolerant; Low maintenance - deadhead flowers for longer blooms, and prune hard in mid-Winter.	4 (Existing)	
	(E) Sal	*Salvia nemorosa 'Mel Neckt' / Salvia, 'Sky Night'* / 18" Tall and 15-18" Wide Flowering Perennial; Low Water Use / WUCOLS IV rating: n/a Dull green foliage; 3-6" stems which hold dense spikes of 1/4"-1/2" violet-purple flowers which bloom early Summer; Full Sun; Clayton tolerant; Low maintenance - deadhead spikes for longer blooms.	1 (Existing)	
	(E) Ver	*Verbena bonariensis / Verbena, Tall* / 2 - 4' Tall and 2 - 3' Wide Flowering Perennial; Very Low Water Use / WUCOLS IV rating: VL Green foliage with airy stems that rise tall, supporting tiny rose-violet flowers, which bloom from Summer until Winter frost; Airy, see-through qualities make it an excellent foreground or border plant; Full Sun; Clayton tolerant; Low maintenance - remove spent flowers	2 (Existing)	

NOTE: WUCOLS IV RATING BASED ON 'WATER USE CLASSIFICATION OF LANDSCAPE SPECIES' 2014 LISTING, FOR ZONE 1 (SUNSET 14,15) - CLAYTON, CA AREA
SOURCE: http://ucmg.ucdavis.edu/files/183488.pdf / (c) February, 2014

REVISIONS	BY

STEVEN M LANDL DRAFTING DESIGN
2345 MOUNTAIN CIRCLE
CONCORD, CALIFORNIA 94518
PH (925) 686-7257 / FAX (925) 935-7257
EMAIL: landl@pacbell.net

PROPOSED PLANTING PLAN,
PLANTING KEY (NATIVE AMERICAN and CALIFORNIA NATIVE PLANTS)

CLAYTON HISTORICAL SOCIETY (CHS)
MUSEUM GARDEN IMPROVEMENTS
6101 MAIN STREET
CLAYTON, CA 94517
Owner: CITY OF CLAYTON

Date 4/28/14
Scale AS NOTED
Drawn SML
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Sheet L.4 Of Sheets

CITY STAFF REVIEW SET

CHS MUSEUM - NATIVE AMERICAN & NATIVE CALIFORNIA GARDEN - EXISTING (E) AND PROPOSED PLANTING KEY

IMAGE	ABBREVIATION ON PLAN	SCIENTIFIC NAME / COMMON NAME / PLANT SIZE / WUCOLS IV RATING (2014) PLANT TYPE - COMMENTS	QUANTITY	POT SIZE
	(E) A-dens	**(E) Arctostaphylos densiflora / *Manzanita, 'Howard McMinn'* / 3-6' Tall and 6' Wide, Hardy, Evergreen Shrub - Small Tree / Low Water Use / WUCOLS IV rating: L** Clusters of white-to-pink flowers in Spring; Rich, green foliage; Reddish-brown stems & bark; Full sun; Clayton tolerant - Native to Mt. Diablo; Very low maintenance; Edible berries **Native American Indian Uses:** The berries were eaten and made into a cider drink, high in vitamin C. The berries were dried, pounded and stored; made into pinole or mixed with water and eaten. The wood was made into digging sticks, bows, pipes and awl handles by various tribelets; the Coast Miwok used fire-hardened manzanita for arrow points. Some groups mixed the exfoliating bark and leaves with tree tobacco (Nicotiana spp.) for a more mellow smoke. The tea bark was used medicinally for diarrhea. Boiled manzanita berry water was used for poison oak rash.	1 (Existing)	
	A-glau	**Arctostaphylos glauca / *Manzanita, 'Big Berry'* / 7-10' Tall and Wide Hardy, Evergreen Shrub - Small Tree / Very Low Water Use / WUCOLS IV rating: VL** Clusters of pink-to-white flowers from Late Winter to Early Spring; Blue-gray foliage and dark reddish-brown bark year-round. Large, sticky edible berries used by Indians for food, and today made into jams. Full sun; Clayton tolerant - Native to Mt Diablo; Very low maintenance **Native American Indian Uses:** Much the same as *Arctostaphylos densiflora* (see above)	1 plant	5 Gal.
	(E) Art	**(E) Artemisia douglasiana / *Mugwort* / Up to 5' Tall Evergreen Shrub / Low water use / WUCOLS IV rating: L** Lush riparian shrub with coarsly serrated leaves, which are dark green above and silvery below; Full sun to shade; Clayton tolerant; low maintenance - cut down to ground in late Winter. **Native American Indian Uses:** there are over 55 known, catalogued entries for how indigenous people's of the southern United States used this plant. Some uses by the more, local Bay Miwok and Chupcan tribes: The leaves were placed in their nostrils to treat headaches. Leaves were boiled into a drink for excessive menstruation, asthma, stomachaches, sore throats, and cramps related to diarrhea. Fresh leaves were placed on wounds, skin rashes and the belly buttons of newborn babies to facilitate the healing process. Earaches were treated by wrapping fresh leaves around hot coals and allowing the steam to enter the ears. Leaves were applied as a plaster for sore muscles. Fresh leaves were used for dream induction and ground into a poultice for headaches and toothaches, and a soothing bath for measles and poison oak. Leaves were used to treat burns, infections and cauterizing sores as well as for removing spots from the face. The leaf stalks were dried into incense and ceremonial smudging sticks. Mugwort bark infusion was used for washing sore eyes. Sources: Dr James M Hale, http://dochale.org and http://indigenousknowledgeproject.org	1 (Existing)	
	Cal	**Calycanthus occidentalis / *Spice Bush* / Round, 5-8' Tall Winter-Deciduous Shrub / Moderate water use / WUCOLS IV rating: M** Moist Woodland habitat shrub with solitary maroon 1-2" flowers, glossy green to pale golden leaves on stale brown stems; Sun to Partial Shade; Clayton tolerant; low maintenance. **Native American Indian Uses:** Some American Indians used scraped bark of Calycanthus occidentalis medicinally in treating severe colds. Source: D. E. Moerman 1986.	1 plant	5 Gal.
	Car	**Carpenteria californica / *'Bush Anemone'* / 4-5' Tall and Wide Evergreen Shrub, Moderate Water Use / WUCOLS IV rating: M** Flowering shrub with 1-1/2 - 3" Yellow-centered "Anenome"-looking flowers late Spring - Early Summer; Thick narrow leaves - dark green above and whitish below; Light-colored older bark and purplish-colored new; Sun to Shade, Clayton tolerant; very low maintenance	2 plants	5 Gal.

CHS MUSEUM - NATIVE AMERICAN & NATIVE CALIFORNIA GARDEN - EXISTING (E) AND PROPOSED PLANTING KEY

IMAGE	ABBREVIATION ON PLAN	SCIENTIFIC NAME / COMMON NAME / PLANT SIZE / WUCOLS (2014) RATING PLANT TYPE - COMMENTS	QUANTITY	POT SIZE
	(E) Iris	**(E) Iris douglasiana / *Douglas Iris* / Knee high perennial with rhizomes that spread slowly into 2-4' Wide clumps; 3-inch wide, cream to light purple flowers rise on 1-2' High stems in Spring; Prefers rich soils such as native clay with organic matter and afternoon shade; Low water use / WUCOLS IV rating: L**	Numerous Existing	
	(E) Junc Junc	**(E) Juncus patens / *California Gray Rush* or *Wire Grass* / 1-2' Tall clumping perennial grass; Low Water Use / WUCOLS IV rating: L** Medium-green to dark blue or grey-green stems with brown bracts & flowers atop stems. Native to Clayton creeks; Very Low Maintenance. **Native American Indian Use:** Used by Indians to make roof coverings, which oftentimes leaked.	1 (Existing) 2 New	 1 Gal.
	(E) Mim	**(E) Mimulus aurantiacus / *Sticky Monkey Flower* / 4-1/2' Tall and Wide Semi-Evergreen Shrub / Very Low Water Use / WUCOLS IV rating: VL. Dark green up to 1-1/2" long, pointed and sticky/oily leaves; Buff-toned to orange 1-3/4" flowers which bloom over a long Spring through Summer season; Full Sun to Part Shade; Native to Clayton; Low Maintenance**	2 (Existing)	
	(E) O-agr	**(E) Quercus agrifolia / *Coast Live Oak* / 20-70' Tall (with greater spread) Evergreen Tree; Very Low Water Use / WUCOLS IV rating: VL** 1-3" L. tooth-edged, holly-like, leathery dark-green foliage year-round; Conical 3/4 - 1-1/2" acorns; Drops old leaves in Early Spring; Excellent shade or street tree; Native to Clayton; Low Maintenance - needs little to no irrigation water in Summer - light irrigation, or natural rainfall remainder of year.	1 (Existing)	
	(E) O-kel	**(E) Quercus kelloggii / *Black Oak* / 30-80' Tall Deciduous Tree; Low water use / WUCOLS IV rating: L** New Spring leaves unfold as a soft-pink to a dusty rose color, and mature to a dark glossy green in the Summer, turning yellow to yellow-orange in the Fall; Gray, furrowed and checkered bark on wide, short trunk with ascending branches; Native to Clayton; Low Maintenance - water needs are same as *Coast Live Oak*	1 (Existing)	
	(E) O-lob	**(E) Quercus lobata / *Valley Oak* / Up to 70' Tall (with equal or greater spread) Deciduous Tree; Low Water Use / WUCOLS IV rating: L** Straight/erect trunk which gets very large and spreads with age, as do the branches and large limbs; Rounded, dark-green lobed leaves up to 3-4" L. and 2-3" W. Native to Clayton; Low Maintenance - water needs are same as *Coast Live Oak*	1 (Existing)	
	(E) Rha	**(E) Rhamnus californica / *Coffee Berry* / Up to 8' Tall and Wide Evergreen Shrub; Low Water Use / WUCOLS IV rating: L** Glossy green, narrow, elliptical leaves; Clusters of tiny, star-shaped pale yellow flowers in late Spring; Berries turn from lime green to yellow, red, and finally dark purple. Native to Clayton; Low Maintenance. Needs no deep summer water after established. **Native American Indian Uses:** "Ohlone sometimes ate these berries raw." *(Bocek 198:250)*. Source: http://www.primitiveways.com/Ohlone%20Peoples2.html	1 (Existing)	
	(E) R-sur	**(E) Ribes sureum / *Golden Currant* / Up to 10' Tall Sprawling Shrub; Low Water Use / WUCOLS IV rating: L** Glossy green 1-2" W. foliage / leaves; Yellow flowers form in mid-Winter and develop a reddish cast as they fade; Produces berries that attract birds; Berries were eaten by Native American Indians, and still eaten today mostly in the form of jam. Native to Clayton; Low Maintenance **Native American Indian Uses:** The berries were harvested fresh and eaten. The leaves, fruits and roots had various medicinal qualities. Source: Dr James M Hale, http://dochale.org	1 (Existing)	

CHS MUSEUM - NATIVE AMERICAN & NATIVE CALIFORNIA GARDEN - EXISTING (E) AND PROPOSED PLANTING KEY

IMAGE	ABBREVIATION ON PLAN	SCIENTIFIC NAME / COMMON NAME / PLANT SIZE / WUCOLS IV RATING (2014) PLANT INFORMATION / USES	QUANTITY	POT SIZE
	(E) Cer	**(E) Cercis occidentalis / *Western Redbud* / 10-16' Tall & Wide Deciduous Shrub-Sm. Tree; Very Low Water Use / WUCOLS IV rating: VL** Flowering shrub-sm. tree with magenta flowers in Spring; 3" Blue-green notched or rounded leaves in Summer; Light-yellow to red leaves in the Fall; Magenta-colored seedpods in the Winter; Sun to Part Shade; Clayton Native; Very Low Maintenance **Native American Indian Uses:** Native Californian Indians used the twigs of the western redbud to weave baskets, and would prune the shrub to encourage growth of new twigs. The bark provided a faint reddish dye for the finished basketry. Flowers and young pods were eaten. Source: http://indigenousknowledgeproject.org	2 (Existing)	
	Chl	**Chlorogalum pomeridi / *Soaproot* / Low-growing bulb plant; Very Low Water Use / WUCOLS IV rating: VL** Wavy, long, strap-like leaves from Late Winter - Early Summer; 4-8' Tall Flowering stalks with tiny white flowers from Late Spring to Early Summer. Plant and bulbs used by Indians for food, fibers, soap, glue, and to stun fish. Sun to Part Shade; Clayton Native; Low maint. - remove spent stalks Late Summer. Plants go dormant in Fall to Late Winter. **Native American Indian Uses:** The juice from the pounded roots was dispersed into creeks and streams to stun fish for collection. The root was used as soap and shampoo because of its saponin content and sudsing and lathering properties. It was used to wash cooking utensils, clothing and for degreasing and softening animal hides. It has antimicrobial properties and was used to cleanse wounds and rashes. The pounded root is an excellent adhesive and the fibers surrounding the root was used in the manufacture of cordage and brushes for hair, processing acorns and cleaning residences. The root was eaten after boiling or roasting. Source: Dr James M Hale, http://dochale.org	Numerous bulbs to be planted, at areas noted on plan	Bulbs
	(E) C-nud C-nud	**Carex nudata / *Sedge or Bunch Grass* / Up to 3' Tall clumping bunch grass; Moderate Water Use / WUCOLS IV: M** Bright green bunch grass with blades and flowering stalks of purple-dotted or blotched coloration; Found in rocky or sandy streambeds in coastal to foothill ranges. Very Low Maintenance **Native American Indian Uses:** Roots and rhizomes were used for basketry and cordage. The cut, dried and bundled leaves were used to make torches. Source: Dr James M Hale, http://dochale.org	1 (Existing) 2 New	 1 Gal.
	(E) C-gris	**(E) Ceanothus griseus horizontalis - 'Yankee Point' / *Wild Lilac* / 2-3' Tall and 8-10' Wide Evergreen Grouncover - Low Shrub; Low to Very Low Water Use / WUCOLS IV rating: L-VL** Glossy dark green foliage with 1-1/2" leaves year-round; Medium blue 1" flower clusters in Spring. Full Sun; Clayton tolerant; Low maint.	1 (Existing)	
	(E) Het	**(E) Heteromeles arbutifolia / *Toyon* / 8-15' Tall and Wide Evergreen, Multi-Trunked Shrub - Small Tree; Low Water Use / WUCOLS IV water-use rating: L / Green foliage; Red Winter berries; Bunches of small white flowers in Summer; Sun to Part Shade; Native to Clayton - Mt Diablo - Chaparral, Oak Woodland, and Mixed Evergreen Forest areas; Low Maintenance.** **Native American Indian Uses:** Only California Native Plant still known by it's Native American Indian Name. Indians used plant for food, medicine, and to make implements.	3 (Existing) 1 to be removed	

CHS MUSEUM - NATIVE AMERICAN & NATIVE CALIFORNIA GARDEN - EXISTING (E) AND PROPOSED PLANTING KEY

IMAGE	ABBREVIATION ON PLAN	SCIENTIFIC NAME / COMMON NAME / PLANT SIZE / WUCOLS (2014) RATING PLANT TYPE - COMMENTS	QUANTITY	POT SIZE
	(E) R-mal	**(E) Ribes malvaceum / *Chaparral Currant* / To 4' Tall and Wide Tough, Deciduous Shrub; Very Low Water Use / WUCOLS IV rating: VL** Green, densely hairy foliage; Blooms often from Dec. - Mar. with 2-6" long dusty-pink to rose-red long flowers. Blue-black berries with waxy, powder-like coating; Sun to Part Shade; Native to Clayton ? ; Low Maintenance. **Native American Indian Uses:** The berries were harvested fresh and eaten. The leaves, fruits and roots also had various medicinal qualities. Source: Dr James M Hale, http://dochale.org	1 (Existing)	
	(E) R-Cal	**(E) Rosa californica / *California Wild Rose* / 3-6' Tall (nearly as wide) Deciduous Shrub; Low Water Use / WUCOLS IV rating: L** Dark green foliage forms thickets that increase with age; Fragrant pink blossoms with 5 petals, from Spring - Early Summer; Native to Clayton near streams and creeks; Low Maintenance - prune to the ground in Late Summer or Fall **Native American Indian Uses:** Tea was made from the roots for colds; and from the leaves and fruits for pain and colic. Source: http://www.parksconservancy.org	1 (Existing)	
	(E) Sam	**(E) Sambucus mexicana / *Blue Elderberry* / 8-20' Tall with nearly equal spread, Deciduous, Multi-trunked Shrub - Small Tree; Low Water Use / WUCOLS IV rating: L** Interesting, ochre-brown bark that with streaks with age; Green foliage with 3-9 leaflets; Creamy-white flowers in Spring; Purple-black berries are edible - rest of plant is not. Native to Clayton - Mt. Diablo's canyon bottoms and cooler North-facing slopes; Very Low Maintenance. **Native American Indian Uses:** The berries were eaten fresh or cooked and made into cider. The blossoms were breaded and fried as fritters and made into a tea for reducing fevers. The berries were dried for winter use. Elderberry wood was used to make bows, musical instruments such as clappers, whistles, bullroarers and flutes, gambling sticks, and pipes for smoking tobacco. The roots were boiled to treat open cuts and sores. Elderberry branches were made into splints for injuries and used for fire sticks and drills. Source: Dr James M Hale, http://dochale.org	1 (Existing)	
	(E) Umb	**(E) Umbellularia californica / *California Bay Laurel* / 15-20' Tall and Wide (in gardens), Evergreen Tree; Moderate water use / WUCOLS IV rating: M** Evergreen long and pointed leaves; Tiny yellowish flowers in Spring give the tree a yellowish cast. Leaves can be dried and used for cooking. Some heavy leaf drop in Fall; Sun or Shade; Native to Clayton - Mt. Diablo - Mixed Evergreen and Oak Woodlands; Low maintenance. **Native Americans Indian Uses:** Indians roasted and ground the single large seed as a condiment. Source: *Trees and Shrubs of Mount Diablo*, Glenn Keator, 2008.	1 (Existing)	
	Zau	**Zauschneria californica mexicana / *Common California Fuchsia* / 1-2' Tall, Low spreading Evergreen / Low Water Use / WUCOLS IV rating: L / Silver-Gray / Gray-Green evergreen foliage year-round; up to 1-1/2" long, pointed and sticky/oily leaves; Buff-toned - orange 1-3/4" flowers which bloom from late Summer thru Fall; Full Sun to Part Shade; Native to Clayton; Low Maintenance - prune hard or mow around Christmas.** **Native American Indian Uses:** The Navajo and Kayenta Indians made an infusion to use as a lotion and a poultice of roots applied to muscular cramps. Potawatomi and Okanagan-Colville Indians made an infusion of roots and stems given to children for diarrhea. The Abenaki Indians prepared an infusion of roots and bark taken for persistent coughs. Ma-Wuk used fiber from the plant to line acorn caches. The Thompson Indians used the plant as a good luck charm in gambling. Source: http://indigenousknowledgeproject.org/plants/california-fuchsia	TBD	1 Gal.

NOTE: WUCOLS IV RATING BASED ON "WATER USE CLASSIFICATION OF LANDSCAPE SPECIES' 2014 LISTING, FOR ZONE 1 (SUNSET 14,15) - CLAYTON, CA AREA
SOURCE: http://ucanr.edu/sites/WUCOLS/files/183488.pdf / (c) February, 2014

REVISIONS | BY

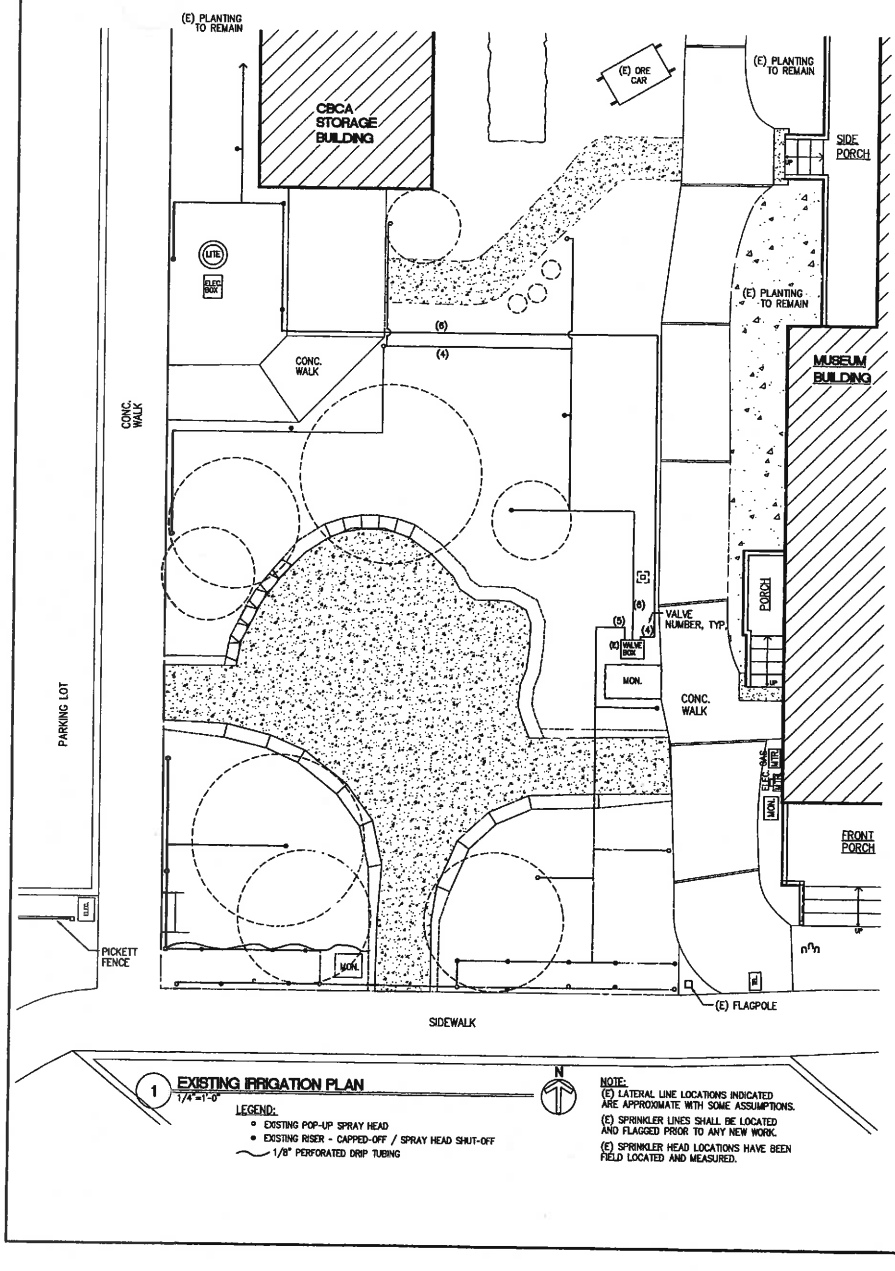
STEVEN LANDSCAPE DESIGN
340 MOUNTAIN CIRCLE
CLAYTON, CALIFORNIA 94517
PHONE/FAX: (925) 672-4863
EMAIL: steve@mtdiablo.com

NATIVE AMERICAN and NATIVE CALIFORNIA PLANTING KEY

CLAYTON HISTORICAL SOCIETY
MUSEUM GARDEN IMPROVEMENTS
6101 MAIN STREET
CLAYTON, CA 94517
Owner: CITY OF CLAYTON

Date 4/28/14
Scale NONE
Drawn SML
Job
Sheet L4.1
Of Sheets

CITY STAFF REVIEW SET



1 EXISTING IRRIGATION PLAN
1/4"=1'-0"

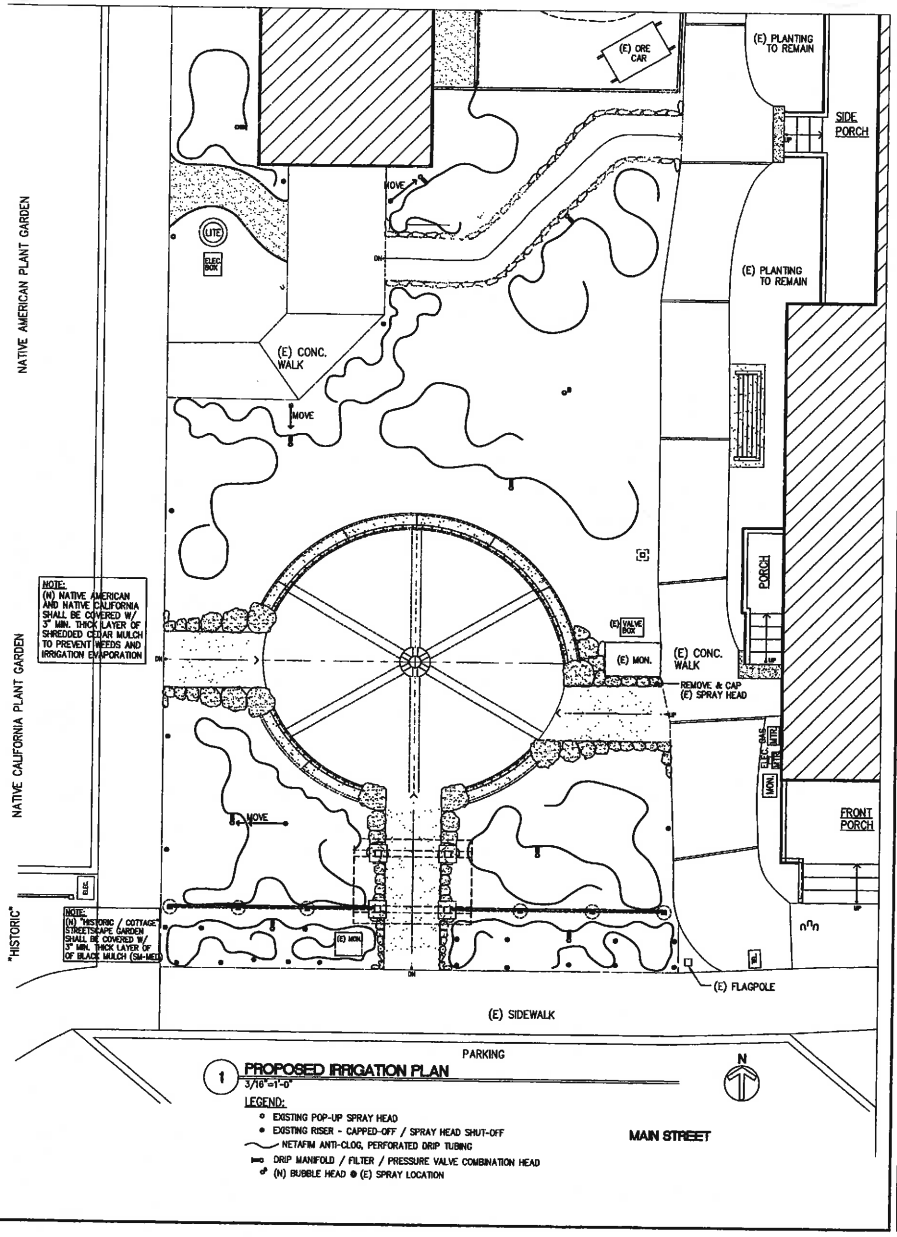
LEGEND:
- ○ EXISTING POP-UP SPRAY HEAD
- ● EXISTING RISER - CAPPED-OFF / SPRAY HEAD SHUT-OFF
- ~ 1/8" PERFORATED DRIP TUBING

N

NOTE:
(E) LATERAL LINE LOCATIONS INDICATED ARE APPROXIMATE WITH SOME ASSUMPTIONS.

(E) SPRINKLER LINES SHALL BE LOCATED AND FLAGGED PRIOR TO ANY NEW WORK.

(E) SPRINKLER HEAD LOCATIONS HAVE BEEN FIELD LOCATED AND MEASURED.



1 PROPOSED IRRIGATION PLAN
3/16"=1'-0"

LEGEND:
- ○ EXISTING POP-UP SPRAY HEAD
- ● EXISTING RISER - CAPPED-OFF / SPRAY HEAD SHUT-OFF
- ~ NETAFIM ANTI-CLOG, PERFORATED DRIP TUBING
- DRIP MANIFOLD / FILTER / PRESSURE VALVE COMBINATION HEAD
- ♂ (N) BUBBLE HEAD ● (E) SPRAY LOCATION

N

REVISIONS	BY

STEVEN M. LABHART LANDSCAPE ARCHITECTS
336 MOUNTAINEER CIRCLE
CLAYTON, CA 94517
TEL: (925) 672-8500 FAX: (925) 672-8505
EMAIL: smlabhart@comcast.net

EXISTING IRRIGATION PLAN
PROPOSED IRRIGATION PLAN

CLAYTON HISTORICAL SOCIETY (CHS)
MUSEUM GARDEN IMPROVEMENTS
6101 MAIN STREET
CLAYTON, CA 94517
Owner: CITY OF CLAYTON

Date	4/28/14
Scale	AS NOTED
Drawn	SML
Job	
Sheet	L5
Of	Sheets

CITY STAFF REVIEW SET

Clayton Historical Society
P.O. Box 94
Clayton, CA 94517

Laura Hoffmeister
Assistant to the City Manager
City of Clayton
6000 Heritage Trail
Clayton, CA, 94517

RECEIVED
MAY 02 2014
CITY OF CLAYTON
COMMUNITY DEVELOPMENT DEPT

April 30, 2014

Dear Staff,

The Clayton Historical Society as the tenant of City property at 6101 Main Street in Clayton, where the Museum and garden are located, requests City approval as the landlord to allow the CHS to undertake a renovation and improvement to the Garden area and outdoor equipment display area . As with all prior improvements the CHS will be responsible for all installation and maintenance and will continue with its insurance policy naming the City of Clayton an additional insured which also covers the garden area.

The Historical Society appreciates the City's interest and hopeful approval of this project. We are supportive of using email as a way of communicating.

Sincerely,

JoAnn Caspar

President

ATTACHMENT - 4

Clayton Historical Society Museum Garden Improvements – Proposal Statement

Background:

The Clayton Historical Society (CHS) Museum has been valuable educational resource to our community since it's doors opened to the public in 1978. The Museum maintains a collection of historic artifacts, antiques, photos and other items, dating back to Native American habitation up to present day. Items are either stored in the Museum archives, or are on display in the Museum's limited indoor and outdoor exhibit spaces.

Since it's inception in 1974, the CHS's mission has been to educate the public of Clayton's history – of being a major Bay Miwok Indian village and burial site; into an evolving Pioneer community, named after it's founder, Joel Clayton in 1857; to it's incorporation as a City in 1964 to limit development and maintain it's historical charm; onward to it's more recent history as ranking number 83 of the top 100 best places to live in the United States (Money magazine, 2011).

Since 1976, the City of Clayton has subleted the CHS the property in which the Museum and Historical Society operate from, including the parcel directly west of the museum building, where the Clayton Business and Community Association's (CBCA's) storage building is located; a site where agricultural and blacksmith artifacts are displayed; and the site where the Museum's 'Educational Garden' has been evolving since the year 2000.

NOTE: A detailed history of the Museum Garden site is a part of the 'Museum Garden Improvements' drawing submittal package.

Proposed Museum Garden Site Improvements:

At this time, the CHS Board of Directors is proposing to City of Clayton Staff – Improvements to the Museum's current Educational Garden.

The proposed Improvements to the Garden are intended to educate the public of the site's historical significance, including: 1) it's Native American Indian heritage, 2) it's Native California Plant and imported Ornamental Plant heritage, 3) it's former history as a Blacksmith site, 4) it's acquired landscape stones – once the foundation stones of the historic Endeavor Hall, originally built in 1862.

In addition – as part of this Improvements Proposal – the Clayton Business and Community Association (CBCA) wishes to propose a display for one of their historic tractors – a 1930's McCormick and Deering W-30 steel-wheeled tractor. The proposed display would have a backdrop of an historic grapevine trellis and living grapevine – as a reminder of Clayton's agricultural history, and of Clayton's earliest award-winning agricultural crops, first planted by it's City's founder. Additionally, the CBCA wishes to propose improvements to the existing agricultural displays, and repaint their storage building in the same color scheme as the Museum building – giving the buildings and site a unified look, and the charm of an historic building complex and garden in the heart of Downtown.

The proposed improvements will aid with new(*) and existing educational goals for the following:

A. Visiting 3rd grade Elementary school children, learning-of, playing-with, and creating – toys of early Pioneer games – serving as an outdoor, hands-on classroom.

B. Visiting 4th grade Elementary school children, learning about Native American peoples and the artifacts and plants used for sustenance, including Native California plants – serving as a living, visual, tactile and interactive Native American plant reference library.

C. Museum visitors, and the greater community – to learn-of, see, touch and smell various flowering and drought-tolerant California plants native to the Clayton Valley, in a home garden setting – serving as an evolving and inspirational Native California Plant educational, "Demonstration Garden" for the Community.

D. *Museum visitors, and the greater community – to learn-of and see various "Historic / Cottage Garden" plant selections (annuals & perennials), and an appropriate-to L.1800's style picket fence and trellis/arbor structure typical of a modest Clayton home cottage/pioneer garden, constructed in a convincing manner – making for a true 'Destination Garden' (especially in the Spring) for visitors within the local community and areas beyond.

E. Museum visitors, and the greater community – as an extension of the indoor Museum Exhibit space – an outdoor "classroom" and botanical exhibit space.

F. A uniquely public, yet intimate, downtown, 'Main Street' historic and educational garden.

NOTE: The Museum Garden is open to the public 365 days a year; is frequently visited by employees of Downtown Businesses during lunch hours on weekdays, and up to hundreds of visitors during Special Events on Main Street throughout the year.

Currently, the Museum and Garden host 2000+ visitors annually.

The intended Museum Garden Improvements of this 2014 proposal include the following:

A. New, approx. 400 sq. ft. oval-shaped flagstone central garden plaza / "Wagonwheel Plaza"; replacing the existing, odd-shaped decomposed granite central garden plaza.

B. New, approx. 52 lin. ft. stone and/or brick faced, low garden/seat wall; replacing existing, irregular-shaped, dilapidated-looking concrete block and random stone garden wall.

C. Three new salt finish "gold fine" colored, gently sloping walks from central patio to surrounding perimeter sidewalks and Museum's concrete walk; remedying the existing elevation drops from existing concrete walks to existing decomposed granite walking surfaces.

D. New flat pebble, exposed aggregate concrete "S" shaped path at North side of Garden (from CBCA Storage Building walk to West [illegible] of Museum); replacing the existing decomposed granite "S-path" with elevation drops at each end.

E. New concrete pad for a "Memorial" bench on the West side of the Museum – looking into the improved Garden.

F. New, laser engraved "donor" bricks in (6) radiating "spokes" of proposed "Wagonwheel Plaza"; and in the proposed low Garden/Seat Wall. Engraved bricks – in addition to being a unique design feature – would recognize a person's donation to the proposed Museum Garden Improvements project. Engraved bricks are intended to be a major funding component for the proposed Museum Garden Improvements project – ideally funding 1/3 - 1/2 of the project cost.

ATTACHMENT - 5

Clayton Historical Society Museum Garden – Site History

Early History – to the year 2000:

The earliest history of the Clayton area has been studied since the late 1800s. Several Native American Indian sites with cultural deposits, indicating long-term habitation have been designated. The former Keller Ranch and surrounding areas near the Downtown area contain some of the most important Native American Indian archaeological sites.

According to a 1983 environmental consulting firm [LSA] report – the Keller Ranch site, just north of the Museum Garden site, was "probably" the principal 'Bay Miwok' Indian tribe settlement in the area; believed to have been the largest settlement site in interior Contra Costa County. The 1983 LSA report references an earlier 1982 [Holman and Associates] study, which concludes that the southern portion of the Keller Ranch site [and surrounding areas] have significant cultural deposits of habitation of over approximately 3000 years. This 1982 study also states that the Keller Ranch site [and surrounding areas], were once the location of a large, Indian village, including a religious-cultural center with a large formal cemetery; having been an area of major importance to the local Bay Miwok Indian tribe.

The Native American Heritage Preservation Project – a local group, quoted in the 1983 LSA report, states *"... the Keller Ranch site* [and surrounding areas] *are one of the few locations where the opportunity exists to revive Native American traditions and ceremonies as a result of its location adjacent to Mt. Diablo ...* [given, the] *size of the site, indicating an important village,* [with] *the presence of the burial areas, and sufficient undisturbed portions of the site* [still] *available on which to conduct ceremonies."*

Based from the reports and statements above – the Keller Ranch site and surrounding areas (likely including the current, **Museum Garden** site) – were a part of the principal village site of Bay Miwok Indian tribe, where religious & cultural ceremonies took place, including burials, births, and everyday events, spanning a period beyond 3000 years.

Given this history – one may ask - *what happened to the Bay Miwok Indians of Clayton?*

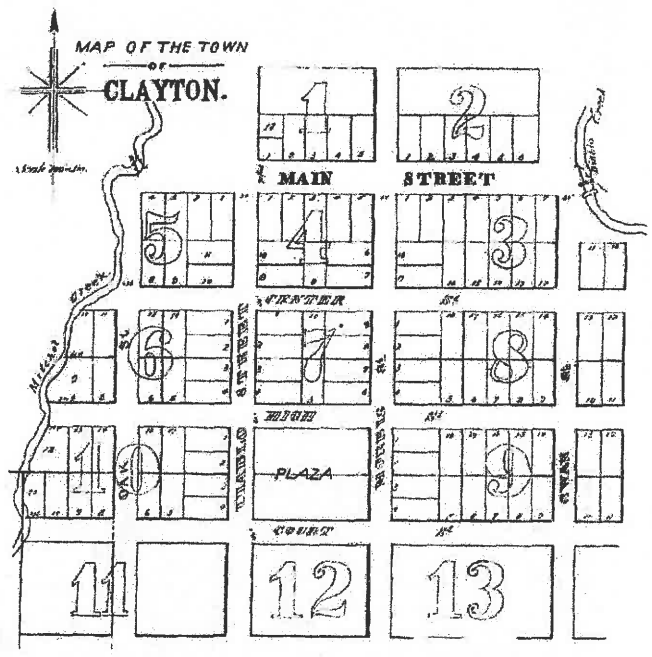
The Bay Miwok and other local Contra Costa Native Indian tribelets were affected by diseases introduced by Spanish Missionaries and Mexican Land Owners; diseases including Cholera in 1833, and smallpox in 1838, which decimated local tribes so rapidly that the dead could not always be buried. By 1879 scarcely 50 Native Americans lived in Contra Costa County, according to a Smith and Elliott publication.

The Natives disappeared without leaving any written or oral history of their long existence in the Clayton Valley, or elsewhere. They left behind a valley of unspoiled natural beauty – a testimony to their reverence for the land, its native plants and wildlife, providing inspiration for future inhabitants.

Clayton was previously known as the *Deadfall,* named such according to one source, for the accumulation of numerous dead trees. Another source states the name 'Deadfall' came from an entry in the journal of William H Brewer of the Whitney US Geological Survey Party, whom camped near Joel Clayton's house. (A landmark fallen giant oak tree or trees likely accounted for the name).

Interestingly, 'Deadfall' was never part of any Mexican Land Grant, and was earliest discovered in 1850 by unsuccessful gold miners who continued west of Stockton in search better places. By 1852 about ten families squatted on several square miles of level, 'Deadfall' land.

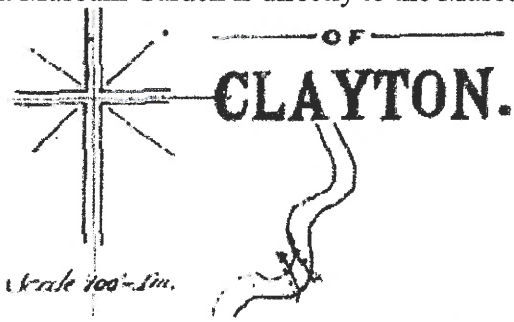
In 1853 Joel Clayton purchased 40 acres from an early 'Deadfall' settler, E.J Clark. Clayton's wife, Margaret Ellen McLay Clayton, and their three children settled in the Mitchell Canyon area. Joel had two homes built in the Deadfall – one in Mitchell Canyon, and one near what would eventually become the Keller Ranch site.

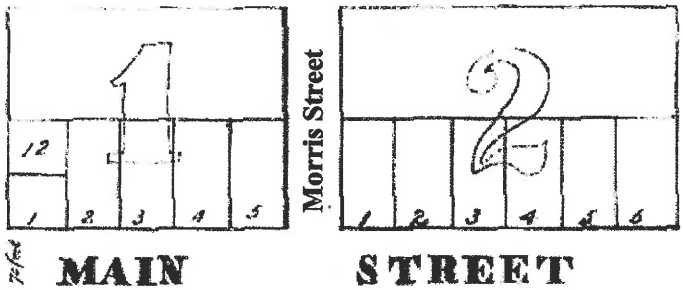


ATTACHMENT - 6

In 1857 Joel Clayton mapped-out the town of Clayton, which, according to legend, could have been named *Rhinesville*, if Joel hadn't won a coin toss with Charles Rhine, a former coal miner, and fellow entrepreneur.

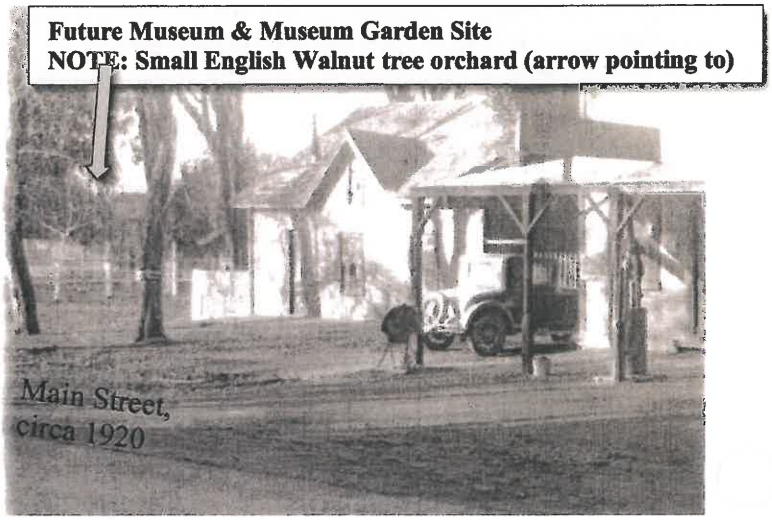
On Clayton's map – the present Museum Building site was the former right-of-way of Morris Street. The present Museum Garden is directly to the Museum's Building's west side - Block 1, Lot 5 on Clayton's Map.





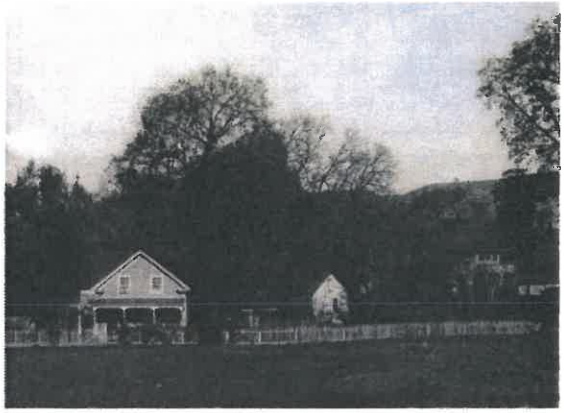
As Clayton's town grew in population, needs for goods and services arose. New businesses soon began occupying the vacant lots along Main Street.

In **1864, Shadrich Jones** had a **Blacksmith Shop** on the current Museum Garden site. The shop closed on an unknown date. The former building was razed, and the site remained vacant of any other buildings, until 1999, when a storage building was moved from the former Jawad property and rebuilt on the northwest corner of the Museum Garden site.



By **1939** the current Museum Garden site had several non-native [English] Black Walnut trees. Many trees were cut-down, and the site remained a vacant lot & orchard for 60+ years, with few trees surviving. The site is believed to have been owned by the former owners of the Clayton Hotel - up to the Pioneer Inn (the Jawad family).

In **1976**, when the presumed, former Joel Clayton / later John and Celestia Keller house (located in the field across from today's City Hall) became available, the City granted use of the former Morris Street right-of-way to the Clayton Historical Society, and allocated Bicentennial era Federal Block Grant funding to help relocate the former Clayton/Keller House to its present location, and establish the Clayton Museum.



Clayton / Keller ranch house BEFORE move, circa **1923** at original location - southwest of the Keller House &

Relocated Clayton / Keller ranch house, today's Museum building, circa **2012** on Main Street, with Museum Garden west of the building.

(above) 1964 photo of the remaining Black Walnut orchard / today's Museum Garden site.
(right) Pape House (the rear half of today's Museum building) being moved into position in **1976** over the former Morris Street right-of-way / dirt lot into it's present-day location - north of the moved Clayton / Keller house, fronting Main Street. The two buildings form today's Clayton Historical Society Museum building. Notice the vacant dirt lot adjacent to the truck (far right of photo) – the present-day **Museum Garden** site.

(left) Also, in **1976**, Clayton's first Mayor, **Bob Hoyer**, and Historical Society volunteers, including Bob's wife **Eldora**, and daughter **Helen**, installed the Museum's flagpole, at its present-day location, between the Museum Building and the Museum Garden.

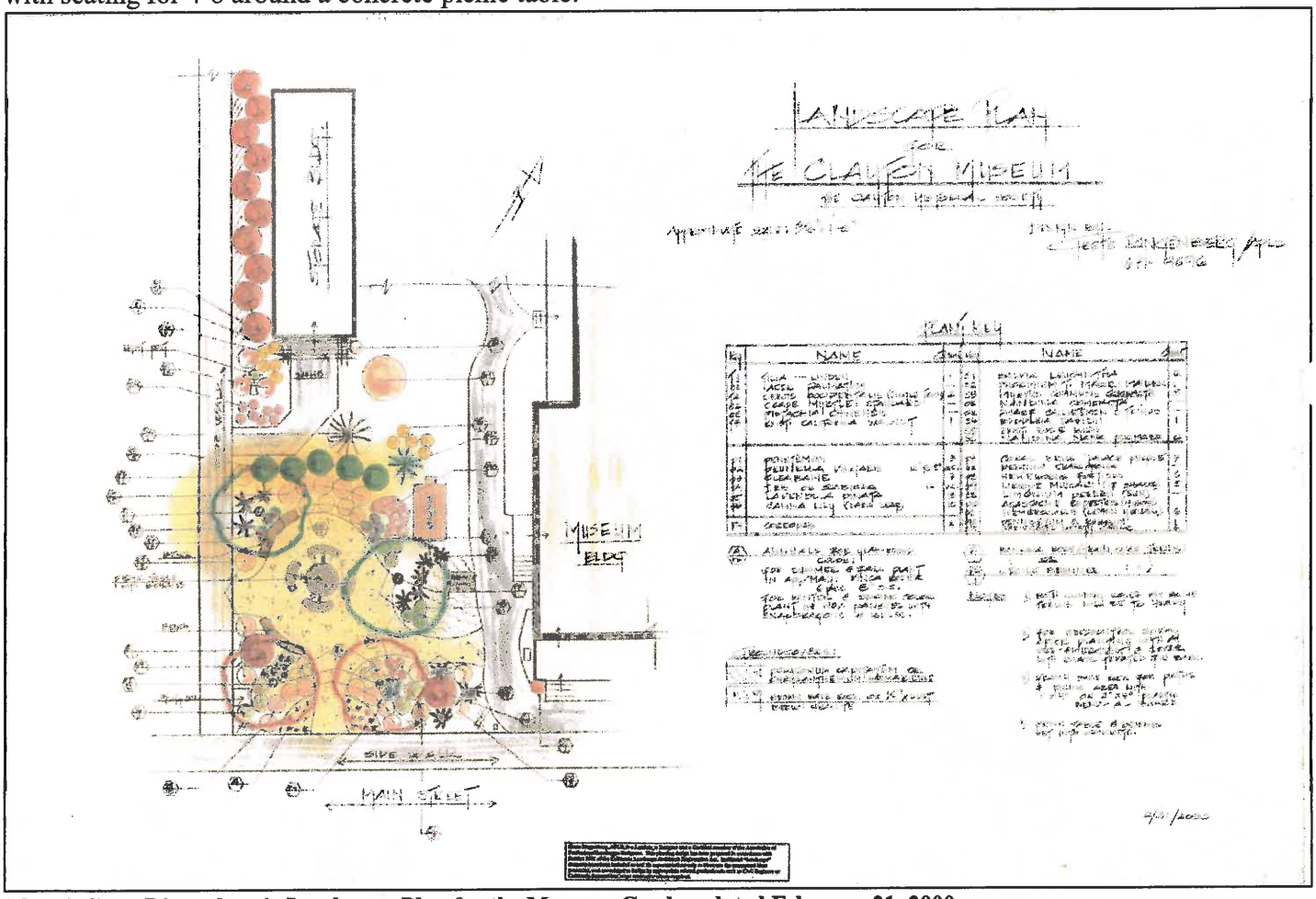
(left) 1978 Museum Dedication Master of Ceremonies – Bob Hoyer speaks to a crowd of Historical Society and Museum supporters, volunteers and bystanders from the front porch of the Museum building.
Note: Vacant Museum Garden site over Bob's left shoulder.

(right) 1978 Dedication ceremonies at the present-day **Museum Garden** site.
Note: the (then) recently erected Joaquin Murrieta stone monument; one of the relocated stone Keller pillars, surrounded by Boy Scouts; and a remaining Black Oak tree.

From **1998-on** the current Museum Garden site remained a vacant, fenced lot (with 'brick red' painted grape-stake fence boards), with all but a few surviving black oak trees, for a brief period of 2 years.

Recent History – year 2000 to present:

In the year **2000**, a new shared public parking lot & newly-built KinderCare Preschool were built to the west and to the north of the current Museum Garden site. Also in **2000, a new *Butterfly Garden*** was planned for the former vacant lot / current Museum Garden site. The 'Butterfly Garden' was designed by Clayton Landscape Designer, Grete Ringenberg, with seating for 4-8 around a concrete picnic table.



(above) Grete Ringenberg's Landscape Plan for the Museum Garden, dated February 21, 2000

In **2001** the 'Butterfly Garden' was planted with assistance and donations from the City of Clayton, The Clayton Business and Community Association (CBCA [donated the picnic table and funds for the irrigation system – totaling nearly $3500]), Historical Society, Clayton Valley Garden Club, community volunteers, and individual donors. Much of the stones along the walkways of the 'Butterfly' and present-day Museum Garden are the original foundation stones of the Endeavor Hall's former stone foundation, which was improved to concrete when the building was restored & renovated in 2000. At this time, Laura Hoffmeister, Assistant to the City Manager, witnessed elder Historical Society members, Bob Hoyer and Don Arundell hauling several wheelbarrow loads of the historic foundation stones through downtown, from the Endeavor Hall site to the Main Street Museum Garden site – to be preserve them as historical artifacts, as Garden border stones.

From **2001 to mid-2011** / approximately 10 years – the 'Butterfly Garden' was maintained by volunteers from both the Clayton Historical Society (CHS) and the Clayton Valley Garden Club (CVGC).

In 2008, during the Summer and Fall – a Museum Garden Landscape Committee was formed, including: Jeff Crady, Mary Spryer, JoAnn Caspar, Peggy Arundell, and Renee Wing. The Committee met approximately 2 times per month. Originally, the Committee was formed to address a large water bill, and eventually evolved into planning committee for a potential Water-wise and Educational downtown Museum Garden.

In **August 2008** – a garden clean-up day was organized by Museum Volunteers. Green Waste containers for this event were donated by BFI.

(Above) 2008 images of an overgrown "Butterfly Garden," prior to major weeding and clean-up efforts by Museum Volunteers

2009 to present – Historical Society Board members begin looking for ways to raise money, including a Christmas Home Tour fundraiser, and a wall-hanging raffle, for potential Museum Garden Improvements.

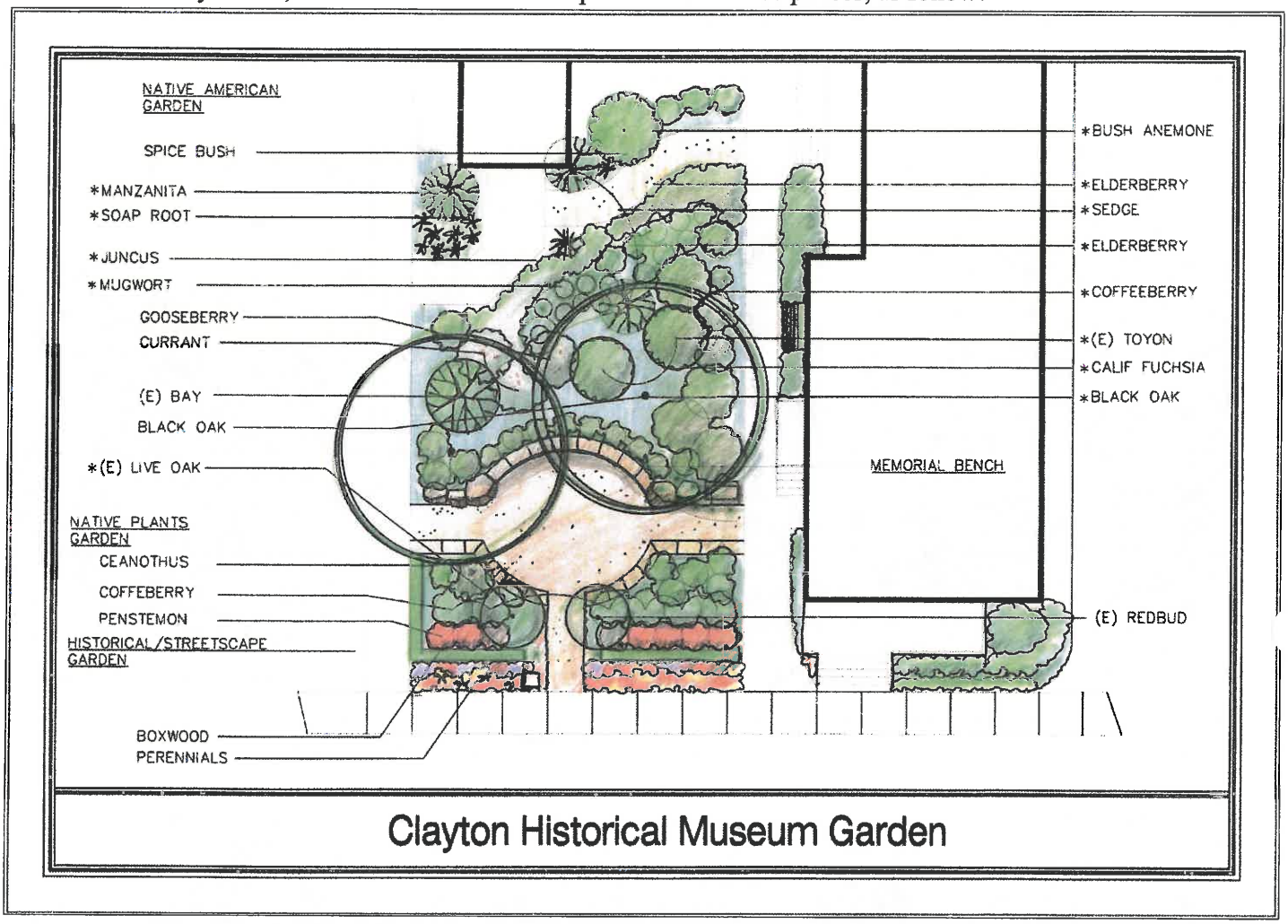
In the **Spring 2010** – Volunteers from the Historical Society and Clayton Valley Garden Club helped with another major weeding and cleanup of the Museum Garden.

(Above) Clayton Valley Garden Club and Historical Society Volunteers doing a major weeding and clean-up, Spring, 2010

(Above) Spring, 2010 clean-up Volunteers:
(Back row – L to R): Tami Pierce, Barbara Hill
(Front row – L to R): Dennis Kaump, Linda Cruz, Sue Fletcher, Dan Richardson, Dick Ellis

Late Summer 2010 – the Clayton Valley Garden Club Board and Membership approve a proposal to fund $200 to help purchase educational, Native California plants and a Black Oak tree - plants used by Native American Indians on, and around the Museum Garden site many, many years ago.

Late Summer – Early Fall 2010 – A New Landscape and Hardscape Plan was voluntarily drawn by Anna Wendorf, Landscape Designer, Historical Society member and Museum Docent. The Plan was approved by the Historical Society Board, and was decided to be implemented in three phases, as follow:



(above) Museum Docent and Landscape Designer, **Anna Wendorf's** volunteered **2011 Landscape & Hardscape Improvements Plan**

Early Fall 2010 – Phase I – Native American Plant Garden: The Historical Society and the Clayton Valley Garden Club partnered together for the Volunteer Center of the East Bay's *"Week of Caring"* event, coordinating Chevron and Bank of the West employee/volunteers to help with preparation and planting of the *Native American Plant Garden.* Volunteers from the CHS and CVGC helped in many ways during the two days of work. Through this event - the 2008 Garden Committee's objectives were implemented – to display locally native plants, which were used by the native people of the Mt. Diablo area, and to label the native plants to identify their uses to educate the public. Eventually, the Native American Garden will become a "living" part of an educational

(Above) **Fall 2010** ***Week of Caring*** Museum Garden Volunteers:
(Back row – L to R): Tami Pierce, Linda Cruz, *Kathy Duff
(Front row – L to R): Dick Ellis, *Jessica Geronimo, Steve Lane, Anna Wendorf, *Evelyn Sisco, and *Amy Chan
* indicates Bank of the West employee volunteers

Field Trip program the Museum will soon be starting for local 4th Graders studying Native American Indians.

(Left) **Fall 2010** ***Week of Caring*** Museum Garden Volunteers:
(Back row – L to R): *Sue Lakin, Debbie Eistetter, *Chris Cloud, Mary Spryer, *Maria Magat, Linda Cruz
(Front row – L to R): *Alex Goiriz, *Cathy Burgess, *Elaine Petkovich, *Christine Heinz, *Vickie Babcock, *Pochi Huang, Steve Lane, and Dick Ellis
*indicates Chevron employee volunteers

Early Fall 2011 – Phase II: Native California Plant and "Historic" Plant Educational Garden:
Further implementing the 2008 Museum Garden Committee's plan – an attractive display of various California native plants were planted, including pure species & hybrids developed for gardens, in hopes to encourage visitors to consider planting natives in their gardens, and to place emphasis on 'Pollinators' - plants that attract butterflies and hummingbirds. In addition, a "Historical" or traditional 'cottage-type' garden strip along the sidewalk was planted, preserving the historical atmosphere of downtown Clayton.
Phase II work was, again scheduled in coordination with the Fall *"Week of Caring"* event. 2011 Volunteers came from Dow Chemical, Chevron, the CHS, and the CVGC. Volunteers from the CHS and CVGC helped install new sprinkler heads prior to the Week of Caring work days.
Thanks to donations and funds dedicated to the garden, the CHS was able to reconfigure the sprinkler lines, add new sprinkler heads, purchase quality soil amendment, install chicken wire under each plant to deter gophers, plant 48 - 4" color plants, 40 - 1-gallon shrubs and 10 - 5-gallon shrubs, and apply black mulch. During the two September 2011 'Week of Caring' work days; nearly 50 hours of free labor were volunteered. This along with discounted plants, and plants started by cuttings, and other donated supplies, made Phase II a real bargain.

(Above) Fall, 2011 'Week of Caring' Museum Garden Work Day: Steve Lane (standing, far left) and Anna Wendorf (kneeling), with Dow Chemical employee volunteers, take a break after planting ½ of the Historical Streetscape Garden plants, September 12, 2011. Photo: Mary Spryer

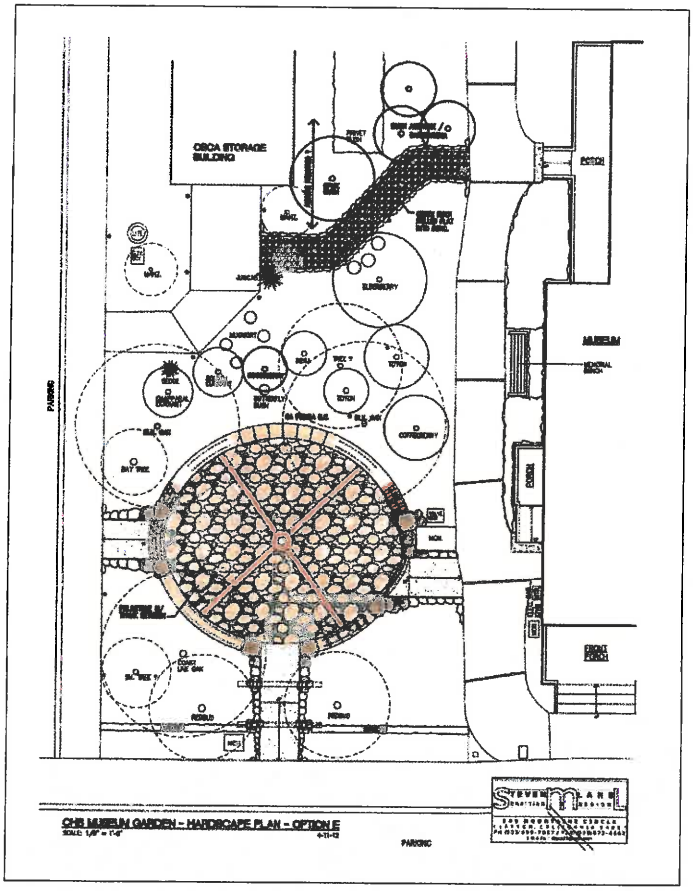
(Above) Fall, 2011 'Week of Caring' Museum Garden Work Day: Steve Lane (far right) and Anna Wendorf (3rd from right), with Chevron employee volunteers, take a break after planting the 2nd ½ of the Historical Streetscape Garden plants, September 13, 2011. Photo: Mary Spryer

2012 – Improved garden regularly maintained by paid gardeners hired by the CHS.

January 2012 – Steve Lane, 2012 Clayton Valley Garden Club VP, and Clayton-raised and based Designer and Project Management Consultant, was contracted by the CHS to help see through the Proposed Landscape and Hardscape Improvements of Anna Wendorf's 2010 plan, as well as prepare the necessary proposed Improvements package to be submitted to the City of Clayton for review & approvals; followed by Landscape Contractor bidding; and eventual construction ideally to be completed in 2014 – Clayton's 50th Anniversary as a City.

Late Winter 2012 – A new, 2012 'Museum Garden Committee' formed consisting: of Steve Lane; Dick Ellis, CHS VP; JoAnn Caspar, CHS Treasurer; with Garden Advisor, Mary Spryer, Museum Curator.

March 2012 – Last remaining, Black Walnut tree was removed from the site, due to not being a non-Native California tree, but more due to the fact that it was near the end of it's effective life. In addition – it's location in the garden made it difficult to plant under its drip-line, or to be comfortably under, due to excessive droppings.



Early May 2012 – Preliminary Hardscape Improvements Plans and Cost Estimates presented to the CHS Board of Directors by Steve Lane, and were approved by the Board.

Late May 2012 – 2012 Museum Garden Committee met with David Woltering, City of Clayton Community Development Director, to discuss the proposed Hardscape, Planting and Irrigation Improvements, as well as the CHS & Museum's aesthetic and educational goals for the proposed Museum Garden Improvements. David was very helpful with comments and City Staff submittal suggestions and follow-up information.

July 2012 – Clayton Valley Garden Club donates $500 from their Annual Plant Sale to go towards the proposed Museum Garden Improvements Project.

Summer – Fall 2012 – Steve Lane begins preparing Museum Garden Improvements documents for submittal to the City of Clayton for Staff review; eventual approval; and for engraved brick fundraising efforts.

Fall – Winter 2013 – Discussions between the Historical Society and the Clayton Business and Community Association (CBCA) take place to consider displaying one of the CBCA's antique tractors on the Museum grounds; and include a CBCA Tractor Display as part of the Museum Garden Improvements submittal to the City.

February 2014 - The Museum Garden Improvements Brick Fundraiser goes public – promoting engraved bricks, designed as a part of the Hardscape Improvements; providing an opportunity for project supporters to be recognized in the Museum Garden hardscape for generations. Sign-ups inquiring of persons interested in purchasing a brick are pending. No bricks will be sold until project is approved by the City.

April 2014 – Museum Garden Improvements - Staff Review Submittal is submitted to the City of Clayton for City Staff Review.

Improvements Project Funding Sources [in addition to Brick Fundraiser] - will come from the Historical Society's Memorial Fund. Additional support is anticipated from other community organizations, such as the CBCA, and local businesses that would be willing to donate funds, services, materials, and labor to this worthwhile and visible Downtown community improvement project and educational resource on Clayton's Main Street.

Ongoing Maintenance and Annual Donations – The aesthetic and educational aspects of the proposed Museum Garden Improvements ensure that continued volunteer maintenance work and funding from the Clayton Valley Garden Club (CVGC) will continue as long as the CVGC and Museum Garden exist, as the project is inline with Club's objectives: *to encourage interest in all phases of gardening, to promote conservation of natural resources, to aid in civic beautification, and to the education of the community and to our members.*

View from Main Street to Garden Area

Middles Section of Garden area looking East from City Parking Lot

Path from City Parking lot looking northeast toward Museum

Garden Area path next to museum looking northwest

Rear of Garden looking north area where equip display fenced area will go

Rear of Garden looking north area where equip display fenced area will go

Rear of museum garden area looking north

CITY OF CLAYTON
PLANNING COMMISSION
STAFF REPORT

Meeting Date:	**May 13, 2014**
Item Number:	**7.a**
From:	**Milan J. Sikela, Jr.** MS **Assistant Planner**
Subject:	**Review of proposed garden plaza and site improvement modifications to the existing outdoor area adjacent to the Clayton Museum building (CDD-10-14).**
Applicant:	**City of Clayton/Clayton Historical Society**

REQUEST

Review of proposed garden plaza and site improvement modifications to the existing outdoor area adjacent to the Clayton Museum building.

PROJECT INFORMATION

Location:	6101 Main Street APN: 119-011-004
General Plan Designation:	Town Center Commercial
Town Center Specific Plan Designation:	Town Center Commercial
Zoning:	L-C (Limited Commercial)
Environmental Review:	Categorically exempt per Sections 15301 and 15303 of the California Environmental Quality Act (CEQA) Guidelines.
Public Notice:	On May 2, 2014, a courtesy meeting notice was posted at the notice boards and mailed to property owners directly adjacent to, across the street from, and within the general vicinity of the project site.
Authority:	Clayton Town Center Specific Plan.

DISCUSSION

The Clayton Historical Society is proposing garden plaza and site improvement modifications to the existing outdoor area adjacent to the Clayton Museum building located on a City-owned property at 6101 Main Street in Clayton's Town Center (see **Attachment 1** for vicinity map). The proposed modification improvements to the existing garden plaza and site include such amenities as an entryway arbor, garden plaza, decorative seatwalls, memorial bench, fencing, trellis, hardscape and walkway paths, historic tractor display, and associated landscaping (see **Attachment 2** for project plans, **Attachments 3 - 6** for additional project information, and **Attachment 7** for existing site photographs).

The existing garden plaza area located on the west side of the Clayton Museum building currently contains ornamental landscaping, a small informal gravel plaza, pathways, a picnic table, and, near the rear (north) area of the lot, are located several interpretive display items including horse-drawn agricultural equipment, an ore box, dipping pot, and structural outhouse and jail exhibits (see **Sheet L2** of **Attachment 2**).

The applicant is proposing to install a white picket fence (to match existing) along the front of the site as well as a new entryway arbor in the center of the front fence. Furthermore, the existing small informal gravel plaza, picnic table in the center of the plaza, and pathways leading to the plaza are proposed to be removed to allow installation of slightly larger circular garden plaza area (referred to as the "Wagonwheel Plaza"). The plaza would be surrounded by a low decorative seatwall with three connecting access pathways. The plaza and pathways are proposed to be adorned with inset laser engraved bricks. Ornamental boulders would be used to embellish the pathways with each boulder progressively getting larger as one approaches the plaza (see **Sheet L3** of **Attachment 2**).

At the north end of the garden plaza, the applicant is proposing installation of a memorial bench adjacent to the Clayton Museum building on the east side of the existing main concrete walk. The existing "S" path connecting the main concrete walk to the walkway accessing the Clayton Business and Community Association (CBCA) storage building will be re-surfaced, and an additional pathway will also be installed connecting the concrete walk running along the west side of project site to the CBCA storage building access walkway.

At the rear of the property, the applicant is proposing installation of a decorative iron fence that will encompass a portion of the agricultural display area between the main concrete walk and the CBCA storage building. This new agricultural display area would include installation of a pathway, grapevine trellis, and a historic tractor display as well as relocation of the existing horse-drawn agricultural equipment, dipping pot, and agricultural pump. Just outside the enclosure would be a relocated bench, picnic table, and "Keller" post.

Although most of the existing landscaping will be retained with nominal additional vegetation in and around the entryway and front fence area, the bulk of new plantings are proposed to be located in the center of the lot between the plaza, CBCA storage building, and enclosed agricultural display area (see **Sheet L4** of **Attachment 2**). The new landscaping would include installation of water-efficient shrubs and low-growing plants and grasses. Grapevines are also proposed to be installed on the trellis within the agricultural display area. The remaining existing and proposed landscaping are intended to create a more water-efficient and drought-tolerant

garden area. The City Maintenance Department has reviewed the proposal and recommends that an arborist report be prepared to assess the potential impacts of the proposed improvements slated to occur within the dripline of the existing oak tree located adjacent to and north of the rear property line of the subject property.

ANALYSIS

Staff believes that the garden plaza and site improvement modifications proposed by the applicant are consistent with and follow the vision of Clayton's Town Center. The applicant has made good use of materials identified in the Town Center Specific Plan such as traditional wood pickets, common brick, and concrete masonry units. Furthermore, the proposed project complies with the Town Center Specific Plan guidelines including, but not limited to, the following:

- Maintains the Town Center's landscape and natural vegetation as a means to provide greenery, open space, development buffers, and a rural atmosphere.
- Retains the Town Center's existing patterns of yards and open spaces.
- Shared or individual courtyards are encouraged to provide pedestrian connections from rear parking areas to the street frontage and building entrances.
- Arbor structures with vines and flowers (in courtyards and between buildings) are a good way to link buildings and define exterior spaces with planted canopies.

From staff's perspective, the use of agricultural display equipment reinforces and augments the historical character and spirit of Clayton and will be an aesthetic and educational benefit to the community.

RECOMMENDATION

Staff recommends the Planning Commission review and consider the proposal, receive and consider any public comment, and recommend City Council approval of the project.

ATTACHMENTS

1. Vicinity Map
2. Clayton Historical Society Museum Garden Improvements Project Plans, prepared by Steven M. Lane, date stamped April 29, 2014
3. Letter from JoAnn Casper, President of the Clayton Historical Society, date stamped May 2, 2014
4. Clayton Historical Society Museum Garden Improvements Proposal Statement, submitted by the applicant, date stamped April 28, 2014
5. Clayton Historical Society Museum Garden Improvements Site History, submitted by the applicant, date stamped April 28, 2014
6. Clayton Historical Society Museum Garden Improvements Supplemental History Document, submitted by the applicant, date stamped April 28, 2014
7. Site Photographs, submitted by the applicant, stamped April 28, 2014

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