



AGENDA

REGULAR JOINT MEETINGS

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CLAYTON CITY COUNCIL and CLAYTON SUCCESSOR & SUCCESSOR HOUSING AGENCIES

* * *

TUESDAY, September 16, 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 and on City's Website at least 72 hours prior to the Council meeting.
- The Agenda is 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 ***

September 16, 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 August 19, 2014. ([View Here](#))
- (b) Approve Financial Demands and Obligations of the City. ([View Here](#))
- (c) Adopt a Resolution determining Scott Dansie, an employee of the City classified as a Local Safety member, is disabled for purpose of the Public Employees' Retirement Law (CalPERS), and such disability is "industrial" within the meaning of such law. ([View Here](#))
- (d) Approve the City of Clayton Conflict of Interest Code pursuant to the Political Reform Act of 1974. ([View Here](#))
- (e) Adopt a Resolution approving a Cooperative Agreement between the Contra Costa Transportation Authority (CCTA) and TRANSPAC member jurisdictions for distribution of Measure J sales tax sub-regional Transportation Needs Program 28a Funds. ([View Here](#))
- (f) Acceptance of a flat fee donation in the amount of \$135 from the Clayton Woman's Club for use of the Clayton Library Meeting Room (Hoyer Hall) for its Annual Craft Sale on November 22nd and 23rd, 2014. ([View Here](#))
- (g) Adopt a Resolution accepting completion of Capital Improvement Project No. 10435, Clayton Library HVAC Chiller Replacement Project, by Marken Mechanical Services in the final amount of \$127,547.00 and authorizing the City Clerk to file the Notice of Completion. ([View Here](#))

4. **RECOGNITIONS AND PRESENTATIONS**

- (a) A Proclamation declaring September 17 – 23, 2014 as "U.S. Constitution Week" in the City of Clayton. ([View Here](#))
- (b) A Proclamation declaring September 21 – 27, 2014 as "Falls Prevention Awareness Week" in the City of Clayton. ([View Here](#))
- (c) A Proclamation declaring Sunday, September 20, 2014 as "Emma Hall Day" in the City of Clayton in recognition of achieving her Girl Scout Gold Award. ([View Here](#))

- (d) A Proclamation declaring Monday, September 27, 2014 as “Casey Mitchell Day” in the City of Clayton in recognition of achieving her Girl Scout Gold Award. ([View Here](#))

5. REPORTS

- (a) Planning Commission – Commissioner Keith Haydon.
- (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 – Introduction of candidates present for City Council elected office.

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 a Resolution setting, adjusting and approving the City Master Fee Schedule for FY 2014-15 regarding user-benefit municipal services and rentals. (Assistant to the City Manager) ([View Here](#))

Staff recommendations: **1)** Receive the staff report; **2)** Receive public comment; and **3)** Following City Council discussion and any modification to the proposed user-benefit fees, by motion adopt the Resolution.

- (b) Consider the award of competitive bid contract to Miracle PlaySystems, Inc. in the contractual amount of \$54,605.61, plus \$14,942 for probable electrical and water line service upgrades (total cost of \$67,482.71), to install design improvements and safety upgrades to the water play feature at The Grove Park. (Maintenance Supervisor) ([View Here](#))

Staff recommendation: Following staff report and opportunity for public comment, that Council approve the contract with Miracle PlaySystems, Inc. and authorize the full allocation of project funds from The Grove Park reserves (Fund No. 211).

9. **COUNCIL ITEMS** – limited to requests and directives for future meetings.
 10. **RECESS THE CITY COUNCIL MEETING** – Mayor Stratford
(until after the conclusion of the Successor/Successor Housing Agencies' meeting)
 11. **RECONVENE THE CITY COUNCIL MEETING** – Mayor Stratford
 12. **CLOSED SESSION**
 - (a) Conference with Labor Negotiator
Government Code Section 54957.6
Instructions to City-designated labor negotiator: City Manager
 1. Employee Organization: Miscellaneous City Employees (Undesignated Group)
- Report out from Closed Session: Mayor Stratford
13. **ADJOURNMENT**– the next regularly scheduled City Council meeting is October 7, 2014.

#

*** CLAYTON SUCCESSOR and SUCCESSOR HOUSING AGENCIES ***
September 16, 2014

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

2. CONSENT CALENDAR

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

(a) Approve the minutes of the regular meeting of May 5, 2014. ([View Here](#))

(b) Adopt a Resolution approving the Successor Agency's 7th Recognized Obligation Payment Schedule for the time period covering January 1, 2015 through June 31, 2015 (ROPS 14-15B) as required by the State Department of Finance (DOF). ([View Here](#))

3. PUBLIC COMMENT ON NON - AGENDA ITEMS

Members of the public may address the Board on items within the Board's jurisdiction, (which are not on the agenda) at this time. To facilitate the recordation of comments, it is requested each speaker complete a speaker card available on the Lobby table and submit it in advance to the Secretary. To assure an orderly meeting and an equal opportunity for everyone, each speaker is limited to 3 minutes, enforced at the Chair's discretion. When one's name is called or you are recognized by the Chair as wishing to speak, the speaker shall approach the public podium and adhere to the time limit. In accordance with State Law, no action may take place on any item not appearing on the posted agenda. The Board may respond to statements made or questions asked, or may at its discretion request Staff to report back at a future meeting concerning the matter.

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

4. PUBLIC HEARINGS – None.

5. ACTION ITEMS – None.

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

7. **ADJOURNMENT** – the next regular Successor Agency meeting will be scheduled as needed.

#

**MINUTES
OF THE
REGULAR MEETING
CLAYTON CITY COUNCIL**

TUESDAY, August 19, 2014

Agenda Date: 9-16-2014

Agenda Item: 3a

1. **CALL TO ORDER & ROLL CALL** – The meeting was called to order at 7:03 p.m. by Mayor Stratford in Hoyer Hall, Clayton Community Library, 6125 Clayton Road, Clayton, CA. Councilmembers present: Mayor Stratford, Vice Mayor Shuey (arrived at 7:08 p.m.) and Councilmembers Diaz, Geller and Pierce. Councilmembers absent: None. Staff present: City Manager Gary Napper, Assistant City Attorney Christopher Diaz, and City Clerk Janet Brown.

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

3. **CONSENT CALENDAR**

Mayor Stratford noted he received a Public Comment card from Joe Partansky (Verna Way) regarding Consent Calendar Item 3c and invited Mr. Partansky to the podium. Mr. Partansky commented he thought the tone of City's response to the Grand Jury Report was a little interesting yet quite appropriate in content; he suggested however the City "lighten up a little bit" when responding to the Grand Jury. Mr. Partansky added the City should take note of Contra Costa County's Brown Act training in its response. He also wanted to see the City publish an annotated Agenda promptly after each meeting to describe its actions taken so the public can quickly monitor the City Council business rather than wait for the draft minutes.

Vice Mayor Shuey arrived.

It was moved by Councilmember Diaz, seconded by Councilmember Pierce, to approve the Consent Calendar as submitted. (Passed; 5-0 vote).

- (a) Approved the minutes of the regular meeting of July 15, 2014.
- (b) Approved Financial Demands and Obligations of the City.
- (c) Approved the City's Response to Contra Costa County Civil Grand Jury Report No. 1405, "The Public Records Act in Contra Costa County".
- (d) Approved the City's Investment Portfolio Report for the 4th Quarter of FY 2013-14 ending June 30, 2014.
- (e) Adopted Resolution No. 35-2014 approving the revised version of a Joint Exercise of Powers Agreement (JPA) for TRANSPAC (Central County Transportation Partnership and Cooperation) for regional transportation purposes, issues and projects, and authorizing the Mayor to sign the JPA agreement.

4. **RECOGNITIONS AND PRESENTATIONS** - None.

5. REPORTS

- (a) Planning Commission – Commissioner Gregg Manning reported the Planning Commission held a meeting on August 5th whereat the City Council newly re-appointed Commissioners David Bruzzone, Gregg Manning and Sandra Johnson recited the Oath of Office administered by the City Clerk for their new two year terms of office. The Planning Commission then held its annual re-organization for Chair and Vice Chair. The Planning Commission voted Dan Richardson as its Chair and David Bruzzone as its Vice Chair. The Commission also received a report from staff on possible projects coming to the Commission for its review and approval in the near term.
- (b) Trails and Landscaping Committee – No meeting held.
- (c) City Manager/Staff - No Report.
- (d) City Council - Reports from Council liaisons to Regional Committees, Commissions and Boards.

Councilmember Geller attended the Contra Costa County Mayors' Conference in Lafayette and was a judge at CBCA's 5th Annual Rib Cook-Off. He also announced there were three Saturday Concerts in The Grove since the last City Council meeting, featuring Rachel Steele & Road 88, Diamond Dave, and Aja Vu. The next Saturday Concert in The Grove on August 30th will feature Apple Z and the last Concert on September 13th will feature East Bay Mudd. Councilmember Geller thanked the community for their generous donations during this season's Concerts in The Grove as all donations this year go to fund next year's Concerts.

Councilmember Diaz attended the 1st Annual 5k Run at Community Park put on by Sarah Owens as her Girl Scout Gold Award project. He also attended the Saturday Concerts in The Grove featuring Rachel Steele & Road 88, and Diamond Dave. Councilmember Diaz noted the most successful Thursday night Concert in The Grove featured the Plan B on July 24th. The final Thursday Concert in The Grove will be on August 21st, featuring PHD's. Councilmember Diaz represented Clayton in the 6th Annual Mayors' Healthy Cook-Off with assistance from Sweet Bakery chefs. On August 5th, Councilmember Diaz's neighborhood hosted a National Night Out event and wished our community will participate next year.

Councilmember Pierce also attended the 1st Annual 5k Run at Community Park organized by Girl Scout Sarah Owens. She was in attendance at several Associated Bay Area Government (ABAG) meetings along with others held by the Contra Costa Transportation Authority and TRANSPAC. Councilmember Pierce met with the primary reporter for the China Daily Newspaper and now has a better understanding of the importance of trade with the Pacific Rim. She also attended two of the recent Saturday Concerts in The Grove. On August 5th, Councilmember Pierce's neighborhood hosted a National Night Out event; attendance was lower than expected, however, the neighborhood decided to try again in September when more neighbors should be able to participate following returns from vacations. Councilmember Pierce also attended the Contra Costa Mayors' Conference hosted by Lafayette.

Mayor Stratford thanked Councilmember Diaz for attending the 6th Annual Mayors' Healthy Cook-off on his behalf. Mayor Stratford also thanked Councilmember Pierce and Assistant to the City Manager Laura Hoffmeister for assisting Sarah Owens with her Girl Scout Gold Award project. Mayor Stratford attended the Contra Costa Mayors' Conference in Lafayette. He also reminded everyone the "Do The Right Thing" character trait is "Responsibility" for the months of August and September.

- (e) Other – Introduction of candidates present for City Council elected office.

Candidate David Shuey introduced himself as a member of the current Clayton City Council and would like to voters to consider him again for another 4 years when they vote for Clayton City Council in the November 2014 Election.

Candidate Alyse Smith introduced herself and provided background on her experience and inspiration for running for Clayton City Council. Currently, she is a member of the Trails and Landscape Committee and also studying Sustainable Solutions and Practices through UC Irvine pursuing a career in City Planning. Some of her goals as a Councilmember would be to increase economic development and preservation of trails, landscapes and landmarks.

Mayor Stratford announced City Council candidate Keith Haydon had a prior commitment and was unable to attend the meeting tonight.

6. **PUBLIC COMMENT ON NON-AGENDA ITEMS**

Joe Partansky offered comments on the bulleted items that are listed on the cover page of City Council agendas. He requested more clarification on the precise availability of Agenda and the Agenda Packet. Mr. Patansky would also like the same information posted on the City's website. He reiterated his earlier request for annotated meeting minutes available for public review shortly after each meeting.

Vice Mayor Shuey advised Mr. Patansky that Agendas and Agenda Packet items are posted Friday evenings prior to each City Council meeting. He also noted that draft minutes must be reviewed and corrections made prior to being posted on a City website or in Agenda Packet materials to ensure accuracy.

Mayor Stratford asked the Assistant City Attorney what is the requirement in posting the Agenda and Agenda Items? Assistant City Attorney Chris Diaz advised the law is Agenda is to be posted 72 hours in advance of a regular meeting.

Councilmember Pierce confirmed the City of Clayton's Agenda and the Agenda Packet items are always posted to its website at least 72 hours in advance of the meeting, usually by the Friday evening prior to the regular Tuesday meeting.

Matthew Rinn, Governing Board Member for the Contra Costa Community College District (Ward 3), wanted to introduce himself to Council. He referenced the recent successful passage of Measure E that will benefit the Community College District's mission to enhance college education. The first full week of school has been completed and enrollment is still available if anyone would like to better their education or further their careers.

7. **PUBLIC HEARINGS** – None.

8. **ACTION ITEMS**

- (a) Council Member Geller request to discuss City consideration of possible gas station development proposals for the City-owned 1.66 acre unimproved parcel for sale on Main Street in the Clayton Town Center (APN 118-560-010).
(Councilmember Geller)

Councilmember Geller opened discussion of the Council's willingness to at least keep an open mind about the possibility of gas station development proposals for the Clayton Town Center, and asked the Council to agree not to foreclose that option.

Vice Mayor Shuey denied the consideration as previous City Council policy decision and community sentiment have been established that a gas station would be unsightly.

Councilmember Geller inquired who established that policy and would the current City Council consider re-opening this matter up for discussion?

Councilmember Diaz indicated mixed views and recalls the original discussion divided the community. A gas station in the downtown is not a proper use of the parcel; he preferred looking into annexation of the Shell Gas Station on the corner of Clayton Road and Kirker Pass into Clayton City limits.

Councilmember Geller would like to keep open the opportunity of a potential gas station within Clayton City limits.

Councilmember Pierce advised the citizens of the community defeated the idea of a gas station when presented in the past. A gas station would not fit in the façade of the current vacant parcel located in historic downtown Clayton. Councilmember Pierce pointed out there may be even a stronger reaction opposing a possible gas station directly in downtown.

Councilmember Geller suggested there may be a possibility of an alternate location in Clayton?

Mayor Stratford concurred he is not interested in the current vacant downtown parcel for use as a gas station. Another location could be considered if a proposal should be made.

Councilmember Diaz asked if a gas station use had been suggested by the City's commercial broker? Councilmember Pierce answered yes.

Alyse Smith asked if the City's commercial real estate broker is aggressively seeking developers for the vacant downtown parcel? Councilmember Pierce responded absolutely, they are very aggressive; that is why they were selected. Alyse Smith indicated she would not be in favor of a gas station as dirty fuel is being generated.

Mayor Stratford opened the item to receive public comments; no public comments were offered and Mayor Stratford then closed the item to public comments.

The City Council took no action on this matter.

- (b) Council Member Geller request to market for sale and/or development of the City-owned vacant property adjacent to the Clayton City hall parking lot (portion of APN 118-370-041).
(Councilmember Geller)

Councilmember Geller opened discussion to promote marketing and/or development of the vacant City-owned parcel across from the City Hall parking lot.

Councilmember Pierce noted the vacant parcel is very small at 0.7 acre and is impacted by the flood zone. The location is isolated which limits the use to possible residential; the site had previously been considered for Bocce Ball courts, Historical Society storage and/or relocation of the Joel Clayton home, which the Historical Society considered in

2002. Councilmember Pierce would like to focus more on businesses to enhance the downtown area.

Councilmember Diaz prefers not to address this parcel tonight and has concerns for access to the site if developed as residential; where would access be, off Cardinet Drive? Councilmember Pierce noted that would get that neighborhood up in arms.

Councilmember Geller indicated he would like the City's realtors be made aware this City-owned parcel may also be for sale to a potential developer. Vice Mayor Shuey advised the Council's Economic Development subcommittee could inform the realtors this parcel is available, if such developer can find a proper use for it.

City Manager Napper noted from an aerial map each of the City's vacant parcels appear larger than they actually are. Other commercial realtors invited to compete for the City's listing of these properties declined as the comparatively small vacant parcels are limited in development potential. Most commercial properties are 10 acres or more. However, Transwestern is committed to locating developers who will complement the surrounding downtown areas.

Mayor Stratford thanked Councilmember Geller for initiating discussion on this vacant parcel.

Mayor Stratford opened the item to receive public comments; no public comments were offered and Mayor Stratford then closed the public comments.

The City Council took no action on this matter.

- (c) Council Member Geller request to discuss an "Unsung Heroes" recognition program for the City of Clayton.
(Councilmember Geller)

Councilmember Geller opened discussion on the idea of forming an "Unsung Heroes" recognition program for the City of Clayton. To his knowledge a Council subcommittee had been formed, however criteria was not established and no one has received recognition since its initial discussion. He thought such a program would be great for all the good works that go on in this community.

Vice Mayor Shuey advised during his previous term as mayor this program was discussed. The idea is to recognize citizens doing wonderful things around the community that are not seeking recognition; to date there have been no recognitions because the program has not been fully executed.

Councilmember Geller knows there are many "Unsung Heroes" who volunteer hundreds of hours of their time in the Clayton community. As a City Council it has been established that school-aged children along with Boy and Girl Scouts receive recognition; what about the adults in the community?

Mayor Stratford thanked Councilmember Geller and likes the idea of recognizing adults in the Clayton community. He would like to establish criteria and open it up to the schools and Clayton Business and Community Association to provide recommendations of who to recognize to avoid any possible Council conflict.

Vice Mayor Shuey added any subcommittee should have a specific proposal along with a voting method.

Councilmember Geller would like to open nominations to the community as a whole and more specifically to the service groups for assistance. He would like provide criteria to the community in the Clayton Pioneer and ultimately present the "Unsung Hero" with a certificate at a regular City Council meeting. Councilmember Geller would like to activate the subcommittee.

Councilmember Pierce likes the idea of involving the community for nominations and noted establishing the criteria is very important for this program to succeed.

Councilmember Diaz also prefers the "Unsung Heroes" nominations be presented to the committee from the community. Mayor Stratford suggested inclusion of the clarification of what is a true "Unsung Hero" in Clayton.

Mayor Stratford opened the item to receive public comments; no public comments were offered and Mayor Stratford then closed the public comments.

It was moved by Councilmember Pierce, seconded by Vice Mayor Shuey, to reestablish a City Council "Unsung Heroes" ad-hoc committee comprised of Vice Mayor Shuey and Councilmember Geller, and request the ad-hoc committee draft nomination criteria and clarification of an "Unsung Hero" Recognition Program for approval by the City Council. (Passed; 5-0 vote).

9. **COUNCIL ITEMS** – None.

10. **RECESS THE CITY COUNCIL MEETING** – on call by Mayor Stratford, the City Council recessed to handle Oakhurst GHAD business at 8:10 pm.

11. **RE-OPEN THE CITY COUNCIL MEETING** – on call by Mayor Stratford, the City Council meeting reconvened at 8:43 pm.

12. **CLOSED SESSIONS** – Mayor Stratford announced the following purposes for the City Council to meet in Closed Sessions:

(a) Conference with Legal Counsel – Existing Litigation

Government Code Section 54956.9

Scott Dansie v. City of Clayton, Municipal Pooling Authority of Northern California Workers' Compensation Appeals Board, Case No. ADJ9382917

(b) Conference with Labor Negotiator

Government Code Section 54957.6

Instructions to City-designated labor negotiator: City Manager.

1. Employee Organization: Miscellaneous City Employees Group.

Report out from Closed Session (9:34 pm)

Mayor Stratford announced the City Council had received reports from legal counsel and staff regarding the Closed Session items and had provided instructions and directions accordingly.

13. **ADJOURNMENT**— on call by Mayor Stratford, the City Council meeting adjourned at 8:35 p.m.

Its next regularly-scheduled meeting of September 2, 2014 was previously cancelled; therefore, the next regularly-scheduled City Council meeting is September 16th, 2014.

#

Respectfully submitted,

Janet Brown, City Clerk

APPROVED BY CLAYTON CITY COUNCIL

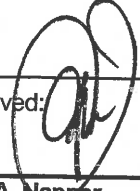
Hank Stratford, Mayor

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Agenda Date 9/16/2014

Agenda Item: 3b

Approved: 

Gary A. Napper
City Manager

STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: Kevin Mizuno, FINANCE MANAGER

DATE: 9/16/2014

SUBJECT: FINANCIAL OBLIGATIONS

RECOMMENDATION:

Approve the following Invoices:

Date	Description	Amount
9/12/2014	Cash Requirements Reports	\$ 418,069.94
9/12/2014	US Bank Calcard Statement ending 8/22/14	13,808.77
9/2/2014	Payroll Wages and Taxes, PPE 8/31/14, week 10 (FY 2014-15)	64,421.19
		Total \$ 496,299.90

Attachments:

Cash Requirements Report dated 9/12/2014 (8 pages)

US Bank, Statement ending 8/23/14 (1 page)

ADP Report Week 10, PPE 8/31/2014 (1 page)

City of Clayton Cash Requirements Report

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
Ace Sierra Tow								
Ace Sierra Tow	9/16/2014	9/5/2014	50529	Towing Fees	\$75.00	\$0.00		\$75.00
<i>Totals for Ace Sierra Tow:</i>					<u>\$75.00</u>	<u>\$0.00</u>		<u>\$75.00</u>
American Fidelity Assurance Company								
American Fidelity Assurance Company	9/16/2014	8/25/2014	B192862	September special premiums	\$197.64	\$0.00		\$197.64
American Fidelity Assurance Company	9/16/2014	9/5/2014	1020596A	November Billing	\$518.34	\$0.00		\$518.34
<i>Totals for American Fidelity Assurance Company:</i>					<u>\$715.98</u>	<u>\$0.00</u>		<u>\$715.98</u>
AT&T/ CalNet 2								
AT&T/ CalNet 2	9/16/2014	9/5/2014	5685562	August Phone Service	\$1,811.60	\$0.00		\$1,811.60
<i>Totals for AT&T/ CalNet 2:</i>					<u>\$1,811.60</u>	<u>\$0.00</u>		<u>\$1,811.60</u>
Bank of America								
Bank of America	9/16/2014	8/25/2014	LAIF	wire fee, sent funds to LAIF	\$25.00	\$0.00		\$25.00
Bank of America	9/16/2014	8/25/2014	CFD 1990-1-1997	Wire fee for refunding bond debt service CFD	\$25.00	\$0.00		\$25.00
<i>Totals for Bank of America:</i>					<u>\$50.00</u>	<u>\$0.00</u>		<u>\$50.00</u>
Bay Area Barricade Serv.								
Bay Area Barricade Serv.	9/16/2014	9/10/2014	0309749-IN	supplies	\$337.85	\$0.00		\$337.85
<i>Totals for Bay Area Barricade Serv.:</i>					<u>\$337.85</u>	<u>\$0.00</u>		<u>\$337.85</u>
Bay Area News Group East Bay (CCT)								
Bay Area News Group East Bay (CCT)	9/16/2014	9/10/2014	0000799162	legal ad - Grove Park election notice	\$318.97	\$0.00		\$318.97
<i>Totals for Bay Area News Group East Bay (CCT):</i>					<u>\$318.97</u>	<u>\$0.00</u>		<u>\$318.97</u>
CalPERS Health								
CalPERS Health	9/16/2014	8/27/2014	1502	September Health Benefits	\$32,873.55	\$0.00		\$32,873.55
<i>Totals for CalPERS Health:</i>					<u>\$32,873.55</u>	<u>\$0.00</u>		<u>\$32,873.55</u>
CalPERS Retirement								
CalPERS Retirement	9/16/2014	8/29/2014	PPE 8/17/14	retirement PPE 8/17/14	\$20,876.12	\$0.00		\$20,876.12
CalPERS Retirement	9/16/2014	8/29/2014	ending 7/24/14	City Council retirement through 7/24/14	\$381.72	\$0.00		\$381.72
CalPERS Retirement	9/16/2014	8/29/2014	ending 8/24/14	City Council retirement ending 8/24/14	\$381.72	\$0.00		\$381.72
CalPERS Retirement	9/16/2014	9/5/2014	PPE 8/31/14	Retirement PPE 8/31/14	\$19,618.29	\$0.00		\$19,618.29
<i>Totals for CalPERS Retirement:</i>					<u>\$41,257.85</u>	<u>\$0.00</u>		<u>\$41,257.85</u>
Caltronics Business Systems, Inc								
Caltronics Business Systems, Inc	9/16/2014	8/25/2014	1605175	contract 7/17/14-8/16/14	\$271.56	\$0.00		\$271.56
<i>Totals for Caltronics Business Systems, Inc:</i>					<u>\$271.56</u>	<u>\$0.00</u>		<u>\$271.56</u>
Christine Carroll								
Christine Carroll	9/16/2014	8/25/2014	SPR 17-04	refund unused deposit - SPR 17-04	\$404.47	\$0.00		\$404.47
<i>Totals for Christine Carroll:</i>					<u>\$404.47</u>	<u>\$0.00</u>		<u>\$404.47</u>
CCWD								
CCWD	9/16/2014	8/25/2014	B Series	Irrigation Th 7/1/14	\$34,179.63	\$0.00		\$34,179.63

City of Clayton Cash Requirements Report

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
CCWD	9/16/2014	9/12/2014	C473227	irrigation - Regency drive	\$588.24	\$0.00		\$588.24
CCWD	9/16/2014	9/12/2014	C series	water bills July/August 2014	\$16,317.23	\$0.00		\$16,317.23
Totals for CCWD:					<u>\$51,085.10</u>	<u>\$0.00</u>		<u>\$51,085.10</u>
City of Concord								
City of Concord	9/16/2014	8/25/2014	40668	printing services - envelopes, business cards	\$355.94	\$0.00		\$355.94
City of Concord	9/16/2014	8/25/2014	40669	printing services - security window envelopes	\$169.90	\$0.00		\$169.90
City of Concord	9/16/2014	8/25/2014	40661	equipment voicemail rental	\$2,359.80	\$0.00		\$2,359.80
City of Concord	9/16/2014	9/5/2014	40639	Printing	\$18.21	\$0.00		\$18.21
City of Concord	9/16/2014	9/5/2014	40614	Vehicle maintenance June 2014	\$927.75	\$0.00		\$927.75
City of Concord	9/16/2014	9/5/2014	40700	vehicle maintenance July 2014	\$2,662.96	\$0.00		\$2,662.96
Totals for City of Concord:					<u>\$6,494.56</u>	<u>\$0.00</u>		<u>\$6,494.56</u>
Clean Street								
Clean Street	9/16/2014	8/25/2014	75209	sweep fee for July 2014	\$3,500.00	\$0.00		\$3,500.00
Clean Street	9/16/2014	9/8/2014	75555	Monthly sweep fee for August 2014	\$3,500.00	\$0.00		\$3,500.00
Clean Street	9/16/2014	9/10/2014	75555	monthly sweep fee for August 2014	\$3,500.00	\$0.00		\$3,500.00
Totals for Clean Street:					<u>\$10,500.00</u>	<u>\$0.00</u>		<u>\$10,500.00</u>
Comcast								
Comcast	9/16/2014	9/12/2014	9/5/14	High Speed Internet 9/10/14-10/9/14	\$395.70	\$0.00		\$395.70
Totals for Comcast:					<u>\$395.70</u>	<u>\$0.00</u>		<u>\$395.70</u>
Concord Garden Equipment								
Concord Garden Equipment	9/16/2014	8/29/2014	484833	generator EM5000	\$2,251.35	\$0.00		\$2,251.35
Totals for Concord Garden Equipment:					<u>\$2,251.35</u>	<u>\$0.00</u>		<u>\$2,251.35</u>
Contra Costa County Information Technology								
Contra Costa County Information Techn	9/16/2014	8/27/2014	9003	Data processing services for July 2014	\$8.43	\$0.00		\$8.43
Totals for Contra Costa County Information Technology:					<u>\$8.43</u>	<u>\$0.00</u>		<u>\$8.43</u>
Contra Costa County Law & Justice Systems (ACCJIN)								
Contra Costa County Law & Justice Sys	9/16/2014	9/5/2014	LJIS 14-CLY	ACCJIN shared costs FY 13/14	\$1,335.03	\$0.00		\$1,335.03
Totals for Contra Costa County Law & Justice Systems (ACCJIN):					<u>\$1,335.03</u>	<u>\$0.00</u>		<u>\$1,335.03</u>
Contra Costa County Sheriff - Forensic Svc Div (Lab)								
Contra Costa County Sheriff - Forensic S	9/16/2014	9/5/2014	CLPD-1407	Toxicology tests for July 2014	\$2,530.00	\$0.00		\$2,530.00
Totals for Contra Costa County Sheriff - Forensic Svc Div (Lab):					<u>\$2,530.00</u>	<u>\$0.00</u>		<u>\$2,530.00</u>
Contra Costa Tractor Mobile Svc								
Contra Costa Tractor Mobile Svc	9/16/2014	8/29/2014	015834	repair for 260C FORD	\$2,712.50	\$0.00		\$2,712.50
Contra Costa Tractor Mobile Svc	9/16/2014	9/10/2014	16505	Invoices 016505, 016500	\$4,046.13	\$0.00		\$4,046.13
Totals for Contra Costa Tractor Mobile Svc:					<u>\$6,758.63</u>	<u>\$0.00</u>		<u>\$6,758.63</u>
Cub Pack 262								
Cub Pack 262	9/16/2014	9/12/2014	26709	deposit refund for Hoyer Hall 8/20/14	\$200.00	\$0.00		\$200.00
Totals for Cub Pack 262:					<u>\$200.00</u>	<u>\$0.00</u>		<u>\$200.00</u>

City of Clayton Cash Requirements Report

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
Scott Dansie								
Scott Dansie	9/16/2014	8/29/2014	4850	Settlement	\$11,800.30	\$0.00		\$11,800.30
Scott Dansie	9/16/2014	9/5/2014	August ADPP	ADPP for August 2014	\$1,276.56	\$0.00		\$1,276.56
Scott Dansie	9/16/2014	9/5/2014	ADPP September	ADPP for September 2014	\$3,297.79	\$0.00		\$3,297.79
<i>Totals for Scott Dansie:</i>					<u>\$16,374.65</u>	<u>\$0.00</u>		<u>\$16,374.65</u>
De Lage Landen Financial Services, Inc.								
De Lage Landen Financial Services, Inc.	9/16/2014	8/25/2014	42436722	contract for September 2014	\$355.34	\$0.00		\$355.34
<i>Totals for De Lage Landen Financial Services, Inc.:</i>					<u>\$355.34</u>	<u>\$0.00</u>		<u>\$355.34</u>
Deiss Design Group								
Deiss Design Group	9/16/2014	8/25/2014	SPR 10-04	refund unused deposit for SPR 10-04 - Fosbur	\$404.75	\$0.00		\$404.75
<i>Totals for Deiss Design Group:</i>					<u>\$404.75</u>	<u>\$0.00</u>		<u>\$404.75</u>
East Bay Rgn Comm System Auth								
East Bay Rgn Comm System Auth	9/16/2014	8/27/2014	201400009	operating payments - 7/1/14-6/30/15	\$11,400.00	\$0.00		\$11,400.00
<i>Totals for East Bay Rgn Comm System Auth:</i>					<u>\$11,400.00</u>	<u>\$0.00</u>		<u>\$11,400.00</u>
Geoconsultants, Inc.								
Geoconsultants, Inc.	9/16/2014	8/27/2014	18692	Well monitoring for August 2014	\$1,546.50	\$0.00		\$1,546.50
<i>Totals for Geoconsultants, Inc.:</i>					<u>\$1,546.50</u>	<u>\$0.00</u>		<u>\$1,546.50</u>
Goldfarb & Lipman								
Goldfarb & Lipman	9/16/2014	8/27/2014	113217	current fees through 7/31/14	\$56.00	\$0.00		\$56.00
<i>Totals for Goldfarb & Lipman:</i>					<u>\$56.00</u>	<u>\$0.00</u>		<u>\$56.00</u>
Frankie Gomez								
Frankie Gomez	9/16/2014	8/25/2014	015048	deposit refund for Endeavor Hall 8/18/14	\$500.00	\$0.00		\$500.00
<i>Totals for Frankie Gomez:</i>					<u>\$500.00</u>	<u>\$0.00</u>		<u>\$500.00</u>
Hammons Supply Company								
Hammons Supply Company	9/16/2014	8/29/2014	84903	Grove Park Supplies	\$205.49	\$0.00		\$205.49
Hammons Supply Company	9/16/2014	8/29/2014	84904	EH Supplies	\$309.85	\$0.00		\$309.85
Hammons Supply Company	9/16/2014	8/29/2014	84901	Library Supplies	\$394.38	\$0.00		\$394.38
Hammons Supply Company	9/16/2014	8/29/2014	84902	City Hall Supplies	\$864.39	\$0.00		\$864.39
<i>Totals for Hammons Supply Company:</i>					<u>\$1,774.11</u>	<u>\$0.00</u>		<u>\$1,774.11</u>
Health Care Dental Trust								
Health Care Dental Trust	9/16/2014	9/8/2014	181216	October Dental	\$2,736.00	\$0.00		\$2,736.00
<i>Totals for Health Care Dental Trust:</i>					<u>\$2,736.00</u>	<u>\$0.00</u>		<u>\$2,736.00</u>
HUB Inter of CA Ins Svc								
HUB Inter of CA Ins Svc	9/16/2014	8/29/2014	July 2014	Insurance for July 2014	\$535.98	\$0.00		\$535.98
<i>Totals for HUB Inter of CA Ins Svc:</i>					<u>\$535.98</u>	<u>\$0.00</u>		<u>\$535.98</u>
Humphrey Consulting								
Humphrey Consulting	9/16/2014	9/12/2014	CL0314	Activities July 14-August 31, 14	\$3,622.96	\$0.00		\$3,622.96

City of Clayton Cash Requirements Report

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
J & R Floor Services								
J & R Floor Services	9/16/2014	9/5/2014	eight	August Billing	\$5,020.00	\$0.00		\$5,020.00
John Deere Landscapes Inc								
John Deere Landscapes Inc	9/16/2014	8/29/2014	69301022	order # 77359037	\$1,683.92	\$0.00		\$1,683.92
John Deere Landscapes Inc	9/16/2014	9/10/2014	69454661	order # 77572097	\$472.34	\$0.00		\$472.34
Jones, Clifford, Dehner, Wong, Morrison, Sheppard & Bell LLP								
Jones, Clifford, Dehner, Wong, Morrison	9/16/2014	8/29/2014	Dansie, 4850	Settlement Fees for Scott Dansie	\$2,082.42	\$0.00		\$2,082.42
Arlene Kikkawa-Nielsen								
Arlene Kikkawa-Nielsen	9/16/2014	9/5/2014	September 2014	September Library Volunteer Coordinator Hou	\$900.00	\$0.00		\$900.00
Main Fire Protection								
Main Fire Protection	9/16/2014	9/10/2014	1408	EH - Stove hood	\$163.56	\$0.00		\$163.56
Marken Mechanical Services Inc								
Marken Mechanical Services Inc	9/16/2014	9/10/2014	414-1152-9	Library maintenance September 2014	\$150.00	\$0.00		\$150.00
Marken Mechanical Services Inc	9/16/2014	9/10/2014	414-1151-9	City Hall maintenance September 2014	\$150.00	\$0.00		\$150.00
Marken Mechanical Services Inc	9/16/2014	9/10/2014	414-1147-7	EH maintenance July 2014	\$247.00	\$0.00		\$247.00
Marken Mechanical Services Inc	9/16/2014	9/10/2014	414-1148-7	City Hall maintenance July 2014	\$332.50	\$0.00		\$332.50
Marken Mechanical Services Inc	9/16/2014	9/10/2014	414-1146-7	Library maintenance July 2014	\$502.17	\$0.00		\$502.17
Akilah Moore								
Akilah Moore	9/16/2014	8/25/2014	26661	deposit refund for Grove Park rental 7/26/14	\$250.00	\$0.00		\$250.00
Ed Moresi								
Ed Moresi	9/16/2014	9/12/2014	CAP0096	Deposit refund 157 Mt Etna Drive	\$476.14	\$0.00		\$476.14
MPA								
MPA	9/16/2014	8/25/2014	K1403	Wellness Premium 2014-2015	\$842.00	\$0.00		\$842.00
MPA	9/16/2014	8/25/2014	B1403	Installment #1 Workers' Compensation 2014-1	\$45,031.00	\$0.00		\$45,031.00
MPA	9/16/2014	8/25/2014	L1403	Liability Premium 2014-15	\$46,377.00	\$0.00		\$46,377.00
MPA	9/16/2014	8/25/2014	CM-1403	CARMA Premium for 2014-15	\$13,349.00	\$0.00		\$13,349.00
MPA	9/16/2014	9/5/2014	September 2014	Life / LTD September 2014	\$1,379.51	\$0.00		\$1,379.51

City of Clayton Cash Requirements Report

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
Muir/ Diablo Occupation Medicine								
Muir/ Diablo Occupation Medicine	9/16/2014	9/5/2014	271055	new hire physical, PD	\$441.00	\$0.00		\$441.00
				<i>Totals for Muir/ Diablo Occupation Medicine:</i>	<u>\$441.00</u>	<u>\$0.00</u>		<u>\$441.00</u>
NBS Govt. Finance Group								
NBS Govt. Finance Group	9/16/2014	8/25/2014	71400105	final Arbitrage rebate analysis - refunding Ser	\$1,200.00	\$0.00		\$1,200.00
NBS Govt. Finance Group	9/16/2014	8/25/2014	61400172	qtrly admin fees 7/1/14-9/30/14	\$5,048.52	\$0.00		\$5,048.52
NBS Govt. Finance Group	9/16/2014	8/25/2014	71400106	final Arbitrage rebate analysis series 1999	\$1,200.00	\$0.00		\$1,200.00
				<i>Totals for NBS Govt. Finance Group:</i>	<u>\$7,448.52</u>	<u>\$0.00</u>		<u>\$7,448.52</u>
Neopost (add postage)								
Neopost (add postage)	9/16/2014	9/10/2014	9/5/14	postage added	\$600.00	\$0.00		\$600.00
				<i>Totals for Neopost (add postage):</i>	<u>\$600.00</u>	<u>\$0.00</u>		<u>\$600.00</u>
Neopost Northwest								
Neopost Northwest	9/16/2014	9/12/2014	N4885284	Postage Machine Lease 10/7/14-11/6/14	\$158.20	\$0.00		\$158.20
				<i>Totals for Neopost Northwest:</i>	<u>\$158.20</u>	<u>\$0.00</u>		<u>\$158.20</u>
Troy or Allison Anne Neves								
Troy or Allison Anne Neves	9/16/2014	8/25/2014	UP 04-10	refund unused deposit UP 04-10	\$209.66	\$0.00		\$209.66
				<i>Totals for Troy or Allison Anne Neves:</i>	<u>\$209.66</u>	<u>\$0.00</u>		<u>\$209.66</u>
Doris Orozco								
Doris Orozco	9/16/2014	8/27/2014	5192B	deposit refund for EH 8/9/14	\$500.00	\$0.00		\$500.00
				<i>Totals for Doris Orozco:</i>	<u>\$500.00</u>	<u>\$0.00</u>		<u>\$500.00</u>
Pacific Neon Company								
Pacific Neon Company	9/16/2014	8/25/2014	SP 04-10	refund unused deposit - SP 04-10	\$888.24	\$0.00		\$888.24
				<i>Totals for Pacific Neon Company:</i>	<u>\$888.24</u>	<u>\$0.00</u>		<u>\$888.24</u>
Pacific Telemanagement Svc								
Pacific Telemanagement Svc	9/16/2014	9/5/2014	677086	courtyard pay phone September 2014	\$73.00	\$0.00		\$73.00
				<i>Totals for Pacific Telemanagement Svc:</i>	<u>\$73.00</u>	<u>\$0.00</u>		<u>\$73.00</u>
Robin Palmer								
Robin Palmer	9/16/2014	9/10/2014	028902	Library meeting room deposit refund 3/30/14	\$200.00	\$0.00		\$200.00
				<i>Totals for Robin Palmer:</i>	<u>\$200.00</u>	<u>\$0.00</u>		<u>\$200.00</u>
PERMCO, Inc.								
PERMCO, Inc.	9/16/2014	9/5/2014	10244	general city engineering services 8/9/14-8/22/1	\$2,410.00	\$0.00		\$2,410.00
PERMCO, Inc.	9/16/2014	9/5/2014	10246	SSMP - 2nd, 3rd drafts	\$915.00	\$0.00		\$915.00
PERMCO, Inc.	9/16/2014	9/5/2014	10247	Pebble Beach/Well Monitoring staff reports	\$583.75	\$0.00		\$583.75
PERMCO, Inc.	9/16/2014	9/5/2014	10245	CAP Inspections 8/9/14-8/22/14	\$145.25	\$0.00		\$145.25
PERMCO, Inc.	9/16/2014	9/12/2014	10250	General Services 8/23/14-9/5/14	\$2,817.99	\$0.00		\$2,817.99
PERMCO, Inc.	9/16/2014	9/12/2014	10251	General Stormwater Tasks - Annual Notice	\$53.25	\$0.00		\$53.25
PERMCO, Inc.	9/16/2014	9/12/2014	10252	CAP Inspections 8/23/14-9/5/14	\$124.50	\$0.00		\$124.50
PERMCO, Inc.	9/16/2014	9/12/2014	10253	SSMP 8/23/14-9/5/14	\$366.00	\$0.00		\$366.00

City of Clayton

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Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
PERMCO, Inc.	9/16/2014	9/12/2014	10254	SW, O&M plans & manual, prepare covenant	\$600.00	\$0.00		\$600.00
PERMCO, Inc.	9/16/2014	9/12/2014	10255	Historical Society Garden Plan Review	\$300.00	\$0.00		\$300.00
				<i>Totals for PERMCO, Inc.:</i>	<u>\$8,315.74</u>	<u>\$0.00</u>		<u>\$8,315.74</u>
PG&E								
PG&E	9/16/2014	8/25/2014	08/18/2014	service 7/17/14-8/17/14	\$18,456.82	\$0.00		\$18,456.82
PG&E	9/16/2014	9/5/2014	8/22/14	stmt date 8/22/14	\$11.62	\$0.00		\$11.62
PG&E	9/16/2014	9/5/2014	8/22/14	stmt ending 8/22/14	\$4,664.11	\$0.00		\$4,664.11
				<i>Totals for PG&E:</i>	<u>\$23,132.55</u>	<u>\$0.00</u>		<u>\$23,132.55</u>
Pinnacle Construction Services, Inc								
Pinnacle Construction Services, Inc	9/16/2014	9/10/2014	1995	management services for September 2014	\$4,152.00	\$0.00		\$4,152.00
Pinnacle Construction Services, Inc	9/16/2014	9/10/2014	1975	management services for August 2014	\$4,152.00	\$0.00		\$4,152.00
				<i>Totals for Pinnacle Construction Services, Inc:</i>	<u>\$8,304.00</u>	<u>\$0.00</u>		<u>\$8,304.00</u>
Professional Convergence Solutions, Inc								
Professional Convergence Solutions, Inc	9/16/2014	9/12/2014	PCS0820141	setup voicemail for City Hall	\$16,079.38	\$0.00		\$16,079.38
				<i>Totals for Professional Convergence Solutions, Inc:</i>	<u>\$16,079.38</u>	<u>\$0.00</u>		<u>\$16,079.38</u>
Psychological Resources Inc.								
Psychological Resources Inc.	9/16/2014	9/5/2014	6901	pre-employment screening	\$450.00	\$0.00		\$450.00
				<i>Totals for Psychological Resources Inc.:</i>	<u>\$450.00</u>	<u>\$0.00</u>		<u>\$450.00</u>
Rock & Waterfall Co								
Rock & Waterfall Co	9/16/2014	9/10/2014	118-73	waterfall maintenance	\$650.00	\$0.00		\$650.00
				<i>Totals for Rock & Waterfall Co:</i>	<u>\$650.00</u>	<u>\$0.00</u>		<u>\$650.00</u>
Roto-Rooter Sewer/Drain Service								
Roto-Rooter Sewer/Drain Service	9/16/2014	9/10/2014	H-1667-14	service call PW yard	\$252.50	\$0.00		\$252.50
				<i>Totals for Roto-Rooter Sewer/Drain Service:</i>	<u>\$252.50</u>	<u>\$0.00</u>		<u>\$252.50</u>
Sprint Comm (PD)								
Sprint Comm (PD)	9/16/2014	9/5/2014	703335311-152	phone service 6/26/14-7/25/14	\$498.47	\$0.00		\$498.47
				<i>Totals for Sprint Comm (PD):</i>	<u>\$498.47</u>	<u>\$0.00</u>		<u>\$498.47</u>
Sprint Comm (PW & ADM)								
Sprint Comm (PW & ADM)	9/16/2014	9/10/2014	531409315-148	service 7/26/14-8/25/14	\$289.48	\$0.00		\$289.48
				<i>Totals for Sprint Comm (PW & ADM):</i>	<u>\$289.48</u>	<u>\$0.00</u>		<u>\$289.48</u>
Staples Advantage								
Staples Advantage	9/16/2014	9/10/2014	8031191126	supplies for August 2014	\$64.47	\$0.00		\$64.47
				<i>Totals for Staples Advantage:</i>	<u>\$64.47</u>	<u>\$0.00</u>		<u>\$64.47</u>
State Water Resources Control Board								
State Water Resources Control Board	9/16/2014	8/25/2014	Water Qual 2006-000	Water Quality Order No. 2006-0003	\$1,226.00	\$0.00		\$1,226.00
				<i>Totals for State Water Resources Control Board:</i>	<u>\$1,226.00</u>	<u>\$0.00</u>		<u>\$1,226.00</u>

City of Clayton

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Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
Stericycle Inc								
Stericycle Inc	9/16/2014	9/5/2014	3002735239	8/2014-10/2014 service	\$330.06	\$0.00		\$330.06
				<i>Totals for Stericycle Inc:</i>	<u>\$330.06</u>	<u>\$0.00</u>		<u>\$330.06</u>
Swan Pools								
Swan Pools	9/16/2014	9/12/2014	CAP0113	Deposit refund 805 Grey Fox Place	\$1,880.70	\$0.00		\$1,880.70
				<i>Totals for Swan Pools:</i>	<u>\$1,880.70</u>	<u>\$0.00</u>		<u>\$1,880.70</u>
The Radar Shop								
The Radar Shop	9/16/2014	9/5/2014	10339	recertifications	\$287.00	\$0.00		\$287.00
				<i>Totals for The Radar Shop:</i>	<u>\$287.00</u>	<u>\$0.00</u>		<u>\$287.00</u>
Toll Brothers Inc								
Toll Brothers Inc	9/16/2014	8/25/2014	SPR 04-12	refund unused deposit SPR 04-12	\$582.93	\$0.00		\$582.93
				<i>Totals for Toll Brothers Inc:</i>	<u>\$582.93</u>	<u>\$0.00</u>		<u>\$582.93</u>
Turf Star, Inc.								
Turf Star, Inc.	9/16/2014	8/29/2014	6861754-00	supplies	\$206.45	\$0.00		\$206.45
Turf Star, Inc.	9/16/2014	8/29/2014	6862417-00	supplies	\$240.82	\$0.00		\$240.82
				<i>Totals for Turf Star, Inc.:</i>	<u>\$447.27</u>	<u>\$0.00</u>		<u>\$447.27</u>
Underground Service Alert								
Underground Service Alert	9/16/2014	8/27/2014	14070167	annual membership 2014-2015	\$174.48	\$0.00		\$174.48
				<i>Totals for Underground Service Alert:</i>	<u>\$174.48</u>	<u>\$0.00</u>		<u>\$174.48</u>
United Site Services Inc								
United Site Services Inc	9/16/2014	8/27/2014	114-2146042	portapotties for 4th of July Parade 2014	\$551.13	\$0.00		\$551.13
				<i>Totals for United Site Services Inc:</i>	<u>\$551.13</u>	<u>\$0.00</u>		<u>\$551.13</u>
US Bank Corp Pymt System (Cal Card)								
US Bank Corp Pymt System (Cal Card)	8/19/2014	8/27/2014	Stmt Ending 7/22/14	Land's End - work shirt	\$43.53	\$0.00		\$43.53
US Bank Corp Pymt System (Cal Card)	8/19/2014	8/27/2014	Stmt Ending 7/22/14	Geoconsultants - monitoring May 2014	\$1,546.50	\$0.00		\$1,546.50
US Bank Corp Pymt System (Cal Card)	8/19/2014	8/27/2014	Stmt Ending 7/22/14	business lunch Re: 2007 bonds - IRS Audit	\$29.70	\$0.00		\$29.70
US Bank Corp Pymt System (Cal Card)	8/19/2014	8/27/2014	Stmt Ending 7/22/14	Central Storage - Rent	\$96.00	\$0.00		\$96.00
US Bank Corp Pymt System (Cal Card)	8/19/2014	8/27/2014	Stmt Ending 7/22/14	supplies	\$307.17	\$0.00		\$307.17
US Bank Corp Pymt System (Cal Card)	8/19/2014	8/27/2014	Stmt Ending 7/22/14	supplies to paint EH fence	\$108.96	\$0.00		\$108.96
US Bank Corp Pymt System (Cal Card)	8/19/2014	8/27/2014	Stmt Ending 7/22/14	vehicle supplies	\$390.24	\$0.00		\$390.24
US Bank Corp Pymt System (Cal Card)	8/19/2014	8/27/2014	Stmt Ending 7/22/14	nails	\$9.46	\$0.00		\$9.46
US Bank Corp Pymt System (Cal Card)	8/19/2014	8/27/2014	Stmt Ending 7/22/14	trailer batteries	\$651.74	\$0.00		\$651.74
US Bank Corp Pymt System (Cal Card)	8/19/2014	8/27/2014	Stmt Ending 7/22/14	repair dump truck - WC Ford	\$3,029.26	\$0.00		\$3,029.26
US Bank Corp Pymt System (Cal Card)	8/19/2014	8/27/2014	Stmt Ending 7/22/14	supplies for Grove Park	\$134.54	\$0.00		\$134.54
US Bank Corp Pymt System (Cal Card)	8/19/2014	8/27/2014	Stmt Ending 7/22/14	supplies	\$959.68	\$0.00		\$959.68
US Bank Corp Pymt System (Cal Card)	8/19/2014	8/27/2014	Stmt Ending 7/22/14	fuel	\$1,196.34	\$0.00		\$1,196.34
US Bank Corp Pymt System (Cal Card)	8/19/2014	8/27/2014	Stmt Ending 7/22/14	landscape fuel	\$1,631.63	\$0.00		\$1,631.63
US Bank Corp Pymt System (Cal Card)	8/19/2014	8/27/2014	Stmt Ending 7/22/14	office supplies	\$92.66	\$0.00		\$92.66
US Bank Corp Pymt System (Cal Card)	8/19/2014	8/27/2014	Stmt Ending 7/22/14	postage	\$1.61	\$0.00		\$1.61

City of Clayton Cash Requirements Report

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
US Bank Corp Pymt System (Cal Card)	8/19/2014	8/27/2014	Stmt Ending 7/22/14	uniform	\$138.32	\$0.00		\$138.32
US Bank Corp Pymt System (Cal Card)	8/19/2014	8/27/2014	Stmt Ending 7/22/14	livescan	\$108.50	\$0.00		\$108.50
US Bank Corp Pymt System (Cal Card)	8/19/2014	8/27/2014	Stmt Ending 7/22/14	Sprint - cell phone bill payment	\$50.00	\$0.00		\$50.00
US Bank Corp Pymt System (Cal Card)	8/19/2014	8/27/2014	Stmt Ending 7/22/14	taser cartridges, battery	\$625.53	\$0.00		\$625.53
US Bank Corp Pymt System (Cal Card)	8/19/2014	8/27/2014	Stmt Ending 7/22/14	airsoft training supplies	\$139.89	\$0.00		\$139.89
US Bank Corp Pymt System (Cal Card)	8/19/2014	8/27/2014	Stmt Ending 7/22/14	vehicle fuel	\$2,651.47	\$0.00		\$2,651.47
US Bank Corp Pymt System (Cal Card)	8/19/2014	8/27/2014	Stmt Ending 7/22/14	training , taser, glock, lunch	\$390.76	\$0.00		\$390.76
US Bank Corp Pymt System (Cal Card)	8/19/2014	8/27/2014	Stmt Ending 7/22/14	car washes	\$39.49	\$0.00		\$39.49
<i>Totals for US Bank Corp Pymt System (Cal Card):</i>					<i>\$14,372.98</i>	<i>\$0.00</i>		<i>\$14,372.98</i>
Warner Brothers Tree Service								
Warner Brothers Tree Service	9/16/2014	9/12/2014	11449	tree work - El Portal Dr	\$375.00	\$0.00		\$375.00
Warner Brothers Tree Service	9/16/2014	9/12/2014	11448	tree work - Old Marsch Creek Rd	\$1,350.00	\$0.00		\$1,350.00
Warner Brothers Tree Service	9/16/2014	9/12/2014	11445	tree work - Clayton Rd - broker eucalyptus lim	\$600.00	\$0.00		\$600.00
Warner Brothers Tree Service	9/16/2014	9/12/2014	11446	tree work - City Hall	\$3,000.00	\$0.00		\$3,000.00
<i>Totals for Warner Brothers Tree Service:</i>					<i>\$5,325.00</i>	<i>\$0.00</i>		<i>\$5,325.00</i>
Corrie Warner								
Corrie Warner	9/16/2014	9/12/2014	14296	deposit refund for Endeavor Hall 8/29/14	\$500.00	\$0.00		\$500.00
<i>Totals for Corrie Warner:</i>					<i>\$500.00</i>	<i>\$0.00</i>		<i>\$500.00</i>
Watch Guard								
Watch Guard	9/16/2014	9/5/2014	STDINV0024866	DV1-EOH-GPS	\$5,446.70	\$0.00		\$5,446.70
<i>Totals for Watch Guard:</i>					<i>\$5,446.70</i>	<i>\$0.00</i>		<i>\$5,446.70</i>
GRAND TOTALS:					\$418,069.94	\$0.00		\$418,069.94

CalCard List (in order by account number)				
8/22/2014				
Amount Billed	Rec'd	Name	Department	Notes
	☐	Gary Napper	Admin	
\$ 79.59	☐	Ed Bryce	PW	
\$ 678.97	☐	Dan Johnston	PW	
\$ 547.26	☐	Richard Enea	PD	
\$ 404.89	☐	Richard McEachin	PD	
\$ 2,872.09	☐	Laura Hoffmeister	Admin	
\$ 1,647.00	☐	Sandro Arias	PW	
\$ 250.96	☐	Jason Shaw	PD	
\$ 313.36	☐	Russ Eddy	PD	
\$ 118.45	☐	Allan Pike	PD	
\$ 724.48	☐	Wendy Roden	PD	
\$ 48.00	☐	Chris Thorsen	PD	
\$ 137.50	☐	Sandy Johnson	PD	
\$ 956.00	☐	Janet Brown	Admin	
\$ 499.58	☐	Lee Borman	PD	
\$ 368.20	☐	Garrett Wayne	PD	
\$ 240.00	☐	John Fraga	PD	
\$ 551.13	☐	Tim Marchut	PD	
	☐	Kevin Mizuno	Admin	
\$ 2,072.37	☐	Mark Janney	PW	
\$ 1,209.96	☐	John Johnston	PW	
\$ 88.98	☐	Allen White	PD	
n/a		Adjustments		
Total Payment:		\$	13,808.77	
Total Admin:		3828.09		
Total PW:		5687.89	\$	13,808.77
Total PD:		4292.79		

AUTOMATIC DATA PROCESSING
820 N. MCCARTHY BLVD.
MILPITAS, CA 95035



Payment Advice

Date: 09-02-2014

Br/Co: 04Z7L-A

3571
CITY OF CLAYTON
ATTN: JENNIFER GIANTVAL
6000 HERITAGE TRAIL
CLAYTON, CA 94517

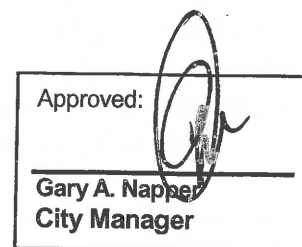
This is to advise you in detail of an ACH transaction applied to your account.

Check Date	Br/Co	Description	Reason	Amount
09-03-2014	04/Z7L	ER FSDD Document #: 666039593005	IMP	61,701.78 DR
09-03-2014	04/Z7L	ER ADPCK Document #: 672028170739	IMP	2,719.41 DR
Total				64,421.19 DR

If you have any questions regarding your Payment Advice, please contact your ADP Representative/Payroll Center or Account Manager.

Reason Descriptions:

IMP This charge is for a payroll or adjustment associated with the referenced payroll check date.



STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: Janet Brown, City Clerk/HR Manager *JB*

DATE: September 16, 2014

SUBJECT: Resolution determining Scott L. Dansie, an employee of the City of Clayton, classified as a Local Safety Member, is disabled for purposes of the Public Employees' Retirement Law (CalPERS) and such disability is "Industrial" within the meaning of such law, effective August 20, 2014.

RECOMMENDATION

Adopt the Resolution.

BACKGROUND

Scott L. Dansie is a recent former employee of the City of Clayton, previously classified as a Police Sergeant and a member of the Local Safety classification under the California Public Employees' Retirement System (CalPERS). He was employed by the City as a local law enforcement officer since the year 2000.

Mr. Dansie was involved in an on-the job incident on November 6, 2013 that resulted in injuries to his lower back which caused him to be temporarily medically released from his duties as a Police Sergeant.

In December 2013, Mr. Dansie was released to modified work status in the Police Department under certain restrictions, which prevented him from lifting over 20 pounds with no bending, kneeling, squatting, climbing, crawling, pulling and pushing. These physical limitations further prevented him from fully performing all of his duties as a Clayton Police Sergeant.

In March 2014 while still receiving workers' compensation treatment on his lower back injury, as Mr. Dansie was exiting his Police vehicle he apparently applied too much pressure to his right knee when compensating for his lingering lower back injury.

As required by applicable law, City staff and the Police Chief considered whether or not the Clayton Police Department would be able to provide permanently modified and/or alternative duties for Mr. Dansie, given the doctor's restrictions listed above. As a result of that consideration, it is determined our Police Department is unable to provide a permanently modified and/or alternate position for Mr. Dansie since the City needs all of its eleven (11) sworn law enforcement personnel working at full physical capacity. Mr. Dansie is in agreement with this determination.

Based on attending physician and doctor examinations, Mr. Dansie's physical condition has recently been ruled "permanent and stationary", meaning his physical limitations will not improve. In mid-August 2014, Mr. Dansie submitted an application for industrial disability retirement to the California Public Employees' Retirement System (CalPERS).

CalPERS now requires certain declarations from the City, as the contracting agency in the form of a Resolution, to commence and process the industrial disability retirement, effective August 20, 2014.

FISCAL IMPACT

California Labor Code Sections 4850.3 and 4850.4 require the City to make Advanced Disability Pension Payments until such time the industrial disability retirement paperwork is processed through CalPERS and Mr. Dansie starts receiving his disability retirement pension directly from CalPERS. The City's advanced pension payments will then be fully reimbursed to the City by CalPERS.

The City is presently in the selection process for a replacement Police Sergeant.

Attachment: 1. City Resolution (2 pp.)

RESOLUTION NO. XX-2014

A RESOLUTION DETERMINING SCOTT L. DANSIE, AN EMPLOYEE OF THE CITY OF CLAYTON CLASSIFIED AS A LOCAL SAFETY MEMBER, IS DISABLED FOR PURPOSES OF THE PUBLIC EMPLOYEES' RETIREMENT LAW (CALPERS), AND SUCH DISABILITY IS "INDUSTRIAL" WITHIN THE MEANING OF SUCH LAW

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

(Section 21156, CA Government Code)

WHEREAS, the City of Clayton (Agency) is a contracting agency of the California Public Employees' Retirement System (CalPERS); and

WHEREAS, the CalPERS Retirement Law requires that a contracting agency determine whether an employee of such agency, in employment in which he/she is classified as a local safety member, is disabled for purposes of the CalPERS Retirement Law and whether such disability is "industrial" within the meaning of such Law; and

WHEREAS, an application for industrial disability retirement of Scott L. Dansie employed by the Agency in the position of Police Sergeant has been filed with CalPERS by Mr. Dansie; and

WHEREAS, the Agency has reviewed the medical records and other evidence relevant to such alleged disability of Mr. Dansie; and

WHEREAS, the Clayton City Council does hereby find and determine that such disability is a result of injury or disease arising out of and in the course of Mr. Dansie's employment, and neither Mr. Dansie nor the City of Clayton applied to the Workers' Compensation Appeals Board for a determination pursuant to G.C. Section 21166, whether such disability is industrial; and

WHEREAS, by mutual agreement Mr. Dansie was separated from his Agency employment in the position of Police Sergeant after expiration of his rights under Section 21164, CA Government Code effective August 20, 2014, and that no dispute as to the expiration of such leave rights is pending. His last date on Agency pay status was and is August 19, 2014; and

WHEREAS, there is no possibility of a third party liability pertaining to this particular industrial disability action; and

WHEREAS, Mr. Dansie requested Advanced Disability Pension Payments (ADPPs) be made to him by the Agency, as is allowed under CalPERS regulations, with mutual understanding said ADPPs will be fully reimbursed by CalPERS to the Agency. The ADPPs will be made monthly in the monthly amount of \$3,297.79 beginning August 20, 2014, prorated for said month of August 2014, and will continue monthly until such time

CalPERS commences its monthly pension payments directly to Mr. Dansie and so instructs the Agency accordingly; and

WHEREAS, the primary disabling condition is physical in nature, as determined by treating physicians and doctors;

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

1. It does herein delegate to the incumbent in the office/position of City Manager the authority to make determinations of disability on behalf of the Agency under Government Code Section 21156 and whether such disability is industrial and to certify such determination and all other necessary information to CalPERS; and

2. That Mr. Scott L. Dansie is unable to perform the full and complete range of duties of a Clayton Police Sergeant and is therefore considered incapacitated within the meaning of the Public Employees' Retirement Law, and it does herewith authorize the City Manager to forward all necessary documents to CalPERS.

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California at a regular public meeting thereof held on the 16th day of September 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

THE CITY COUNCIL OF CLAYTON, CA

Hank Stratford, Mayor

ATTEST:

Janet Brown, City Clerk



Agenda Date: 9-16-2014

Agenda Item: 3d

Approved:

Gary A. Napper
City Manager

AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: Janet Brown, City Clerk

DATE: September 16, 2014

SUBJECT: 2014 Conflict of Interest Code

RECOMMENDATION

City Council approval of the Conflict of Interest Code and direct the City Clerk to submit the 2014 Local Biennial Notice to the Fair Political Practices Commission indicating no amendments are necessary.

BACKGROUND

The Political Reform Act requires every local government agency to review its conflict of interest code biennially to determine if it is accurate or, alternatively, that the code must be amended. Once the determination has been made, a notice must be submitted to the Code Reviewing Body (City Council) no later than October 1 of even-numbered years.

After reviewing the Conflict of Interest Code, the City Clerk determined no amendments are necessary.

FISCAL IMPACT

None.

Attachments: 1. 2014 Local Biennial Notice
2. Clayton's Conflict of Interest Code

2014 Local Agency Biennial Notice

Name of Agency: City of Clayton
Mailing Address: 6000 Heritage Trail, Clayton, CA 94561
Contact Person: Janet Brown Phone No: (925) 673-7304
E-Mail: jbrown@ci.clayton.ca.us

Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code includes disclosure by those agency officials who make or participate in making governmental decisions.

This agency has reviewed its conflict of interest code and has determined that (check one box):

☐ **An amendment is required. The following amendments are necessary:**

(Mark all that apply.)

- ☐ Include new positions (including consultants) that must be designated
- ☐ Revise disclosure categories
- ☐ Revise the titles of existing positions
- ☐ Delete positions that no longer make or participate in making governmental decisions
- ☐ Other (describe) _____

☐ **The code is currently under review by the code reviewing body.**

☒ **No amendment is required.** (If your code is more than five years old, amendments may be necessary.)

Verification

This agency's conflict of interest code accurately designates all positions that make or participate in the making of governmental decisions. The disclosure categories assigned to those positions accurately require the disclosure of all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding designated positions. The code includes all other provisions required by Government Code Section 87302.

Signature of Chief Executive Officer

Date

Complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than **October 1, 2014**, or by the date specified by your agency, if earlier, to:

(PLACE RETURN ADDRESS OF THE CODE REVIEWING BODY HERE)

PLEASE DO NOT RETURN THIS FORM TO THE FPPC

CONFLICT OF INTEREST CODE
OF THE
CITY OF CLAYTON

CONFLICT OF INTEREST CODE OF THE CITY OF CLAYTON

(Adopted September 18, 2012)

The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted 2 Cal. Code of Regs. Section 18730 which contains the terms of a standard conflict of interest code which can be incorporated by reference in an agency's code. After public notice and hearing Section 18730 may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation (attached) and the attached Appendix designating officials and employees and establishing disclosure categories, shall constitute the conflict of interest code of the **City of Clayton (the "City")**.

All officials and designated positions required to submit a statement of economic interests shall file their statements with the **City Clerk** as the City's Filing Officer. The **City Clerk** shall make and retain a copy of all statements filed by the Mayor, Members of the City Council and Planning Commission, the City Manager, the City Attorney and the City Treasurer, and forward the originals of such statements to the Fair Political Practices Commission. The **City Clerk** shall retain the original statements filed by all other officials and designated positions and will make all retained statements available for public inspection and reproduction during regular business hours. (Gov. Code Section 81008.)

APPENDIX

CONFLICT OF INTEREST CODE

OF THE

CITY OF CLAYTON

(Adopted September 18, 2012)

EXHIBIT "A"

The Mayor, Members of the City Council and Planning Commission, the City Manager, the City Attorney, the City Treasurer, and All Other City Officials who manage public investments, as defined by 2 Cal. Code of Regs. §18720, are NOT subject to the City's Code but must file disclosure statements under Government Code Section 87200 et seq. [Regs. § 18730(b)(3)]

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

It has been determined that the positions listed below are Other City Officials who manage public investments¹. These positions are listed here for informational purposes only.

Finance Manager

Financial Consultant

¹ Individuals holding one of the above-listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by § 87200.

DESIGNATED POSITIONS

GOVERNED BY THE CONFLICT OF INTEREST CODE

<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Assistant City Attorney	1, 2
Assistant Planner	1, 2
Assistant to the City Manager	2, 3, 4
Chief of Police	5
City Clerk	5
City Engineer	1, 2
Community Development Director	1, 2
Maintenance Supervisor	5
Office Assistant/Code Enforcement Officer	6
Police Sergeant	5
Successor Agency Special Legal Counsel	1, 2

BOARDS & COMMISSIONS

Oversight Board of Successor Agency	1, 2
Successor Agency	1, 2

DESIGNATED POSITIONS'
TITLE OR FUNCTION

DISCLOSURE CATEGORIES
ASSIGNED

Consultants and New Positions²

² Individuals serving as a consultant as defined in FPPC Reg 18701 or in a new position created since this Code was last approved that makes or participates in making decisions must file under the broadest disclosure set forth in this Code subject to the following limitation:

The City Manager may determine that, due to the range of duties or contractual obligations, it is more appropriate to assign a limited disclosure requirement. A clear explanation of the duties and a statement of the extent of the disclosure requirements must be in a written document. (Gov. Code Sec. 82019; FPPC Regulations 18219 and 18734.). The City Manager's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code. (Gov. Code Sec. 81008.)

EXHIBIT "B"

DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of economic interests that the designated position must disclose for each disclosure category to which he or she is assigned.³

Category 1: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that do business or own real property within the jurisdiction of the City.

Category 2: All interests in real property which is located in whole or in part within, or not more than two (2) miles outside, the boundaries of the City.

Category 3: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the City.

Category 4: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the City.

Category 5: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the designated position's department, unit or division.

Category 6: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, subject to the regulatory, permit, or licensing authority of the designated employee's department, unit or division.

³ This Conflict of Interest Code does not require the reporting of gifts from outside this agency's jurisdiction if the source does not have some connection with or bearing upon the functions of the position. (Reg. 18730.1)

(Regulations of the Fair Political Practices Commission, Title 2, Division 6, California Code of Regulations)

§ 18730. Provisions of Conflict of Interest Codes.

(a) Incorporation by reference of the terms of this regulation along with the designation of employees and the formulation of disclosure categories in the Appendix referred to below constitute the adoption and promulgation of a conflict of interest code within the meaning of Section 87300 or the amendment of a conflict of interest code within the meaning of Section 87306 if the terms of this regulation are substituted for terms of a conflict of interest code already in effect. A code so amended or adopted and promulgated requires the reporting of reportable items in a manner substantially equivalent to the requirements of article 2 of chapter 7 of the Political Reform Act, Sections 81000, et seq . The requirements of a conflict of interest code are in addition to other requirements of the Political Reform Act, such as the general prohibition against conflicts of interest contained in Section 87100, and to other state or local laws pertaining to conflicts of interest.

(b) The terms of a conflict of interest code amended or adopted and promulgated pursuant to this regulation are as follows:

(1) Section 1. Definitions.

The definitions contained in the Political Reform Act of 1974, regulations of the Fair Political Practices Commission (Regulations 18110, et seq.), and any amendments to the Act or regulations, are incorporated by reference into this conflict of interest code.

(2) Section 2. Designated Employees.

The persons holding positions listed in the Appendix are designated employees. It has been determined that these persons make or participate in the making of decisions which may foreseeably have a material effect on economic interests.

(3) Section 3. Disclosure Categories.

This code does not establish any disclosure obligation for those designated employees who are also specified in Section 87200 if they are designated in this code in that same capacity or if the geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction in which those persons must report their economic interests pursuant to article 2 of chapter 7 of the Political Reform Act, Sections 87200, et seq .

In addition, this code does not establish any disclosure obligation for any designated employees who are designated in a conflict of interest code for another agency, if all of the following apply:

(A) The geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction of the other agency;

(B) The disclosure assigned in the code of the other agency is the same as that required under article 2 of chapter 7 of the Political Reform Act, Section 87200; and

(C) The filing officer is the same for both agencies.¹

Such persons are covered by this code for disqualification purposes only. With respect to all other designated employees, the disclosure categories set forth in the Appendix specify which kinds of economic interests are reportable. Such a designated employee shall disclose in his or her statement of economic interests those economic interests he or she has which are of the kind described in the disclosure categories to

which he or she is assigned in the Appendix. It has been determined that the economic interests set forth in a designated employee's disclosure categories are the kinds of economic interests which he or she foreseeably can affect materially through the conduct of his or her office.

(4) Section 4. Statements of Economic Interests: Place of Filing.

The code reviewing body shall instruct all designated employees within its code to file statements of economic interests with the agency or with the code reviewing body, as provided by the code reviewing body in the agency's conflict of interest code.²

(5) Section 5. Statements of Economic Interests: Time of Filing.

(A) Initial Statements. All designated employees employed by the agency on the effective date of this code, as originally adopted, promulgated and approved by the code reviewing body, shall file statements within 30 days after the effective date of this code. Thereafter, each person already in a position when it is designated by an amendment to this code shall file an initial statement within 30 days after the effective date of the amendment.

(B) Assuming Office Statements. All persons assuming designated positions after the effective date of this code shall file statements within 30 days after assuming the designated positions, or if subject to State Senate confirmation, 30 days after being nominated or appointed.

(C) Annual Statements. All designated employees shall file statements no later than April 1. If a person reports for military service as defined in the Servicemember's Civil Relief Act, the deadline for the annual statement of economic interests is 30 days following his or her return to office, provided the person, or someone authorized to

represent the person's interests, notifies the filing officer in writing prior to the applicable filing deadline that he or she is subject to that federal statute and is unable to meet the applicable deadline, and provides the filing officer verification of his or her military status.

(D) Leaving Office Statements. All persons who leave designated positions shall file statements within 30 days after leaving office.

(5.5) Section 5.5. Statements for Persons Who Resign Prior to Assuming Office.

Any person who resigns within 12 months of initial appointment, or within 30 days of the date of notice provided by the filing officer to file an assuming office statement, is not deemed to have assumed office or left office, provided he or she did not make or participate in the making of, or use his or her position to influence any decision and did not receive or become entitled to receive any form of payment as a result of his or her appointment. Such persons shall not file either an assuming or leaving office statement.

(A) Any person who resigns a position within 30 days of the date of a notice from the filing officer shall do both of the following:

(1) File a written resignation with the appointing power; and

(2) File a written statement with the filing officer declaring under penalty of perjury that during the period between appointment and resignation he or she did not make, participate in the making, or use the position to influence any decision of the agency or receive, or become entitled to receive, any form of payment by virtue of being appointed to the position.

(6) Section 6. Contents of and Period Covered by Statements of Economic Interests.

(A) Contents of Initial Statements.

Initial statements shall disclose any reportable investments, interests in real property and business positions held on the effective date of the code and income received during the 12 months prior to the effective date of the code.

(B) Contents of Assuming Office Statements.

Assuming office statements shall disclose any reportable investments, interests in real property and business positions held on the date of assuming office or, if subject to State Senate confirmation or appointment, on the date of nomination, and income received during the 12 months prior to the date of assuming office or the date of being appointed or nominated, respectively.

(C) Contents of Annual Statements. Annual statements shall disclose any reportable investments, interests in real property, income and business positions held or received during the previous calendar year provided, however, that the period covered by an employee's first annual statement shall begin on the effective date of the code or the date of assuming office whichever is later, or for a board or commission member subject to Section 87302.6, the day after the closing date of the most recent statement filed by the member pursuant to Regulation 18754.

(D) Contents of Leaving Office Statements.

Leaving office statements shall disclose reportable investments, interests in real property, income and business positions held or received during the period between the closing date of the last statement filed and the date of leaving office.

(7) Section 7. Manner of Reporting.

Statements of economic interests shall be made on forms prescribed by the Fair Political Practices Commission and supplied by the agency, and shall contain the following information:

(A) Investment and Real Property Disclosure.

When an investment or an interest in real property³ is required to be reported,⁴ the statement shall contain the following:

1. A statement of the nature of the investment or interest;
2. The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;
3. The address or other precise location of the real property;
4. A statement whether the fair market value of the investment or interest in real property equals or exceeds \$2,000, exceeds \$10,000, exceeds \$100,000, or exceeds \$1,000,000.

(B) Personal Income Disclosure. When personal income is required to be reported,⁵ the statement shall contain:

1. The name and address of each source of income aggregating \$500 or more in value, or \$50 or more in value if the income was a gift, and a general description of the business activity, if any, of each source;
2. A statement whether the aggregate value of income from each source, or in the case of a loan, the highest amount owed to each source, was \$1,000 or less, greater than \$1,000, greater than \$10,000, or greater than \$100,000;
3. A description of the consideration, if any, for which the income was received;

4. In the case of a gift, the name, address and business activity of the donor and any intermediary through which the gift was made; a description of the gift; the amount or value of the gift; and the date on which the gift was received;

5. In the case of a loan, the annual interest rate and the security, if any, given for the loan and the term of the loan.

(C) Business Entity Income Disclosure. When income of a business entity, including income of a sole proprietorship, is required to be reported,⁶ the statement shall contain:

1. The name, address, and a general description of the business activity of the business entity;

2. The name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than \$10,000.

(D) Business Position Disclosure. When business positions are required to be reported, a designated employee shall list the name and address of each business entity in which he or she is a director, officer, partner, trustee, employee, or in which he or she holds any position of management, a description of the business activity in which the business entity is engaged, and the designated employee's position with the business entity.

(E) Acquisition or Disposal During Reporting Period. In the case of an annual or leaving office statement, if an investment or an interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the statement shall contain the date of acquisition or disposal.

(8) Section 8. Prohibition on Receipt of Honoraria.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept any honorarium from any source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

Subdivisions (a), (b), and (c) of Section 89501 shall apply to the prohibitions in this section.

This section shall not limit or prohibit payments, advances, or reimbursements for travel and related lodging and subsistence authorized by Section 89506.

(8.1) Section 8.1. Prohibition on Receipt of Gifts in Excess of \$440.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept gifts with a total value of more than \$440 in a calendar year from any single source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

Subdivisions (e), (f), and (g) of Section 89503 shall apply to the prohibitions in this section.

(8.2) Section 8.2. Loans to Public Officials.

(A) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the elected officer holds office or over which the elected officer's agency has direction and control.

(B) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the public official holds office or over which the public official's agency has direction and control. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(C) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status.

(D) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall,

while he or she holds office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(E) This section shall not apply to the following:

1. Loans made to the campaign committee of an elected officer or candidate for elective office.

2. Loans made by a public official's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such persons, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.

3. Loans from a person which, in the aggregate, do not exceed five hundred dollars (\$500) at any given time.

4. Loans made, or offered in writing, before January 1, 1998.

(8.3) Section 8.3. Loan Terms.

(A) Except as set forth in subdivision (B), no elected officer of a state or local government agency shall, from the date of his or her election to office through the date

he or she vacates office, receive a personal loan of \$500 or more, except when the loan is in writing and clearly states the terms of the loan, including the parties to the loan agreement, date of the loan, amount of the loan, term of the loan, date or dates when payments shall be due on the loan and the amount of the payments, and the rate of interest paid on the loan.

(B) This section shall not apply to the following types of loans:

1. Loans made to the campaign committee of the elected officer.
2. Loans made to the elected officer by his or her spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such person, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.

3. Loans made, or offered in writing, before January 1, 1998.

(C) Nothing in this section shall exempt any person from any other provision of Title 9 of the Government Code.

(8.4) Section 8.4. Personal Loans.

(A) Except as set forth in subdivision (B), a personal loan received by any designated employee shall become a gift to the designated employee for the purposes of this section in the following circumstances:

1. If the loan has a defined date or dates for repayment, when the statute of limitations for filing an action for default has expired.
2. If the loan has no defined date or dates for repayment, when one year has elapsed from the later of the following:

- a. The date the loan was made.
- b. The date the last payment of \$100 or more was made on the loan.
- c. The date upon which the debtor has made payments on the loan aggregating to less than \$250 during the previous 12 months.

(B) This section shall not apply to the following types of loans:

1. A loan made to the campaign committee of an elected officer or a candidate for elective office.
2. A loan that would otherwise not be a gift as defined in this title.
3. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor has taken reasonable action to collect the balance due.
4. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor, based on reasonable business considerations, has not undertaken collection action. Except in a criminal action, a creditor who claims that a loan is not a gift on the basis of this paragraph has the burden of proving that the decision for not taking collection action was based on reasonable business considerations.
5. A loan made to a debtor who has filed for bankruptcy and the loan is ultimately discharged in bankruptcy.

(C) Nothing in this section shall exempt any person from any other provisions of Title 9 of the Government Code.

(9) Section 9. Disqualification.

No designated employee shall make, participate in making, or in any way attempt to use his or her official position to influence the making of any governmental decision which he or she knows or has reason to know will have a reasonably foreseeable

material financial effect, distinguishable from its effect on the public generally, on the official or a member of his or her immediate family or on:

(A) Any business entity in which the designated employee has a direct or indirect investment worth \$2,000 or more;

(B) Any real property in which the designated employee has a direct or indirect interest worth \$2,000 or more;

(C) Any source of income, other than gifts and other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to official status, aggregating \$500 or more in value provided to, received by or promised to the designated employee within 12 months prior to the time when the decision is made;

(D) Any business entity in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management; or

(E) Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating \$440 or more provided to, received by, or promised to the designated employee within 12 months prior to the time when the decision is made.

(9.3) Section 9.3. Legally Required Participation.

No designated employee shall be prevented from making or participating in the making of any decision to the extent his or her participation is legally required for the decision to be made. The fact that the vote of a designated employee who is on a voting body is needed to break a tie does not make his or her participation legally required for purposes of this section.

(9.5) Section 9.5. Disqualification of State Officers and Employees.

In addition to the general disqualification provisions of section 9, no state administrative official shall make, participate in making, or use his or her official position to influence any governmental decision directly relating to any contract where the state administrative official knows or has reason to know that any party to the contract is a person with whom the state administrative official, or any member of his or her immediate family has, within 12 months prior to the time when the official action is to be taken:

(A) Engaged in a business transaction or transactions on terms not available to members of the public, regarding any investment or interest in real property; or

(B) Engaged in a business transaction or transactions on terms not available to members of the public regarding the rendering of goods or services totaling in value \$1,000 or more.

(10) Section 10. Disclosure of Disqualifying Interest.

When a designated employee determines that he or she should not make a governmental decision because he or she has a disqualifying interest in it, the determination not to act may be accompanied by disclosure of the disqualifying interest.

(11) Section 11. Assistance of the Commission and Counsel.

Any designated employee who is unsure of his or her duties under this code may request assistance from the Fair Political Practices Commission pursuant to Section 83114 and Regulations 18329 and 18329.5 or from the attorney for his or her agency, provided that nothing in this section requires the attorney for the agency to issue any formal or informal opinion.

(12) Section 12. Violations.

This code has the force and effect of law. Designated employees violating any provision of this code are subject to the administrative, criminal and civil sanctions provided in the Political Reform Act, Sections 81000-91014. In addition, a decision in relation to which a violation of the disqualification provisions of this code or of Section 87100 or 87450 has occurred may be set aside as void pursuant to Section 91003.

1 Designated employees who are required to file statements of economic interests under any other agency's conflict of interest code, or under article 2 for a different jurisdiction, may expand their statement of economic interests to cover reportable interests in both jurisdictions, and file copies of this expanded statement with both entities in lieu of filing separate and distinct statements, provided that each copy of such expanded statement filed in place of an original is signed and verified by the designated employee as if it were an original. See Section 81004.

2 See Section 81010 and Regulation 18115 for the duties of filing officers and persons in agencies who make and retain copies of statements and forward the originals to the filing officer.

3 For the purpose of disclosure only (not disqualification), an interest in real property does not include the principal residence of the filer.

4 Investments and interests in real property which have a fair market value of less than \$2,000 are not investments and interests in real property within the meaning of the Political Reform Act. However, investments or interests in real property of an individual include those held by the individual's spouse and dependent children as well as a pro rata share of any investment or interest in real property of any business entity or trust in

which the individual, spouse and dependent children own, in the aggregate, a direct, indirect or beneficial interest of 10 percent or greater.

5 A designated employee's income includes his or her community property interest in the income of his or her spouse but does not include salary or reimbursement for expenses received from a state, local or federal government agency.

6 Income of a business entity is reportable if the direct, indirect or beneficial interest of the filer and the filer's spouse in the business entity aggregates a 10 percent or greater interest. In addition, the disclosure of persons who are clients or customers of a business entity is required only if the clients or customers are within one of the disclosure categories of the filer.

Note: Authority cited: Section 83112, Government Code. Reference: Sections 87103(e), 87300-87302, 89501, 89502 and 89503, Government Code.

HISTORY

1. New section filed 4-2-80 as an emergency; effective upon filing (Register 80, No. 14). Certificate of Compliance included.
2. Editorial correction (Register 80, No. 29).
3. Amendment of subsection (b) filed 1-9-81; effective thirtieth day thereafter (Register 81, No. 2).
4. Amendment of subsection (b)(7)(B)1. filed 1-26-83; effective thirtieth day thereafter (Register 83, No. 5).
5. Amendment of subsection (b)(7)(A) filed 11-10-83; effective thirtieth day thereafter (Register 83, No. 46).
6. Amendment filed 4-13-87; operative 5-13-87 (Register 87, No. 16).

7. Amendment of subsection (b) filed 10-21-88; operative 11-20-88 (Register 88, No. 46).
8. Amendment of subsections (b)(8)(A) and (b)(8)(B) and numerous editorial changes filed 8-28-90; operative 9-27-90 (Reg. 90, No. 42).
9. Amendment of subsections (b)(3), (b)(8) and renumbering of following subsections and amendment of Note filed 8-7-92; operative 9-7-92 (Register 92, No. 32).
10. Amendment of subsection (b)(5.5) and new subsections (b)(5.5)(A)-(A)(2) filed 2-4-93; operative 2-4-93 (Register 93, No. 6).
11. Change without regulatory effect adopting Conflict of Interest Code for California Mental Health Planning Council filed 11-22-93 pursuant to title 1, section 100, California Code of Regulations (Register 93, No. 48). Approved by Fair Political Practices Commission 9-21-93.
12. Change without regulatory effect redesignating Conflict of Interest Code for California Mental Health Planning Council as chapter 62, section 55100 filed 1-4-94 pursuant to title 1, section 100, California Code of Regulations (Register 94, No. 1).
13. Editorial correction adding History 11 and 12 and deleting duplicate section number (Register 94, No. 17).
14. Amendment of subsection (b)(8), designation of subsection (b)(8)(A), new subsection (b)(8)(B), and amendment of subsections (b)(8.1)-(b)(8.1)(B), (b)(9)(E) and Note filed 3-14-95; operative 3-14-95 pursuant to Government Code section 11343.4(d) (Register 95, No. 11).
15. Editorial correction inserting inadvertently omitted language in footnote 4 (Register 96, No. 13).

16. Amendment of subsections (b)(8)(A)-(B) and (b)(8.1)(A), repealer of subsection (b)(8.1)(B), and amendment of subsection (b)(12) filed 10-23-96; operative 10-23-96 pursuant to Government Code section 11343.4(d) (Register 96, No. 43).

17. Amendment of subsections (b)(8.1) and (9)(E) filed 4-9-97; operative 4-9-97 pursuant to Government Code section 11343.4(d) (Register 97, No. 15).

18. Amendment of subsections (b)(7)(B)5., new subsections (b)(8.2)-(b)(8.4)(C) and amendment of Note filed 8-24-98; operative 8-24-98 pursuant to Government Code section 11343.4(d) (Register 98, No. 35).

19. Editorial correction of subsection (a) (Register 98, No. 47).

20. Amendment of subsections (b)(8.1), (b)(8.1)(A) and (b)(9)(E) filed 5-11-99; operative 5-11-99 pursuant to Government Code section 11343.4(d) (Register 99, No. 20).

21. Amendment of subsections (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) filed 12-6-2000; operative 1-1-2001 pursuant to the 1974 version of Government Code section 11380.2 and Title 2, California Code of Regulations, section 18312(d) and (e) (Register 2000, No. 49).

22. Amendment of subsections (b)(3) and (b)(10) filed 1-10-2001; operative 2-1-2001.

Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2001, No. 2).

23. Amendment of subsections (b)(7)(A)4., (b)(7)(B)1.-2., (b)(8.2)(E)3., (b)(9)(A)-(C) and footnote 4. filed 2-13-2001. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court

of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2001, No. 7).

24. Amendment of subsections (b)(8.1)-(b)(8.1)(A) filed 1-16-2003; operative 1-1-2003. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2003, No. 3).

25. Editorial correction of History 24 (Register 2003, No. 12).

26. Editorial correction removing extraneous phrase in subsection (b)(9.5)(B) (Register 2004, No. 33).

27. Amendment of subsections (b)(2)-(3), (b)(3)(C), (b)(6)(C), (b)(8.1)-(b)(8.1)(A), (b)(9)(E) and (b)(11)-(12) filed 1-4-2005; operative 1-1-2005 pursuant to Government Code section 11343.4 (Register 2005, No. 1).

28. Amendment of subsection (b)(7)(A)4. filed 10-11-2005; operative 11-10-2005 (Register 2005, No. 41).

29. Amendment of subsections (a), (b)(1), (b)(3), (b)(8.1), (b)(8.1)(A) and (b)(9)(E) filed 12-18-2006; operative 1-1-2007. Submitted to OAL pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2006, No. 51).

30. Amendment of subsections (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) filed 10-31-2008; operative 11-30-2008. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2008, No. 44).
31. Amendment of section heading and section filed 11-15-2010; operative 12-15-2010. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2010, No. 47).
32. Amendment of section heading and subsections (a)-(b)(1), (b)(3)-(4), (b)(5)(C), (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) and amendment of footnote 1 filed 1-8-2013; operative 2-7-2013. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2013, No. 2).



Agenda Date: 9-16-2014

Agenda Item: 3e

Approved:

Gary A. Napper
City Manager

STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: CHARLIE MULLEN, COMMUNITY DEVELOPMENT DIRECTOR 

DATE: SEPTEMBER 16, 2014

SUBJECT: CONSIDER RESOLUTION APPROVING A COOPERATIVE AGREEMENT BETWEEN CCTA & TRANSPAC JURISDICTIONS FOR THE DISTRIBUTION OF MEASURE J SALES TAX SUB-REGIONAL TRANSPORTATION NEEDS PROGRAM 28a FUNDS; CDD-15-14.

RECOMMENDATION

Staff recommends the City Council adopt the attached Resolution approving the Cooperative Agreement between Contra Costa Transportation Authority (CCTA) and Transportation Partnership and Cooperation (TRANSPAC) member jurisdictions for the distribution of Measure J sales tax Sub-regional Transportation Needs Program 28a funds to the six Central County member jurisdictions.

BACKGROUND/DISCUSSION

In 2004, Contra Costa County voters approved the Measure J sales tax increase extension and a Growth Management Program Expenditure Plan to extend funding for countywide transportation projects and programs an additional 25 years beyond the initial 20-year span provided under the voter approved Measure C (1988). The Expenditure Plan funding under Measure J is overseen by the CCTA. Measure J will continue in effect through 2034.

The Measure J Expenditure Plan allocates 0.81% of Measure J annual sales tax revenues to the Sub-regional Transportation Program 28a. The program is described in the Measure J Expenditure Plan as follows: "TRANSPAC will propose programming these funds to any project or program identified in the Expenditure Plan or meet other future transportation needs of Central County eligible under the provisions of the Act."

Based on the adopted revenue projections, as part of the 2013 Measure J *Strategic Plan* – approximately \$21.9 million – would be allocated to the Sub-regional Transportation Program 28a over the life of Measure J, of which \$2.3 million has been accumulated through June 30, 2013.

At this time, there has been a single Program 28a appropriation in the amount of \$750,000 made by the CCTA to the City of Pleasant Hill for the Contra Costa Blvd Improvements project (Project 24026). The appropriation was made under Resolution 14-02-P; Cooperative Agreement 28C.01.

To streamline the process, a single multi-party Cooperative Agreement between the CCTA and all six TRANSPAC member jurisdictions is proposed to disburse Program 28a funds. Under the proposed Cooperative Agreement, the CCTA will agree to:

- Disburse Program 28a funds for revenues collected through June 30, 2014 by January 2015;
- Make annual allocations thereafter on November 1 (FY2015 – FY2034);
- Use the 50/50 population and road miles formula while taking into consideration approved appropriation made under Resolution 14-02-P to the City of Pleasant Hill.

On the other hand, TRANSPAC member jurisdictions will agree under the Cooperative Agreement to:

- Submit on September 1st of every year a form (see attached) indicating how Program 28a funds were expended and how much is remaining;
- Commit to not use Program 28a funds for staff time unless it is directly related to a project funded by Program 28a;
- Agree to audit, retention of records, and other standard items normally included in Measure J cooperative agreements.

The following table shows the estimated disbursement amounts for each jurisdiction, as adjusted for the appropriation made under Resolution 14-02-P to the City of Pleasant Hill. Future disbursements are subject to change as Measure J revenue forecasts are updated. Disbursements will be based on actual receipts.

PROGRAMMING OF MEASURE J PROGRAM 28(a) FUNDS TO LOCAL JURISDICTIONS													
Jurisdiction	Distribution of Funds by Population & Road Miles			Projected Disbursements of Funds									
	Population	Road Miles	Average	Jan-15	Nov-15	Nov-16	Nov-17	Nov-18	Nov-19	Nov-20	Nov-21	Nov-22 to Nov-34	TOTAL
Clayton	3.47%	4.26%	3.87%	\$94,112	\$28,195	\$30,327	\$31,501	\$32,676	\$33,938	\$32,285	\$32,466	\$533,177	\$848,677
Concord	38.75%	34.34%	36.55%	\$889,866	\$266,590	\$286,748	\$297,856	\$308,964	\$320,895	\$305,270	\$306,978	\$5,041,383	\$8,024,551
County	15.24%	19.60%	17.42%	\$424,175	\$127,076	\$136,685	\$141,980	\$147,275	\$152,962	\$145,514	\$146,328	\$2,403,089	\$3,825,084
Martinez	11.45%	11.18%	11.32%	\$275,519	\$82,541	\$88,783	\$92,222	\$95,661	\$99,355	\$94,517	\$95,046	\$1,560,904	\$2,484,548
Pleasant Hill	10.53%	11.81%	11.17%	\$750,000	\$0	\$0	\$0	\$0	\$0	67,979	\$93,828	\$1,540,902	\$2,452,709
Walnut Creek	20.56%	18.81%	19.69%	\$479,327	\$143,599	\$154,457	\$160,441	\$166,424	\$172,850	\$164,434	\$165,354	\$2,715,546	\$4,322,432
TOTAL	100.00%	100.00%	100.00%	\$2,913,000	\$648,000	\$697,000	\$724,000	\$751,000	\$780,000	\$810,000	\$840,000	\$13,795,000	\$21,958,000

FISCAL IMPACT

Approval of this Cooperative Agreement between CCTA and TRANSPAC, by the Clayton City Council, will allow the City of Clayton to receive its share of Measure J sales tax revenue for Program 28a funds. Based on the above funding table the City of Clayton is estimated to receive approximately \$122,000 in CY 2015 and approximately \$30,000 annually thereafter until the Measure J sales tax revenue ends in 2034, for a total allocation of approximately \$849,000.

ATTACHMENTS

1. Resolution – Approving the Cooperative Agreement between CCTA & TRANSPAC with Exhibit A – Cooperative Agreement No. 28C.02
2. Measure J Program 28 – Annual Reporting Form

X:\Com Dev\IC D D\2014\CDD-15-14 - TRANSPAC-Coop.Agreement-Measure J-28a Funds\SRCC- TRANSPAC-Coop.Agreement - 9-16-14.docx

RESOLUTION NO. - 2014

A RESOLUTION APPROVING A COOPERATIVE AGREEMENT BETWEEN CCTA AND TRANSPAC MEMBER JURISDICTIONS FOR THE DISTRIBUTION OF MEASURE J SALES TAX SUB-REGIONAL TRANSPORTATION NEEDS PROGRAM 28a FUNDS (CDD-15-14)

THE CITY COUNCIL City of Clayton, California

WHEREAS, in 2004, Contra Costa County voters approved the Measure J sales tax increase extension and a Growth Management Program Expenditure Plan to extend funding for countywide transportation projects and programs an additional 25 years beyond the initial 20-year span provided under the voter approved Measure C (1988). The Expenditure Plan funding under Measure J is administered by the Contra Costa Transportation Authority (CCTA). Measure J will continue in effect through 2034; and

WHEREAS, the CCTA and Transportation Partnership and Cooperative (TRANSPAC) member jurisdictions seek to enter into a Cooperative Agreement to alter the allocation methodology for the distribution of Measure J sales tax Sub-regional Transportation Needs Program 28a funds to each of the six Central County member jurisdictions; and

WHEREAS, the Measure J Expenditure Plan allocates 0.81% of Measure J annual sales tax revenues to the Sub-regional Transportation Program 28a. The program is described in the Measure J Expenditure Plan as follows: "TRANSPAC will propose programming these funds to any project or program identified in the Expenditure Plan or meet other future transportation needs of Central County eligible under the provisions of the Act"; and

WHEREAS, on July 10, 2014, the TRANSPAC Board accepted a proposal to establish a Cooperative Agreement to distribute Central County Measure J sales tax Sub-regional Transportation Needs Program 28a funds and requested member jurisdictions to formally approve the Cooperative Agreement; and

WHEREAS, the City Council has considered any offered public comment and the associated City staff report regarding the Cooperative Agreement at its September 16, 2014 meeting; and

WHEREAS, following its review the City Council determined the attached Cooperative Agreement is consistent with the requirements of applicable provisions of Contra Costa County Ballot Measure J; and

WHEREAS, the City Council has determined the attached Cooperative Agreement is exempt from the California Environmental Quality Act (CEQA) in accordance with the provisions of Section 15061 (b) (3); and

WHEREAS, the City Council determined the attached Exhibit "A" Cooperative Agreement is in conformance with the Clayton General Plan, and that the public necessity, convenience, and general welfare would be beneficially served with approval of the Cooperative Agreement; and

NOW, THEREFORE BE IT RESOLVED the City Council of Clayton, California, does hereby find and determine the above Recitals are true and correct statements of fact related to this action and does herewith base its action in part relying on the veracity of said Recitals; and

BE IT FURTHER RESOLVED the City Council does hereby adopt and approve the Cooperative Agreement between CCTA and TRANSPAC member jurisdictions to distribute Central County Measure J sales tax Sub-regional Transportation Needs Program 28a funds, a true and correct copy of which is attached hereto as "Exhibit A" and incorporated herein by reference, and does herewith authorize the Mayor to sign the agreement and authorize City staff to submit said Agreement to CCTA for implementation.

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California at a regular public meeting thereof held on September 16, 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 the City of Clayton at a regular public meeting thereof held on September 16, 2014.

Janet Brown, City Clerk

Attachments:

Exhibit A – Cooperative Agreement No. 28C.02

COOPERATIVE AGREEMENT NO. 28C.02

This COOPERATIVE AGREEMENT (this "AGREEMENT") is effective this ____ day of _____, 2014 among CONTRA COSTA TRANSPORTATION AUTHORITY, a local transportation authority ("AUTHORITY"), CONTRA COSTA COUNTY, a political subdivision of the State of California ("CONTRA COSTA"), CITY OF CONCORD, a municipal corporation of the State of California ("CONCORD"), the CITY OF CLAYTON, a municipal corporation of the State of California ("CLAYTON"), the CITY OF MARTINEZ, a municipal corporation of the State of California ("MARTINEZ"), the CITY OF PLEASANT HILL, a municipal corporation of the State of California ("PLEASANT HILL"), and the CITY OF WALNUT CREEK, a municipal corporation of the State of California ("WALNUT CREEK" and together with AUTHORITY, CONTRA COSTA, CONCORD, CLAYTON, MARTINEZ, PLEASANT HILL and WALNUT CREEK, the "PARTIES" and each separately, a "PARTY").

RECITALS

THE PARTIES ENTER THIS AGREEMENT on the basis of the following facts, understandings and intentions:

A. Pursuant to the Measure C Sales Tax Renewal Ordinance (#88-01) "hereinafter MEASURE C") as amended by (#04-02), hereinafter referred to as "MEASURE J" approved by the voters of the Contra Costa County on November 2, 2004, CONTRA COSTA, CONCORD, CLAYTON, MARTINEZ, PLEASANT HILL, AND WALNUT CREEK (each, a "PARTNER JURISDICTION" and collectively, the "PARTNER JURISDICTIONS"), and AUTHORITY desire to enter into this AGREEMENT to define a framework to enable the parties to utilize Program 28a funds in MEASURE J.

B. PARTNER JURISDICTIONS shall propose programming Program 28a funds to any project or program identified in the Measure J Expenditure Plan or eligible under the provisions of the Local Transportation Authority and Improvement Act ("PROJECT") and AUTHORITY shall disburse collected funds under Program 28a as provided herein.

NOW, THEREFORE, in consideration of the mutual agreements set forth above and the

rights and obligations set forth in this AGREEMENT and other good and valuable consideration, the receipt and sufficiency of which is acknowledged, AUTHORITY and each PARTNER JURISDICTION hereby agree to the following:

SECTION 1

PARTNER JURISDICTIONS AGREE:

1. On September 1st of each year to submit a form indicating how Program 28a funds were expended for the previous fiscal year and how much, if any, of the funds are remaining.
2. Commit to not use Program 28a funds for staff time, unless it is directly related to a project funded by Program 28a.
3. Each PARTNER JURISDICTION shall maintain true and complete records in connection with the PROJECT, and shall retain all such records for at least thirty-six (36) months after the delivery of the form to the AUTHORITY as provided in Section 1.
4. To allow the AUTHORITY to audit all expenditures relating to the PROJECT funded through this AGREEMENT. For the duration of each fiscal year of the PROJECT, and for four (4) years following each fiscal year of the PROJECT, or earlier discharge of the AGREEMENT, PARTNER JURISDICTION will make available to the AUTHORITY all records relating to expenses incurred in performance of this AGREEMENT.

SECTION 2

AUTHORITY AGREES:

1. To disburse Program 28a funds to PARTNER JURISDICTIONS in January 2015 for revenues collected for Fiscal Year 2013-14 and prior, and thereafter make annual allocations to PARTNER JURISDICTIONS starting in November for the previous fiscal year, from November 2015 until November 2034 using a 50/50 population and road miles split formula, adjusted for appropriation made to Pleasant Hill under Resolution 14-02-P, as provided in Exhibit A attached hereto and incorporated herein by reference.

SECTION 3

IT IS MUTUALLY AGREED:

1. Term. The term of this AGREEMENT shall commence on _____, 2014 and shall remain in effect until terminated as provided in Section 9.
2. Additional Acts and Documents. Each PARTY agrees to do all such things and take all such actions, and to make, execute and deliver such other documents and instruments, as shall be reasonably requested to carry out the provisions, intent and purpose of the AGREEMENT.
3. Amendment. This AGREEMENT may not be changed, modified or rescinded except in writing, signed by all parties hereto, and any attempt at oral modification of this AGREEMENT shall be void and of no effect.
4. Assignment. This AGREEMENT may not be assigned, transferred, hypothecated, or pledged by any PARTY without the express written consent of the other PARTIES.
5. Binding on Successors. This AGREEMENT shall be binding upon the successor(s), assignee(s) or transferee(s) of the PARTIES. This provision shall not be construed as an authorization to assign, transfer, hypothecate or pledge this AGREEMENT other than as provided above.
6. Indemnification.
 - a. AUTHORITY hereby agrees to indemnify, defend, assume all liability for and hold harmless each PARTNER JURISDICTION, its officers, employees, agents, and representatives, to the maximum extent allowed by law, from all actions, claims, suits, penalties, obligations, liabilities, damages to property, costs and expenses (including, without limitation, any fines, penalties, judgments, actual litigation expenses and experts' and actual attorneys' fees), environmental claims or bodily and/or personal injuries or death to any persons (collectively, "CLAIMS") arising out of or in any way connected to AUTHORITY its officers, agents, or employees in connection with or arising from any of its activities pursuant to this AGREEMENT. This indemnification shall survive the termination of the AGREEMENT and shall apply except as to the sole negligence or willful misconduct of a PARTNER JURISDICTION.
 - b. Each PARTNER JURISDICTION hereby agrees to indemnify, defend,

assume all liability for and hold harmless AUTHORITY and its member agencies, officers, employees, agents and representatives, to the maximum extent allowed by law, from all CLAIMS arising out of or in any way connected to the PARTNER JURISDICTION, its officers, agents or employees in connection with or arising from any of its activities pursuant to this AGREEMENT. This indemnification shall survive the termination of the AGREEMENT and shall apply, except as to the sole negligence or willful misconduct of AUTHORITY.

7. Compliance with Laws. AUTHORITY and each of the PARTNER JURISDICTIONS shall comply with all applicable federal and state laws and regulations regarding the work performed and the reimbursements requested.

8. Notices. All required or permitted payments, reports, demands and notices may be sent by regular mail or electronic mail. Notices that are mailed by regular mail shall be deemed delivered two (2) business days after deposited in the mail. Notices may be personally delivered and shall be deemed delivered at the time delivered to the appropriate address set forth below. Notices delivered by electronic mail shall be deemed received upon the sender's receipt of an acknowledgment from the intended recipient (such as by the "return receipt requested" function, as available, return electronic mail or other written acknowledgment of receipt); provided that, if such notice is not sent during normal business hours of the recipient, such notice shall be deemed to have been sent at the opening of business on the next business day of the recipient. Unless and until notified otherwise in writing, a PARTY shall send or deliver all such communications relating to this Agreement to the following address:

Hisham Noeimi
Contra Costa Transportation Authority
2999 Oak Road, Suite 100
Walnut Creek, CA 94597
hnoeimi@ccta.net

John Cunningham
Contra Costa County
30 Muir Road
Martinez, CA 94553
john.cunningham@dcd.cccounty.us

Charlie Mullen
City of Clayton
6000 Heritage Trail
Clayton, CA 94517
cmullen@ci.clayton.ca.us

Ray Kuzbari
City of Concord
1950 Parkside Drive
Concord, CA 94519
ray.kuzbari@cityofconcord.org

Tim Tucker
City of Martinez
525 Henrietta Street
Martinez, CA 94553
ttucker@cityofmartinez.org

Eric Hu
City of Pleasant Hill
100 Gregory Lane
Pleasant Hill, CA 94523
EHu@ci.pleasant-hill.ca.us

Jeremy Lochirco
City of Walnut Creek
1666 North Main Street
Walnut Creek, CA, 94596
lochirco@walnut-creek.org

9. Termination of Agreement. A PARTY may terminate this Agreement at any time by giving written notice of termination to each of the other PARTIES which shall specify the effective date thereof; provided that any notice of termination shall be given at least thirty (30) days before its effective date.

10. Entire Agreement. This Agreement is the entire agreement among AUTHORITY

and the PARTNER JURISDICTIONS relating to the subject matter of this Agreement. All PARTIES acknowledge they have not relied upon any promise, representation or warranty not expressly set forth in this Agreement in executing this Agreement. If any provision of this Agreement is void or otherwise unenforceable, the remainder of the Agreement shall continue in full force and effect. Any changes to the terms and provisions of this Agreement or affecting the obligations of the PARTIES set forth in this Agreement shall be by written amendment signed by all PARTIES.

11. Severability. Should any part of this Agreement be declared unconstitutional, invalid, or beyond the authority of a PARTY to enter into or carry out, such decision shall not affect the validity of the remainder of this Agreement which shall continue in full force and effect; provided that the remainder of this Agreement can, absent the excised portion, be reasonably interpreted to give effect to the intentions of the PARTIES.

12. Waiver. No waiver by a PARTY of any default or breach of any covenant by the other PARTIES shall be implied from any omission to take action on account of such default if such default persists or is repeated and no express waiver shall affect any default other than the default specified in such waiver and then such waiver shall be operative only for the time and to the extent stated in such waiver. Waivers of any covenant, term or condition contained herein shall not be construed as a waiver of any subsequent breach of the same covenant, term or condition. No waiver of any provision under this Agreement shall be effective unless in writing and signed by the waiving PARTY.

13. Controlling Law and Venue. This Agreement and all matters relating to it shall be governed by the laws of the State of California and venue shall be in Contra Costa County.

14. Authority. All PARTIES executing this Agreement represent and warrant that they are authorized to do so.

15. Counterparts. This AGREEMENT may be executed in counterparts.

16. Limitations. All obligations of AUTHORITY under the terms of this AGREEMENT are expressly subject to the AUTHORITY'S continued authorization to collect and expend the sales tax proceeds provided by MEASURE C and MEASURE J. If for any reason the AUTHORITY'S right to collect or expend such sales tax proceeds is terminated or suspended in whole or part,

the AUTHORITY shall promptly notify PARTNER JURISDICTIONS, and the PARTIES shall consult on a course of action. If, after twenty five (25) working days, a course of action is not agreed upon by the parties, this AGREEMENT shall be deemed terminated by mutual or joint consent; provided, that any obligation to fund from the date of the notice shall be expressly limited by and subject to (i) the lawful ability of the AUTHORITY to expend sales tax proceeds for the purposes of this AGREEMENT; and (ii) the availability, taking into consideration all the obligations of the AUTHORITY under all outstanding contracts, agreement to other obligations of the AUTHORITY, of funds for such purposes.

[Signatures on the following pages]

CONTRA COSTA TRANSPORTATION AUTHORITY

By: Ken Romick, Chair

Date _____, 2014

APPROVED AS TO FORM:

By: Malathy Subramanian, General Counsel

Date _____, 2014

CONTRA COSTA COUNTY

By:

Date _____, 2014

APPROVED AS TO FORM:

Sharon Anderson, County Counsel

By: Deputy County Counsel

Date _____, 2014

CITY OF CLAYTON

By: Hank Stratford, Mayor

Date _____, 2014

APPROVED AS TO FORM:

By: Best Best & Krieger, City Attorney

Date _____, 2014

CITY OF CONCORD

By: (Name, Title)

Date _____, 2014

APPROVED AS TO FORM:

By: Mark Coon, City Attorney

Date _____, 2014

CITY OF MARTINEZ

By: (Name, Title)

Date _____, 2014

APPROVED AS TO FORM:

By: Walter & Pistole, City Attorney

Date _____, 2014

CITY OF PLEASANT HILL

By: (Name, Title)

Date _____, 2014

APPROVED AS TO FORM:

By: Janet Coleson, City Attorney

Date _____, 2014

CITY OF WALNUT CREEK

By: (Name, Title)

Date _____, 2014

APPROVED AS TO FORM:

By: Steve Mattas, City Attorney

Date _____, 2014

Exhibit A*

PROGRAMMING OF MEASURE J PROGRAM 28(a) FUNDS TO LOCAL JURISDICTIONS													
Jurisdiction	Distribution of Funds by Population & Road Miles			Projected Disbursements of Funds									
	Population	Road Miles	Average	Jan-15	Nov-15	Nov-16	Nov-17	Nov-18	Nov-19	Nov-20	Nov-21	Nov-22 to Nov-34	TOTAL
Clayton	3.47%	4.26%	3.87%	\$94,112	\$28,195	\$30,327	\$31,501	\$32,676	\$33,938	\$32,285	\$32,466	\$533,177	\$848,677
Concord	38.75%	34.34%	36.55%	\$889,866	\$266,590	\$286,748	\$297,856	\$308,964	\$320,895	\$305,270	\$306,978	\$5,041,383	\$8,024,551
County	15.24%	19.60%	17.42%	\$424,175	\$127,076	\$136,685	\$141,980	\$147,275	\$152,962	\$145,514	\$146,328	\$2,403,089	\$3,825,084
Martinez	11.45%	11.18%	11.32%	\$275,519	\$82,541	\$88,783	\$92,222	\$95,661	\$99,355	\$94,517	\$95,046	\$1,560,904	\$2,484,548
Pleasant Hill	10.53%	11.81%	11.17%	\$750,000	\$0	\$0	\$0	\$0	\$0	67,979	\$93,828	\$1,540,902	\$2,452,709
Walnut Creek	20.56%	18.81%	19.69%	\$479,327	\$143,599	\$154,457	\$160,441	\$166,424	\$172,850	\$164,434	\$165,354	\$2,715,546	\$4,322,432
TOTAL	100.00%	100.00%	100.00%	\$2,913,000	\$648,000	\$697,000	\$724,000	\$751,000	\$780,000	\$810,000	\$840,000	\$13,795,000	\$21,958,000

*Future disbursements are subject to change as Measure J revenue forecast is updated. Disbursements will be based on actual receipts

**City of Pleasant was appropriated \$750,000 on January 15, 2014 for the Contra Costa Blvd Improvements project (Project 24026) under Resolution 14-02-P (Cooperative Agreement 28C.01) which will be provided under reimbursement basis.

*Measure J Program 28 — Subregional Transportation Needs
Central County (TRANSPAC) Jurisdictions*

Reporting Form

Eligible Expenditures during Fiscal Year 2014–15

For instructions on filling out this form, please see the reverse side. If you have further questions, please contact Hisham Noeimi by phone at (925) 256-4731 or email at hnoeimi@ccta.net.

Jurisdiction: _____

A) Balance as of July 1, 2014	\$ 0
B) Program 28 Funds Received during FY 2014–15	\$
C) Available Program 28 Funds	\$
D) Expenditures during FY 2014–15, by category	
▪ Transportation Planning or Design, including public outreach	\$
▪ Maintenance or Improvement of Local Street and Roads	\$
▪ Transit Capital and Operations, including Paratransit	\$
▪ Bicycle or Pedestrian Facilities, including Safe Routes to School	\$
▪ Operational Improvements, including Signals and Parking	\$
▪ Transportation Demand Management	\$
E) Total Expenditures during FY 2014–15	\$
F) Funds Remaining	\$
G) Interest Earned	\$
H) Balance as of June 30, 2015	\$

Prepared by: _____
Title: _____
Date: _____

Phone: _____
Email: _____

Instructions

A) <i>Balance as of July 1, 2014</i>	Enter the amount of remaining Measure J Program 28 funding as of the end of the previous fiscal year
B) <i>Program 28 Funds Received during FY 2014–15</i>	Enter the amount of Measure J Program 28 funding received during the FY 2014–15
C) <i>Available Program 28 Funds</i>	Sum rows A and B
D) <i>Expenditures during FY 2014–15, by category</i>	Enter the amounts expended by the types listed during FY 2014–15. In addition, attach a description of the specific projects, planning activities, programs or operations funded.
E) <i>Total Expenditures during FY 2014–15</i>	Sum the amounts entered in section D
F) <i>Funds Remaining</i>	Subtract the amount in row D from the amount in row C
G) <i>Interest Earned</i>	Enter the amount of any interest earned on Program 28 funds during FY 2014–15
H) <i>Balance as of June 30, 2015</i>	Sum rows F and G

Agenda Date: 9-16-2014

Agenda Item: 3F



STAFF REPORT

Approved:

Gary A. Napper, City Manager

CONSENT ITEM

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: Laura Hoffmeister, Asst. to the City Manager

MEETING DATE: September 16, 2014

SUBJECT: Authorization of flat fee donation of \$135 from the Clayton Woman's Club (grant request for \$360) for their Annual Craft Sale on November 22nd and 23rd, 2014.

RECOMMENDATION

Authorize a flat fee donation of \$135 from the Clayton Woman's Club (grant request for \$360) for their Annual Craft Sale on November 22nd and 23rd, 2014 for use of the Library Community Meeting Room.

BACKGROUND

The Clayton Woman's Club is planning their annual craft sale, a fundraiser for their organization. They have requested use of the Library Community Meeting Room on Saturday November 22nd and 23rd, 2014. (Set up will take place on Friday November 21st). Under the current adopted fee schedule the rates for these days are \$45/hr. plus a \$200 refundable deposit. Currently there are no reservations for the dates requested. The event will be open to the public from 10 a.m. to 5 p.m. on Saturday, and 1p.m. – 5 p.m. Sunday, with additional time for event set up and take down. Using the facility for approximately 8 hours each day the rental cost would be \$495. The Clayton Woman's Club uses the proceeds to support various community endeavors.

Using the same method of approval granted by the City Council for the last twelve years, wherein the organization provided payment for minimum rental costs of 4 hours at the specified rate, the fee would be \$135, (calculated at 3 hour maximum @\$45/hr = \$135; this is the non profit hourly rate in the City's currently adopted fee schedule). This approach is consistent with prior years request, typically fees would be \$495, and thus the grant would amount to \$360. This approach would adequately cover direct costs associated with the event such as energy costs, janitorial service and staff time. This is the current fee amount in the City Council adopted fee schedule updated August 2013. Prior to 2011 the nonprofit rates had remained unchanged since 2007.

Subject: Approve flat fee donation of \$135 from the Clayton Woman's Club (grant request for \$360) for their Annual Craft Sale on November 22nd and 23rd 2014

Meeting Date: September 16, 2014

Page 2 of 2

The Woman's Club will provide their own insurance (naming the City as an additional insured) and has already provided the \$200 refundable reservation/damage-cleanup deposit. As in past years, if the grant is approved staff will deduct the approved fees from their deposit after the event has concluded, and refund the balance. This organization, their function and event location meets the previously approved City Council banner criteria so no action is needed for this request. They may display their event banner on the community poles for a period of two weeks prior to the event date. The banners per the policy will be removed within 48 hrs after the event is over.

FISCAL IMPACT

The reduced rental fee to \$135 would cover all direct costs. The rental income difference would be \$360 which would have gone to the general fund.

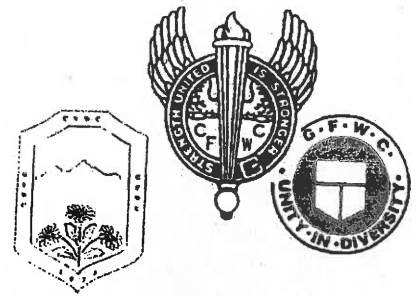
CONCLUSION

Approve the grant requested and authorize a flat fee rental donation of \$135 for the two-day event, plus an additional day of set up.

Attachments:

Letter dated August 14, 2014 from Clayton Valley Woman's Club

GFWC
CLAYTON VALLEY WOMAN'S CLUB
PO Box 95, Clayton, California 94517



August 8, 2014

Clayton City Council
6000 Heritage Trail
Clayton, CA 04517

Received

AUG 14 2014

City of Clayton

Dear Council Members:

The GFWC Clayton Valley Woman's Club is having its annual Boutique and Bake Sale on November 22 and 23. We have reserved Hoyer Hall for the Sale. It is our hope that we may receive some consideration in regards to the rental costs of the Hall. (Set up will be on Friday November 21.)

The Clayton Valley Woman's Club is celebrating its 41st year as an organization whose purpose is to support vital community services. Every year we make donations to the Clayton Historical Society and the Clayton Library. In addition this past year our donations went to STAND, Loaves and Fishes, Shelter Inc. as well as to support a student in college.

We hope you will be able to support us as the budget allows.

Thank you for your consideration,

Sincerely,

Kathryn Olson
(524-0644)

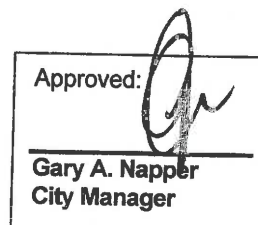
Kathryn Olson
Corresponding Secretary
Clayton Valley Women's Club
PO Box 95
Clayton, CA 94517



Agenda Date: 9-16-2014

Agenda Item: 3g

STAFF REPORT



TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: MAINTNENANCE SUPERVISOR

DATE: SEPTEMBER 16 2014

SUBJECT: RESOLUTION ACCEPTING THE CLAYTON COMMUNITY LIBRARY REPLACEMENT HVAC CHILLER PROJECT (CIP No. 10435) AS COMPLETE, ORDERING THE FILING OF A NOTICE OF COMPLETION.

RECOMMENDATION

Adopt Resolution.

BACKGROUND

The contractor, Marken Mechanical Services, has completed replacement of the Clayton Community Library HVAC Chiller Project (CIP No. 10435) and has requested acceptance of the work.

The City's contract Consulting Engineer on this project (Entek Corp.) and Maintenance Department have completed inspection of the new improvements and recommend acceptance of the work as complete.

FISCAL IMPACT

On February 4, 2014, the City Council approved the contract budget in the amount of \$127,547.00 for the design, inspection, and installation of the Clayton Community Library HVAC chiller. Source of funds was interest earnings in the City's Capital Improvement Budget. The project was completed in the allocated budget amount of \$127,547.00.

CONCLUSION

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

Attachments: Resolution
Notice of Completion

RESOLUTION NO. - 2014

**A RESOLUTION ACCEPTING THE INSTALLATION OF THE CLAYTON
COMMUNITY LIBRARY HAVAC CHILLER PROJECT (CIP #10435) AS
COMPLETE AND ORDERING THE FILING OF A NOTICE OF COMPLETION**

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

WHEREAS, on February 4, 2014 the City Council of Clayton did award a competitive contract to Marken Mechanical Services for the replacement of the Clayton Community Library HVAC Chiller, to be known as the Clayton Community Library HVAC Chiller Project (CIP #10435); and

WHEREAS, Marken Mechanical Services has now represented their work is complete and they are requesting acceptance by the City; and

WHEREAS, the City's contract consulting mechanical engineer on this particular project (Entek Corp) inspected the work performed, has declared the contract has been fulfilled in accordance with project specifications, and City staff now requests the City Council to accept the work as complete and authorize the filing of a Notice of Completion in order to release retained project funds to the contractor;

NOW, THEREFORE, BE IT RESOLVED that the City Council of Clayton, California does hereby accept as completed, as of the date of adoption of this Resolution, the installation of the Clayton Community Library HVAC Chiller Project (CIP No. 10435), hereby authorizes the City Clerk to file a Notice of Completion with the County Recorder, and further authorizes the release of the contract retention funds after the required 35 day waiting period.

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California at a regular public meeting thereof held on the 16th day of September 2014 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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 its regular public meeting held on September 16, 2014.

Janet Brown, City Clerk

Recorded at the request of:

City of Clayton
6000 Heritage Trail
Clayton, CA 94517

**NOTICE OF ACCEPTANCE
AND COMPLETION OF PUBLIC WORKS**

NOTICE IS HEREBY GIVEN that the City of Clayton did, on or about February 4, 2014, contract with Marken Mechanical Services, 5165 Commercial Circle, Suite A, Concord, California, 94520, for the installation of the Clayton Community Library HVAC Chiller Project (CIP # 10435) in accordance with the plans and specifications prepared by the City of Clayton and said contractor's surety was and is Contractors Bonding and Insurance Company P.O. Box 3967, Peoria, IL. 61612-3967.

NOTICE IS FURTHER GIVEN that the City's project consulting engineer, Entek Corp., has inspected said work of the Contractor and reported to the City that the work complies with the approved plans and specifications and recommended its acceptance as complete; also that the City Council of the City of Clayton, California, by adopting Resolution No. 39-2014 on September 16, 2014, accepted said public work project as complete.

I hereby certify that the foregoing is true and correct and that the aforesaid action of the City Council of the City of Clayton, California, in accepting said public work as completed, was duly entered on the minutes of said City Council's public meeting of September 16, 2014. I declare under penalty of perjury that the foregoing is true and correct.

Dated: September 16, 2014, at Clayton, California.

Janet Brown, City Clerk

declaring
September 17 - 23, 2014

as

U. S. Constitution Week

WHEREAS, September 17, 2014 marks the two hundred twenty-seventh anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, it is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary, and to the patriotic celebrations which commemorate the occasion; and

WHEREAS, as the preamble to the U. S. Constitution states "We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America;" and

WHEREAS, our U. S. Constitution has proven to be an enduring document and powerful framework for establishing and preserving liberty, justice, and opportunity for all of our citizens, and is a shining example to the world; and

WHEREAS, the City of Clayton is eternally grateful to those Americans who daily defend the principles of democracy and freedom guaranteed by the U. S. Constitution.

NOW THEREFORE, I, Hank Stratford, Mayor, on behalf of the Clayton City Council, do hereby proclaim September 17 through September 23, 2014 as "U.S. Constitution Week" and urge all community members to reaffirm the ideals the Framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties, remembering that lost rights may never be regained.

declaring
September 21 - 27, 2014
"Falls Prevention Awareness Week"

WHEREAS, nearly 154,000 people, or 14 percent of Contra Costa County's 1,094,000 population, are age 60 or older; and

WHEREAS, each year nationally, one in every three adults age 65 and older falls; and falls are the leading cause of injury death among seniors; and every 35 minutes, an older adult dies from a fall; and

WHEREAS, falls are the most common cause of nonfatal injuries and hospital admissions for trauma, causing injuries such as hip fractures and head traumas; and fall-related injury is one of the 20 most expensive medical conditions; and

WHEREAS, according to a 2010, report, almost half (49.3%) of Contra Costa County's unintentional injury hospitalizations occurred among residents 65 years and older; and over three-quarters (75.9%) of these hospitalizations were due to falls; and

WHEREAS, county residents 65 years and older had the highest unintentional injury hospitalizations in the county due to falls, followed by motor vehicle traffic accidents (13.5%) and poisonings (7.5%); and

WHEREAS, falling and the fear of falling can lead to depression, isolation, diminished mobility, and loss of functional independence; and

WHEREAS, concentrated efforts are being made in Contra Costa County by the Falls Prevention Coalition to reduce falls and fall related injuries using multi-faceted interventions; and

WHEREAS, by Senate Concurrent Resolution SCR 77 of May 28, 2008 declares the first week of fall each year as Falls Prevention Awareness Week in California, and the Federal Safety of Seniors Act of 2007 calls for the expansion of public health programs, educational outreach, and research activities related to fall prevention.

NOW THEREFORE BE IT RESOLVED that I, Hank Stratford, Mayor, on behalf of the Clayton City Council, do hereby proclaim the week of September 21-27, 2014 as "FALLS PREVENTION AWARENESS WEEK" in the City of Clayton, and call upon our citizens and interested groups to observe the week with appropriate activities that promote awareness of fall prevention.

declaring
Saturday, September 20, 2014
as
"Emma Hall Day"

WHEREAS, the Girl Scouting movement founded by Juliette Gordon Low in 1912 enables girls to learn skills to provide duty to God and Country, service to others, service to oneself; and

WHEREAS, Girl Scouting requires a commitment of time and energy to moral, civic, and physical ideals which help the individual, the community, and our Nation; and

WHEREAS, Girl Scouting has leadership Journeys and levels of accomplishment, with the ultimate being the coveted and rare Girl Scout Award; and

WHEREAS, Emma Hall, of Troop 31895, Diablo Shadows Service Unit, has advanced through the Scout levels from Brownie in 2003 to earning her Gold Award as an Ambassador in October 2013; and

WHEREAS, Emma Hall carried out the Girl Scout Law and Girl Scout Promise; she completed dozens of Girl Scout Interest Projects and Badges plus three Leadership Journeys, earned the Senior Community Service bar, the Ambassador Community Service bar, Senior Silver and Gold Torch award and the Ambassador Gold Torch award; and

WHEREAS, Emma Hall completed over 600 hours of community service, tutored elementary students in the Clayton Community Library, led youth groups at her church and school, volunteered at Tony La Russa's Animal Rescue Foundation, participated in Contra Costa Food Bank Scouting for Food and Bay Area Crisis Nursery activities with her troop, and contributed many hours of service time to her community of Clayton; and

WHEREAS, Emma Hall also earned the three highest medal awards in Girl Scouting: the Bronze, Silver, and Gold Awards; and

WHEREAS, Emma Hall completed her Gold Award project, which consisted of creating and organizing the first citywide Clayton Family Fair and Picnic in June 2013. Emma organized over 100 volunteers to create educational booths, activities, games, and music for the families of Clayton. Fire safety, bike safety, and CERT training were offered to the community with over two dozen people trained in CPR at the event.

NOW, THEREFORE, I, Hank Stratford, Mayor of the City of Clayton, on behalf of the entire Clayton City Council, do herewith declare our civic pride in Emma Hall, commend her for her accomplishments and contributions to the betterment of society and our community, and in recognition of her Girl Scout Gold Award achievement do hereby proclaim Saturday, September 20, 2014 as "Emma Hall Day" in the City of Clayton, California.

declaring
Saturday, September 27, 2014
as
"Casey Mitchell Day"

WHEREAS, the Girl Scouting movement founded by Juliette Gordon Low in 1912 enables girls to learn skills to provide duty to God and Country, service to others, service to oneself; and

WHEREAS, Girl Scouting requires a commitment of time and energy to moral, civic, and physical ideals which help the individual, the community, and our Nation; and

WHEREAS, Girl Scouting has leadership Journeys and levels of accomplishment, with the ultimate being the coveted and rare Girl Scout Gold Award; and

WHEREAS, Casey Mitchell, of Troop 31895, Diablo Shadows Service Unit, has advanced through the Girl Scout levels from Brownie in 2003 to earning her Gold Award as an Ambassador in March 2014; and

WHEREAS, Casey Mitchell carried out the Girl Scout Law and Girl Scout Promise, completed dozens of Girl Scout Interest Projects and Badges plus three Leadership Journeys; and

WHEREAS, Casey Mitchell completed over 300 hours of community service by collecting toys for foster children, volunteered at Tony La Russa's Animal Rescue Foundation and at All In Need Family Support, and at Bay Area Crisis Nursery activities with her troop, and with Senior Women at Clayton Valley Charter High School, and with trail maintenance in Clayton; and

WHEREAS, Casey Mitchell has earned the three highest medal awards in Girl Scouting: the Bronze, Silver, and Gold Awards; and

WHEREAS, Casey Mitchell completed her Gold Award project which involved using art to help special needs children strengthen social, focusing, and fine moto skills as well as attention span and sensory integration. Casey planned and taught art lessons for children with Autism and other special needs at All in Need Family Support. She also made a portable mural with some of their artwork, and created take-home art kits for the children. Casey researched appropriate projects to enhance skills, purchased and prepared supplies, and supervised volunteers while teaching the lessons.

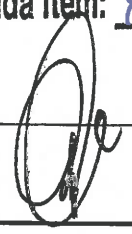
NOW, THEREFORE, I, Hank Stratford, Mayor of the City of Clayton, on behalf of the entire Clayton City Council, do herewith declare our civic pride in Casey Mitchell, commend her for her contributions to the betterment of our society and community, and in recognition of her Girl Scout Gold Award accomplishment do hereby proclaim Saturday, September 27, 2014 as "Casey Mitchell Day" in the City of Clayton, California.

Agenda Item: 4d

Agenda Date: 9-16-2014



Approved:


Gary A. Napper,
City Manager

STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: Laura Hoffmeister, Asst. to the City Manager
Kevin Mizuno, Finance Manager

MEETING DATE: September 16, 2014

SUBJECT: Revised Master Fee Schedule for City Services and use of City Facilities and Parks

RECOMMENDATION

It is recommended the City Council adopt the attached Resolution amending the Fee Schedule for City Services and Use of Public Facilities and Parks for FY 2014-15.

BACKGROUND

The City of Clayton has established annual review of user fees to ensure that user fees are set appropriately and updated, based upon various cost and revenue considerations. The current fee schedule for use of City Facilities and Parks was established by Resolution No. 31-2013 on September 17, 2013, and amended by Resolution 38-2013 on December 3, 2013.

Staff is recommending all existing fees be increased by the CPI (2.8%) to adjust for inflation, (the City uses the April to April period for the CPI), as has been City policy all fees are then rounded up or down to the nearest whole dollar. Fees that last year did not result in any increase due to small amount or rounding down of the CPI have been adjusted forward with the CPI for a two year period, which is 5.1%, and in some cases fees that have not been adjusted for three years have been adjusted forward with a three year CPI period. The youth field rental fee was increased last year and is not proposed to be increased this year. Certain other fees remain unchanged as they are set by state laws, or are currently sufficient such as the tree removal in lieu fee. All deposits will remain unchanged as these are refundable security damage/clean up deposits. There are only two new fees proposed, and are highlighted yellow on the proposed fee schedule. One is to include a fee for the Tobacco Sales Permit Annual Permit Renewal as required by the City's Municipal Code section 5.81.100, which requires a fee to be set by Resolution. The lack of a fee for this appears to be

an oversight as a fee was established in 2002 for the initial Tobacco Permit, but not for the annual permit renewal. The Chief has recommended the fee of \$41 would be sufficient to cover staff time (the Initial Permit fee already established is \$81). The other is to establish reservation time change, reservation date change and rental cancellations for Hoyer Hall, City Hall Conference Room, City Hall Courtyard and Community Park Picnic Areas. All of the other city facilities already had such fees, and it appears an oversight that these facilities were not included in previous fee schedules.

FISCAL IMPACT

Adjustments to our Master Fee Schedule are consistent with public policy that user-based municipal services bear their own costs. The proposed changes would accomplish this objective and in each instance no fee is higher than the true cost to provide the service or use. As noted above certain fees that were not increased over the last two or three years (as the CPI resulted in too little of an adjustment) have been brought forward and increased. On the far right column of the attached proposed fee schedule (Exhibit A to the Resolution) fees with one star [*] indicate a single year CPI adjustment; those with two stars [**] indicate a two year CPI adjustment. Additionally certain fees indicated by and arrow [>] on the left column may be construed as development permit fees subject to California Government Code Section 66017 and therefore would not be effective until 60 after adoption of the Resolution.

CONCLUSION

Staff affirms the proposed Master Fee Schedule closely reflects the actual direct costs related to the provision of these City services. Staff recommends approval of the revised Master Fee Schedule for City Services and Use of Public Facilities and Parks shown in the right column in Exhibit A.

Attachments:

- Resolution __-2014
- Exhibit A to Resolution __-2014

RESOLUTION NO. __-2014

**A RESOLUTION ADJUSTING AND AMENDING THE CITY MASTER FEE
SCHEDULE FOR CITY SERVICES AND USE OF PUBLIC FACILITIES AND
PARKS IN FISCAL YEAR 2014-15**

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

WHEREAS, the City of Clayton establishes and charges various user-benefit fees for City services and facilities that are updated annually to reflect increases in costs to provide said municipal services; and

WHEREAS, City staff did develop data to substantiate proposed changes to said fees which would not exceed the estimated reasonable cost of providing the user-benefit service or using the facility for which a fee is charged, and further made this data available to the public at least ten (10) days prior to the public meeting on this matter in compliance with Government Code Section 66016; and

WHEREAS, the only new fees proposed are for annual renewal of tobacco sales permits required by the Clayton Municipal Code, and for park or facility reservation rescheduling/cancellations; all other existing fees are only being adjusted to account for appropriate Consumer Price Index (CPI) increases benchmarked to the Bureau of Labor Statistics San Francisco Bay Area Region CPI index from April – April; and

WHEREAS, the City Council did consider staff recommendations for modifications at their regular scheduled public meeting on September 16, 2014, including public comments addressing this matter; and

WHEREAS, the fees shall become effective immediately upon adoption of said Resolution by the City Council, except for those fees marked by an arrow on the attached Exhibit "A" which are subject to California Government Code Section 66017 and become effective sixty (60) days upon adoption of said Resolution; and

WHEREAS, the Clayton City Council deems it necessary and appropriate to increase all fees by the 2.8% annual change in the CPI (Bureau of Labor Statistics San Francisco Bay Area April 2013- April 2014 San Francisco Bay Area); fees that were unchanged last year to are subject to increase by the two years CPI; and includes a new fee for the annual renewal of a City Tobacco Sales Permit pursuant to Municipal Code section 5.81.100 plus modifications to or new fees for various park or facility reservation rescheduling/cancellations.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Clayton, California does hereby set, adjust and approve the various user-benefit fees for certain City services and use of public facilities and parks as contained in the City Master Fee Schedule, a true and correct copy of which is attached hereto as "Exhibit A" and incorporated herein as if fully set forth below.

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California at a regular public meeting thereof held on 16th day of September 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

THE CITY COUNCIL OF CLAYTON, CA

Hank Stratford, Mayor

ATTEST:

Janet Brown, City Clerk

DEPARTMENT	City of Clayton FY 13-14	Proposed FY 14-15 Fee	
COMMUNITY DEVELOPMENT DEPARTMENT			
Annexations			
Annexation	Time - \$5,000 minimum deposit	No Change	
General Plan /Zoning Ordinance Amendments			
General Plan Map or Text Amendment	Time - \$5,000 minimum deposit	No Change	
Pre Zoning / Re Zoning	Time - \$5,000 minimum deposit	No Change	
Zoning Ordinance Text Amendment	Time - \$5,000 minimum deposit	No Change	
Site Plans / Development Plans			
Site Plan Review Permit - Residential	Time - \$1,000 minimum deposit	No Change	
Site Plan Review Permit - Residential Amendment	Time - \$1,000 minimum deposit	No Change	
Site Plan Review Permit - Non Residential	Time - \$5,000 minimum deposit	No Change	
Site Plan Review Permit - Non Residential Amendment	Time - \$2,000 minimum deposit	No Change	
Development Plan	Time - \$5,000 minimum deposit	No Change	
Subdivisions			
Tentative Subdivision Map Application	Time - \$5,000 minimum deposit	No Change	
Lot Line Adjustment	Time - \$1,000 minimum deposit	No Change	
Lot Merger	Time - \$2,000 minimum deposit	No Change	
Parcel Maps			
Tentative Parcel Map Application	Time - \$2,000 minimum deposit	No Change	
Environmental Review			
Environmental Impact Report	Time - \$5,000 minimum deposit	No Change	
Negative Declaration with Mitigations (Mitigated Neg. Dec.)	Time - \$2,500 minimum deposit	No Change	
Negative Declaration with out Mitigations	Time - \$1,500 minimum deposit	No Change	
Mitigation Monitoring Plan	Included with Neg Dec/ Mitigated Neg Dec/ EIR	No Change	
Categorical Exemption	No charge - unless document needs County recording	No Change	
Permits			
Home Occupation Permit - Administrative Review	\$162	\$166	*
Home Occupation Permit - Planning Commission Review	Time - \$500 minimum deposit	No Change	
> Use Permit - Fences Administrative Review	\$162	\$166	*
Use Permit - Residential - Planning Commission Review	Time - \$1,000 minimum deposit	No Change	
Use Permit - Non- Residential - Planning Commission Review	Time - \$5,000 minimum deposit	No Change	
Temporary Use Permit - Administrative Review	\$162	\$166	*
Temporary Use Permit - Planning Commission Review	Time \$500 minimum deposit	No Change	
> Sign Permit - Administrative Review	\$53	\$54	*
Sign Permit - Planning Commission Review	Time - \$1,000 minimum deposit	No Change	
> Temporary Storage Permit	\$53	\$54	*
> Second Dwelling Unit Permit - Administrative Review	\$269	\$276	*
> Tree Removal Permit - Administrative Review without notice	\$10 / tree - minimum \$33	\$10 / tree - minimum \$34	*
Tree Removal Permit - Administrative Review with Notice	\$50 / tree - minimum \$108	\$51 / tree - minimum \$111	*
Tree Removal Permit - Planning Commission Review	Time - \$500 minimum deposit	No Change	
Tree Replacement In-Lieu Fee (code section 15.70.040 F & 15.70.55)	\$800 per 24" box tree	No Change	
Building Moving Permit	Time - \$1,000 minimum deposit	No Change	
Noise Permit - Administrative Review	\$162	\$166	*
Reasonable Accommodations Permit - Administrative Review	\$162	\$166	*
Reasonable Accommodations Permit - Planning Commission Review	Time - \$500 minimum deposit	No Change	
> Outdoor Seating Permit (17.24.020 -H/Standard Policy No 3)	\$85	\$87	*

Miscellaneous			
Variance - Residential	Time - \$1,000 minimum deposit	No Change	
Variance - Non Residential	Time - \$5,000 minimum deposit	No Change	
Appeal - Administrative Decisions	\$53	\$54	*
Appeal-Administrative Code Enforcement Citation	Time-\$1800 minimum deposit	No Change	
> Appeal - Planning Commission Decisions - Residential	\$269	\$276	*
> Appeal - Planning Commission Decisions - Non Residential	\$539	\$554	*
Time Extension Request	Time - \$500 minimum deposit	No Change	
Contract Administration	Time - \$1,000 minimum deposit	No Change	
Large Family Day Care Home Permit	Time - \$500 minimum deposit	No Change	
Pre Application Consultation Deposit	Time - \$1,000 minimum deposit	No Change	
Construction and Demolition (C&D) Recycling Plans			
Mgmt. Plan Deposit - Single Family	\$2,000 plus \$1/sq. ft. over 2,000 sq. ft.	No change	
> Permit processing Fee - Single Family	\$140	\$144	*
> Permit processing Fee -Commercial	\$281	\$289	*
Mgmt. Plan Deposit - Subdivision and Commercial	\$2,000 plus \$1/sq. ft. over 2,000 sq. ft.	No Change	
Habitat Conservation Area Compliance			
Habitat Conservation Plan/Natural CC Plan	Time - \$1,000 minimum deposit	No Change	

CITY ENGINEERING DEPARTMENT			
Bid or Plan Sets	Actual Cost	No Change	
Subdivisions			
> Final Map Filing Fee	\$539 / map	\$554 / map	*
Final Map Checking Fee	Time - \$2,500 minimum deposit	No Change	
Construction Plans Checking	Time - \$2,500 minimum deposit	No Change	
Construction Inspection Fee - Public Improvements	9% of Bond Estimates	No Change	
Construction Inspection Fee - Private Improvements	9% of Bond Estimates	No Change	
Construction Inspection Fee - Sanitary Sewer	3% of Bond Estimates	No Change	
Parcel Maps			
> Final Parcel Map Filing Fee	\$108 / map	\$111 / map	*
Final Parcel Map Plan Checking Fee	Time - \$1,000 minimum deposit	No Change	
Construction Plan Checking Fee	Time - \$1,000 minimum deposit	No Change	
Construction Inspection Fee - Public Improvements	9% of Bond Estimates	No Change	
Construction Inspection Fee - Private Improvements	9% of Bond Estimates	No Change	
Construction Inspection Fee - Sanitary Sewer	3% of Bond Estimates	No Change	
Grading			
> Grading Permit Filing Fee	\$162 / permit	\$166 / permit	*
Grading Permit Plan Check	Time - \$1,000 minimum deposit	No Change	
Grading Inspection	Time - \$1,000 minimum deposit	No Change	
Minor Encroachment Permits			
> Pools, driveways, minor concrete repair	\$81 / permit	\$83 / permit	*
Major Encroachment Permits			
> Major Encroachment Permit	\$53 / permit	\$54 / permit	*
Major Plan Check	Time - \$2,500 minimum deposit	No Change	
Major Inspection	Time - \$2,500 minimum deposit	No Change	
Cash Bond Major Encroachments (may be surety if more than \$10,000)	Per City Engineer	No Change	
STORMWATER INSPECTION PERMITS			
Construction Permit			
> Minor - project that does not disturb ground (interior remodels etc.)	\$106 / permit + Time- \$500 deposit	\$109 / permit + Time-\$500 deposit	*
> Standard - pools, driveways, minor concrete repairs, room additions	\$135 / permit + Time - \$2,000 min deposit	\$139 / permit + Time-\$2,000 min deposit	*
Major projects	Time - \$5,000 minimum deposit	No Change	
Post Construction			
Post construction Annual Verification Inspection - Individual Single Family Lot	\$173 / lot	\$178 / lot	*
Post construction Annual Verification Inspection - Single Family HOA	\$173 / HOA for up to 10 lots - \$52 per addtl lot	\$178 / HOA for up to 10 lots-\$53 per ea. addtl lot	*
Post construction Annual Verification Inspection - Commercial	\$173 / acre (with minimum of \$173)	\$178 / acre (with minimum of \$178)	*
Documentation Compliance Review Fee - Individual Single Family Lot	\$173 / lot	\$178 / lot	*
Documentation Compliance Review Fee - HOA	\$173 / HOA up to 10 lots; + 52 per ea. addtl lot	\$178 / HOA up to 10 lots; +53 per ea. addtl lot	*
Documentation Compliance Review Fee - Commercial	\$173 / acre (with minimum of \$173)	\$178 / acre (with minimum of \$178)	*
Annual State Reporting preparation/filing Fee - Individual Single Family Lot	\$63 / lot	\$65 / lot	*
Annual State Reporting preparation/filing Fee - Single Family HOA	\$121 / HOA	\$124 / HOA	*
Annual State Reporting preparation/filing Fee - Commercial	\$121 / acre (minimum \$121)	\$124 / acre (minimum \$124)	*

POLICE DEPARTMENT			
Residential Alarm System Registration Fee	\$28 / residential unit	\$29 / residential unit	*
Commercial Alarm System Registration Fee	\$56 / commercial occupancy	\$57 / commercial occupancy	*
Bicycle License	\$3 / License	No Change	
Vehicle Release	\$140 / vehicle (cash, credit, debit only)	\$144 / vehicle (cash, credit, debit only)	*
Police Reports	\$28 / report	\$29 / report	*
VIN Verification	\$38 / vehicle	\$39 / vehicle	*
Clearance Letters	\$28 / letter	\$29 / letter	*
Police Enforcement on Party Ordinance	Time - Maximum \$500	No Change	
Police Enforcement of DUI Involving Accident	Time - Maximum \$12,000	No Change	
Enforcement of Suspended or Revoked Licenses	Time	No Change	
City Alcohol Beverage Permit	\$53	\$54	*
Booking Fees	As established by County or agreement w/ Concord	No Change	
False Alarm Fee (City Ordinance 9.18.060(a)(b))	\$105	\$108	*
Tobacco Sales Permit (City Ordinance 8.16.130)	\$81	\$83	*
Tobacco Sales Permit Fee Renewal (City Ordinance 8.16.130)	Never Established	\$41	
Taxicab Permit Fee (City Ordinance 5.36.050)	\$272	\$280	*
Taxicab Permit Fee - Renewal (City Ordinance 5.36.190)	\$102	\$105	*
Witness Fees per Gov. Code Sect. 68096-1 if City Employee subpoenaed	\$150 + IRS reimbursement min. rate per State Code	No Change	
Administrative Fee for Failure to Display Disabled Placards per vehicle code 40226	\$25 / violation	No Change	
Firearms Seizure and Processing Fee	\$108 / violation	\$111 / violation	*
RV Public parking Permit Fee - Bona fide guest of Clayton Resident	\$28 / permit	\$29 / permit	*
RV Public Parking Permit Fee - Clayton Resident	No charge	No Change	
Solicitation Permit	\$87 / permit	\$89 / permit	*
Citation Sign off for correctable offenses - Non Resident	\$23 / citation	\$24 / citation	*
Citation Sign off for correctable offenses - Resident	no charge	No Change	
Late Fee- Parking Violations	\$38 / citation	\$39 / citation	*
Suspended License	As established by City Ordinance	No Change	
Financial Responsibility (DUI)	As established by City Ordinance	No Change	
Private Security Patrol Registration	No fee per City Ordinance 5.16.11	No Change	

PUBLIC FACILITIES AND PARKS RENTAL FEES			
Library Meeting Room - Hoyer Hall			
Non profit (Non-Clayton Based)	\$45 / hour (anytime)	\$46 / hour (anytime)	*
Non profit - Only Clayton Based	\$24 / hour-\$45 max for up to 3 hours	\$25 /hour-\$46 max for up to 3 hours	*
Resident	\$55 / hour	\$56 / hour	*
Non resident or Commercial	\$68 / hour	\$70 / hour	*
Deposit (for all) - clean up/damage - refundable	\$200 / rental	No Change	
Reservation rental time change (same date)	None established previously	\$39 less than 7 calendar days prior to use date	
Reservation rental date change	None established previously	\$49 less than 7 calendar days prior to use date	
Rental Cancellation	None established previously	14 days or less: no refund 15-29 days: 50% refund (deposit+rental fee) and \$25 processing fee 30 or more days: \$25 processing fee	
Endeavor Hall Meeting Room			
Non profits- Clayton based and Non Clayton based Weekdays	\$43 / hour Sun 5pm - Fri 5pm	\$44 / hour Sun 5pm - Fri 5pm	*
Clayton Based Non Profit only	\$108 maximum weekday rental Clayton based non profit only	\$111 maximum weekday rental Clayton based non profit only	*
Non profits- Clayton based and Non Clayton based Weekends	\$162 per hour Fri 5pm - Sun 5pm	\$166 / hour Fri 5pm - Sun 5pm	*
Resident - Weekdays	\$108 / hour Sun 5pm - Fri 5pm	\$111 / hour Sun 5pm - Fri 5pm	*
Non resident or Commercial - Weekdays	\$129 / hour Sun 5pm - Fri 5pm	\$132 / hour Sun 5pm - Fri 5pm	*
Resident - Weekends	\$162 / hour Fri 5pm - Sun 5pm	\$166 / hour Fri 5pm - Sun 5pm	*
Non resident or Commercial - Weekends	\$194 / hour Fri 5pm - Sun 5pm	\$199 / hour Fri 5pm - Sun 5pm	*
Deposit (all) - no alcohol or beer and wine only	\$500 reservation- clean up/damage per rental	No Change	
Deposit (all) - hard alcohol (distilled spirits)	\$1,000 reservation- clean up damage per rental	No Change	
Alcohol Permit	\$53 / event	\$54 / event	*
Noise Permit - Administrative Review	\$161 / event	\$165 / event	*
Reservation rental time change (same date)	\$38 less than 30 days prior to the event	\$39 less than 30 days prior to the event	*
Reservation rental date change	\$48 less than 90 days prior to event	\$49 less than 90 days prior to event	*
Rental Cancellation	30 days or less: no refund 31-60 days: 25% deposit refund 61-90 days: 50% deposit refund 91-180 days: 75% deposit refund 181 or more days: 95% deposit refund	No change	
City Hall 1st Floor Conference Room			
Non Profit (Clayton based or non clayton based non profits)	\$24 / hour	\$25 / hour	*
Resident	\$29 / hour	\$30 / hour	*
Non Resident or Commercial	\$35 / hour	\$36 / hour	*
Deposit (all)	\$100 per rental - clean up/damage	No Change	
Reservation rental time change (same date)	None established previously	\$39 less than 7 calendar days prior to use date	
Reservation rental date change	None established previously	\$49 less than 7 calendar days prior to use date	
Rental Cancellation	None established previously	14 days or less: no refund 15-29 days: 50% refund (deposit+rental fee) and \$25 processing fee 30 or more days: \$25 processing fee	
City Hall Courtyard			
Non Profit (Clayton based or non clayton based non profits)	\$45 / hour	\$46 / hour	*
Resident	\$55 / hour	\$56 / hour	*
Non Resident or Commercial	\$68 / hour	\$70 / hour	*
Deposit (all)	\$100 / rental - clean up/damage	No Change	
Reservation rental time change (same date)	None established previously	\$39 less than 7 calendar days prior to use date	
Reservation rental date change	None established previously	\$49 less than 7 calendar days prior to use date	
Rental Cancellation	None established previously	14 days or less: no refund 15-29 days: 50% refund (deposit+rental fee) and \$25 processing fee 30 or more days: \$25 processing fee	

Clayton Community Park and Related Facilities			
Picnic Areas			
Picnic Area #2 - Resident	\$17 flat fee for up to 4 hours	\$18 flat fee for up to 4 hours	**
Picnic Area #2 - Non Resident or Commercial	\$24 flat fee for up to 4 hours	\$25 flat fee for up to 4 hours	*
Picnic Area #3 - Resident	\$17 flat fee for up to 4 hours	\$18 flat fee for up to 4 hours	**
Picnic Area #3 - Non Resident or Commercial	\$24 flat fee for up to 4 hours	\$25 flat fee for up to 4 hours	*
Picnic Area #4 - Resident	\$40 flat fee for up to 4 hours	\$41 flat fee for up to 4 hours	*
Picnic Area #4 - Non Resident or Commercial	\$51 flat fee for up to 4 hours	\$52 flat fee for up to 4 hours	*
Picnic Area #5 - Resident (6 separate areas)	\$33 / table for up to 4 hours - 1st 2 tables	\$34 / table for up to 4 hours - 1st 2 tables	*
	\$6 flat fee per each additional table - 4 hours minimum	No change	
Picnic Area #5 - Non Resident or Commercial (6 separate areas)	\$42 / table for up to 4 hours - 1st 2 tables	\$43 / table for up to 4 hours - 1st 2 tables	*
	\$7 flat fee per each additional table - 4 hours minimum	No change	
Picnic Area #6 Resident (Large Group Area)	\$269 / day	\$276 / day	*
Picnic Area #6 Resident (Large Group Area)	\$33 / hour - 4 hour minimum required	\$34 / hour - 4 hour minimum required	*
Picnic Area #6 Non Resident or Commercial (Large Group Area)	\$350 / day	\$360 / day	*
Picnic Area #6 Non Resident or Commercial (Large Group Area)	\$46 per hour - 4 hour minimum required	\$47 flat fee for up to 4 hours	*
Picnic Area #5 & #6 Combined - Resident	\$430 per day	\$442	*
Picnic Area #5 & #6 Combined - Resident	\$53 per hour - 4 hour minimum required	\$54	*
Picnic Area #5 & #6 Combined - Non Resident or Commercial	\$560 / day	\$576 / day	*
Picnic Area #5 & #6 Combined - Non Resident or Commercial	\$71 / hour - 4 hour minimum required	\$73 / hour - 4 hour minimum required	*
Picnic Area #7 - Resident	\$43 flat fee for up to 4 hours	\$44 flat fee for up to 4 hours	*
Picnic Area #7 - Non Resident or Commercial	\$55 flat fee for up to 4 hours	\$56 flat fee for up to 4 hours	*
Reservation rental time change (same date)	None established previously	\$39 less than 7 calendar days prior to use date	
Reservation rental date change	None established previously	\$49 less than 7 calendar days prior to use date	
Rental Cancellation	30 or less: no refund 31-59 days: \$25 processing fee and forfeiture of security deposit 60 days or more: \$25 processing fee	14 days or less: no refund 15-29 days: 50% refund and \$25 processing fee 30 or more days: \$25 processing fee	
Rain out	Reschedule to alt. date at no additional cost (no refund)	No Change	
Sports Fields			
Adult Field Rental	\$33 / hour	\$34 / hour	*
Youth Field Rental (was last changed in 2014 from \$19 to \$20)	\$20 / hour	No change	
Field Rental Change of Time, Same Date	\$38 less than 7 calendar days prior to use date	\$39 less than 7 calendar days prior to use date	*
Field Rental Change of Date	\$48 less than 7 calendar days prior to use date	\$49 less than 7 calendar days prior to use date	*
Field Rental Cancellation	No refund less than 14 days prior to use	No Change	
Rain out	Reschedule to alt. date at no additional cost (no refund)	No Change	

Grove Park and Related Facilities			
Entire Facility Security Deposits	Events without food or beverage \$1,500	No change	
Entire Facility Security Deposits	Events with food and beverage \$1,800	No change	
Entire Facility Security Deposits	Events closing street (i.e.: either Main or Center etc.) \$2,200	No change	
Special Event Permit/Application Process (non refundable) - events closing streets (Main or Center etc.) + other permit fees:TUP/NP	\$262	\$275	*
Gazebo only Rental Security Deposit	\$250	No change	
Amplified Sound - damage/security deposit if using City sound equip	\$1,000	No change	
Amplified Sound Equipment Use Fee (Noise Permit also required)	\$ 24 / hour	\$25 / hour	*
City provided Sound Equipment Tech if needed for use of City equip	Cost	No change	
Reservation rental time change (same date)	None established previously	\$39 less than 7 calendar days prior to use date	
Reservation rental date change	None established previously	\$49 less than 7 calendar days prior to use date	
Rental Cancellation	Less than 30 days: no refund 30-59 days: \$25 processing fee and 50% security deposit 60 or more days: \$25 processing fee	14 days or less: no refund 15-29 days: 50% refund (deposit+rental fee) and \$25 processing fee 30 or more days: \$25 processing fee	
Rain out	Reschedule to alt. date at no additional cost (no refund)	No Change	
Entire Grove Park Facility			
Rental Entire Facility - Resident - Weekends	\$162 / hour	\$166 / hour	*
Rental Entire Facility - Resident - Weekends	\$1,292 / day	\$1,328 / day	*
Rental Entire Facility - Non Profit (verification req'd) - Weekends	\$162 / hour	\$166 / hour	*
Rental Entire Facility - Non Profit (verification req'd) - Weekends	\$1,292 / day	\$1,328 / day	*
Rental Entire Facility - Non Resident or Commercial - Weekends	\$194 / hour	\$199 / hour	*
Rental Entire Facility - Non Resident or Commercial - Weekends	\$1,550 / day	\$1,593 / day	*
Rental Entire Facility - Resident - Weekdays	\$108 / hour	\$111 / hour	*
Rental Entire Facility - Resident - Weekdays	\$861 / day	\$885 / day	*
Rental Entire Facility - Non Profit (verification req'd) - Weekdays	\$108 / hour	\$111 / hour	*
Rental Entire Facility - Non Profit (verification req'd) - Weekdays	\$841 / day	\$864 / day	*
Rental Entire Facility - Non Resident or Commercial - Weekdays	\$129 / hour	\$133 / hour	*
Rental Entire Facility - Non Resident or Commercial - Weekdays	\$1,137 / day	\$1,169 / day	*
Gazebo Only			
Rental Gazebo only -Resident - Weekends	\$113 / hour	\$116 / hour	*
Rental Gazebo only -Resident - Weekends	\$905 / day	\$930 / day	*
Rental Gazebo only -Non profit (verification req'd) - Weekends	\$113 / hour	\$116 / hour	*
Rental Gazebo only -Non profit (verification req'd) - Weekends	\$905 / day	\$930 / day	*
Rental Gazebo only - Non Resident or Commercial - Weekends	\$136 / hour	\$140 / hour	*
Rental Gazebo only - Non Resident or Commercial - Weekends	\$1,085 / day	\$1,115 / day	*
Rental Gazebo only -Resident - Weekdays	\$81 / hour	\$83 / hour	*
Rental Gazebo only -Resident - Weekdays	\$323 / day	\$332 / day	*
Rental Gazebo only -Non profit (verification req'd) - Weekdays	\$81 / hour	\$83 / hour	*
Rental Gazebo only -Non profit (verification req'd) - Weekdays	\$323 / day	\$332 / day	*
Rental Gazebo only - Non Resident or Commercial - Weekdays	\$96 / hour	\$99 / hour	*
Rental Gazebo only - Non Resident or Commercial - Weekdays	\$388 / day	\$399 / day	*
Group Picnic Area (near tot lot)			
Group Picnic Area - Resident - Weekends	\$28 / hour - 4 hour minimum	\$29 / hour - 4 hour minimum	*
Group Picnic Area - Resident - Weekends	\$188 / day	\$193 / day	*
Group Picnic Area - Non Profit (verification req'd) - Weekends	\$28 / hour - 4 hour minimum	\$29 / hour - 4 hour minimum	*
Group Picnic Area - Non Profit (verification req'd) - Weekends	\$188 / day	\$193 / day	*
Group Picnic Area - Non Resident or Commercial - Weekends	\$33 / hour - 4 hour minimum	\$34 / hour - 4 hour minimum	*
Group Picnic Area - Non Resident or Commercial - Weekends	\$226 / day	\$232 / day	*
Group Picnic Area - Resident - Weekdays	\$23 / hour - 4 hour minimum	\$24 / hour - 4 hour minimum	*
Group Picnic Area - Resident - Weekdays	\$172 / day	\$177 / day	*
Group Picnic Area - Non Profit (verification req'd) - Weekdays	\$23 / hour - 4 hour minimum	\$24 / hour - 4 hour minimum	*
Group Picnic Area - Non Profit (verification req'd) - Weekdays	\$172 / day	\$177 / day	*
Group Picnic Area - Non Resident or Commercial - Weekdays	\$27 / hour - 4 hour minimum	\$28 / hour - 4 hour minimum	*
Group Picnic Area - Non Resident or Commercial - Weekdays	\$207 / day	\$213 / day	*

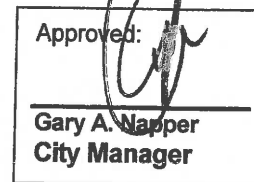
Plaza Picnic Area - per table			
Plaza Picnic Area - Resident - Weekends	\$28 / hour - 4 hour minimum	\$29 / hour - 4 hour minimum	*
Plaza Picnic Area - Resident - Weekends	\$188 / day	\$193 / day	*
Plaza Picnic Area - Non Profit (verification req'd) - Weekends	\$28 / hour - 4 hour minimum	\$29 / hour - 4 hour minimum	*
Plaza Picnic Area - Non Profit (verification req'd) - Weekends	\$188 / day	\$193 / day	*
Plaza Picnic Area - Non Resident or Commercial - Weekends	\$33 / hour - 4 hour minimum	\$34 / hour - 4 hour minimum	*
Plaza Picnic Area - Non Resident - or Commercial - Weekends	\$226 / day	\$232 / day	*
Plaza Picnic Area - Resident - Weekdays	\$23 / hour - 4 hour minimum	\$24 / hour - 4 hour minimum	*
Plaza Picnic Area - Resident - Weekdays	\$172 / day	\$177 / day	*
Plaza Area - Non Profit (verification req'd) - Weekdays	\$23 / hour - 4 hour minimum	\$24 / hour - 4 hour minimum	*
Plaza Picnic Area - Non Profit (verification req'd) - Weekdays	\$172 / day	\$177 / day	*
Plaza Picnic Area - Non Resident or Commercial - Weekdays	\$27 / hour - 4 hour minimum	\$28 / hour - 4 hour minimum	*
Plaza Picnic Area - Non Resident or Commercial - Weekdays	\$207 / day	\$213 / day	*
FOUNTAIN OPERATION WITH GEYSERS	\$349 per 48 hour event	\$359 per 48 hour event	*
Special Event Liability Insurance purchased thru City's 3rd party carrier	Insurance cost per schedule rates by insurance provider when purchasing insurance thru City 3rd party carrier	No Change	
Special Event Liability Insurance Administrative Fee	\$33	\$34	*
ADMINISTRATIVE FEES			
Document Copying (10 pages or less)	no charge	No Change	
Document Copying (more than 10 pages)	\$.10 per page if more than 10 pages	No Change	
Trail Maps	\$2.00 per map	No Change	
Audio Recordings of Meetings	\$20 refundable deposit if using city provided flash drive	No Change	
Printed documents (i.e. general plan, budget, zoning ord., etc.)	cost	No Change	
Video Recordings of Meetings	cost	No Change	
FPPC Document Copying	\$.10/page (per State Law)	No Change	
Notary Public Fee	\$10/document (per State law)	No Change	
Business License Initial Registration Fee - New Business	\$60	No Change	
Business License Renewal Registration - All Businesses (including exempt)	\$28	No Change	
Return Check Service Charge	\$25/check return (per state law)	No Change	
Late Payment Charges for Administrative Fines	Ten (10) percent of original fine for every 30 days or portion thereof. The Late Payment Charge shall not exceed 100 percent of the original fine.	No Change	
Street Closure Fee	\$108	\$111	*
Administrative penalty for City issued permits after the fact (encroachment permit; tree removal permit, etc.)	Double the original permit fee,	No Change	
Code Enforcement non-compliance re-inspection after the first inspection (in addition to any citation fines)	\$32	\$33	*

NOTES		
Time means the cost per hour for an employee at the time the costs are incurred. Costs included salary, benefits, overhead and overtime, as applicable. Time also means City Engineer billing (plus 15%), as well as costs of other contracts and expenses.		
Cost means the cost of equipment use, materials, labor, and supplies.		
Deposits are required upon submittal of an application. A minimum deposit is stipulated by these fees. At his/her discretion the City Manager can reduce the required deposit. Also, if it is the judgment of staff a minimum deposit is not sufficient, the required deposit may be increased. If, after a deposit is made, more funds are needed, the applicant will be notified when approx. 30% of the deposit remains, any additional funds estimated by staff are to be provided to replenish the deposit account for continuing work on the project, until such funds are received work on the project may be suspended.		
If a development project requires multiple applications, only a single deposit shall be required. In such cases, the amount of the deposit shall be the largest single deposit required by any of the applications, or an amount determined by the City Manager, not to exceed the sum of the deposits.		
All fixed-cost development application fees are refundable based upon the City amount of staff work completed on the process of the application and subject to approval by the City Manager.		
Audio recordings are kept for 30 calendar days after the minutes are approved.		
* All fees changed from the prior year were increased by the April 2014 CPI factor (2.8%) as published by the Bureau of Labor Statistics for the San Francisco-Oakland-San Jose area <u>unless</u> increases were waived in the prior year (or more than one year), whereby aggregated CPI factors were considered.		
** Fee not changed since FY 2012-13, as a result the CPI factor used in the FY 2013-14 Master Fee Schedule of 2.4% was applied in addition to the FY 2014-15 CPI factor of 2.8%.		
> Indicates fee increases and will take effect 60 days after adoption that may be subject to California Government Code Section 66017. All other fees will take effect upon adoption of resolutions.		



Agenda Date: 9-16-2014

Agenda Item: 8b



STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: MAINTENANCE SUPERVISOR

DATE: SEPTEMBER 16, 2014

SUBJECT: AWARD CONTRACT FOR REMOVAL AND REPLACEMENT OF WATER PLAY FEATURE AT THE GROVE PARK

RECOMMENDATION

Approve award of contract to remove and replace the water feature (splash pad) at The Grove Park as contained in the E2014-1609 from Miracle PlaySystems, Inc., as the lowest responsive and responsible quote (12 sprays vs. 8 sprays for \$24.51 difference), and authorize the allocation and expenditure of \$67,482.71 from The Grove Park's unobligated reserve (Fund 211) to pay for the replacement contract cost (\$52,540.71 plus utility upgrades, not to exceed \$14,942.00 for electrical and water infrastructures) to improve and upgrade the Water Play Feature (splash pad) site.

BACKGROUND

The Grove Park Water Play Feature (splash pad) was installed when The Grove Park was constructed in 2007 and opened in January 2008. The water play feature currently consists of three commercial sprinkler heads installed on the exterior of the pad and directed inward to the center of the pad. These three sprinklers are controlled by two push button activators located outside of the spray pad area allowing about a one minute run time for the spray heads after the buttons are pushed. The pad area consists of a concrete pad with a half inch overlay of rubber surface material (similar to the nearby tot lot play surface). The pad area is approximately 350 sq. ft. and is located at the midway point of The Grove Park on the south side.

Since its opening The Grove Park has been very popular with the residents of Clayton, especially with families bringing their small children to play in the park. During the hot summer days the water play feature (splash pad) is one of the favorites of small children. With this popularity the rubber surface that is over laid on the concrete pad becomes very slippery during the summer season with this continuous use. The effect is caused by the rubber surface becoming a good host for algae that grows during the warm weather and the constant water being sprayed on it. The Maintenance crew is constantly pressure washing this surface during the summer months to try and limit and remove the slippery growth on the surface, but City staff periodically receives calls from the public about their kids slipping on this surface and prompting safety/liability concerns.

During the past few months Staff looked into ways to improve the surface to make it less hazardous by contacting numerous installers and suppliers of splash pads. During their site visits it became a consistent theme the type of surface used at The Grove Park is no longer the public recreation industry norm because of the exact issues the City has experienced with this surface. The now-acceptable industry standard is for splash pads to have a concrete pad with a light broom finish for better traction when wet and to limit the algae growth.

REDESIGN OPTION

To install a new surface necessitates the removal of the existing pad and replacement with a new concrete one. Since the entire existing surface would need to be removed City staff explored with venders to come up with a new spray design using the existing footprint of the pad and using only in-ground spray heads with a programmable control to run them. During redesign of the splash pad it became apparent after talking to the venders that the City would also need to upgrade the water supply line to a larger size than what exists and run a new electrical service to the pad area to operate the new controller/timer.

Experienced companies that deal in the installation and design of public recreation splash pads from around the area are: Miracle PlaySystem using Water Play equipment; Ross Recreation Equipment using Vortex equipment; and All About Play using Water Odyssey equipment. After reviewing the information from the three different installers with their costs for the equipment and installation, Staff narrowed it down to two designs based on price and equipment. The two are Miracle PlaySystems and Ross Recreation Equipment. They were both comparable in cost and with similar types of equipment. All About Play quote was \$20,000.00 above the other two companies for similar equipment and installation specifications. The table below illustrates the comparison between the Miracle PlaySystems and the Ross Recreation Equipment proposals:

COMPANY	MIRACLE PLAYSYSTEMS	ROSS RECREATION EQUIPMENT
COST	\$52,540.71	\$52,516.20
SPRAY FEATURE	12 SPRAY NOZZELS	8 SPRAY NOZZELS
PROGRAMABLE	YES	NO (only can be done at factory)
MAX WATER GPM	37 (max is only when all are on)	27 (max is only when all are on)
PAD	CONCRETE BROOM FINISH	CONCRETE BROOM FINISH
COLOR	BROWN OR BRICK RED; other colors up to 22 sq. ft.	BROWN; other colors up to \$2,000.00
DRAIN	2	1
AREA USED	EXISTING PAD AREA	EXISTING PAD AREA*
MANIFOLD/CONROLLER LOCATION	UNDERGROUND/ABOVE GROUND	UNDERGROUND/ABOVE GROUND

*Requires a five foot safety zone of concrete in their design so the whole foot print of the splash pad would not be used

Staff requested and researched references of nearby agencies given by both venders. Miracle PlaySystems has installed one in the Town of Moraga and two in the City of Fairfield while Ross Recreation Equipment installed one in the Discovery Bay and one in the City of

Fairfield. Both vendors receive high marks in reliability and customer service from the above cities/communities. The only issue encountered was with a splash pad installed by Ross Recreation Equipment in Fairfield; it was installed a few years back and has the same surface as the one in The Grove Park so they were having the same issue of the surface becoming slippery during use.

QUOTE EVALUATION

Looking at the side-by-side comparison, staff considers the Miracle PlaySystems design and cost using Water Play equipment a better cost-benefit system for installation at The Grove Park for the following reasons:

1. There are 12 spray heads offered in Miracle PlaySystems design compared to 8 proposed by Ross Recreation Equipment, giving it greater play feature variety.
2. Miracle PlaySystems utilizes the existing pad diameter in their design where Ross Recreation Equipment takes away the use of five feet around the perimeter of the pad for an extra safety buffer. This feature already has area beyond the pad for a buffer with grass covering 1/3 off the pad, concrete on another 1/3, and ground cover on the rest.
3. Miracle PlaySystems controller is programmable in the field (on-site) so it gives City staff options to change the event sequence of the spray features for more variety and operating times (e.g. could reduce activator to 30 second timing vs. 1 minute).

Another major issue that arose during this year in particular is the statewide drought and the effects of water usage, especially when used for public recreation. Staff inquired what would be involved in making the splash pad operate on a water recirculation system and the estimated costs associated with this type of system. We learned the equipment cost alone would add a minimum of \$100,000.00 to \$120,000.00 to the proposed project. This option would consist of a holding tank for the water, sand filter, UV treatment, control panel, and manifold. This assembly (due to its size) would be mounted on skids that would then need to be installed in the size of a room which at this time there is not any building site suitable for this type of installation in The Grove Park.

In addition to water treatment requirements, applicable building codes specify when a water recirculation system is installed for human contact in California, the state requires nearby men's and women's restrooms with showers and changing facilities. This added requirement could raise project cost another \$150,000.00 or more. A recirculating water system makes economic sense when building a much larger facility and using greater water volumes (e.g. a water park) but for something as small as this play feature at The Grove Park a flow-through system is the best option. The noted requirements by the state are not needed for a flow-through system which is what The Grove Park uses now and is being proposed with these upgrades. If the drought were to continue into next year the chances are it would be mandated that any recreational water feature (i.e. splash pad, decorative water features, etc.) must also shut down until the drought was declared over. This would include the existing water feature (splash pad) needing to be shut down even if the City did not do any improvements to the site.

AWARD OF CONTRACT

The scope of Miracle PlaySystems' proposal includes the removal of the existing pad (approximately 350 sq. ft.), compact base, trench and install piping to each feature, install cabinet and hook up electrical and water, pour a new pad for spray pad with color concrete, supply ground sprays, activator, drains, and cabinet. The scope of work entails the erection of temporary fencing around the work zone, haul-off of the old material and debris, and all labor for the completion of this project. The equipment from the manufacture, Waterplay Solutions Corp., has a warranty on most of their parts for two (2) years with stainless steel components having ten (10) years to twenty-five (25) years warranty which include some of the parts that will be installed at the splash pad.

None of the proposals included the necessity of running a dedicated electrical service to the controller or the upgrade of the water supply line to a two (2) inch service. The installation of an electrical service will be the least expensive of the upgrades because most of the conduit was installed at the time of the 50 amp upgrade to the park's gazebo this past spring. The estimate cost for this upgrade is \$750.00 which includes #10 wire, pulling of the wire, installation and hook up a 20-amp breaker. The water line upgrade has been estimated to cost \$14,192.00 to install a new two-inch line from the water meter. The existing water line to the splash pad location is only 3/4-inch water line, which is way undersized for the proposed new equipment. This water line is also undersized for each of the other contractor proposals received by the City; each recommended a two (2) inch water line be supplied to their water play equipment. At this time staff is looking at other options to bring a two-inch line to the pad site; these include getting more estimates to trench a new line from the water meter or locating a mainline within the park that is closer to the splash pad then bringing a new line from the water meter. However, staff has included this potential need and cost into the project budget proposal; if we find less expensive ways to accomplish the requirement, staff will certainly employ the least costly option.

The project is estimated to take twenty (20) working days to complete which will require the water play feature (splash pad) area to be closed during this time. The anticipated schedule is to start the project at the end of October, to avoid impacting Oktoberfest, and to complete the work before the Thanksgiving Holiday when traditional community events are planned, which include decorating the park and the Holiday Tree Lighting in early December.

FISCAL IMPACT

The Grove Park operates under a special district tax revenue source for its maintenance and operation. In 2006 residents of Clayton voted and approved an annual real property parcel tax to maintain and operate the new park which was constructed using former Clayton Redevelopment Agency funds and state park grants. The annual revenues from this parcel tax are considered a 'Restricted-Use Fund' and shall only be used at The Grove Park for its operations which include the maintenance, repair, or replacement of park features. Further, the establishment of the Downtown Park Fund by the voters specifically contained the requirement that certain amounts of annual monies be set aside in the Fund's reserve for eventual replacement and capital upkeep of the park's amenities. The Grove Park's unobligated reserve has a cash balance of \$237,392.00 for use in such replacements

or improvements at The Grove Park. This Reserve amount also includes an annual donation of \$10,000 (for 10 years) from the Endashian Company, owners of the real property underlying the current CVS/Pharmacy business.

If approved by the City Council, the ending resultant cash balance after allocation will be \$169,909.29.

- Exhibits: 1. Miracle PlaySystems' contract price [2 pp.]
2. Two Other Quotes [4 pp.]
3. New Site Plan with spray head locations [1 pg.]
4. Warranty Info [2 pp.]



MIRACLE PLAYSYSTEMS INC

PO BOX 263

ALAMO, CA 94507

T: 800-879-7730

Estimate

Date	Estimate #
6/30/2014	E2014-1609

Name / Address
City of Clayton 6000 Heritage Trail Clayton, CA 94517

Ship To
Grove Park Main Street & Marsh Creek Rd. Clayton, CA 94517

Terms	P.O. No.	Rep	Project Name	
50% With Order, Balance Net 30		KS	14_0028 Grove Park	
Description		Qty	Rate	Total
Waterplay design spray park - 002 inclusive of: (1) Ground Spray, Charlottes Web (2) Ground Spray, Pop-It (2) Ground Spray, Solo Spurt (1) Ground Spray, Starlet Spray (5) Ground Spray, Steady Stream (1) Ground Spray, Group Volcano (1) Aluminum cabinet below grade & valve box (1) Activator, Power Post 2.0, DEX (2) Drain, 12", Combo 3"- 4" Outlet, Grey (1) Waterwise E-10 Controller, Potable			32,773.00	32,773.00T
200 LF of Temp fencing			825.00	825.00
Remove approx. 350 sqft of existing concrete pad (recycled). Base compacted at 8" thickness.			3,112.00	3,112.00
Trench lines & place SCH 80 pipe to each feature inclusive of pressure testing, electrical grounding and water hookup involved with each feature.			4,813.00	4,813.00
Pour pad for valve cabinet & hookup electrical & water supply (provided by client) and set cabinet.			2,988.00	2,988.00
Pour concrete in new spray area & finish with medium broom standard color concrete.			5,250.00	5,250.00
Freight charge			1,650.00	1,650.00
Notes:				
Thank you		Subtotal		
		Sales Tax (8.5%)		
		Total		



MIRACLE PLAYSYSTEMS INC
PO BOX 263
ALAMO, CA 94507
T: 800-879-7730

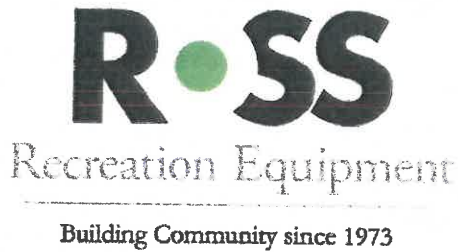
Estimate

Date	Estimate #
8/14/2014	E2014-1609

Name / Address
City of Clayton 6000 Heritage Trail Clayton, CA 94517

Ship To
Grove Park Main Street & Marsh Creek Rd. Clayton, CA 94517

Terms	P.O. No.	Rep	Project Name	
50% With Order, Balance Net 30		KS	14_0028 Grove Park	
Description		Qty	Rate	Total
* Client responsible for suppling 2" water line to soft scape area outside pad. 110 Electrical supply to be brought to same locale as water supply by client. * Concrete standard colors to be one of the following: Brown Brick Red				
Thank you		Subtotal \$49,755.00		
		Sales Tax (8.5%) \$2,785.71		
		Total \$52,540.71		



Prepared By Jon Bawden
 Address 100 Brush Creek Road, #206
 Santa Rosa, California 95404
 United States
 E-mail jonb@rossrec.com
 Phone 707-736-6890
 Fax (530) 323-5400

EXHIBIT 2

Quote Number 00011970
 Opportunity Name The Grove Park Vortex
 Quote Name The Grove Park Vortex

Quote Date 7/8/2014
 Quote Exp Date 8/8/2014
 Est Lead Time 6-8 weeks

Bill To Name Clayton, City of
 Bill To 6000 Heritage Trail
 Clayton, California 94517
 United States

Ship To Name Clayton, City of
 Ship To 5901 Heritage Trail
 Clayton, California 94517
 United States

Credit Terms Net 30 On Materials Shipment
 PO Number TBD

Tax Rate Contra Costa County/ Concord 9.0%

Quantity	Product	Product Description	Sales Price	Total Price
1.00	Demolition	Demolition - Remove and haul off site existing concrete pad and accessories including (2) existing bollards	\$2,755.00	\$2,755.00
1.00	Installation	Installation - Furnish and install new concrete pad, as shown on rendering. Colored concrete available at an additional cost, depends on color but typically \$1500-\$2000.	\$14,140.00	\$14,140.00
1.00	Installation	Installation of Vortex features and system. Assumes existing utilities are suitable and appropriate for project.	\$14,950.00	\$14,950.00
1.00	Installation	Furnish temp fencing around perimeter of work area.	\$500.00	\$500.00
1.00	Vortex Aquatic Equipment	Vortex Aquatic Equipment - directional water jet, fountain spray, ground geyser, jet stream, SmartPoint No.1 drain and command center.	\$17,680.00	\$17,680.00

Materials Amount	\$17,680.00
Tax Amount	\$1,591.20
Labor Total	\$32,345.00
Freight	\$900.00
Total	\$52,516.20

Notes to Customer

Thank you for the opportunity to quote your upcoming project. Please note that quotes do not include bonding, installation, security, storage, offload or safety surfacing unless otherwise noted. Deposits may be required before order can be placed depending on customer credit terms. Your purchase is subject to the terms and conditions of this quote, approval of this quote agrees to those terms.

Signature _____

Name _____

Title _____



fountain people



TOTAL : \$ 72,005.83

City of Clayton
Attn: Mark Janney
925.673.7327
mjanney.ci.clayton.ca.us

05-07-2014
Quote No. W14401-1B
Valid for 90 Days

Quote

The Grove Park Option #2

Water Odyssey Components		\$10,045
(5) W006	Aqua Arch	
(2) W280	Popp Dropp	
(2) W085	Splash-O-Lator	
(1) W093	Water Weave	
(1) W036	Baby Long Legs	
(1) W057	Water Sprout	
Activator		\$1,802
(1) W009	Touch & Go™ Bollard, Wired.	
Controller		\$5,672
(1) DSC-8-16-PTP	UL-Listed Controller w/ a module for 8 hard-wired inputs and modules for 16 wired outputs in a Thermalplastic Enclosure mounted on an FRP Pedestal base.	
Manifold		\$7,645
(1) VM-12	4" Stainless Steel Manifold for Valve Box Installation w/pressure gauge, drain valve, water hammer arrestor, FPT inlet connection (12) discharge assemblies each with (1) true union ball valve and (1) 24VAC bronze solenoid valve with 15' cord. NOTE: Water pressure to the manifold must not exceed 50 psi. The installer must ensure this requirement is met.	
Valve Box		\$3,845
(1) WVB-3248	In-ground FRP valve box with 32" x 48" 2-piece heavy-duty FRP lid, wiring channel, 2" conduit connection, and tamper-resistant stainless steel fasteners. For use with Catalog Number VM-07 through VM-12 Manifolds.	
Drain Fittings		\$1,236
(2) W200	Plain Drain™ with 4" Slip Connection	

Equip't Price: \$30,245.00
Freight/Crate: \$2,120.00
Sales Tax: \$2,570.83

Total: \$34,935.83



Story / Water / Light / Motion

Fountain People, Inc.

P.O. Box 807
San Marcos, TX 78667

P: 512.392.1155
F: 512.392.1154

www.fountainpeople.com
www.waterodyssey.com

PlayGrounds Unlimited

Ver. 2

980 Memorex Drive
 Santa Clara, CA 95050
 Phone: 408-244-9848
 FAX: 408-330-9256
 License #: 756794

Estimator
 Richard MacDermott
 Phone: 408-639-5096
 FAX: 408-519-6811

Job Information**JOB LOCATION:**

Name The Grove Park Option #2
 Address 1 _____
 Address 2 _____
 City State Zip Clayton CA _____
 Contact _____
 Phone _____ FAX _____

Company Information

ESTIMATE FOR: Client ID 13845
 Name All About Play
 Address 1 3844 Presidio St.
 Address 2 _____
 City State Zip Sacramento CA 95833
 Contact Glen Wurster
 Phone 916-923-2180 FAX 916-646-6383

Estimate No 17076 Ver 2 Date 6/5/2014 Associate RM Change Order # _____ Vendor ID PGU-
 Job No _____ Job Name The Grove Park Option #2 Job Contact Name _____

Scope of Work

Scope of Work	Contract
01 Provide all labor only for the installation of water play equipment as shown for option #2. Power and water to be provided and/or to be reused, to within 20' of the POC. Provide all piping from between the controller and features.	\$18,440.00
02 Provide all labor and materials to place the existing concrete slab with a new 4" concrete slab with the wire mesh reinforcement.	\$6,980.00
03 Remove and dispose of the existing protective surface, concrete slab and water play equipment, to include to cap existing water at existing activator and patch concrete beneath areas where activators are to be removed.	\$3,970.00
04 Provide a labor and materials to reconfigure the existing drain system to include two (2) 6" bronze drains on either side of the new Water Weave feature.	\$1,525.00
05 Provide all labor and materials to place a "Cool Dek" surface over the entire water play area. Color to be selected by the owner.	\$6,155.00

PlayGrounds Unlimited

980 Memorex Drive
 Santa Clara, CA 95050
 Phone: 408-244-9848
 FAX: 408-330-9256
 License #: 756794

Estimator
 Richard MacDermott
 Phone: 408-639-5096
 FAX: 408-519-6811

Job Information**JOB LOCATION:**

Name The Grove Park Option #2
 Address 1 _____
 Address 2 _____
 City State Zip Clayton CA _____
 Contact _____
 Phone _____ FAX _____

Company Information

ESTIMATE FOR: Client ID 13845
 Name All About Play
 Address 1 3844 Presidio St.
 Address 2 _____
 City State Zip Sacramento CA 95833
 Contact Glen Wurster
 Phone 916-923-2180 FAX 916-646-6383

Estimate No 17076 Ver 2 Date 6/5/2014 Associate RM Change Order # _____ Vendor ID PGU-
 Job No _____ Job Name The Grove Park Option #2 Job Contact Name _____

Scope of Work**Contract**

Totals \$37,070.00

Other

Grand Total \$37,070.00

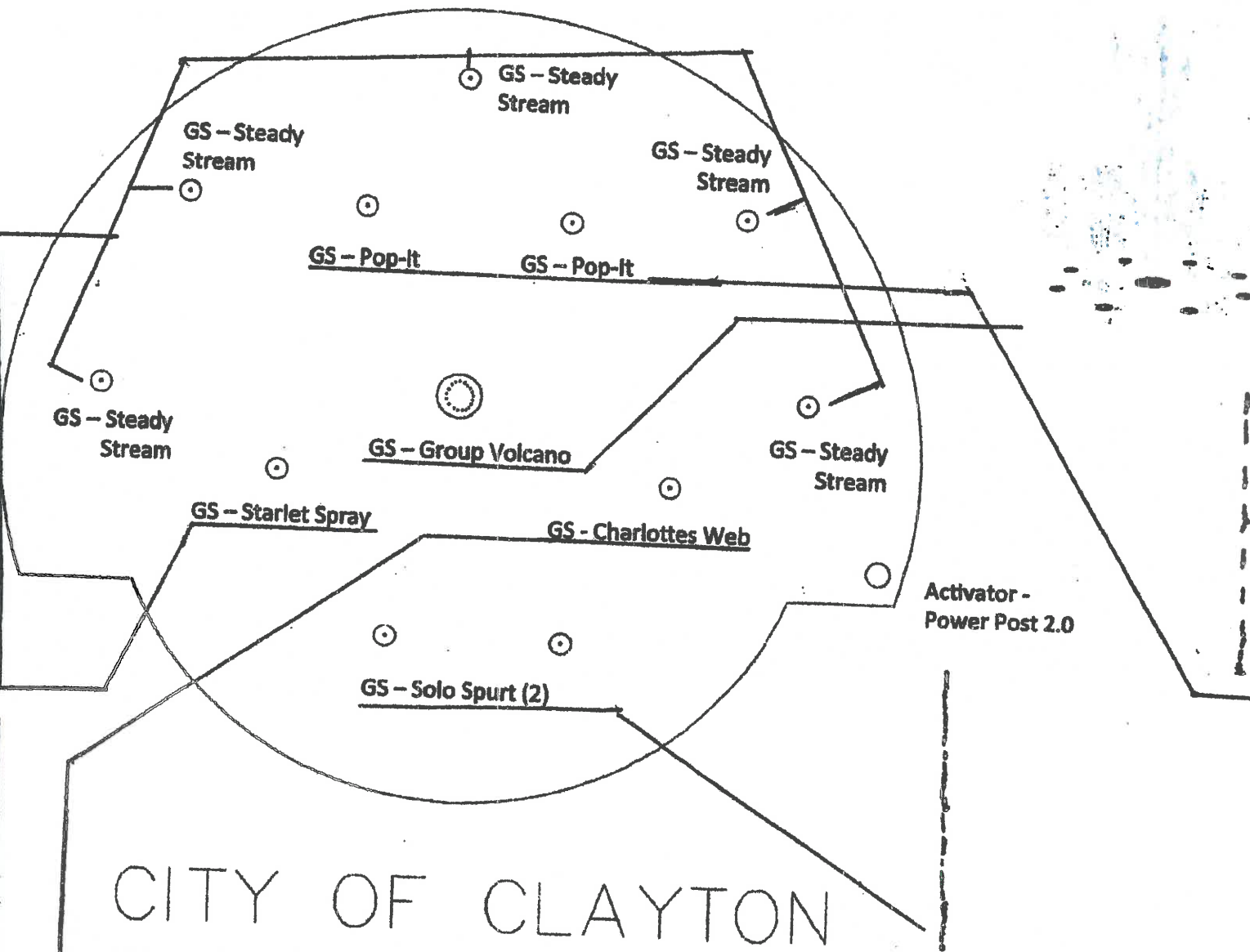
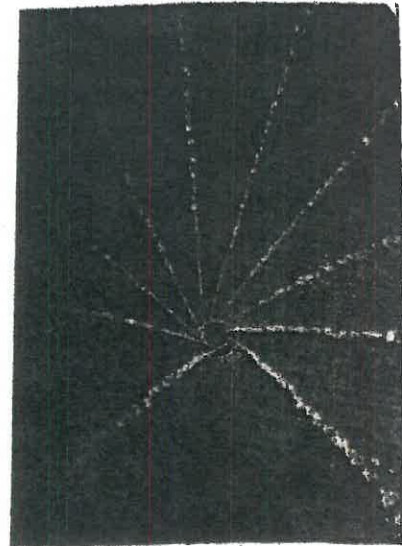
Special Instructions**Terms & Conditions**

By signing below you acknowledge and agree to our Contract; Exclusions, Conditions, & Payment Terms which are to be included in, and supersede any additional contracts or sub-contract agreements made separately based on this "Estimate". Unless otherwise specified above we Exclude Responsibility for: material delivery &/or off loading equipment, removal of packaging accumulated by equipment supplied by others, project security, landscape & hardscape repair based on access route to site, delays or returns due to layout conflicts, missing or damaged components & hardware, removal of spoils from job site, locating underground; utilities, pipes, obstructions in work area, conditions unforeseen and/or not disclosed at time of estimate, permits, engineering, material testing, soil samples, play equipment certifications. Conditions: Grades; stable, compacted, & workable, (rough grade to be taken + or - one tenth of one inch), adequate access to work site provided for workmen, materials, tools, & equipment. Estimate good for 90 Days. Payment Terms: Material balance due on delivery / Installation balance due upon completion of project.

Print Name:

Sign:

Date:



CITY OF CLAYTON
THE GROVE PARK
OPTION #2



WATERPLAY® PRODUCT WARRANTY

Waterplay Solutions Corp.® (Waterplay) is committed to delivering the highest quality products on the market. Built with the best materials, to the most stringent manufacturing standards, our products are designed to withstand the toughest environments. Our personal pride and construction confidence are backed by the following warranties:

• Stainless Steel Piping & Weldments	25 years
• Stainless Steel Hardware	10 years
• Acetal Nozzles	5 years
• Vaults & Kiosks – Structural Enclosures	5 years
• Water Recirculation Collection Tank & Reinforced Skid	2 years
• Vault Contents & Hardware	2 years
• Water Recirculation Piping/Fittings, Pumps, Chemical Feeds, Valves, Gauges & Electrical Components	2 years
• Structural Integrity (not clarity) of High Density Polyethylene Panels	2 years
• Structural Integrity (not clarity) of Clear/Coloured AquaLume™ Panels	2 years
• Electrical Controllers (<i>extended warranty available as below</i>)	2 years
• Waterslide Galvanized Steel Structures	2 years
• Powder Coated Paint Finish	2 years
• Structural Integrity of Fiberglass Materials	2 years
• AquaCrete™	2 years
• AquaPoly™	2 years
• Moving Parts	2 years

Waterplay staff and/or appointed service agents are prepared with guidelines for maintenance and rapid response assistance should anything go awry. With our reliable support and quality products, Waterplay takes pride in knowing that our customers have a quality system that runs without interruption. Waterplay offers an option to extend your standard warranty on the control panel to 3, 4 or 5 years. Extended warranty commences at expiration of the standard 2 year warranty period and must be purchased by the time the park is commissioned or within 12 months of goods received on site, whichever comes first.

SAFETY

In situations where Waterplay products are utilized for any purpose other than those approved by Waterplay, the customer will be held fully responsible. In addition, Waterplay will not be held responsible for the operation, function, performance, misuse, injuries, or claims resulting from any other products installed within proximity to water structures manufactured by Waterplay.



May 1, 2013

CONDITIONS:

1. All warranties commence upon receipt of goods on site and are only valid if Waterplay equipment is installed in accordance with Waterplay specifications and installation instructions. Waterplay will not cover warranty issues resulting from installation errors.
2. Modifications to Waterplay equipment without prior written approval will void all warranties covered by this document.
3. Warranties are limited to the value of parts and components sold. The client is responsible for the cost of removing and replacing warranted parts/features, the cost for shipping of warranty items to the client site and the return of defect items to Waterplay (if required).
4. All warranty claims against shipping damages or missing parts will be in accordance with the Terms & Conditions of the Sale Agreement.
5. It is the responsibility of the owner to inspect all aspects of their facility at regular intervals. All maintenance must be performed in accordance with the Waterplay Owner's Manual and documented in an approved log book, failing which the warranty shall be void.
6. Waterplay does not assume responsibility for natural wear and tear, acts of vandalism, faulty installation, damage caused by negligence or damage caused by wind, rain, fire or lightning.
7. Waterplay does not warrant defects of damage caused by water supply or quality of utilities nor does it warrant landscaping, site amenities or surfacing in areas where Waterplay products are installed.
8. Proper documentation as deemed reasonable by Waterplay is required to support and verify all warranty claims. Failure to provide such documentation could result in a warranty claim being denied.
9. Any warranty issues are governed by the laws of the province of British Columbia, Canada.
10. Warranty claims will only be processed for accounts considered to be in good standing at the time the claim is made.
11. The foregoing warranties are exclusive and in lieu of all other warranties, including any other warranty of quality, express or implied, and including any warranty of merchantability, or any warranty of fitness for any particular purpose. There shall be no liability for incidental or consequential damages under foregoing warranties.
12. Waterplay reserves the right to develop, improve, change or discontinue any product and/or specification without notice and is has no obligation to retrofit these changes into existing parks.

MINUTES
OF THE
REGULAR MEETING

Agenda Date: 9-16-20

Agenda Item: 2a SA

CLAYTON SUCCESSOR and SUCCESSOR HOUSING AGENCIES

May 5, 2014

1. **CALL TO ORDER & ROLL CALL** - the meeting was called to order at 8:23 p.m. by Mayor Stratford in Hoyer Hall of the Clayton Community Library, 6125 Clayton Road, Clayton, CA. Boardmembers present: Vice Mayor Shuey, Councilmembers Geller and Pierce. Boardmembers absent: Councilmember Diaz (excused). Staff present: City Manager Gary Napper, Assistant to the City Manager Laura Hoffmeister, City Clerk Janet Brown, Finance Manager Kevin Mizuno and City Attorney Mala Subramanian.
2. **PUBLIC COMMENTS** – None.
3. **CONSENT CALENDAR-** It was moved by Councilmember Pierce, seconded by Vice Mayor Shuey, to approve the Consent Calendar as submitted (Passed; 4-0 vote).
 - (a) Approved the minutes of the regular public meetings of January 7, 2014 and February 18, 2014.
4. **PUBLIC HEARINGS** – None.
5. **ACTION ITEMS**
 - (a) Consider a Resolution approving and authorizing the refunding (refinancing) of the former Clayton Redevelopment Agency's existing and outstanding 1999 Bonds and 1996 Bonds (debt) in an amount not to exceed \$4,000,000 at a lower interest rate resulting in an estimated total savings of \$610,657 over the remaining bond term which remains unchanged (maturity date of 2024).
(Finance Manager; Assistant to the City Manager; Bond Advisor; Bond Counsel)

The Finance Manager Kevin Mizuno presented the report and noted a solicitation of bids was conducted in early April to eight large commercial banks, only five submitted proposals. Of the five submittals, JP Morgan Chase proposed an 'indicative' interest rate of 2.3%, does not require a reserve and is highly experienced in completing transactions of this nature. Kevin introduced Steve Melikian and Steven Gortler; an Independent Financial Advisor, who presented the 2014 Tax Allocation Refunding Bonds Debt Service Savings Analysis.

Mayor Stratford asked if the 2.3% was a guaranteed savings?

Mr. Gortler advised the proposed refunding bonds must be approved by the Oversight Board and the State Department of Finance before an interest rate would be guaranteed.

Councilmember Geller confirmed that there will be a savings of over \$600,000 including any fees. He requested clarification \$423,955 will be taken out of the reserve balance of \$477,215 that has already been earned to pay down our existing debt at our existing rate, there will still be a \$610,657 savings?

Mr. Gortler advised the \$423,955 was collected by the County Tax Collector set aside for the purpose is to make the scheduled debt service payment on the old bonds due on

August 1st. The bonds due in 2015 and thereafter will have a portion refunded with the proceeds of the new bond issue.

Councilmember Geller asked about the \$477,215 debt services reserve fund. Will that still pay down the debt from before the refinance?

Mr. Gortler advised it will be used to redeem the balance today. In 2024 if you did not do this transaction you would have an extra \$600,000 in hand that would be used to pay down debt. You will be paying more in debt than \$600,000 which will not be worth as much. It is paying down the deficient today in real dollars and actually reduces the amount of the borrowed funds.

Vice Mayor Shuey requested detailed clarification of issuance cost of the new bonds and service charges to complete the transaction.

Mr. Gortler advised the numbers are estimated, not a percentage of the bonds, rather how much time and effort are needed to complete the transaction. There is a risk involved if the bond does not close successfully with the timeframe.

Mr. Melikian confirmed there is a 2% contingency fee based on the transaction.

Councilmember Geller asked what is the process if the transaction cannot close at 2.3%?

Mr. Gortler advised the bonds would be presented to other banks to re-sell the bonds.

Councilmember Geller asked if the bonds would need to come back to City Council for approval?

Mayor Stratford asked when the transaction is expected to close?

Mr. Gortler confirmed the transaction will close no later than July 1st and notice will be given to bondholders.

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

It was moved by Councilmember Pierce, seconded by Mayor Stratford, to approve resolution 02-2014SA approving the issuance of refunding bonds in order to refund certain outstanding bonds of the former Redevelopment Agency of the City of Clayton, approving the execution and delivery of a fourth supplemental indenture and fiscal agent agreement relating thereto, requesting oversight board approval of the issuance of the refunding bonds, requesting certain determinations by the oversight board, and providing for other matters properly relating thereto. (Passed; 5-0 vote).

6. **BOARD ITEMS** – None.

7. **ADJOURN** – on call by Mayor Stratford the meeting adjourned at 8:03 p.m.

Respectfully submitted,

Janet Brown, Interim Secretary

Clayton Successor and Successor Housing
Agency Board

Hank Stratford, Mayor



Agenda Date: 9-16-2014

Agenda Item: 2b SA

STAFF REPORT

Approved: _____

Gary A. Napper
City Manager

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: KEVIN MIZUNO, FINANCE MANAGER, CPA

DATE: September 16, 2014

SUBJECT: CONSIDER A RESOLUTION, AS THE CLAYTON SUCCESSOR AGENCY, TO APPROVE AND ADOPT A 7TH RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS 2014-15B), PURSUANT TO THE DISSOLUTION ACT

RECOMMENDATION

It is recommended the City Council, serving as the Successor Agency and Successor Housing Agency of the former Clayton Redevelopment Agency, adopt the prepared Resolution approving a 7th Recognized Obligation Payment Schedule" (ROPS 2014-15B) in accordance with the California Supreme Court-ruled constitutionality of ABx1 26 (the "Dissolution Act") and subsequent AB 1484.

BACKGROUND

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

On December 29, 2011 the California Supreme Court ruled in its decision on this controversial subject that the State of California did indeed have the authority to terminate the existing redevelopment agencies in the state but did not have the constitutional authority (under Prop 22) to enact a voluntary redevelopment program (ABx1 27), which program

instituted "pay to play" provisions for agencies to continue to operate if they each "paid" pre-designated amounts of money to the state in FY 2011-12 and each year thereafter.

Since the Court's decision shifted the termination date of all redevelopment agencies one additional month to February 1, 2012, the Board of Directors of the former Clayton Redevelopment Agency did, on January 17, 2012, amend the re-adopt its Enforceable Obligation Payment Schedule (EOPS) to add the additional full month of January 2012 to the table of current and future debts and obligations of the Clayton Redevelopment Agency. In this manner, reviewing regulatory and other public taxing entities were placed on notice of the Agency's continuing fiduciary responsibilities to be paid from January 2012 through June 2012.

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

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

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

RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS)

Included herein, as Attachment 1 to this staff report, is the 7th Recognized Obligation Payment Schedule (ROPS 2014-15B) in the amount of \$179,282. This period (January 1, 2015 through June 30, 2015) is \$374,963 less than in the prior ROPS 2014-15A (July 1, 2014 to December 31, 2014), resulting from the refunding of the 1996A and 1999 Series Redevelopment Tax Allocation Bonds on June 25, 2014. This refunding resulted in a substantial decrease in interest payments given that the approximate interest rate of the old bonds was 5% versus 2.3% on the new 2014 refunding bonds. All that is being funded through this ROPS is routine bond debt service due February 1, 2015, bond trustee paying agent fees, and administrative costs of the Successor Agency for this six month period.

SERAF loans became eligible for repayment starting in the six month period ending December 31, 2014, provided that the Successor Agency has completed its Due Diligence Reviews (DDR's), that the results of the DDR's are reviewed by the Oversight Board, and that the Successor Agency has received a Notice of Completion. The Successor Agency DDR's are not yet completed, however the SERAF internal loan balance (due from the Other Funds Successor to the Low-Moderate Housing Successor) information is included in this ROPS to track the amount for anticipated future payments. Final drafts of the DDR's are now available, and management anticipates the Notice of Completion to be issued in the next six months.

The monies to fund the requested ROPS funding are issued by the County Auditor-Controller to our City's "Redevelopment Obligation Retirement Fund". As its name implies, this fund replaces the former Redevelopment Agency's three Funds and functions as the repository for sufficient tax increment revenues in the amounts identified and approved in subsequent ROPS to effectively "retire" all former Clayton Redevelopment Agency debts and contractual obligations over a multi-year period. Once all identified and certified debts and obligations have been satisfied, the Successor Agency is then dissolved.

Although previously denied in ROPS 1-6 by the DOF, AB 1484 did contain language that an agency's prior inter-agency payments (e.g. the City's 2% Election monies and the Fire Station No. 11 construction assistance payment) may be deemed eligible by DOF commencing on or after FY 2013-14. Therefore these former RDA obligations due the City of Clayton have been included in this ROPS for eligibility tracking (Items No. 13 and 14 on the ROPS 2014-15B Detail page) and future repayment after receiving a Notice of Completion estimated to occur in FY 2015-16.

Respectively submitted,



Kevin Mizuno, CPA
Finance Manager

Attachments: 7th ROPS 14-15B Resolution (5 pp.)
1. 7th Recognized Obligation Payment Schedule (ROPS14-15A)

RESOLUTION NO. 01- 2014

**A RESOLUTION OF THE CITY OF CLAYTON, CALIFORNIA,
ACTING AS THE SUCCESSOR AGENCY TO THE FORMER
CLAYTON REDEVELOPMENT AGENCY, APPROVING AND
ADOPTING ITS 7th RECOGNIZED OBLIGATION PAYMENT
SCHEDULE (ROPS) FOR THE TIME PERIOD OF 01 JANUARY 2015
THROUGH 30 JUNE 2015, PURSUANT TO SECTION 31471(h) AND
34177(I)(1) OF THE CALIFORNIA REDEVELOPMENT LAW**

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

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

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

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

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

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

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

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

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

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

WHEREAS, in accordance with that requirement, the City Council on 17 April 2012 did adopt the 2nd ROPS for the Successor Agency for the City of Clayton to cover the fiscal time period from 1 July 2012 through 31 December 2012 and noted the recognized enforceable obligations accordingly; and

WHEREAS, on 27 June 2012 the California Legislature adopted and the Governor signed Assembly Bill 1484 which set further statutory language and laws administering and managing the operations and obligation payments of successor agencies in California, including the requirement that a 3rd ROPS for each Successor Agency covering the time period of 1 January 2013 through 30 June 2013 must be adopted by the Successor Agency, approved by its Oversight Board and submitted electronically to the California Department of Finance (DOF) by 01 September 2012; and

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

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

WHEREAS, in accordance with that requirement, the City Council on 19 February 2013 did adopt the 4th ROPS (2013-14A) for the Successor Agency for the City of Clayton to cover the fiscal time period from 01 July 2013 through 31 December 2013 and noted the recognized enforceable obligations accordingly; and

WHEREAS, 15 August 2013 the Department of Finance (DOF) posted instructions for completing the 5th Recognized Obligation Payment Schedule (ROPS 2013-14B) covering the time period of 1 January 2014 through 30 June 2014, including the requirement that the ROPS 2013-14B must be adopted by the Successor Agency, approved by its Oversight Board and submitted electronically to the DOF by 1 October 2013; and

WHEREAS, in accordance with that requirement, the City Council on 17 September 2013 did adopt the 5th ROPS (2013-14B) for the Successor Agency for the City of Clayton to cover the fiscal time period from 01 January 2014 through 30 June 2014 and noted the recognized enforceable obligations accordingly; and

WHEREAS, 15 January 2014 the Department of Finance (DOF) posted instructions for completing the 6th Recognized Obligation Payment Schedule (ROPS 2014-15A) covering the time period of 1 July 2014 through 31 December 2014, including the requirement that the ROPS 2014-15A must be adopted by the Successor Agency, approved by its Oversight Board and submitted electronically to the DOF by 03 March 2014; and

WHEREAS, in accordance with that requirement, the City Council on 18 February 2014 did adopt the 6th ROPS (2014-15A) for the Successor Agency for the City of Clayton to cover the fiscal time period from 01 July 2014 through 31 December 2014 and noted the recognized enforceable obligations accordingly; and

WHEREAS, 01 August 2014 the Department of Finance (DOF) posted instructions for completing the 7th Recognized Obligation Payment Schedule (ROPS 2014-15B) covering the time period of 01 January 2015 through 30 June 2015, including the requirement that the ROPS 2014-15B must be adopted by the Successor Agency, approved by its Oversight Board and submitted electronically to the DOF by 03 October 2014; and

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

WHEREAS, the Clayton City Council has reviewed and duly considered the Staff Report, the proposed 7th Recognized Obligation Payment Schedule (ROPS 2014-15B), plus documents and other written evidence presented at the meeting.

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

BE IT FURTHER RESOLVED that the City Council does hereby approve and adopt the 7th Recognized Obligation Payment Schedule (ROPS 2014-15B), attached hereto as "Attachment 1" and incorporated herein as if fully set forth in this Resolution.

BE IT FURTHER RESOLVED that the City Council authorizes and directs its City Manager or the City Manager's designee to: (1) post the 7th Recognized Obligation Payments Schedule (Attachment 1) on the City's website; (2) designate a City representative to whom all questions related to the 7th Recognized Obligation Payment Schedule can be directed; (3) notify, by mail or electronic means, the County Auditor-Controller, the State Department of Finance, and the State Controller of the Successor Agency's action to adopt the 7th Recognized Obligation Payment Schedule (ROPS 2014-15B), and to provide those persons with the internet website location of the posted schedule and the contact information for the City's designated contact; and (4) to take such other actions and execute such other documents as are appropriate to effectuate the intent of this Resolution and to implement the Recognized Obligation Payment Schedule on behalf of the Successor Agency and City.

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

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

PASSED, APPROVED AND ADOPTED by the City Council of the City of Clayton, California at a regular public meeting thereof held on the 16th day of September 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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

Hank Stratford, Mayor

ATTEST:

Janet Brown, City Clerk

#

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

Janet Brown, City Clerk

Recognized Obligation Payment Schedule (ROPS 14-15B) - Summary
Filed for the January 1, 2015 through June 30, 2015 Period

Name of Successor Agency: Clayton
Name of County: Contra Costa

Current Period Requested Funding for Outstanding Debt or Obligation		Six-Month Total
Enforceable Obligations Funded with Non-Redevelopment Property Tax Trust Fund (RPTTF) Funding		
A	Sources (B+C+D):	\$ 4,000
B	Bond Proceeds Funding (ROPS Detail)	4,000
C	Reserve Balance Funding (ROPS Detail)	-
D	Other Funding (ROPS Detail)	-
E	Enforceable Obligations Funded with RPTTF Funding (F+G):	\$ 179,282
F	Non-Administrative Costs (ROPS Detail)	54,282
G	Administrative Costs (ROPS Detail)	125,000
H	Current Period Enforceable Obligations (A+E):	\$ 183,282
Successor Agency Self-Reported Prior Period Adjustment to Current Period RPTTF Requested Funding		
I	Enforceable Obligations funded with RPTTF (E):	179,282
J	Less Prior Period Adjustment (Report of Prior Period Adjustments Column S)	(7,408)
K	Adjusted Current Period RPTTF Requested Funding (I-J)	\$ 171,874
County Auditor Controller Reported Prior Period Adjustment to Current Period RPTTF Requested Funding		
L	Enforceable Obligations funded with RPTTF (E):	179,282
M	Less Prior Period Adjustment (Report of Prior Period Adjustments Column AA)	-
N	Adjusted Current Period RPTTF Requested Funding (L-M)	179,282

Certification of Oversight Board Chairman:
Pursuant to Section 34177 (m) of the Health and Safety code, I
hereby certify that the above is a true and accurate Recognized
Obligation Payment Schedule for the above named agency.

_____ Name	_____ Title
/s/ _____ Signature	_____ Date

Recognized Obligation Payment Schedule (ROPS 14-15B) - ROPS Detail January 1, 2015 through June 30, 2015 (Report Amounts in Whole Dollars)	
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A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P
Item #	Project Name / Debt Obligation	Obligation Type	Contract/Agreement Execution Date	Contract/Agreement Termination Date	Payee	Description/Project Scope	Project Area	Total Outstanding Debt or Obligation	Retired	Funding Source					Six-Month Total
										Non-Redevelopment Property Tax Trust Fund (Non-RPTTF)			RPTTF		
										Bond Proceeds	Reserve Balance	Other Funds	Non-Admin	Admin	
								\$ 5,911,248		\$ 4,000	\$ -	\$ -	\$ 54,282	\$ 125,000	\$ 183,282
1	1996 Tax Allocation Bonds Series A	Bonds Issued On or Before 12/31/10	11/19/1996	8/31/2020	US Bank	Bonds issued to fund non-housing	All	-	Y	-	-	-	-	-	-
2	1999 Tax Allocation Bonds	Bonds Issued On or Before 12/31/10	6/15/1999	8/1/2024	US Bank	Bonds issued to fund non-housing projects	All	-	Y	-	-	-	-	-	-
3	City Loan entered into on 5/19/10	SERAF/ERAF	5/19/2010	12/31/2014	Successor Agency LMI Fund	Inter-loan for SERAF payment to State of CA	All	592,412	N						-
4	Contract for Consulting Services	Fees	11/1/1996	8/31/2024	US Bank	Paying Agent Fees	All	1,980	N				1,980		1,980
5	Contract for Consulting Services	Admin Costs	2/1/2011	12/31/2014	Goldfarb & Lipman	Legal advice	All	-	Y						-
6	Contract for Consulting Services	Admin Costs	3/1/1964	12/31/2014	Best Best & Kreiger	Legal advice	All	-	Y						-
7	Successor Agency Functions	Admin Costs	1/1/2014	12/31/2014	City of Clayton	Expenses for Successor Agency Operation	All	125,000	N				-	125,000	125,000
8	Contract for Consulting Services	Housing Entity Admin Cost	2/22/2011	12/31/2014	Ranney Planning	Housing Element Implementation	All	50,000	N						-
11	Contract for Consulting Services	Fees	6/7/1988	6/30/2014	NBS Local Government Solutions	RDA Arbitrage Reporting	All	-	N	-	-	-	-	-	-
13	City Loan entered into on 6/17/99	City/County Loans On or Before 6/27/11	6/17/1999	12/31/2014	City of Clayton	City Loan entered into on 6/17/99 Firestation Project	All	475,000	N	-	-	-	-	-	-
14	City Loan entered into on 2/16/10	City/County Loans On or Before 6/27/11	2/16/2010	12/31/2014	City of Clayton	2% Election Payments per Section 33686	All	376,424	N						-
16	Refunding Tax Allocation Bonds 2014	Refunding Bonds Issued After 6/27/12	6/25/2014	8/1/2024	US Bank	Bonds issued to refund the 1996 and 1999 non-housing RDA Tax Allocation Bonds	All	4,286,432	N				52,302		52,302
17	Contract for bond covenant consulting services (cap analysis)	Professional Services	9/4/2014	8/1/2024	Fraser & Associates	Bond covenant required analysis/report.	All	4,000	N	4,000					4,000
18									N						-
19									N						-
20									N						-
21									N						-
22									N						-
23									N						-
24									N						-
25									N						-
26									N						-
27									N						-
28									N						-
29									N						-
30									N						-
31									N						-
32									N						-
33									N						-
34									N						-
35									N						-
36									N						-
37									N						-
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39									N						-
40									N						-
41									N						-
42									N						-
43									N						-
44									N						-
45									N						-
46									N						-
47									N						-
48									N						-
49									N						-
50									N						-
51									N						-
52									N						-
53									N						-

Recognized Obligation Payment Schedule (ROPS 14-15B) - Report of Cash Balances

(Report Amounts in Whole Dollars)

Pursuant to Health and Safety Code section 34177 (I), Redevelopment Property Tax Trust Fund (RPTTF) may be listed as a source of payment on the ROPS, but only to the extent no other funding source is available or when payment from property tax revenues is required by an enforceable obligation. For tips on how to complete the Report of Cash Balances Form, see https://rad.dof.ca.gov/rad-sa/pdf/Cash_Balance_Agency_Tips_Sheet.pdf.

A	B	C	D	E	F	G	H	I
	Cash Balance Information by ROPS Period	Fund Sources						Comments
		Bond Proceeds		Reserve Balance		Other	RPTTF	
		Bonds Issued on or before 12/31/10	Bonds Issued on or after 01/01/11	Prior ROPS period balances and DDR RPTTF balances retained	Prior ROPS RPTTF distributed as reserve for future period(s)	Rent, Grants, Interest, Etc.	Non-Admin and Admin	
ROPS 13-14B Actuals (01/01/14 - 06/30/14)								
1	Beginning Available Cash Balance (Actual 01/01/14)	924,804	-	1,368,561	-	19,929	30,780	Column G pertains to the balance of cash on hand at 1/1/14 pertaining to incoming payments to the Successor Agency on existing High Street Bridge and Oak Street Sewer assessment district loans. Column H includes the PPAs from ROPS 2013-14B and 2014-15A.
2	Revenue/Income (Actual 06/30/14) RPTTF amounts should tie to the ROPS 13-14B distribution from the County Auditor-Controller during January 2014	139	20,653	7,924	-	17,780	427,186	Column C includes interest on bond reserves as well as deposits into 2014 cost of issuance fund. Column D pertains to remaining cost of issuance fund for Refunding TABs Series 2014. Restricted balance as of 6/30/14 used for additional issuance costs subsequent to 6/30/14. Column E pertains to interest allocated on reserves for this period. Column G includes interest and principal payments to Successor Agency on existing High Street Bridge and Oak Street Sewer assessment district loans.
3	Expenditures for ROPS 13-14B Enforceable Obligations (Actual 06/30/14) RPTTF amounts, H3 plus H4 should equal total reported actual expenditures in the Report of PPA, Columns L and Q	614,576	-	-	-	-	443,372	Column C includes utilization of prior bond reserves in issuance of Refunding Tax Allocation Bonds Series 2014 on 6/25/14 (\$82,675 1996 TABs & \$525,693 1999 TABs), trustee application of reserve fund interest to 2/1/14 1999 debt service payment (\$27 interest), and trustee application of available bond reserves to pay 1999 2/1/14 debt service (\$6,181).
4	Retention of Available Cash Balance (Actual 06/30/14) RPTTF amount retained should only include the amounts distributed for debt service reserve(s) approved in ROPS 13-14B	-	-	-	-	-	-	
5	ROPS 13-14B RPTTF Prior Period Adjustment RPTTF amount should tie to the self-reported ROPS 13-14B PPA in the Report of PPA, Column S	No entry required					7,408	
6	Ending Actual Available Cash Balance C to G = (1 + 2 - 3 - 4), H = (1 + 2 - 3 - 4 - 5)	310,367	20,653	1,376,485	-	37,709	7,186	Column C balance is restricted for next 2 debt service payments (2/1/15 and 8/1/15).
ROPS 14-15A Estimate (07/01/14 - 12/31/14)								
7	Beginning Available Cash Balance (Actual 07/01/14) (C, D, E, G = 4 + 6, F = H4 + F4 + F6, and H = 5 + 6)	310,367	20,653	1,376,485	-	37,709	14,594	
8	Revenue/Income (Estimate 12/31/14) RPTTF amounts should tie to the ROPS 14-15A distribution from the County Auditor-Controller during June 2014	-	-	-	-	-	524,820	Column H equals the ROPS 2014-15A payment received 6/2014.
9	Expenditures for ROPS 14-15A Enforceable Obligations (Estimate 12/31/14)	-	20,653	-	-	-	539,414	Column D includes the estimate that remaining cost of issuance funds from the 2014 bond refunding will be utilized for debt related fees paid after 6/30/14 and application to debt service by trustee. Column H includes payment to trustee for 8/1/14 debt service required to be made 6/25/14 in Refunding TABs Series 2014 transaction.
10	Retention of Available Cash Balance (Estimate 12/31/14) RPTTF amount retained should only include the amount distributed for debt service reserve(s) approved in ROPS 14-15A	-	-	-	-	-	-	
11	Ending Estimated Available Cash Balance (7 + 8 - 9 -10)	310,367	-	1,376,485	-	37,709	-	

Recognized Obligation Payment Schedule (ROPS 14-15B) - Report of Prior Period Adjustments

Recognized Obligation Payment Schedule (ROPS 14-15B) - Notes January 1, 2015 through June 30, 2015

Item #	Notes/Comments
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[illegible]