



AGENDA

REGULAR MEETING

* * *

TRAILS AND LANDSCAPING COMMITTEE

WEDNESDAY, JANUARY 10, 2007

7:00 p.m.

***Meeting Room, Clayton Community Library
6125 Clayton Road, Clayton, CA***

COMMITTEE MEMBERS

Candace Bass	JoAnn Caspar
Victor Geisler – Vice Chair	David Johnson
Jerry Kosel	Kelly Marshall
Debbie Mullins	Linda Pinder
Dan Richardson - Chair	Virginia Siegel
Janise Trezise	Bill Vineyard
Memory Woodard	Jerry Zimmerman

Vice Mayor Gregg Manning (Ex-Officio)

- A complete packet of information containing staff reports and exhibits related to each item is available for public review in City Hall located at 6000 Heritage Trail on Monday prior to the Committee meeting.
- Agendas are posted at: 1) City Hall, 6000 Heritage Trail; 2) Library, 6125 Clayton Road; 3) Ohm's Bulletin Board, 1028 Diablo Street, Clayton; and 4) City Website at www.ci.clayton.ca.us
- 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.

*** TRAILS AND LANDSCAPING COMMITTEE ***

JANUARY 10, 2007

1. CALL TO ORDER & ROLL CALL – Chairman Richardson.

2. CONSENT CALENDAR

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

- (a) Approval of Action Minutes from the Committee meeting of November 27, 2006.
- (b) Approval of Action Minutes from the Committee's Joint Meeting with the Clayton City Council on December 11, 2006.

3. PUBLIC COMMENTS

Citizens may address the Committee on items within the Committee's jurisdiction, (which are not on the agenda) by completing a speaker card and forwarding it to the Chair. 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 by the Chair, the speaker shall advance to the public podium and adhere to the time limit. In accordance with State Law, no action may take place on any item not appearing on the posted agenda. The Committee may respond to statements made or questions asked, or may request Staff to report back at a future meeting concerning the matter.

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

4. ACTION ITEMS

- (a) Discussion of and determination of Committee's recommendations to the City Council on the funding, scope of maintenance standards of care, special tax rate, duration of tax rate, and annual escalator clause pertaining to the submittal of a local ballot measure to the voters for a new Citywide Landscape Maintenance District (CFD 2007-1) at the June 5, 2007 election.

- 1. Separate ballot measures for Landscape Maintenance District and operation/maintenance of Clayton Fountain?

- (b) Establishment of Committee regular meeting schedule for January through June 2007.

5. CORRESPONDENCE – review of incoming and outgoing correspondence.

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

- (a) Assignment for Committee Report to the Clayton Business & Community Association at its Thursday, January 25, 2007 meeting.

7. ADJOURNMENT – The Committee's next regularly-scheduled meeting will be decided at this meeting.

ACTION MINUTES
OF THE
REGULAR MEETING
TRAILS AND LANDSCAPING COMMITTEE

Agenda Date: 01-10-07

Agenda Item: 2 (a)

NOVEMBER 27, 2006

1. COMMITTEE CALL TO ORDER & ROLL CALL

The meeting was called to order at 7:04 p.m. by Chairman Dan Richardson in the Library Community Room, 6125 Clayton Road, Clayton, CA.

Committee Members present: Candace Bass, JoAnn Caspar, Victor Geisler, David Johnson, Jerry Kosel, Kelly Marshall, Debbie Mullins, Linda Pinder, Dan Richardson, and Jerry Zimmerman.

Committee Members absent: Janise Trezise, Bill Vineyard, Memory Woodard, and Vice Mayor Bill Walcutt (ex-officio Member).

Staff present: City Manager Gary Napper and Maintenance Supervisor Mark Janney.

2. CONSENT CALENDAR

(a) *Approval of Action Minutes for the regular Committee meeting of November 13, 2006.*

Motion by Pinder, seconded by Geisler, to approve the Action Minutes as submitted.

Motion passed (vote 10-0).

3. PUBLIC COMMENTS

One member of the public was in attendance (Linda U.) who indicated she was there just to learn more about the Landscape District and the problems it faces.

4. ACTION ITEMS

(a) *Committee consideration of possible preferred maintenance standards of care for the Landscape District at \$235.00 per year.*

As requested by the Committee at its last meeting, City staff provided in the Agenda Packet the detailed compilation of a blend of Options C & D maintenance standards for the Committee's review. This Hybrid Option at \$235.00 per year per parcel included the open space weed abatement twice a year, the Clayton Fountain operation on weekends and holidays only, and a landscape replacement fund of \$20,000 per year. The Committee discussed at length the merits of the scope of maintenance standards, what level of preferred landscape care is being reduced or eliminated, and the voter's acceptance of the annual price tag.

Following one hour of discussion, the Committee agreed to submit this Hybrid Option for additional review at the scheduled December 11, 2006 joint meeting with the Clayton City Council regarding the Landscape District. The Committee further asked staff to include in that Agenda Packet the previous maintenance level details for Options A-E. Chairman Richardson encouraged committee members to share their frank perspectives about the District's issues with the City Council at the upcoming joint meeting.

5. **CORRESPONDENCE** – review of incoming and outgoing correspondence.

(a) *Email communication from resident (Jack Meyers) concerning renewal of Landscape District.*

(b) *Top 5 Priority Survey from a resident (John Biasotti).*

No action or discussion taken on these items.

6. **COMMITTEE ITEMS**

(a). *Assignment for Committee Report to the City Council at their Tuesday, December 5, 2006 meeting.*

The Committee decided not to send a representative to report at this meeting since they will be meeting with the City Council on December 11th.

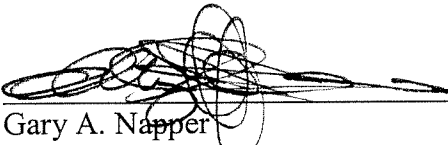
7. **ADJOURNMENT**

Upon call by Chairman Richardson, the meeting adjourned at 8:17 p.m.

APPROVED BY THE COMMITTEE

Dan Richardson, Chairman

Minutes prepared by:



Gary A. Napper
City Manager

#

**MINUTES
OF THE
JOINT MEETING OF THE
CITY COUNCIL AND
THE TRAILS AND LANDSCAPING COMMITTEE**

MONDAY, December 11, 2006

1. **CALL TO ORDER & ROLL CALL** – the joint meeting was called to order at 7:03 p.m. by Mayor Walcutt and by Chairman Richardson in the Library Community Meeting Room, 6125 Clayton Road, Clayton, CA. Councilmembers present: Mayor Walcutt, Vice Mayor Manning, Pierce, Shuey, and Stratford. Committee Members present: Chair Dan Richardson, Vice Chair Victor Giesler, Candace Bass, JoAnn Caspar, David Johnson, Jerry Kosel, Kelly Marshall, Debbie Mullins, Linda Pinder, Janise Trezise, Bill Vineyard, and Memory Woodard; Absent: Jerry Zimmerman Staff present: City Manager Gary Napper, Maintenance Supervisor Mark Janney, Assistant to the City Manager Laura Hoffmeister and City Clerk Laci Jackson.

2. **PLEDGE OF ALLEGIANCE** – Led by Mayor Walcutt.

3. **PUBLIC COMMENTS-** None

4. **DISCUSSION ITEMS**

(a) *Overview of Committee's progress and activities to date.*

Chairman Richardson gave a brief overview of the progress the Trails and Landscaping Committee has achieved to date. He stated that they have been meeting for most of the year looking at the results from Measure M examining options for the selected standard of maintenance care. They have also broken down into sub-groups and looked at the priorities for District services and associated maintenance standards as they are trying to move toward a dollar number that taxpayers would approve on the June 2007 Ballot for a new Landscape District.

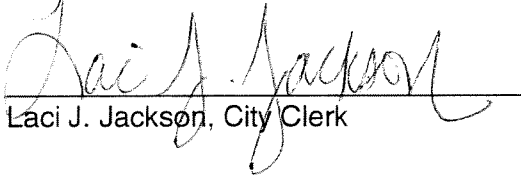
(b) *Joint consideration of possible funding options, maintenance standards of care, special tax rates, duration of tax rate and escalator clause alternatives for submittal of a local ballot measure to the voters for renewal of the Citywide Landscape Maintenance District prior to the existing District's expiration on June 30, 2007.*

The Council and the Committee discussed the monetary options for the District and the standards for each option. The Committee will continue to work on selecting a recommended number so work can start on informing voters and the public. Several members of the public offered comments and input on the direction of the District and why a tax is needed.

5. **FUTURE AGENDA ITEMS-** None

6. **ADJOURNMENT**– On call by Mayor Walcutt and Chairman Richardson the joint meeting adjourned at 9:13 p.m.

Respectfully submitted,


Laci J. Jackson, City Clerk

APPROVED BY CLAYTON CITY COUNCIL

William R. Walcutt, Mayor

APPROVED TRAILS AND LANDSCAPING COMMITTEE

Dan Richardson, Chairman

Agenda Date: 01-10-07

Agenda Item: 4(a)

SUGGESTED COMPROMISE

**TRAILS & LANDSCAPE
COMMITTEE
\$196.77 A YEAR ASSESSMENT
January 4, 2007**

Note: Development of Standards assumed responsibility for District in "as-is" landscape condition but brought to the higher standard of maintenance requested by the Committee. No workloads were included to elevate the existing landscaping with more shrubs, trees or associated improvements [e.g. irrigation systems; hardscape; replantings; deferred capital improvement projects].

Landscape Trimming

- Trim all landscape areas in District 2 times a year.
 1. Trim all shrubs and groundcover in District landscape areas.
 2. Haul off all trimmings and debris
 3. Hand-pull all large weeds over one foot tall.
 4. Pick up visible litter.
 5. Remove all dead shrubs or groundcover.
 6. Cut all suckers.
 7. Blow off all walkways and street areas.

Irrigation Maintenance

(Irrigation systems are operational approximately 9 months)

- Check complete system 2 times a year.
- Adjust controllers 3 times a year.
- Repair any broken waterlines within 1 month of request.
 1. Complete system check of entire irrigation system.
 2. Adjust all sprinkler heads for proper coverage.
 3. Mark all irrigation boxes on lids and curbside.
 4. Repair any leaks in mainline or control valves.
 5. Repair any broken sprinkler heads.
 6. Replace or repair all irrigation boxes.
 7. Provide irrigation system upgrades over time as funding allows.

Mowing Turf

(Lawn areas will be mowed approximately 9 months out of the year)

- Mow lawns every 2 weeks.
- Edge lawns once a month.
- Fertilize lawns every 6 months.
- Aerate once a year.
 1. Mow all lawns in District.
 2. Edge all lawns in District.
 3. Fertilize all lawns in District.
 4. Pick up litter and debris in lawn areas.
 5. Blow off all walkways and street areas

Tree Trimming

- Trim all Crape Myrtles trees once a year.
- Trim all Oleanders trees every year.
- Trim trees away from walkways and signs as time allows.
- Trim as needed.
- **\$15,000** tree trimming contract.
 1. Prune all Crape Myrtles for increase summer flowering.
 2. Thin and trim out crowns on all Oleander trees.
 3. Stake up trees as needed.
 4. Cut out all suckers.
 5. Coordinate contract tree work.
 6. Trim trees away from walkways and signs.

Herbicide Control

- Spray pre-emergent 2 times a year in median.
- Spray pre-emergent once a year in roadside landscape areas.
- Spot spray every 2 months.
- Spray Round-Up along trails and open space once a year.
- Pull weeds over 1 foot as time permits.
 1. Control weeds located in the landscape areas
 2. Spray pre-emergent in landscape areas.
 3. Hand-pull any weeds over one foot.

Fertilizing

- Fertilize all landscape areas once a year.
- Use slow release 14x14x14 at 1.5 lbs per 100 square feet
 1. Fertilize all landscape areas of District.
 2. Clean all walkways and street of excess fertilizer.

Annuals

- Plant annuals once a year.
- Weed and clean planters once every 3 months.
 1. Plant annuals in all District flowerbeds.
 2. Cultivate soil and add conditioner before planting.
 3. Weed and clean out planters periodically.

Trails

- Spray preemergent along trails 2 times a year.
- Spray Round Up along trails 2 times a year.
- Complete trail repair and inspection once a year.
- Periodic trail repair and inspection 6 times a year.
- Cut down weeds along sides of trails 2 times a year.
 1. Clear trails of all weeds and debris.

2. Repair trail headers.
3. Replace ¼ by dust.
4. Repair signage.

Open Space

- Cut weeds once a year 30 feet from fence lines.
- Cut weeds two times a year along major trails and creeks.
- Remove noxious weeds under contract from Oakhurst open space.
 1. Cut weeds along major trails and creeks to three inches in height.
 2. Cut weeds 30 feet from fence lines in District to three inches in height.
 3. Remove noxious weeds from Oakhurst open space.
 4. Coordinate weed abatement and noxious weed contracts.

ANNUAL OPERATIONS & MAINTENANCE (O&M)

Task	Equipment & Supplies	Vehicle Maintenance Cost	Fuel & Oil	Vehicles Depreciation*	Contract Cost**	Total
Landscape Trimming	\$4,620.00	\$3,250.00	\$2760.00	\$6,650.00		\$17,280.00
Irrigation Maintenance	\$15,000.00	\$2,000.00	\$2,600.00	\$3,300.00		\$22,900.00
Turf Mowing	\$1,775.00	\$591.00	\$270.00	\$325.00		\$2,961.00
Tree Trimming	\$150.00	\$50.00	\$320.00	\$500.00	\$15,000.00	\$16,020.00
Herbicide Application	\$9008.00	\$1576.00	\$577.00	\$798.00		\$11,959.00
Landscape Fertilization	\$7,250.00		\$50.00	\$76.00		\$7,376.00
Annual Planting	\$2,465.00			\$77.00		\$2,542.00
Trail Maintenance	\$4,535.00	\$575.00	\$1,320.00	\$810.00		\$7,240.00
Open Space Maintenance	\$1,700.00	\$50.00	\$350.00	\$400.00	\$60,000.00	\$62,500.00
GRAND TOTAL	\$46,503.00	\$8,092.00	\$8,247.00	\$12,936.00	\$75,000.00	\$150,778.00

* 10-year life for trucks, 7 years trailer, and 15 years for tractor

** Work is contracted out to outside vendors

Work Hour Tables*

<i>Task</i>	Work Hours	Personnel Needed
Landscape Trimming	5760	3.13
Irrigation Maintenance	2080	1.0
Turf Mowing	376	0.2
Trees Trimming	220	0.11
Herbicide Application	2528	1.4
Landscape Fertilization	120	0.06
Annual Plantings	206	0.11
Trails Maintenance	1776	0.96
Open Space Maintenance	208	0.11
TOTAL	13274	7.08

*Actual fieldwork time; no administration or support hours included. For purposes of this scenario, seven (7) people would be necessary with one (1) position a Maintenance Supervisor that works half-time in the field and half-time in the office performing department tasks.

CURRENT POSITIONS	POSITION	POSITIONS NEEDED	TOTAL COMPENSATION*
1	Maintenance Supervisor	1 x \$100,848	\$100,848
	Maintenance Lead Worker		
	Maintenance Worker II	2 x \$78,762	\$ 157,524
1	Maintenance Worker I	1 x \$69,596	\$69,596
1.5	Seasonal workers	3 x 15.00	\$93,600
3.5	Totals:	7.0	\$ 421,568

* Total compensation including cost of all benefits.

Annual Productive Work Hours Per Position

Annual Work Hours	(40 hrs. per week x 52 weeks)	2,080 hours
Paid City Holidays	(11 per year x 8 hours)	- 88 hours
Paid Vacation	(avgs. 15 days per year x 8 hours)	- 120 hours
Paid Sick Leave	(avgs. 4 days per year x 8 hours)	- 32 hours
Total Production Hours:		1,840 hours

ADDITIONAL DISTRICT BUDGETARY COSTS

Gas and Electric Service	\$ 26,240
Irrigation Water	185,000
Other Professional Services	16,402
Property Tax Admin. Fee (County)	3,500
Annual transfer to General Fund	<u>26,970</u>
TOTALS:	\$ 258,112

Projected Expenses

Labor	\$421,568
O&M	\$150,778
Deferred Fund	\$20,000
Fixed costs	<u>\$258,112</u>

Total Expenses \$850,458/4322 = \$196.77

Projected Revenues

**4008 Residential Parcels
55 Non Residential Parcels/ 339 acres**

Total revenues from residential parcels = \$788,654.16

Total revenues from non-residential parcels = \$61,899.91

Total Revenues \$850,554.07

Exhibit A

To Resolution__-2006

For fiscal year 2006-2007 the assessment numbers and the assessment amounts for are as shown in the Community Facilities District 1997-1 (Citywide Landscape Maintenance) Preliminary Billing Report Detail Report for Direct Bill Special Taxes on file in the City Clerk's office, City Hall, 6000 Heritage Trail, Clayton, Ca.

In summary all residential parcels, (single family, condo, and townhouse) shall have a rate for FY 05-06 of \$127.86 per parcel. All non-residential parcels shall have a rate for FY 05-06 of \$127.86 per acre.

There are a total of 4063 parcels to be levied:

There are 4008 residential levies.

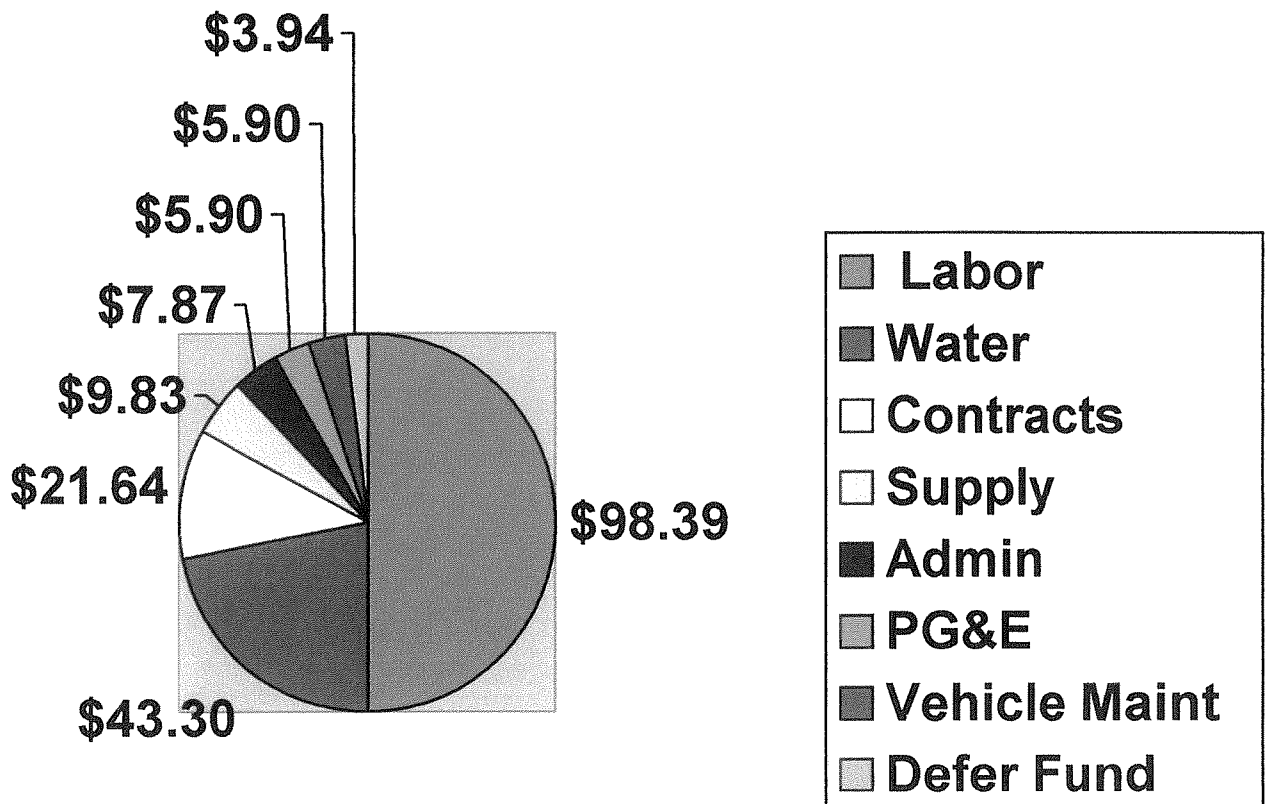
There are 55 non-residential levies comprising of 339.07 acres.

\$512,462.88 total revenue from residential

\$40,222.39 total revenue from non-residential

\$552,685.27 est. revenue for FY 06-07

Landscape District Expenditures
Approx. Yearly Costs Per Parcel



Labor

Includes wages, benefits, and compensation.

Water

Includes irrigation water for entire district.

Contracts

Weed abatement, noxious weed control, tree trimming, and other various contract work.

Equipment & Supplies

Repair and replacement of landscape equipment. Supplies include irrigation parts, herbicides, and various other landscape materials.

Administration

Administrative support to run district, and property tax fee.

PG&E

Gas and electric services for items such as controllers and lighting.

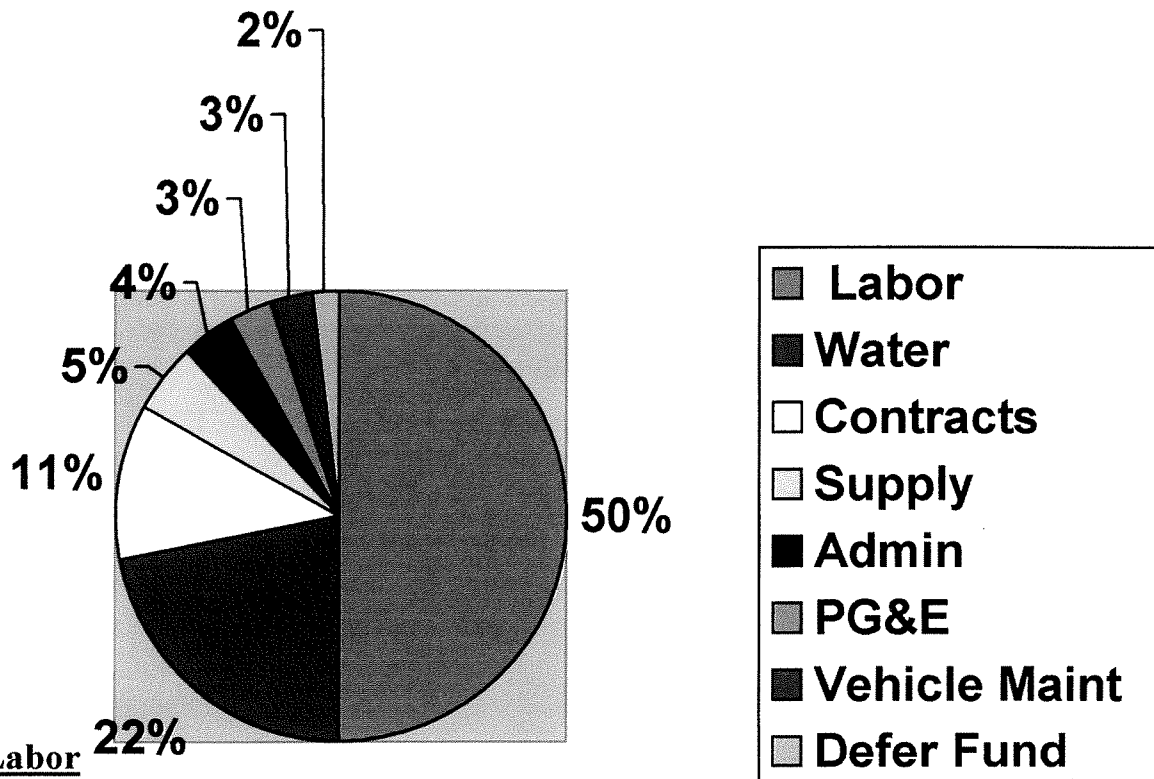
Vehicle Maintenance

Periodic maintenance on vehicles, gas, oil, and vehicle replacement fund support.

Deferred Fund

Replacement of any and all landscape related items.

Landscape District Expenditures
Approx. yearly percentages



Labor

Includes wages, benefits, and compensation.

Water

Includes irrigation water for entire district.

Contracts

Weed abatement, noxious weed control, tree trimming, and other various contract work.

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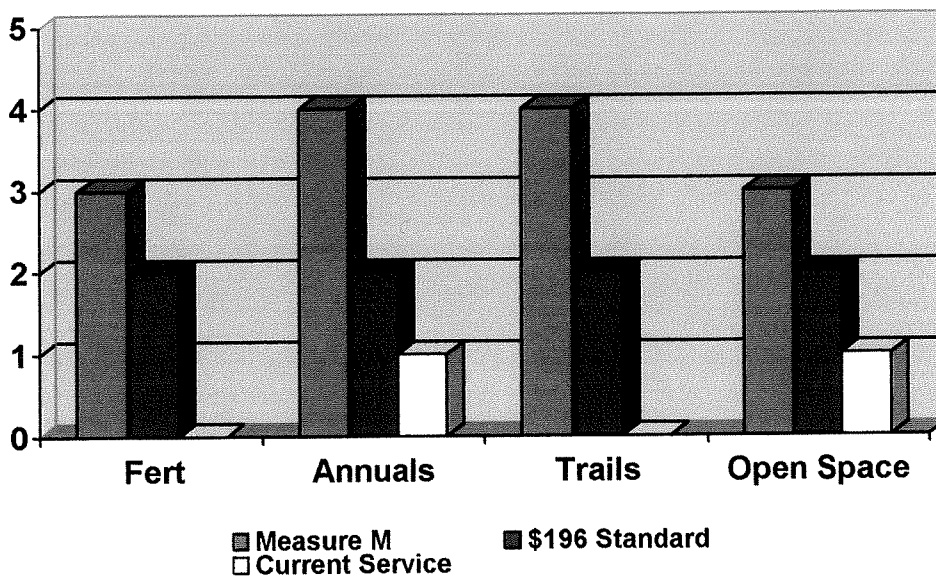
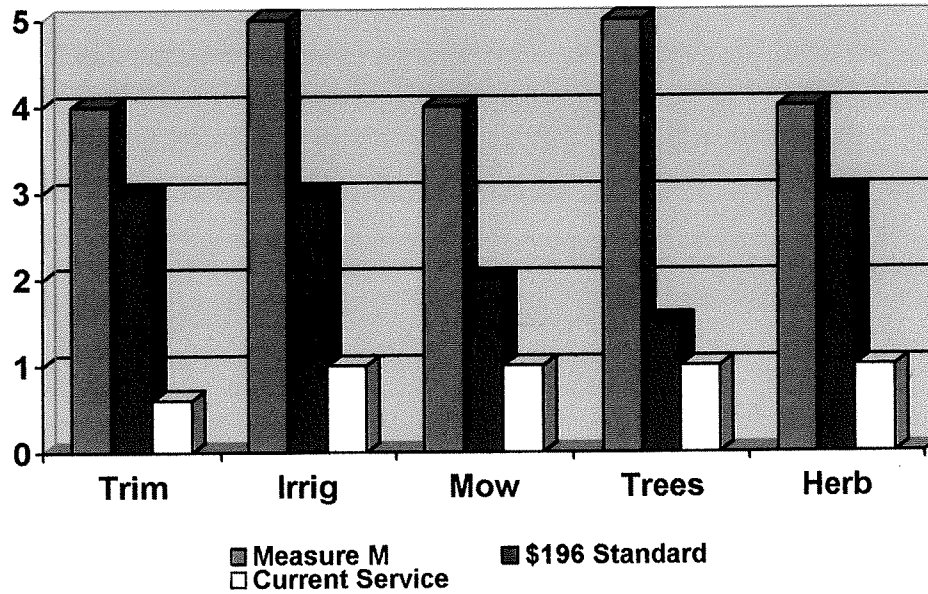
Deferred Fund

Replacement of any and all landscape related items.

Levels of Service Comparisons

5= Standard A

1= Standard E



CLAYTON FOUNTAIN

OPTIONS

WATER FEATURE COST

All options include the following services:

- | | |
|---|--------------|
| • Drain and clean ponds two times a year | \$3,000 year |
| • Repair lights and over see contact work(city staff) | \$2,500 year |
| • Monthly contract maintenance of water feature | \$8,897 year |
| • Repair of pumps and equipment | \$4,500 year |

All options include the following operations:

- Running lighting daily 6 hrs a day
- Running filter pump daily 12 hrs a day
- Running water fall and geyser pumps

OPTIONS

- | | | |
|--|----------------------|-----------------------|
| A. Running on Weekend and Holidays*
Proposed operation schedule: Friday 2-8pm
Saturday 8am-8pm Sunday 8am-8pm | \$44,479 year | \$10.29/parcel |
| B. Running Daily 12 hours a day
Proposed operation schedule: Daily 8am-8pm | \$73,245 year | \$16.94/parcel |
| C. Running Daily 18 hours a day
Proposed operation schedule: Daily 6am-12am | \$96,588 year | \$22.34/parcel |

Electrical costs were based on past bills at an average cost of .26 cents per kilowatt

* Holidays are as follows: Eve/New Years, Art and Wine, Memorial Day, Fourth of July, Labor Day, Oktoberfest, Halloween Parade/Ghost Walk, Veterans' Day, Eve/Christmas.

**BALLOT MEASURE
DOCUMENTS**

RESOLUTION NO. - 2007

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

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

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

WHEREAS, this Council now desires to proceed with the establishment of a community facilities district in order to finance the costs of certain landscape maintenance services in the City (the "Services");

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

1. Recitals. The City Council does hereby find and affirm the above noted Recitals are true and correct facts and information relative to the proceedings at hand.
2. Authority. This Council proposes to conduct proceedings to establish a community facilities district pursuant to the Act.
3. Name of CFD. The name proposed for the community facilities district is City of Clayton Community Facilities District No. 2007-1 (Citywide Landscape Maintenance) (the "CFD").
4. Boundaries Described. The proposed boundaries of the CFD are as shown on the map of it on file with the City Clerk, dated January 4, 2007, which boundaries are hereby preliminarily approved and to which map reference is hereby made for further particulars. The City Clerk is hereby directed to record, or cause to be recorded, said map of the boundaries of the CFD in the office of the County Recorder of the County of Contra Costa (the "County") within fifteen days of the date of adoption of this Resolution, but in any event at least fifteen days prior to the public hearing specified in paragraph 10 below. The boundaries of the CFD shall also include any parcels subsequently annexed to the City and the CFD.
5. Services. The type of public services proposed to be financed by the CFD and pursuant to the Act shall consist of all or a portion of those items listed on Exhibit A hereto and hereby incorporated herein.

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

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

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

8. Voting Procedure. The levy of the Special Tax shall be subject to the approval of the qualified electors of the CFD in the June 5, 2007 election. The proposed voting procedure shall be by registered voters within the proposed CFD, with each voter having one vote.

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

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

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

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

10. Public Hearing. Tuesday, February 20, 2007, at 7:00 p.m., or as soon as possible thereafter, in the Community Library Meeting Room, 6125 Clayton Road, Clayton, California, be, and the same are hereby appointed and fixed as the time and place when and where this Council, as legislative body for the CFD, will conduct a public hearing on the establishment of the CFD and consider and finally determine whether the public interest, convenience and necessity require the formation of the CFD and the levy of the Special Tax.

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

* * * * *

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California at a regular public meeting thereof held this 16th day of January 2007 on the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

THE CITY COUNCIL OF CLAYTON, CA

William R. Walcutt, Mayor

ATTEST:

Laci J. Jackson
City Clerk

Exhibit A – List of Services

Exhibit B – Rate and Method of Apportionment of Special Tax

EXHIBIT A

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

DESCRIPTION OF SERVICES TO BE FINANCED BY THE CFD

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

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

Atchinson Stage Road – from Pine Hollow Road to Caulfield Drive

Black Point Place – center median island.

Caulfield Court – center median island.

Center Street – from Oak Street to Clayton Road.

Clayton Road – from the western city limits to the southern Marsh Creek Road intersection.

Cul-de-sacs: landscaped areas at end of Ahwanee Lane, Wawona Court, Tuyshtak Court, Antelope Court, Obsidian Court, Blue Oak Lane, Falcon Place, Windmill Canyon Place, Hummingbird Place, Raven Place, and Golden Eagle Place.

Diablo Parkway – from Marsh Creek Road to El Portal Drive.

Eagle Peak Avenue – from the east intersection with Oakhurst Drive to just west of the Ohlone Heights intersection, and including the west intersection with Oakhurst Drive.

Indianhead Way – entrance area at Oakhurst Drive

Indian Wells Way – both entrance areas with Oakhurst Drive, and center medians up to Anizume Court and Jalalon Place.

Jeffrey Ranch Court – center median island.

Keller Ridge Drive – to Golden Eagle Place intersection.

Lydia Lane – from intersection of Clayton Road to Lydia Lane Park.

Main Street – from Clayton Road to (old) Marsh Creek Road.

Marsh Creek Road – from the northern intersection of (old) Marsh Creek Road to the eastern city limits.

Oakhurst Drive – from the western city limits to Clayton Road intersection.

Peacock Creek Drive – from Clayton Road to approximately the Pebble Beach Drive intersection.

Pine Hollow Road – from Atchinson Stage Road to Panadero Way.

Regency Drive – median entrance from Marsh Creek Road.

So. Mitchell Canyon Road – from approx. Del Trigo Lane to Herriman Court intersection.

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

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

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

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

Definitions

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

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

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

EXHIBIT B

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

RATE AND METHOD OF LEVY OF SPECIAL TAX

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

Definitions

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

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

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

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

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

Special Tax Formula

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

Residential Parcel Annual Special Tax Rate: \$

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

Non-residential Parcel Annual Special Tax Rate: \$ per acre.

Duration of Special Tax Levy

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

Special Tax Escalator Factor

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

**COMMITTEE'S CURRENT
OPTION UNDER REVIEW.**

**A HYBRID OF OPTIONS
C & D**

TRAILS & LANDSCAPE COMMITTEE

\$235 A YEAR STANDARDS

November 27, 2006

Note: Development of Standards assumed responsibility for District in "as-is" landscape condition but brought to the higher standard of maintenance requested by the Committee. No workloads were included to elevate the existing landscaping with more shrubs, trees or associated improvements [e.g. irrigation systems; hardscape; replantings; deferred capital improvement projects].

Cost represents total operations and maintenance

Landscape Trimming **\$196,379**

- Trim all landscape areas in District 2 times a year.
 1. Trim all shrubs and groundcover in District landscape areas.
 2. Haul off all trimmings and debris
 3. Hand-pull all large weeds over one foot tall.
 4. Pick up visible litter.
 5. Remove all dead shrubs or groundcover.
 6. Cut all suckers.
 7. Blow off all walkways and street areas.

Irrigation Maintenance **\$87,838**

(Irrigation systems are operational approximately 9 months)

- Check complete system 2 times a year.
- Adjust controllers 3 times a year.
- Repair any broken waterlines within 1 month of request.
 1. Complete system check of entire irrigation system.
 2. Adjust all sprinkler heads for proper coverage.
 3. Mark all irrigation boxes on lids and curbside.
 4. Repair any leaks in mainline or control valves.
 5. Repair any broken sprinkler heads.
 6. Replace or repair all irrigation boxes.
 7. Provide irrigation system upgrades over time as funding allows.

Mowing Turf **\$13,380**

(Lawn areas will be mowed approximately 9 months out of the year)

- Mow lawns every 2 weeks.
- Edge lawns once a month.
- Fertilize lawns every 6 months.
- Aerate once a year.
 1. Mow all lawns in District.
 2. Edge all lawns in District.
 3. Fertilize all lawns in District.
 4. Pick up litter and debris in lawn areas.
 5. Blow off all walkways and street areas

Tree Trimming **\$7,994 + \$25,000 =** **\$32,994**

- Trim all Crape Myrtles trees every 18 months.
- Trim all Oleanders trees every year.
- Trim trees away from walkways and signs as time allows.
- Trim as needed.
- **\$25,000** tree trimming contract.
 1. Prune all Crape Myrtles for increase summer flowering.
 2. Thin and trim out crowns on all Oleander trees.
 3. Stake up trees as needed.
 4. Cut out all suckers.
 5. Coordinate contract tree work.
 6. Trim trees away from walkways and signs.

Herbicide Control **\$104,598**

- Spray pre-emergent 2 times a year in median.
- Spray pre-emergent once a year in roadside landscape areas.
- Spot spray every 2 months.
- Spray Round-Up along trails and open space once a year.
- Pull weeds over 1 foot as time permits.
 1. Control weeds located in the landscape areas
 2. Spray pre-emergent in landscape areas.
 3. Hand-pull any weeds over one foot.

Fertilizing **\$11,180**

- Fertilize all landscape areas once a year.
- Use slow release 14x14x14 at 1.5 lbs per 100 square feet
 1. Fertilize all landscape areas of District.
 2. Clean all walkways and street of excess fertilizer.

Annuals **\$9,072**

- Plant annuals once a year.
- Weed and clean planters once every 3 months.
 1. Plant annuals in all District flowerbeds.
 2. Cultivate soil and add conditioner before planting.
 3. Weed and clean out planters periodically.

Trails**\$63,041**

- Spray pre-emergent along trails 2 times a year.
- Spray Round Up along trails 2 times a year.
- Complete trail repair and inspection once a year.
- Periodic trail repair and inspection 6 times a year.
- Cut down weeds along sides of trails 2 times a year.
 1. Clear trails of all weeds and debris.
 2. Repair trail headers.
 3. Replace ¼ by dust.
 4. Repair signage.

Open Space**\$8,093**

- Cut weeds two times a year 30 feet from fence lines.
- Cut weeds two times a year along major trails and creeks.
- Remove noxious weeds under contract from Oakhurst hillside open space.
 1. Cut weeds along major trails and creeks to three inches in height.
 2. Cut weeds 30 feet from fence lines in District to three inches in height.
 3. Remove noxious weeds from Oakhurst open space.
 4. Coordinate weed abatement and noxious weed contracts.

Open Space Weed Abatement Contract 2 x \$32,000 **\$64,000**

Open Space Noxious Weed Contract **\$28,000**

Clayton Fountain Operation (weekends & holidays) **\$44,300**

Replacement Fund **\$20,000**

Additional Services/ Fixed Costs **\$258,112**

PG&E electricity:	\$ 26,240
Irrigation Water:	\$185,000
Contract Work (well repair/pumps):	\$ 16,402
Property Tax admin. fee:	\$ 3,500
City admin. fee:	<u>\$ 26,970</u>
Total:	\$258,112

Calculation Assumption:

$\$940,987 / 4000 \text{ parcels} = \235 a year

$\$40,000 = \10 a year

FIVE

MAINTENANCE STANDARDS

OPTIONS

REQUESTED MAINTENANCE STANDARDS
TRAILS AND LANDSCAPE COMMITTEE

- OPTION A:** \$157.00/year Standard
What the District is approximately spending to meet existing
care standards (actual approximate \$151.00).
- OPTION B:** \$192.00/year Standard
50% increase over existing \$127.86/year annual tax.
- OPTION C:** \$210.00/year Standard
The increase cost of the \$200.00/year Standard developed in 2004.
- OPTION D:** \$249.00/year Standard
Preferred Standard of City Maintenance Supervisors
- OPTION E:** \$309.00/year Standard
Increased cost of the Blue Ribbon Committee's O&M Preferred
Standard of \$280.00 contained in Measure M (2005).

DISTRICT STANDARDS (AT A GLANCE)

LANDSCAPE TRIMMING

Option A	Option B	Option C	Option D	Option E
\$157 a year	\$192 a year	\$210 a year	\$249 a year	309 a year
Every 18 months	Once a year	2 times a year	2 times a year	3 times a year

IRRIGATION MAINTENANCE

Check once a year	Check twice a year	Check twice a year	Check twice a year	Check 4 times a year
Adjust controllers once a year	Adjust controllers 3 times a year	Adjust controllers 3 times a year	Adjust controllers 3 times a year	Adjust controllers once a month
Repairs as time permits	Repairs within 1 month	Repairs within 1 month	Repairs within 1 month	Repairs within 72 hours

MOWING TURF

Mow in 2 weeks	Mow in 2 weeks	Mow in 2 weeks	Mow once a week	Mow once a week
Edge monthly	Edge monthly	Edge monthly	Edge weekly	Edge weekly
Fertilize yearly	Fertilize 2 a year	Fertilize 2 a year	Fertilize 2 a year	Fertilize 2 a year
			Aerate 3 a year	Aerate 3 a year
			Thatch yearly	Thatch yearly

TREE TRIMMING

Crapes yearly	Crapes yearly	Crapes 1.5 years	Crapes yearly	Crapes yearly
Oleanders 1.5 years	Oleanders 1.5 years	Oleanders every other year	Oleanders yearly	Oleanders yearly
Safety trims	Safety trims	Trim if time permits	Safety trims	Safety trims
Stake as time permits	Stake as time permits	Stake as time permits	Stake within 1 month	Stake within 1 month
			Walkways/signs within 1 month	Walkways/signs within 1 month
\$10,000	\$10,000	\$25,000	\$30,000	\$100,000

HERBICIDE CONTROL

Preemergent yearly	Preemergent yearly	Preemergent twice a year in medians	Preemergent twice a year in medians	Preemergent twice a year in medians
		Preemergent yearly in landscape	Preemergent yearly in landscape	Preemergent 2 times a year
Spot spray every 10 weeks	Spot spray every 10 weeks	Spot spray every 2 months	Spot spray every 2 months	Spot spray every 6 weeks
Spray trails yearly	Spray trails yearly	Spray trails 2 times a year	Spray trails 2 times a year	Spray trails 2 times a year
Pull weeds>1' as time permits	Pull weeds>1' as time permits	Pull weeds>1' as time permits	Pull weeds>1' as time permits	Pull weeds>1' every 6 weeks

FERTILIZING

No fertilizing	No fertilizing	Fertilize yearly	Fertilize yearly	Fertilize 2 times a year
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Option A	Option B	Option C	Option D	Option E
\$157 a year	\$192 a year	\$210 a year	\$249 a year	309 a year

ANNUALS

Yearly	Yearly	Yearly	2 times a year	3 times a year
Clean 3 months	Clean 3 months	Clean 3 months	Clean 2 months	Clean once a month

TRAILS

Preemergent yearly	Preemergent yearly	2 times a year	2 times a year	2 times a year
Round up yearly	Round Up yearly	2 times a year	2 times a year	2 times a year
Repair/inspect yearly	Repair/inspect yearly	Repair/inspect yearly	Repair/inspect yearly	Repair/inspect yearly
Repair 4 times yearly	Repair 4 times yearly	Repair 6 times yearly	Repair 3 times yearly	Repair 3 times yearly
Mow yearly	Mow yearly	Mow 3 times	Mow 2 times	Mow 2 times

OPEN SPACE

Fence lines yearly	Fence lines yearly	Fence lines 2 times	Fence lines yearly	Fence lines 2 times
Mow yearly	Mow yearly	Mow 2 times	Mow yearly	Mow 2 times
Noxious weed contract	Noxious weed contract	Noxious weed contract	Noxious weed contract	Noxious weed contract

ADDITIONAL SERVICES

	Water feature Weekend/Holidays		Water feature Weekend/Holidays	
			\$20,000 Replacement fund	

2007 MEETING SCHEDULE
TRAILS AND LANDSCAPING COMMITTEE

<u>DATE</u>	<u>LOCATION</u>
January 8, 2007	Clayton Library Meeting Room
January 22, 2007	Clayton Library Meeting Room
February 12, 2007 * <i>City Holiday -change?</i>	Clayton Library Meeting Room
February 26, 2007	Clayton Library Meeting Room
March 12, 2007	Clayton Library Meeting Room
March 26, 2007	Clayton Library Meeting Room
April 9, 2007 * <i>Easter/Spring Break - change?</i>	Clayton Library Meeting Room
April 23, 2007	Clayton Library Meeting Room
May 14, 2007	Clayton Library Meeting Room
May 28, 2007 * <i>Memorial Day Holiday-change?</i>	Clayton Library Meeting Room
June 11, 2007	Clayton Library Meeting Room
June 25, 2007	Clayton Library Meeting Room
July 9, 2007	Clayton Library Meeting Room

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