



AGENDA

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OAKHURST GEOLOGICAL HAZARD ABATEMENT DISTRICT (GHAD) 6:00 P.M.

and

CLAYTON CITY COUNCIL 7:00 P.M.

* * *

TUESDAY, December 19, 2023

***** NOTICE *****

*Members of the public will be able to participate either in-person at
Hoyer Hall, Clayton Community Library
6125 Clayton Road, Clayton, CA 94517
or
remotely via Zoom.*

Mayor: Jim Diaz

Vice Mayor: Kim Trupiano

Council Members

Peter Cloven

Holly Tillman

Jeff Wan

- 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 the City's website at www.claytonca.gov
- 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.claytonca.gov

- Any writings or documents provided to a majority of the GHAD Board/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 and is available for review on the City's website at www.claytonca.gov
- If you have a physical impairment that requires special accommodation to participate, please call the City Clerk's office at least 72 hours in advance of the meeting at (925) 673-7300.

Instructions for Virtual GHAD and City Council Meeting – December 19, 2023

Tonight's meeting will be available to the public both in-person and remotely via Zoom. As a courtesy, and technology permitting, members of the public may continue to provide live remote oral comment via the Zoom video conferencing platform. However, the City cannot guarantee that the public's access to teleconferencing technology will be uninterrupted, and technical difficulties may occur from time to time. Unless required by the Brown Act, the meeting will continue despite technical difficulties for participants using the teleconferencing option.

To follow or participate in the meeting:

1. **Videoconference:** to follow the meeting on-line, click here to register: https://us02web.zoom.us/webinar/register/WN_suxMelqbQNWPGzIqaBNXFw
After clicking on the URL, please take a few seconds to submit your first and last name, and e-mail address then click "Register", which will approve your registration, and a new URL to join the meeting will appear.
2. **Phone-in:** Register for the meeting using the URL in the paragraph above. Once registered, you will receive an e-mail with instructions to join the meeting telephonically, and then dial toll-free 877-853-5257 and use the Webinar ID and Password found in the e-mail.
3. **E-mail Public Comments:** If preferred, please e-mail public comments to the Interim City Clerk, Sheri Hartz at sherih@claytonca.gov by 5:00 p.m. on the day of the meeting. All e-mailed public comments will be forwarded to the entire GHAD Board or City Council.

Each person attending the meeting via video conferencing or telephone and who wishes to speak on an agendized or non-agendized matter shall have a set amount of time to speak as determined by the GHAD Chair or Mayor.

*** OAKHURST GEOLOGICAL HAZARD ABATEMENT DISTRICT ***
December 19, 2023

1. **CALL TO ORDER AND ROLL CALL (6:00 PM)** – Chair Trupiano.

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

Members of the public may address the District Board members on items within the Board's jurisdiction (which are not on the agenda) at this time. To assure an orderly meeting and an equal opportunity for everyone, each speaker is limited to 3 minutes, enforced at the Chair's discretion. 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.

3. **CONSENT CALENDAR**

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

- a. Approve the Minutes of the GHAD Board Meeting of July 18, 2023 (General Manager) ([View](#))
- b. Approve the Minutes of the GHAD Board Meeting of November 7, 2023 (General Manager) ([View](#))

4. **PUBLIC HEARINGS**

None

5. **ACTION ITEMS**

- a. Nomination and Election of Chair and Vice Chair for the Term Commencing December 2023 and Ending December 2024 (General Manager) ([View](#))
- b. Consideration of Proposed Updates/Amendments to the Oakhurst GHAD Plan of Control (General Manager) ([View](#))

6. **BOARD ITEMS** – Limited to Board members' requests and directives for future meetings.

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

*** CITY COUNCIL ***
December 19, 2023

1. **CALL TO ORDER AND ROLL CALL(7:00 PM)** – Mayor Diaz.

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

3. **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 assure an orderly meeting and an equal opportunity for everyone, each speaker is limited to 3 minutes, enforced at the Mayor's discretion. 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.

4. **CONSENT CALENDAR**

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a. Approve the Minutes of the City Council Regular Meeting of December 5, 2023 (Interim City Clerk) ([View](#))

5. **RECOGNITIONS AND PRESENTATIONS**

a. Certificates of Recognition to Public School Students for Exemplifying the “Do the Right Thing” Character Trait of “Respect” during the Month of November 2023. (Councilmember Cloven) ([View](#))

6. **OUTGOING MAYOR PRESENTATION / RECEPTION**

7. **REPORTS**

a. City Manager / Staff

- Link to ClearGov Transparency Portal:
<https://cleargov.com/california/contra-costa/city/clayton/checkbook>

8. PUBLIC HEARINGS

- a. Introduce and Waive First Reading of an Ordinance Amending Clayton Municipal Code Title 17 to Implement Adopted General Plan Housing Element Policy, Rezone Properties in Conformance with the Housing and Land Use Elements, Clarify Administrative Procedures, and Align with State Law (CEQA Status: Certified EIR, SCH No. 2022030086) (Community Development Director) ([View](#))

9. ACTION ITEMS

- a. Approve Audited Annual Comprehensive Financial Report of the City of Clayton for the Fiscal Year Ended June 30, 2023. (Finance Director) ([View](#))
- b. Authorize \$200,000 of General Fund Reserves to Initiate Civil Engineering Design and Environmental Permitting Consultant Services for the Cardinet Trail/Mt. Diablo Creek Bank Repairs with Future Reimbursement from FEMA (City Engineer) ([View](#))
- c. Dissolve the Concerts in The Grove Oversight Committee and Appoint Members to the City Sponsored Special Events Committee (City Manager) ([View](#))
- d. Discuss and Approve City Council Committees & Assignments for Standing/ Ad-Hoc Committees and Liaison Positions (City Manager) ([View](#))

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

11. COUNCIL REPORTS

- a. City Council - Reports from Council liaisons to Regional Committees, Commissions and Boards.

12. CLOSED SESSION

- a. Conference with Labor Negotiators
Government Code section 54957.6
Agency Designated Representatives: Bret Prebula, City Manager and Amy Walcker, Executive Assistant to the City Manager/HR Manager
Employee Organization: Clayton Police Officers Association

13. ADJOURNMENT

The next regularly scheduled meeting of the City Council will be January 16, 2023.

#

MINUTES
SPECIAL MEETING
OAKHURST GEOLOGICAL HAZARD ABATEMENT DISTRICT (GHAD)

July 18, 2023

1. **CALL TO ORDER AND ROLL CALL** – the meeting was called to order at 10:41 p.m. by Chair Trupiano. Board Members present: Chair Trupiano, Vice Chair Cloven, Board Members Diaz, Tillman, and Wan. Board Members absent: None. Staff present: City Manager Bret Prebula, General Manager Larry Theis, Legal Counsel Mala Subramanian, and Secretary Janet Calderon.

2. **PUBLIC COMMENTS** – None.

3. **CONSENT CALENDAR**

There were no public comments on the Consent Calendar.

It was moved by Board Member Diaz, seconded by Board Member Wan to approve Consent Calendar item 3(a) as submitted (Passed 5-0).

- (a) Approved the Board of Directors' minutes for its regular meeting on June 6, 2023.

At the request of the General Manager, Item 5(a) was heard prior to the public hearing.

5. **ACTION ITEMS**

- (a) Provide Board Direction and Input on Pursuing a Future Assessment Increase on GHAD Property Owners to Increase District Revenue to Fund All Necessary Work Within the GHAD

General Manager Larry Theis presented the report.

Brian Brown, Managing Principal, Francisco and Associates, outlined the assessment process of three to seven months, including updating the plan of control; preparing engineer's report identifying boundaries, owners and method of assessment; educational outreach and community meetings; Board meeting scheduling public hearing; sending notices of public hearing; holding public hearing; tabulating ballots and declaring results. Mr. Brown emphasized the ballots are weighted based on assessment amount.

Following questions and comments by the Board, Chair Trupiano opened public comments.

Glenn Miller shared the best method to mitigate earth movement problems is to perform maintenance. For the record, he advised there has never been

any maintenance in the Oakhurst region. In Peacock Creek maintenance occurred only one time in the last 15 years, four years ago and on only the top tier out of four tiers. He also asked what has happened to the settlement and funds previously collected.

Chair Trupiano closed public comment.

Direction was provided to staff to pursue a future assessment increase, approve shifting remaining equipment funds of approximately \$25,000 to community outreach, and reflect the adjustment in the engineer's report.

4. PUBLIC HEARINGS

- (a) Resolution Ordering Improvements and Confirming Real Property Assessments in the Oakhurst Geological Hazard Abatement District for FY 2023/24.

General Manager Larry Theis presented the report.

Following questions and comments by the Board, Chair Trupiano opened the public hearing.

Glenn Miller clarified the Board just voted to approve spending GHAD money on non-GHAD work. He stressed the audits reflect little if any money has been spent on maintenance resulting in clogged drains and preventing water from entering the inlet.

Chair Trupiano closed the public hearing.

It was moved by Board Member Wan, seconded by Vice Chair Cloven, to adopt GHAD Resolution No. 03-2023 Ordering Improvements and Confirming Real Property Assessments for Fiscal Year 2023/24, as modified based on direction given in item 5(a) above (Passed; 5-0).

6. BOARD ITEMS – None.

- 7. ADJOURNMENT - on call by Chairperson Trupiano the Board meeting adjourned at 11:58 p.m.**

#

Respectfully submitted,

Amy Walcker, Executive Assistant
to the City Manager/HR Manager

Approved by the Board of Directors
Oakhurst Geological Hazard Abatement District

Kim Trupiano, Chairperson

MINUTES
OAKHURST GEOLOGICAL HAZARD ABATEMENT DISTRICT (GHAD)
November 7, 2023

1. CALL TO ORDER AND ROLL CALL - the meeting was called to order at 6:10 p.m. by Chair Trupiano. Board Members present: Chair Trupiano, Vice Chair Cloven, Board Members Diaz, Tillman, and Wan. Board Members absent: None. Staff present: General Manager Larry Theis, City Manager Bret Prebula, Legal Counsel Mala Subramanian, Executive Assistant to the City Manager/HR Manager Amy Walcker, and Community Development Director Dana Ayres.

2. PUBLIC COMMENTS

Jim Killoran discussed the Olivia Project in relation to the Oakhurst Geological Hazard Abatement District, ditch maintenance, hillside risks, and financial challenges.

3. CONSENT CALENDAR - None

4. PUBLIC HEARINGS - None

5. ACTION ITEMS
 - a. Provide Update to Board on Budget Items for Pursuing a Future Assessment Increase on Property Owners within the GHAD

General Manager Larry Theis gave the staff report and responded to Board questions.

There were no public comments.

Following Board discussion, it was moved by Chair Trupiano and seconded by Board Member Wan to approve the District going forward with an updated plan of control at an approximate cost of \$30,000 that will be reviewed at a meeting in December or January. (Passed: 5-0).

6. BOARD ITEMS – Limited to Board members’ requests and directives for future meetings.

None

7. ADJOURNMENT - on call by Chairperson Trupiano the Board meeting adjourned at 6:55 p.m.

#

Respectfully submitted,

Amy Walcker, Executive Assistant to
The City Manager/HR Manager

Approved by the Board of Directors
Oakhurst Geological Hazard Abatement District

Kim Trupiano, Chair

GHAD REPORT

TO: HONORABLE CHAIR AND BOARDMEMBERS

FROM: Secretary

DATE: December 19, 2023

SUBJECT: SELECTION OF CHAIR AND VICE CHAIR FOR 2024

RECOMMENDATION

It is recommended the Board of Directors select a new Chair and Vice Chair for next year (2024).

BACKGROUND

Similar to the Clayton City Council’s annual reorganization, the Board of Directors of the Oakhurst Geological Hazard Abatement District (GHAD) annually changes its chair and vice chair.

Since its December 6, 2022, Board meeting, Board Member Kim Trupiano has served as the Chair of GHAD with Board Member Peter Cloven serving as its Vice Chair. At this time, the Board should conduct the nomination and selection of its chair and vice chair to serve for the next twelve months. In recent years, the following individuals have served as officers of GHAD:

	<u>Chair</u>	<u>Vice Chair</u>
2023	Kim Trupiano	Peter Cloven
2022	Jim Diaz	Carl Wolfe
2021	Holly Tillman	Peter Cloven
2020	Jeff Wan	Jim Diaz
2019	Carl Wolfe	Jeff Wan
2018	Tuija Catalano	Jim Diaz
2017	David Shuey	Tuija Catalano
2016	Keith Haydon	Jim Diaz
2015	Howard Geller	Keith Haydon
2014	Jim Diaz	Howard Geller
2013	David Shuey	Jim Diaz

FISCAL IMPACT

None. Board Members do not receive any stipend for their time and effort expended in these offices.

GHAD REPORT

TO: HONORABLE CHAIRPERSON AND BOARD MEMBERS

FROM: Larry Theis, P.E., GHAD Manager

DATE: December 19, 2023

SUBJECT: Consideration of Proposed Updates/Amendments to the Oakhurst GHAD Plan of Control

RECOMMENDATION

The GHAD General Manager and his geotechnical consultant team will propose various maintenance and repair tasks and responsibilities (including estimated costs) to be considered by the Board of Directors of the Oakhurst Geological Hazard Abatement District (GHAD) for a future amended/updated Plan of Control.

The Board of Directors will use the updated Plan of Control to define the future operation and administration of the GHAD. In addition, the estimated budget of the required tasks in the updated Plan of Control will be used to determine the necessary increase to the current property tax assessments to adequately fund these services and an adequate reserve.

Staff requests direction on what tasks to include in the Plan of Control so they can be incorporated into the final draft for the Board's approval at a future meeting.

BACKGROUND

As part of the development of the Oakhurst subdivisions in the 1990's, the City and developer decided to form a geologic hazard abatement district (Oakhurst GHAD) which included all of the newly created private property lots (single family and multi-family) and open space area (owned by the GHAD). These private properties pay special assessments on their annual property tax roll to fund the operations and responsibilities identified in the Plan of Control (see Attachment 1). The Plan of Control categorizes geologic hazards into landslides, creep, and erosion/sedimentation and identifies the plan how the District is to prevent, mitigate, and abate these hazards.

The Oakhurst GHAD is its own and separate entity from the City of Clayton. Its Board of Directors is comprised of the current city councilmembers acting on behalf of the GHAD, separate from their roles and responsibilities as Councilmembers to the City of Clayton. The GHAD owns the open space in the Oakhurst development and has maintenance responsibilities for its upkeep. Its responsibilities are funded by assessments on the properties within the District which currently collects approximately \$50,000 per year.

DISCUSSION

As discussed at previous meetings, Staff has informed the Board that the annual \$50,000 collected from current assessments is insufficient to fund all the tasks and activities included in the current Plan of Control. Staff preliminarily estimates that to perform these tasks adequately, it would require \$250,000 to \$300,000 (does not include establishing a capital replacement fund or emergency reserve).

FISCAL IMPACT

No direct fiscal impact with this report. Feedback provided by the Board will guide the development of the updated Plan of Control and its budget.

NEXT STEPS

In January/February 2024, Staff plans to return with an amended Plan of Control for the Board's review and approval.

ATTACHMENTS

1. Current Oakhurst GHAD Plan of Control (approved July 17, 1990)
2. Matrix of Plan of Control Tasks/Responsibilities

GHAD RESOLUTION NO. 2-90

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE OAKHURST GEOLOGIC HAZARD ABATEMENT DISTRICT, CITY OF CLAYTON, CONTRA COSTA COUNTY, STATE OF CALIFORNIA, ORDERING THE AMENDMENT OF THE PLAN OF CONTROL (PUBLIC RESOURCES CODE 26500 ET SEQ.)

WHEREAS, the Clayton City Council has approved the formation of, and the Plan of Control for a geologic hazard abatement district (GHAD) for the Oakhurst development, and appointed the City Council as the initial Board of Directors for the GHAD; and

WHEREAS, the Plan of Control provides that it will be subject to revisions and modifications, as new data or investigations warrant; and

WHEREAS, an amendment to the Plan of Control (Amendment No. 1) has been submitted to the Board, which amendment is attached hereto as Exhibit A; and

WHEREAS, the Board has reviewed and considered said proposed amendment;

NOW, THEREFORE, THE BOARD OF DIRECTORS HEREBY RESOLVES, FINDS, CERTIFIES AND ORDERS AS FOLLOWS:


1. Amendment No.1 to the Plan of Control for the Oakhurst GHAD, which amendment is attached hereto as Exhibit A, is hereby approved in its entirety.
2. The previously approved Plan of Control for the Oakhurst GHAD, as hereby amended, shall continue in full force and effect.

Adopted by the Board of Directors of the Oakhurst Geologic Hazard Abatement District at a meeting of said District held on July 17, 1990 by the following vote:

AYES: BOARD MEMBERS HALL, MANNING, MUSTO, VICE CHAIR HAWES, CHAIRMAN
KENDALL

NOES: NONE

ABSENT: NONE


Chairperson

ATTEST:


Secretary

I hereby certify that the foregoing resolution was duly and regularly passed by the Board of Directors of the Oakhurst Geologic Hazard Abatement District at a meeting held on July 17, 1990.


Secretary

EXHIBIT "C"

FIRST AMENDED
PLAN OF CONTROL

A. Description of Existing Landslide and Erosion Hazards

The location of existing landslides have been defined by recent geologic studies of the proposed District (the District is described by the legal description attached hereto as Exhibit "A" and the map attached hereto as Exhibit "B"). The reports developed from these geologic studies are included in the attached Bibliography. Other existing landslides located outside the District boundaries, but adjacent thereto, may be identified in the future.

Basically, the District is underlain by six sedimentary rock units or formations: the Domengine sandstone, the Marliff shale, the Martinez sandstone, the Nortonville sandstone and shale and, lastly, two unnamed Upper Cretaceous sandstone and shale units. Soils in the District vary in thickness and are both alluvial and colluvial in origin. The colluvium is often dissected by geologically old slide or slip planes that are susceptible to reactivation by destabilizing influences. Soils are generally silty and sandy clays often quite rocky or gravelly, depending on whether colluvial or alluvial, respectively. They are generally stiff and moderately plastic.

General geologic conditions are illustrated on Addendum "1" attached hereto and labeled as III A-2.

Potential geologic hazards associated with the District soil and geologic conditions include:

1. Landslides - landslides could develop in the hillside portions of the District or on property located outside of the District, but adjacent thereto which could impact upon property within the District. The word landslide is defined as "the perceptible downward sliding or falling of a relatively dry mass of earth, rock, or combination of the two under the influence of gravity" and "a general term covering a wide variety of mass movement, land forms, and processes involving the moderately rapid to rapid (on the order of 1 foot per year or greater) downslope transport, by means of gravitational body stresses of soil and rock material enmasse." Furthermore, "terminology designating particular landslide types generally refers to the land form as well as the process responsible for the land form, e.g., rockfall, Talus, Translational Slide,...."

To illustrate the forms that landslides within the District could take, we have reproduced a drawing from the Highway Research Board Publication 176 as Addendum "2" attached hereto and labeled as Addendum "2." Landslides will be distinguished from creep (see below) by the velocity of the earth movement; landslides are movements that occur at a rate of three inches (3") per year or faster, as measured over a period of one year, anywhere within the defined limits of the landslide.

2. Creep

Creep may occur near the ground surface on sloping portions of the district or on property located outside of the District, but adjacent thereto which could impact upon property within the District. Creep is defined as "the slow, gradual, more or less continuous, nonrecoverable (permanent) deformation sustained by ... soil, and rock materials under gravitational body stresses." Creep will be distinguished from landsliding by the velocity at which the downward movement occurs; creep is when the velocity of a point anywhere within the defined creep zone is less than three inches (3") per year, at any time during which the creep has been noticed, over a period of one year from the first measurement of ground movement.

To distinguish creep from simple vertical settlement, creep shall also be defined as having both lateral and vertical components of movement. In order for the movement to be defined as creep, the lateral component shall be at least 20 percent of the vertical component.

3. Erosion and Sedimentation

Erosion is "the general process or the group of processes whereby the earthy and rocky materials of the earth's crust are loosened and dissolved . . . and simultaneously removed from one place to another by natural agencies ... i.e., by running water, waves and currents or wind." This includes both surface and subsurface water movement. Sedimentation is "the act or process of forming or accumulating sediment in layers . . . i.e., the actual deposition or settling of the (soil) particles . . . strictly the act or process of depositing sediment by mechanical means from a state of suspension in a liquid."

B. Plan for Prevention, Mitigation, Abatement for Control of Existing Landslides and Erosion Hazards

The locations of existing landslides have been identified within the District by previous geologic studies, the reports of which are listed in the attached Bibliography. These reports are made part of this Plan of Control by reference. Plans for the repair, stabilization and/or mitigation of each of these identified landslides are included in the reports. Those landslides within Phase I of the Oakhurst Country Club Project also have the repair, stabilization and/or mitigation plans included on the Phase I grading plans for the project prepared by MacKay & Soms, Civil Engineers. These grading plans are included with the Plan of Control by reference. Updated, revised or amended grading plans for Phase I, as well as grading plans for all subsequent phases shall also have the repair, stabilization and/or mitigation plans included and shall be incorporated by reference into this Plan of Control upon completion. Any currently existing updated, revised or amended grading plans or plans for subsequent phases are hereby incorporated by this reference.

The location of each identified and existing landslide is shown on the Addendum "3" attached hereto and labeled as III A-3 which addendum shall be modified from time to time as new conditions or information requires.

C. Plan for Inspection and Maintenance of Landslide and Erosion Control Facilities

Drainage facilities constructed within the District will be maintained for proper performance.

Lined surface drainage ditches on slopes will be inspected at least twice yearly. The engineer and/or geologist retained by the District will visually inspect each lined surface drainage ditch within the District in the fall and other times as needed. Inspections will be made at other times as needed. Inspections will check for siltation, cracking, breaks due to sliding or slope creep, and other types of damage to the ditch.

Risers and outlets to storm drains from debris barriers that have been constructed in drainage easements on the District's boundaries will be inspected at least twice annually. Debris from flow slides will be removed and grades restored to the pre-slide elevations as needed.

Repairs will be made on a timely basis. Sediment in any of the ditches will be removed and the sediment disposed of. Cracks will be patched and sections that are broken or otherwise damaged will be replaced in a like manner. Risers,

drainage pipes and outlets will be repaired or replaced if damaged.

Outlets of all subsurface drains will be well marked within the District so that all outlets can be found on future inspection trips. Inspections of the outlets of all subsurface drain outlets in the District will be made in the fall, in the spring, and other times as needed. The flow rate of water emerging from each outlet will be measured and recorded each time. If volume rates are significantly smaller than the historical record, or if no water emerges from a subsurface drain outlet that formerly flowed regularly and continuously, the subsurface drain will be checked from the nearest upstream cleanout of this particular subsurface drain to determine if the drain is plugged. If necessary, the subsurface drain will be unplugged by cleaning and/or flushing equipment.

Piezometers and slope inclinometers have been set into several borings made within the District. A list of these piezometers and slope inclinometers is given on Addendum "4" herewith. The position of these piezometers and slope inclinometers is shown on Addendum "3" (labeled as III A-3). Addenda "4" and "3" (labeled as III A-3) shall be amended from time to time as circumstances or information requires.

The level of groundwater in piezometers, and the horizontal position of the slope inclinometers will be measured quarterly. Complete and continuous record of all measurements shall be kept in District files. The results of the measurements shall be reported in an interim report within four weeks of the measurement date.

Geologists and geotechnical engineers retained by the District will inspect the facilities and lands of the District on an annual basis. This inspection shall be made in the spring of each year. The geologists and geotechnical engineers will evaluate the effectiveness of the landslide and erosion control facilities and evaluate any landslide or erosion problems that may have occurred during the previous twelve months in order to define a course of action and further study, if necessary. The District geologists and geotechnical engineers will issue an annual inspection and maintenance report within four weeks of the annual inspection of the District lands. The annual report may include recommendations for revisions and modifications of the Plan of Control, recommendations for further study of landslide or erosion conditions that have occurred during the previous year, if necessary, may designate how these further studies will be conducted.

D. Plan for Evaluation and Repair of Future Landslide and Erosion Problems

The District will retain geologic and geotechnical engineering consultants to identify landslides and other hazards located within the District or on property located outside the boundaries of the District, but which may pose a threat to lands located within the District. Upon obtaining legal right to enter onto the property located outside the District, the District may direct said consultants to make inspections and reports to the District as the District deems appropriate. The District may have such consultants on a retainer such that visual inspections for problem identification purposes can be made on a timely basis. Identification techniques may include but not necessarily be limited to:

- a. geologic field mapping
- b. interpretation of aerial photographs,
- c. subsurface exploration with test pits and test borings, and
- d. geophysical studies and continuous monitoring of ground surface conditions and surface and subsurface groundwater conditions. This monitoring will include, but not necessarily be limited to:
 1. readings made on established slope inclinometers,
 2. measurements of groundwater levels and monitoring wells,
 3. measurement of flow from subsurface drains,
 4. precise surveys of ground surface movements.

If the District geologic and geotechnical engineering consultants recommend that further studies of identified landslides or erosion and sedimentation areas be made, in order to prevent and mitigate these identified hazards, the techniques of future studies will include, but not necessarily be limited to the following:

- a. field and laboratory testing of soil and rock materials to identify relevant engineering properties and parameters,
- b. topographic surveys of these hazard areas,
- c. risk studies of landslides and hazards as they exist and are identified,

- d. engagement of independent consultants as required to make detailed studies,
- e. detailed geologic mapping of graded exposures and outcrops to provide a comprehensive understanding of the geology in the hazard area,
- f. relevant engineering analyses, including those for slope stability and control of erosion,
- g. engineering design of structures and/or other techniques for repair or mitigation of the identified hazards.

Geologic hazards such as landslides and potential landslides, whether located within the District or outside the District but which pose a hazard to properties within the District, that are identified and that threaten or damage homes or potential home sites, or, such as areas being eroded and that contribute amounts of sediment to the riparian system (including areas downstream of the boundaries of the District) may be repaired or controlled by, but not limited to, the following techniques:

- a. removal of the geologic hazard,
- b. repair of landslides by excavation and backfilling with engineered fill, and by constructing subsurface drains,
- c. construction of structures to mitigate hazards, including retaining walls, soldier pile walls, and debris walls that divert mudflow-type landslides,
- d. construction of drained engineered fill buttresses,
- e. placement and installation of erosion control devices, including but not limited to revetments, gabions, riprap, seeding, and specialty geotextiles,
- f. underpinning of structures to mitigate landslide movement impacts.
- g. upon obtaining proper legal authority to do so, the District may enter onto property located outside the District boundaries in order to effectuate repairs or control measures as if the property in question were located within the District boundaries.

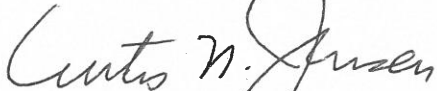
Because construction grading is underway in the District, the Plan of Control must be a general guide for the prevention, mitigation, abatement or control of geologic hazards described above. The Plan of Control cannot be site specific as is

possible for developed areas with homes, streets, and utilities. Furthermore, it is not possible to address future hazards, such as landslides that occur as a result of overirrigation of the developed areas, leaking pipes, local grading changes, or other unforeseeable causes.

The Plan of Control shall exclude those hazards (landslides, creep and/or erosion/sedimentation) that are entirely within the limits of one single residential lot on the project, i.e., hazards must extend across or into open space and/or at least two residential property boundaries before the District will implement the Plan of Control, as described herein. The Plan of Control shall exclude creep as defined herein.

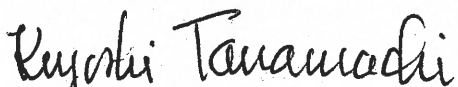
It is our understanding that the Plan of Control presented herein will serve as a preliminary document which, pursuant to Public Resources Code Section 26509, describes a geologic hazard in the area affected thereby and offers geotechnical and geologic guidelines toward the prevention, mitigation, abatement and control thereof. The Plan of Control will be subject to revisions and modifications as new data or investigations warrant.

JENSEN-VAN LIENDEN ASSOCIATES, INC.



Curtis N. Jensen
California Registered Geotechnical Engineer #438

HALLENBECK & ASSOCIATES



Kiyoshi Tanamachi
California Registered Engineering Geologist #986

STAFF REPORT

DATE: JULY 12, 1990
TO: BOARD OF DIRECTORS
FROM: DISTRICT MANAGER
RE: RESOLUTION 2-90 - AMENDMENT NO.1 TO PLAN OF CONTROL

The original Plan of Control did not allow for the maintenance of grading or drainage facilities outside of the boundaries of the GHAD.

Some of the grading performed and the drainage facilities installed by Presley are on property outside of the boundaries of the GHAD. Even though we have easements for this work, the Plan of Control must be amended to allow the GHAD to perform its responsibilities.

I therefore recommend that the Board approve Resolution 2-90 amending the Plan of Control as stated above.

Elements of Oakhurst GHAD Plan of Control	Existing Plan of Control (1990)	Recommended Plan of Control (2024 & beyond)
District Obligation/Responsibilities	The Plan of Control shall exclude those hazards (landslides, creep, and/or erosion/sedimentation) that are entirely within the limits of one single residential lot on the project, i.e., hazards must extend across or into open space and/or at least two residential property boundaries before the District will implement the Plan of Control.	The Plan of Control shall exclude those hazards (landslides, creep, and/or erosion/sedimentation) that are entirely within the limits of one single residential lot on the project, i.e., hazards must extend across or into open space and/or at least two residential property boundaries before the District will implement the Plan of Control.
Frequency	Continuous	Continuous
Administration		
Tax Roll collection	Required by state law to prepare Engineer's Report, with proposed assessment rates for property owners, mail notices, hold public hearing, approve rates and then send documentation to County Assessor for placement on Tax Roll	Required by state law to prepare Engineer's Report, with proposed assessment rates for property owners, mail notices, hold public hearing, approve rates and then send documentation to County Assessor for placement on Tax Roll
Frequency	Annually	Annually
Cost	\$21,000	\$21,000
Liability Insurance Coverage	NONE	NONE - the cost of the coverage would very expensive, beyond reserve
Geologist Site Assessment Report	Preparation and presentation of annual inspection and maintenance report by geologists/geotechnical engineer	Preparation and presentation of annual inspection and maintenance report by GHAD administrator based on report(s) memoranda prepared by the geologist/geotechnical engineer
Frequency	Annually - Four weeks after spring field review	Annually
Cost	\$15,000	\$15,000
Reserve for Major Landslide Repairs		
Frequency	Continuous	Continuous
Cost	Establish a minimum reserve for a "rainy day" event; currently \$0	Collect \$200,000 annually for 10 years to build \$2M reserve
Annual Maintenance Activities		
Debris removal	Clear V-Ditches and inlets	Clear V-Ditches and inlets
Frequency	Annually in Fall	Annually in Fall and at other times during heavy rainfall years
Cost	\$40,000	\$40,000
Vegetation Management	Weed abatement in open spaces per fire code	Weed abatement in open spaces per fire code
Frequency	Annually in Summer	Annually in Summer
Cost	\$30,000	\$30,000
Periodic Maintenance Activities		
Subdrain clearing	Flush subsurface drains if clogged from nearest upstream cleanout	Root or jet subdrains and outfall pipes if reduced flow is observed (relative to other drains or prior observations).
Frequency	As-needed	As-needed
Cost/engagement	Undetermined - based on need	\$10,000 Budget as-needed

Monitoring Activities		
Drainage Ditches	Visual inspection of lined surface drainage ditches by Engineer and/or Geologist	Visual inspection of lined surface drainage V-ditches by Engineer and/or Geologist within hillside residential areas of the GHAD and immediately adjacent open space. Deliverable/engagement: Letter summarizing observations.
Frequency	At least twice yearly	At least one yearly (Fall before rainseason starts) or at least twice yearly (Fall and Winter) during heavy rainfall years
Cost/engagement	\$8,000 to \$10,000	\$8,000 to \$10,000
Risers and outlets	Visual inspection of risers and outlets to storm drains from debris barriers	Visual inspection of risers and outlets to storm drains from debris barriers
Frequency	At least twice annually	Annually
Cost	Included w/ "Drainage Ditches"	Included w/ "Drainage Ditches"
Existing slope Inclinerometers and piezometers - Locate and Identify	Field locate and determine inclinometer and piezometer ID from previous studies. Differentiate, if possible, dual purpose wells. Deliverable: memorandum and site plan.	Field locate and determine inclinometer and piezometer ID from previous studies. Differentiate, if possible, dual purpose wells. Deliverable: memorandum and site plan.
Frequency	One time	One time
Cost	\$8,000 to \$15,000	\$8,000 to \$15,000
Locate subdrainage clean-outs and subdrain outfalls	Field locate. Deliverable: memorandum and site plan.	Field locate. Deliverable: memorandum and site plan.
Frequency	One time	One time
Cost	\$10,000 to \$15,000	\$10,000 to \$15,000
Delineators/Markers	Check delineators/markers are present at all outlets of subsurface drains - replace as needed	Check delineators/markers are present at all outlets of subsurface drains, all piezometers, all inclinometers, and all de-watering wells - replace as needed
Frequency	Annually	Annually
Cost	Included w/ "Subsurface Drain Discharge" and "Slope inclinometers - Ongoing Monitoring"	Included w/ "Subsurface Drain Discharge" and "Slope inclinometers - Ongoing Monitoring"
Subsurface Drain Discharge	Visual inspection of outlets of all subsurface drain outlets, measure flowrate	Visual inspection of outlets of all subsurface drain outlets, measure flowrate. Deliverable: memorandum.
Frequency	In Fall and in Spring	At least twice yearly (Fall and Spring)
Cost/engagement	\$5,000 to \$10,000	\$5,000 to \$10,000
Slope Inclinerometers - Ongoing Monitoring	Measure horizontal position of slope inclinometers	For select inclinometers, measure inclinometer offsets across the entire casing. Measure depth to groundwater for dual purpose inclinometers. Deliverable: memorandum.
Frequency	Quarterly	Early Fall, mid-Winter, and late Spring
Cost/engagement	\$20,000 to \$40,000	\$10,000 to \$20,000
Piezometers	Measure groundwater level in piezometers	Measure groundwater level in piezometers (if done separately of inclinometer monitoring). Deliverable: memorandum.
Frequency	Quarterly	Early Fall, mid-Winter, and late Spring
Cost/engagement	\$10,000 to \$16,000	\$5,000 to \$8,000
Open and Public Space Land	Visual inspection facilities and open space lands	Visual inspection roadways, sidewalks, and facilities (if separately of V-ditch inspections) within hillside residential areas of the GHAD and immediately adjacent open space. Deliverable: memorandum.
Frequency	Annually in spring	Annually in spring
Cost/engagement	\$5,000 to \$8,000	\$5,000 to \$8,000

Minor Repairs		
Debris Basins	Restore debris basins to pre-mudslide elevations	Restore debris basins to pre-mudslide elevations
Frequency	As-needed	As-needed
Cost	Undetermined - based on need	\$10,000 Budget as-needed
V-Ditches	Repair cracks/gaps in drainage ditches	Repair cracks/gaps in drainage ditches
Frequency	As-needed	As-needed
Cost	Undetermined - based on need	\$10,000 Budget as-needed
Drainage pipes/risers	Repair/Replace risers, pipes, and outlets	Repair/Replace risers, pipes, and outlets
Frequency	As-needed	As-needed
Cost	Undetermined - based on need	Undetermined - based on need
Inclinometer Replacements	Replace sheared off inclinometers	Replace 2 sheared inclinometer casings - One at Kelok Way and one at Pebble Beach Drive Landslide area. Deliverable: two new inclinometers.
Frequency	As-needed	As soon as possible
Cost	Undetermined - based on need	\$100,000 one time cost
Infrastructure Renewal		
V-Ditches	NOT SPECIFICALLY REQUIRED or PLANNED FOR IN PLAN OF CONTROL	Replace facilities at end of service life
Frequency		30 year service life
Cost		\$12,500 save each year
Drainage pipes/risers		Replace facilities at end of service life
Frequency		30 year service life
Cost		\$6,500 save each year
Inlets/Manholes		Replace facilities at end of service life
Frequency		30 year service life
Cost		\$6,500 save each year
Access Road Surfaces		Replace facilities at end of service life
Frequency		15 year service life
Cost		\$10,000 save each year

Approximate
Annual Cost

\$220,000 plus minor repairs

\$450,000 plus \$100,000 one
time repair for inclinometers

Elements of Oakhurst GHAD Plan of Control	Revised GHAD Plan of Control for 2024 Ballot	Minimum Functions Plan of Control (with current funding source)
District Obligation/Responsibilities	?	Discuss with Legal Counsel - exclude addressing any hazards occurring on any private property regardless of the number of lots affected
Frequency		Continuous
Administration		
Tax Roll collection		Required by state law to prepare Engineer's Report, with proposed assessment rates for property owners, mail notices, hold public hearing, approve rates and then send documentation to County Assessor for placement on Tax Roll
Frequency		Annually
Cost		\$21,000
Liability Insurance Coverage		NONE - the cost of the coverage would very expensive, beyond reserve
Geologist Site Assessment Report		NONE
Frequency		NONE
Cost		\$0
Reserve for Major Landslide Repairs		
Frequency		NONE
Cost		\$0
Annual Maintenance Activities		
Debris removal		Clear V-Ditches and inlets
Frequency		Annually in Fall
Cost		Paid through Landscape Maintenance District
Vegetation Management		Weed abatement in open spaces per fire code
Frequency		Annually in Summer
Cost		Paid through Landscape Maintenance District
Periodic Maintenance Activities		
Subdrain clearing		None
Frequency		None
Cost/engagement		\$0

Monitoring Activities		
Drainage Ditches		No monitoring
Frequency		None
Cost/engagement		\$0
Risers and outlets		No monitoring
Frequency		None
Cost		\$0
Existing slope Inclinerometers and piezometers - Locate and Identify		Do nothing
Frequency		None
Cost		\$0
Locate subdrainage clean-outs and subdrain outfalls		Do nothing
Frequency		None
Cost		\$0
Delineators/Markers		No monitoring
Frequency		None
Cost		\$0
Subsurface Drain Discharge		No monitoring
Frequency		None
Cost/engagement		\$0
Slope Inclinerometers - Ongoing Monitoring		No monitoring
Frequency		None
Cost/engagement		\$0
Piezometers		No monitoring
Frequency		None
Cost/engagement		\$0
Open and Public Space Land		No monitoring
Frequency		None
Cost/engagement		\$0

Minor Repairs		
Debris Basins		Address repairs and replacement as needed - save approximately \$20,000 per year from assessments for repair project when needed. Likely will not be able to repair immediately and will need to defer fixes.
Frequency		
Cost		
V-Ditches		
Frequency		
Cost		
Drainage pipes/risers		
Frequency		
Cost		
Inclinometer Replacements		
Frequency		
Cost		
Infrastructure Renewal		
V-Ditches		
Frequency		
Cost		
Drainage pipes/risers		
Frequency		
Cost		
Inlets/Manholes		
Frequency		
Cost		
Access Road Surfaces		
Frequency		
Cost		

Approximate Annual Cost

TBD

\$21,000 for tax collection only - NO REGULAR MONITORING, \$30,000 annual for any repairs

**MINUTES
OF THE REGULAR MEETING
CLAYTON CITY COUNCIL
Tuesday, December 5, 2023**

1. **CALL TO ORDER AND ROLL CALL** – The meeting was called to order at 7:00 p.m. by Mayor Wan, held via a hybrid meeting format live in-person and Zoom videoconference and broadcast from Hoyer Hall, Clayton Community Library, 6125 Clayton Road, Clayton, California. Councilmembers present: Mayor Wan, Vice Mayor Diaz and Councilmembers Cloven, Tillman and Trupiano. Staff present: Executive Assistant to the City Manager/HR Manager Amy Walcker, City Attorney Mala Subramanian, Community Development Director Dana Ayers, and Police Chief Rich McEachin.

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

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

Jim Killoran spoke regarding City employee compensation, stating that it should be increased.

C. W. Wolfe, President of the Clayton Business & Community Association (CBCA), reported on the recent Annual Holidays in The Grove and Tree Lighting event.

Mayor Wan closed public comments.

4. **CONSENT CALENDAR**

There were no public comments on the Consent Calendar.

Councilmember Tillman requested that Item 4(c) be pulled from the Consent Calendar for discussion and recommended that no City Council meeting be held on September 3, 2024, the Tuesday after Labor Day. It was moved by Councilmember Cloven and seconded by Councilmember Tillman to approve Consent Calendar items 4(a) - 4(b) as submitted and item 4(c) as revised. (Passed 5-0).

- a. Approved the Minutes of the City Council Regular Meeting of November 21, 2023
- b. Appointed Eric Hinzl to the Contra Costa Mosquito and Vector Control Board for a term beginning January 2024 and ending December 2027.
- c. Approved the 2024 City Council Meeting Calendar, revised to remove the Council meeting on Tuesday, September 3, 2024, from the meeting calendar.

5. **RECOGNITIONS AND PRESENTATIONS**

Mayor Wan announced that December 10th was Human Rights Day.

6. **REPORTS**

- a. City Manager / Staff

Executive Assistant to the City Manager/HR Manager Amy Walcker announced the City was partnering with Climatec to bring greater energy efficiency to the city of Clayton and to City Hall, so far having completed upgrades to street and building lighting and

scheduling upgrades to heating, ventilation and air conditioning (HVAC) and electric vehicle (EV) charging station equipment. She stated that the goal was for Clayton City Hall to become a net zero energy facility.

Ms. Walcker also shared that state legislation Senate Bill (SB) 1383, related to organics composting, would go into effect in January 2024, and that further information could be found on the City's website.

7. **PUBLIC HEARINGS** – None

8. **ACTION ITEMS**

- a. Nomination and Election of Mayor and Vice Mayor for the Term Commencing December 2023 and Ending December 2024

Mayor Wan introduced the item and nominated Vice Mayor Diaz for Mayor. He then called for Public Comment.

1. Lisa Chow from Supervisor Ken Carlson's office, expressed the Supervisor's appreciation for Mayor Wan's work and offered to partner with the City in the coming year if opportunities arose.
2. Jim Killoran spoke in favor of Councilmember Trupiano being considered for the mayor's seat and stated support for both Councilmembers Tillman and Trupiano.
3. Scott Denslow spoke in support of the women on the Council and recommended the nomination of Councilmember Trupiano for Mayor.
4. Ed Miller commented that neither of the two women on the City Council had been given the opportunity to serve as Mayor and spoke in support of Councilmember Tillman.
5. Terry Denslow spoke regarding items that she hoped to see discussed on upcoming Council agendas.

Councilmember Cloven made comments regarding negative experiences related to previous Council reorganizations, in explanation of his no vote for Vice Mayor Diaz for Mayor.

It was moved by Mayor Wan and seconded by Councilmember Trupiano to nominate Vice Mayor Diaz for Mayor. (Passed 3-1, Councilmember Tillman abstained).

Following the vote, outgoing Mayor Wan passed the gavel to Mayor-elect Diaz, who made comments of appreciation to Mayor Wan for his accomplishments.

Mayor-elect Diaz nominated Councilmember Trupiano for Vice Mayor, then called for Public Comment.

1. Ed Hartley spoke in support of Councilmember Tillman as Vice Mayor and questioned the topics on which the Council spent its time.
2. Scott Denslow expressed support for Councilmember Tillman as Vice Mayor.
3. Keith Haydon discussed the role of the Vice Mayor, stating that experience should play a role and supporting Councilmember Tillman.

4. Frank Gavidia congratulated Mayor Diaz for his appointment and made comments in disapproval of Councilmember Cloven.
5. Ray Carrillo thanked the outgoing Mayor for his efforts on the budget and stated that qualifications should be considered when appointing a mayor, not just time in office.

It was moved by Mayor Diaz to nominate Councilmember Trupiano for Vice Mayor. (Passed 5-0).

- b. Approve Standby Compensation and Policy for Maintenance Workers

Executive Assistant to the City Manager/HR Manager gave the staff presentation regarding the proposal to implement a standby compensation policy for maintenance workers who are called to provide after-hours service.

Councilmember discussion ensued, with questions being asked regarding what the current protocol was, whether a rotation would be implemented and if the response time requirement could be met. A question was raised as to whether the cost of the program had been anticipated in the budget, to which Ms. Walcker explained that the cost would need to be absorbed into the General Fund.

There were no public comments.

It was moved by Councilmember Wan and seconded by Councilmember Tillman to approve the Standby Compensation and Policy for Maintenance Workers (Passed 5-0).

9. COUNCIL ITEMS

Councilmember Tillman reiterated her request for discussion to direct the City Attorney to open an investigation into the conduct of Councilmembers. She also requested that an item be added to the agenda for the upcoming meeting to conduct the Geologic Hazard Abatement District (GHAD) Board reorganization.

Mayor Diaz requested that an item be brought forward to discuss a City appointment to the County Connection Advisor Committee.

10. COUNCIL REPORTS

- a. City Council - Reports from Council liaisons to Regional Committees, Commissions and Boards.

Councilmember Cloven expressed appreciation for the recent holiday event and reported on the following attendance and meetings: Clayton Pride.

Councilmember Tillman reported on the following attendance and meetings: AAUW Holiday Party; Annual Holidays in The Grove and Tree Lighting event; Mt. Diablo Education Foundation phone banking to raise money for school community gardens; and meetings with the City Manager.

Councilmember Wan reported on the following attendance and meetings: Contra Costa County Sheriff's Holiday Party.

Vice Mayor Trupiano reported on the following attendance and meetings: met with Climatec along with City Staff; attended Annual Holidays in The Grove and Tree Lighting event; and announced upcoming Menorah Lighting and Clayton Historical Society House Tours.

Mayor Diaz reported on the following attendance and meetings: City Manager; Chief of Police; East Bay Regional Communications System meeting; and Sheriff's Posse event. Commended all involved in the Annual Holidays in The Grove and Tree Lighting event, especially Debbie Bruno and her team.

11. **CLOSED SESSION**

Public Comment:

Tom Jossey inquired as to whether there would be a summary of the Closed Session discussion provided to the public afterward.

- a. Conference with Labor Negotiators
Government Code section 54957.6

Agency Designated Representatives: Bret Prebula, City Manager and Amy Walcker, Executive Assistant to the City Manager/HR Manager

Employee Organization: Clayton Police Officers Association

- b. Conference with Labor Negotiators
Government Code section 54957.6

Agency Designated Representatives: Bret Prebula, City Manager and Amy Walcker, Executive Assistant to the City Manager/HR Manager

Unrepresented Employee: Police Chief

There was no reportable action taken.

11. **ADJOURNMENT** - On a call by Mayor Diaz, the City Council adjourned its meeting at 9:17 p.m.

#

Respectfully submitted,

Sheri Hartz, Interim City Clerk

APPROVED BY THE CLAYTON CITY COUNCIL

Jim Diaz, Mayor

[\(Back to Agenda\)](#)

Agenda Item 5.a

Reese O'Conner
for
"Doing the Right Thing"
at
Mt. Diablo Elementary School
by exemplifying great **"Respect"**

November 2023

Lucas Porter
for
"Doing the Right Thing"
at
Mt. Diablo Elementary School
by exemplifying great **"Respect"**

November 2023

Trevor Rosenblatt
for
"Doing the Right Thing"
at
Mt. Diablo Elementary School
by exemplifying great **"Respect"**

November 2023

Alex Ryan
for
"Doing the Right Thing"
at
Mt. Diablo Elementary School
by exemplifying great **"Respect"**

November 2023

Sophie Swain
for
"Doing the Right Thing"
at
Mt. Diablo Elementary School
by exemplifying great **"Respect"**

November 2023

Olivia Barnett
for
"Doing the Right Thing"
at
Diablo Valley Middle School
by exemplifying great **"Respect"**

November 2023

Trinity Champhong
for
"Doing the Right Thing"
at
Diablo Valley Middle School
by exemplifying great **"Respect"**

November 2023

Colt Krupa
for
"Doing the Right Thing"
at
Diablo Valley Middle School
by exemplifying great **"Respect"**

November 2023



STAFF REPORT

TO: Honorable Mayor and Councilmembers

FROM: Dana Ayers, AICP, Community Development Director

DATE: December 19, 2023

SUBJECT: Introduce and Waive First Reading of an Ordinance Amending Clayton Municipal Code Title 17 to Implement Adopted General Plan Housing Element Policy, Rezone Properties in Conformance with the Housing and Land Use Elements, Clarify Administrative Procedures, and Align with State Law (CEQA Status: Certified EIR, SCH No. 2022030086)

RECOMMENDATION

That the City Council ask questions of staff; open the public hearing and accept written and spoken testimony; close the public hearing; and introduce and waive further reading of the attached Ordinance amending various chapters of Clayton Municipal Code (CMC), to: 1) implement adopted Housing Element policies and amended Land Use Element policies and land use designations; 2) revise certain administrative procedures; 3) align with provisions of certain California statutes governing land use; and 4) rezone eight sites (or portions thereof) to accommodate residential land uses.

BACKGROUND

Legislative Context: In accordance with Government Code section 65583, every California city and county must have a general plan, and every general plan must address eight mandatory elements, one of which is housing. The housing element of a general plan must:

...consist of an identification and analysis of existing and projected housing needs and a statement of goals, policies, quantified objectives, financial resources, and scheduled programs for the preservation, improvement, and development of housing. The housing element shall identify adequate sites for housing, including rental housing, factory-built housing, mobile homes, and emergency shelters, and shall make adequate provisions for the existing and projected needs of all economic segments of the community. (Government Code section 65583)

The housing element of the general plan must have, at a minimum, all of the components listed in Government Code section 65583, which include but are not limited to a program of actions that the jurisdiction commits to implementing during the eight-year housing cycle to achieve the goals and policies of the housing element. Such actions must include, but are not limited to, actions to rezone properties as needed to achieve densities that would accommodate the jurisdiction's Regional Housing Needs Allocation (RHNA); removal of governmental and nongovernmental constraints to the maintenance, improvement, or development of housing for people of all income levels and abilities; and incentives for construction of affordable accessory dwelling units. The housing element must also commit to affirmatively furthering fair housing by identifying and correcting disparities in access to housing for all persons, "regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability, and other characteristics protected by the California Fair Employment and Housing Act...and any other state and federal fair housing and planning law."

The housing element must be adopted every five to eight years by the legislative body of the city or county, following a process of community input and public hearings. The housing element is also the only mandatory general plan element that must also be submitted to the State Department of Housing and Community Development (HCD), who will review and certify the housing element upon finding that it is compliant with State law. Noncompliance with housing element legislation of the State could result in a jurisdiction's loss of eligibility for certain grant funds, fines and financial penalties, or loss of decision-making authority for certain housing development and housing planning projects.

City of Clayton Housing Element Update: The City Council adopted the updated Clayton General Plan Housing Element for the 6th housing cycle (calendar years 2023-2031) on January 17, 2023. The updated Housing Element establishes programs, policies and actions to further the goal of meeting existing and projected housing needs of all income levels and will identify how the City plans to accommodate its RHNA of at least 570 units, as assigned by the Association of Bay Area Governments, through 2031.

The adopted Housing Element (weblink provided as Attachment 3 at the end of this staff report), provides a plan for Clayton to zone sufficient land for a projected 796 new housing units of various types and densities throughout the City. The Housing Element contains programs that commit the City to implementing efforts to increase and to diversify its housing stock, including policies in support of accessory dwelling units, upward shifts in the currently adopted density ranges of the General Plan and Zoning Code to foster multifamily housing options, and expanded flexibility in development regulations in multifamily residential zoning districts and sites owned by religious institutions. The document also includes programs that commit the City to reviewing and updating its codified permitting processes to reduce the length of the development entitlement process for new housing units. Additional programs and policies adopted in the Housing Element support ongoing code enforcement and housing accessibility programs in the City, as well as, environmental sustainability in new construction.

With adoption of the Housing Element update, the Council also amended the Land Use Element of the General Plan to correspond to the Housing Element's housing plan, and to maintain the internal consistency among the elements of the General Plan. The housing-

related amendments to the General Plan Land Use Element are described in Program D-1 of the adopted Housing Element. Amendments to the Land Use Element included amendments to the General Plan Land Use Diagram to change the land use designation of some of the sites identified in the Housing Element sites inventory to accommodate housing.

Following adoption of these General Plan amendments, Zoning Code amendments are necessary to implement the Housing and Land Use Elements, as amended.

Overview of Recommended Zoning Amendments: The Zoning Code amendments before the Council for consideration at tonight's meeting would implement commitments the City made in its adopted Housing Element to increase and diversify its housing stock, expand currently adopted density ranges of the Zoning Code to foster more multifamily housing options, and give greater flexibility in development regulations for multifamily residential zoning districts and on sites owned by religious institutions. The recommended amendments include rezoning of certain properties to allow residential land uses, as well as updates to codified permitting processes to reduce the length of the development entitlement process for new housing units, also consistent with updated Housing Element and Land Use policy.

In addition to Zoning amendments to implement adopted Housing Element policy, amendments to municipal code text pertaining to density bonus and day care home regulations are recommended to be amended or deleted to comply with State law. Miscellaneous amendments to clarify administrative appeal procedures where none are currently specified, and to correct an internal reference within Title 17, are also recommended to be captured with this review of the code.

Staff sees the recommended amendments considered at tonight's meeting as one among several phases of Zoning Code updates to implement Housing Element policies and address other administrative updates. Previously, in March/April 2023, the Planning Commission and City Council adopted amendments to the City's Accessory Dwelling Unit Ordinance (CMC chapter 17.47). This current phase of amendments would implement more adopted Housing Element and Land Use Element policies and would rezone sites for the City's RHNA, in accordance with the requirement in California Government Code section 65588(e)(4)(C)(i) for jurisdictions to rezone properties by January 31, 2024, if HCD did not certify their adopted housing element by May 31, 2023. (The Housing Element adopted by the City Council on January 17, 2023, was submitted to HCD on January 31, 2023. Following their review, HCD staff wrote a letter dated March 31, 2023, finding the adopted Housing Element needed additional revisions before they would certify it. City staff and the City's consultant are continuing to try to work with HCD staff to address HCD staff's outstanding concerns.) Future phases of amendments may include consideration of objective design standards, amendment of the City's inclusionary housing provisions, and potential changes to CMC Title 16 (Land Development and Subdivision) and the Town Center Specific Plan to implement still more Housing Element programs and policies.

DISCUSSION

Required Findings: CMC section 17.56.060 gives authority to the Planning Commission to make recommendations to the City Council on proposed amendments to CMC Title 17. As

written in that municipal code section, “[n]o recommendation for amendment shall be made unless the Commission finds that such proposed amendment, is in general conformance with the General Plan, if one be in effect at said time, and that the public necessity, convenience and general welfare require the adoption of the proposed amendment.” Zoning amendments are also subject to the procedures outlined in California Government Code sections 65854 through 65857 and must be considered at a public hearing before the Planning Commission in the Commission’s capacity as an advisory body to the City Council on land use matters.

Following public hearings conducted at the Planning Commission’s regular November 14 and November 28, 2023, meetings, the Commission adopted Resolution No. 07-2023 (Attachment 2 to this Staff Report) and therein, made the findings necessary to recommend that the City Council make findings and adopt the proposed amendments to the CMC Title 17. As detailed in Exhibit A to that Resolution, the amendments implement adopted policies of the Housing and Land Use Elements of the General Plan, as amended by the City Council on January 17, 2023, including programs to provide greater flexibility in development regulations for multifamily housing, increased residential densities, reduced procedural requirements for housing entitlements, and rezoning of sufficient sites to accommodate the City’s RHNA. Other amendments are identified to bring the Zoning Ordinance into compliance with California law with respect to density bonus provisions and regulations governing use of residential properties for small and large day care homes; or they are miscellaneous clean-up items intended to address outdated references or to extend the permit appeals process to an administrative fence permit for which no such process is currently specified in the code.

Staff believes that the proposed zoning amendments serve the public necessity, convenience and general welfare. The adopted Housing Element identifies constraints to the construction and improvement of housing in the City, and the proposed Zoning amendments implement a selection of the programs and policies adopted to remove those constraints. Implementation of these policies and programs would streamline existing zoning approval processes, reducing the number of discretionary decisions that are currently required for residential development proposals while maintaining objective standards that would help to preserve aesthetic characteristics of the City (staff anticipates that development of enhanced objective design standards will occur in a future phase of amendments). Implementation of these policies and programs would also reduce costs of planning, permitting and construction for new home developers, as well as, for current homeowners who want to invest in improvement of their properties through expansions of their existing home or construction of accessory dwelling units.

Additionally, implementing the goals, policies and programs in the adopted Housing Element through the proposed Zoning amendments would foster a broader range of housing densities than City land use policy currently provides, allowing opportunities for increased diversity in housing types (single-family and multifamily) and tenures (rental and ownership). Greater diversity in the City’s housing stock serves the public benefit and necessity for a broader spectrum of housing choices at multiple price points in Clayton, a housing market where 28 percent of households overpay for housing (Housing Element, Table 3-6). This diversity in housing stock also facilitates greater equity and fair access to housing choices for future residents, while also providing smaller unit sizes that are more affordable, more

energy efficient and more accessible for recent graduates, young adult children and aging parents who currently live in Clayton and want to remain in the community. Expanded housing choices also facilitate more opportunities for special needs households, as well as employees of the local service-based and public sector workforce to reside in the community, thereby reducing workers' and their customers' transportation costs, traffic congestion and automobile pollution emissions generated by vehicle trips to work from outside the City.

Environmental Determination: On January 17, 2023, in accordance with the California Environmental Quality Act (CEQA, Public Resources Code section 21000 *et seq.*) and the State CEQA Guidelines (California Code of Regulations, section 15000 *et seq.*), the Clayton City Council certified a Final Environmental Impact Report (EIR; State Clearinghouse No. 2022030086) that analyzed the potential impacts on the environment that could occur with adoption of the Housing Element update and related amendments to land use regulations. The housing-related Zoning amendments as summarized above are within the scope of the project analyzed in the certified EIR. Regulations governing family day care homes are exempt pursuant to CEQA Guidelines section 15274.

FISCAL IMPACTS

Introduction and subsequent adoption of the Ordinance amending the CMC would not have direct fiscal impacts to the City. However, the amendments could have indirect fiscal benefits from increased property tax generation as a result of the expanded opportunities for residential development of vacant properties and simplified processes for improvement of existing residentially-developed properties.

ATTACHMENTS

1. Ordinance (with Exhibits A and B)
2. Planning Commission Resolution No. 07-2023
3. Clayton General Plan Housing Element (January 2023), online at https://claytonca.gov/fc/community-development/housing/housing-element/Clayton_HE_Adopted_01172023_Tracked.pdf
4. City of Clayton 6th Cycle Housing Element Update and Associated Land Use Element and Zoning Code Amendments Draft EIR and Final EIR, online at https://claytonca.gov/fc/community-development/housing/housing-element/DEIR_Clayton_6thCycle_HousingElement.pdf and https://claytonca.gov/fc/community-development/housing/housing-element/FinalEIR_Clayton_HEU.pdf
5. Videos of November 14 and November 28, 2023, Planning Commission Meetings (online at <https://claytonca.gov/community-development/planning/planning-commission/planning-commission-agendas/>)

ORDINANCE NO. XX-2023

AN ORDINANCE AMENDING VARIOUS CHAPTERS OF CLAYTON MUNICIPAL CODE TITLE 17 (ZONING) TO IMPLEMENT ADOPTED GENERAL PLAN HOUSING ELEMENT POLICY, REZONE PROPERTIES IN CONFORMANCE WITH THE HOUSING AND LAND USE ELEMENTS, CLARIFY ADMINISTRATIVE PROCEDURES, AND ALIGN WITH STATE LAW

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

THE CITY COUNCIL OF THE CITY OF CLAYTON DOES HEREBY FIND AS FOLLOWS:

WHEREAS, pursuant to California Government Code sections 65300 and 65300.5, each planning agency of each California city or county is required to adopt a comprehensive, integrated, internally consistent and long-term general plan for “the physical development of the county or city, and of any land outside its boundaries which in the planning agency’s judgment bears relation to its planning;” and

WHEREAS, pursuant to Government Code sections 65302 and 65303, the general plan must include a land use element, a circulation element, a housing element, a conservation element, an open space element, a noise element, a safety element and an environmental justice element, and it may include any other elements that, in the judgment of the city or county’s legislative body, relate to the physical development of the jurisdiction; and

WHEREAS, in accordance with Government Code section 65358, the City Council of the City of Clayton (City), on recommendation from the City’s Planning Commission, may amend all or part of the City’s General Plan if the City Council deems the amendment to be in the public interest; and

WHEREAS, on January 17, 2023, the Clayton City Council held a duly noticed public hearing to consider the recommendation of the Planning Commission and accept accepted written and spoken testimony, and following the public hearing, adopted Resolution No. 6-2023 amending the Clayton General Plan’s Land Use Element and the Housing Element for the 6th housing cycle (2023-2031), and certifying the Final Environmental Impact Report (EIR; State Clearinghouse No. 2022030086) that had been prepared to analyze the potential impacts to the environment that could occur as a result of the adoption of the General Plan amendments and related Zoning code amendments to implement the amended General Plan policies; and

WHEREAS, the adoption of the Housing Element for the 6th housing cycle met the requirements of State law contained in Government Code Title 7, Division 1, Chapter 3, Article 10.6 (Housing Elements), and the certification of the Final EIR was in compliance with the California Environmental Quality Act (CEQA; Public Resources Code section 21000 *et seq.*); and

WHEREAS, California Planning and Zoning Law, and specifically Government Code Section 65850, authorizes cities’ legislative bodies to adopt ordinances to regulate land use and establish standards for development of lands within their boundaries; and

WHEREAS, the Zoning Ordinance of the City of Clayton is contained in Title 17 (Zoning) of Clayton Municipal Code (CMC), and the “Official Zoning Map of the City of Clayton” classifying properties within the City into zoning districts is incorporated into the Zoning Ordinance by reference in CMC section 17.08.010; and

WHEREAS, California Government Code section 65854 requires that the Planning Commission, in its capacity as an advisory body to the City Council on matters of land use, hold a duly noticed public hearing on a proposed zoning ordinance or amendment to a zoning ordinance; and

WHEREAS, CMC section 17.56.060 gives authority to the Planning Commission to make recommendations to the City Council on proposed amendments to CMC Title 17 and states further than “[n]o recommendation for amendment shall be made unless the Planning Commission finds that such proposed amendment, is in general conformance with the General Plan, if one be in effect at said time, and that the public necessity, convenience and general welfare require the adoption of the proposed amendment;” and

WHEREAS, on November 14, 2023, and November 28, 2023, and in accordance with CMC section 17.56.060, the Planning Commission held duly noticed public hearings on proposed amendments to CMC Title 17 to implement adopted General Plan Housing Element policy, rezone properties in conformance with the Housing and Land Use Elements, revise certain administrative procedures, and align with certain California statutes pertaining to land use; and

WHEREAS, after closing the public hearing on November 28, 2023, the Planning Commission adopted Resolution No. 7-2023 making findings as specified in CMC section 17.56.060 and recommending that the City Council approve the proposed amendments to CMC Title 17; and

WHEREAS, in accordance with Government Code sections 65090 and 65091, on or prior to December 9, 2023, notice of the December 19, 2023, City Council public hearing to consider the recommended amendments to CMC Title 17 was published as a one-eighth page ad in the East Bay Times; was posted to the notice boards at Clayton City Hall and Clayton Community Library, and to Ohm’s board in the Clayton Town Center; was posted on the Housing Element and Public Notices pages of the City website at www.claytonca.gov; and was sent via hand delivery, first class mail or electronic mail to interested parties who had requested notice of public hearings pertaining to the Housing Element and its implementation, to owners or agents of owners of properties that were the subject of proposed Zoning Map amendments, and to other local agencies proximate to Clayton, special districts, public utility companies and local Native American tribes; and

WHEREAS, on December 19, 2023, the Clayton City Council conducted a public hearing on the amendments to CMC Title 17 (Zoning) to implement adopted General Plan Housing and Land Use Element policy, rezone properties in conformance with the Housing and Land Use Elements, clarify administrative procedures, and align with State Law; and at that public hearing, received and considered the Planning Commission recommendation and other public testimony and evidence, both spoken and written.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CLAYTON DOES ORDAIN AS FOLLOWS:

Section 1. Recitals. The above recitals are true and correct and are hereby incorporated into this Ordinance.

Section 2. Findings. In accordance with CMC section 17.56.100, the City Council makes the following findings:

- A. The recommended amendments to CMC Title 17 (Zoning) are in conformance with the General Plan. The recommended amendments implement adopted policies of the Housing and Land Use Elements of the General Plan, as amended by the City Council on January 17, 2023, including programs to provide greater flexibility in development regulations for multifamily housing, increase residential densities, reduce procedural requirements for housing entitlements, and rezone sufficient sites to accommodate the City's Regional Housing Needs Allocation (RHNA). Other amendments are identified to bring the Zoning Ordinance into compliance with California statutes with respect to density bonus provisions and regulations governing use of residential properties for small and large day care homes; or they are miscellaneous clean-up items intended to address outdated references or to extend the permit appeals process to an administrative fence permit for which no such process is currently specified in the municipal code; and
- B. The proposed Zoning amendments serve the public necessity, convenience and general welfare. The adopted Housing Element identifies constraints to the construction and improvement of housing in the City, and the proposed Zoning amendments implement a selection of the programs and policies adopted to remove those constraints. Implementation of these policies and programs would streamline existing zoning approval processes, reducing the number of discretionary decisions that are currently required for residential development proposals while maintaining objective standards that would help to preserve aesthetic characteristics of the City. Implementation of these policies and programs would also reduce costs of planning, permitting and construction for new home developers, as well as, for current homeowners who want to invest in improvement of their properties through expansions of their existing home or construction of accessory dwelling units; and
- C. Implementing the goals, policies and programs in the adopted Housing Element through the proposed Zoning amendments would foster a broader range of housing densities than City land use policy currently provides, allowing opportunities for increased diversity in housing types (single-family and multifamily) and tenures (rental and ownership). Greater diversity in the City's housing stock serves the public benefit and necessity for a broader spectrum of housing choices at multiple price points in Clayton, a housing market where 28 percent of households overpay for housing (Housing Element, Table 3-6). This diversity in housing stock also facilitates greater equity and fair access to housing choices for future residents, while also providing smaller unit sizes that are

more affordable, more energy efficient and more accessible for recent graduates, young adult children and aging parents who currently live in Clayton and want to remain in the community. Expanded housing choices also facilitate more opportunities for special needs households as well as employees of the local service-based and public sector workforce to reside in the community, thereby reducing workers' and their customers' transportation costs, traffic congestion and automobile pollution emissions generated by vehicle trips to work from outside the City; and

- D. The record of proceedings for this matter is located at the City of Clayton, City Hall, 6000 Heritage Trail, Clayton, California. The custodian of records is the City Clerk.

Section 3. Amendment to Clayton Municipal Code Title 17.

- A. Based on the findings and the authority set forth above, the City Council hereby amends Title 17 (Zoning) of the Clayton Municipal Code to add chapter 17.30 (Institutional Density District); delete Chapter 17.45 (Family Day Care Homes); and amend sections 17.04.030, 17.04.076, 17.08.020; 17.16.020, 17.20.030, 17.20.040, 17.20.050, 17.20.080, 17.20.100, 17.20.160, 17.22.060, 17.28.140, 17.28.190, 17.36.075; 17.37.030, 17.44.030, 17.44.040, chapter 17.90 (Affordable Housing Density Bonus Requirements) and schedule 17.37.030A, as enumerated further in the attached Exhibit A.
- B. Based on the findings and the authority set forth above, the City Council hereby amends the Zoning Map of the City of Clayton, as referenced in Clayton Municipal Code chapter 17.08, to incorporate the changes as described below and identified in the attached Exhibit B:
1. 1578 Kirker Pass Road, Assessor's Parcel No. (APN) 118-031-054, amendment from Planned Development (PD) District to Institutional Density (ID) District
 2. 5555 Clayton Road, APN 118-101-025, amendment from Planned Development (PD) District to Institutional Density (ID) District
Diablo Creek Place, APN 118-230-002, amendment from Planned Development (PD) District to Single-family Residential (R-15) District
 3. 6530 Marsh Creek Road, APNs 119-021-020 and 119-021-019, amendment from Planned Development (PD) District to Multiple Family Residential High (M-R-H) District
 4. 6955 Marsh Creek Road, APN 119-080-009, amendment from Agricultural (A) District to Multiple Family Residential Low (M-R) District
 5. Clayton Road at Peacock Creek Drive, APN 118-370-073, amendment from Planned Development (PD) District to Multiple Family Residential Medium (M-R-M) District
 6. Oakhurst Golf Course Driving Range, portions of APNs 118-370-017, 118-370-086, 118-370-087 and 118-370-088, amendment

from Planned Development (PD) District to Multiple Family Residential High (M-R-H) District

7. 1970 Eagle Peak Avenue, APN 118-370-040 (portion), amendment from Agricultural (A) District to Multiple Family Residential Medium (M-R-M) District

Section 4. Severability. If any section, subsection, sentence, clause, or phrase of this Ordinance, or the application thereof to any person or circumstances, is held to be unconstitutional or to be otherwise invalid by any court competent jurisdiction, such invalidity shall not affect other provisions or clauses of this Ordinance or application thereof which can be implemented without the invalid provisions, clause, or application, and to this end such provisions and clauses of the Ordinance are declared to be severable.

Section 5. Effective Date and Publication. This Ordinance shall become effective thirty (30) days from and after its passage. Within fifteen (15) days after the passage of the Ordinance, the City Clerk shall cause it to be posted in three (3) public places heretofore designated by resolution by the City Council for the posting of ordinances and public notices. Further, the City Clerk is directed to cause the amendments adopted in Section 2 of this Ordinance to be codified into the City of Clayton Municipal Code.

Section 7. CEQA. The Final EIR certified for the Housing Element Update and related Land Use Element and Zoning amendments (State Clearinghouse No. 2022030086) was prepared in accordance with the requirements of CEQA, and the City Council has considered the information contained therein. The housing-related Zoning amendments adopted by this Ordinance are within the scope of the project analyzed in the certified EIR or are regulations governing family day care homes that are exempt from CEQA pursuant to CEQA Guidelines section 15274.

[Remainder of page intentionally left blank.]

The foregoing Ordinance was introduced at a regular public meeting of the City Council of the City of Clayton held on December 19, 2023.

Passed, adopted, and ordered posted by the City Council of the City of Clayton at a regular public meeting thereof held on _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

THE CITY COUNCIL OF CLAYTON, CA

Jim Diaz, Mayor

ATTEST

Sheri Hartz, Interim City Clerk

APPROVED AS TO FORM

APPROVED BY ADMINISTRATION

Malathy Subramanian, City Attorney

Bret Prebula, City Manager

I hereby certify that the foregoing Ordinance was duly introduced at a regular meeting of the City Council of the City of Clayton held on December 19, 2023, and was duly adopted, passed, and ordered posted at a regular meeting of the City Council held on _____.

Sheri Hartz, Interim City Clerk

Ordinance No. XX-2023

Exhibit A

Text Amendments to Clayton Municipal Code (CMC) Title 17 Pertaining to Housing

(Text proposed to be deleted is shown in ~~strike-through~~ font. Text proposed to be added is identified in **bold**.)

Amendment to CMC Title 17 to Implement Housing and Land Use Element Policy

Chapter 17.16 – Single Family Residential (R-10, R-12, R-15, R-20, R-40 and R-40-H) Districts

Section 17.16.020 - Parking

Every dwelling unit permitted in the single family residential districts shall have on the same lot or parcel enough automobile storage space for at least ~~four (4)~~ **two (2)** automobiles. Each space shall have dimensions of at least ten (10) feet by twenty (20) **feet**, and two (2) of the spaces must be covered.

Chapter 17.20 Multiple Family Residential (M-R, M-R-M, and M-R-H) Districts

Section 17.20.040 – Minimum Requirements Generally

The minimum requirements in Sections 17.20.060 through 17.20.160 shall be observed in the multiple family residential districts; **however, no maximum lot coverage, minimum lot width, minimum lot depth, minimum setback or minimum open area requirement specified therein may require a development in the M-R-M or M-R-H district to have fewer than 16 units.**

Chapter 17.20 Multiple Family Residential (M-R, M-R-M, and M-R-H) Districts

Section 17.20.050 – Lot Area per Unit

~~No~~ **Any** duplex, triplex, townhouse, apartment, or other multiple family building permitted in multiple family residential districts shall be erected or placed on a lot ~~having less than as follows in accordance with the lot area per unit standards described below:~~

- A. ~~In the M-R District, six thousand (6,000) square feet.~~ **In the M-R District, no fewer than three thousand (3,000) square feet of land shall be provided for each dwelling unit;**
- B. ~~M-R-M, six thousand (6,000) square feet.~~ **In the M-R-M district, no more than four thousand four hundred (4,400) square feet and no fewer than ~~and one thousand eight hundred (1,800)~~ two thousand one hundred (2,100) square feet shall be provided for each dwelling unit; and**
- C. ~~M-R-H, nine thousand (9,000) square feet.~~ **In the M-R-H- district, no more than two thousand one hundred (2,100) square feet and no fewer than one thousand four hundred fifty (1,450) square feet shall be provided for each dwelling unit. Notwithstanding the foregoing, a minimum of ~~and~~ one thousand (1,000) square feet **may be provided** for each dwelling unit **if all of the units in the development are affordable to low income households as defined in Health and Safety Code section 50079.5.****

Amendment to CMC Title 17 to Implement Housing and Land Use Element Policy

Chapter 17.20 Multiple Family Residential (M-R, M-R-M, and M-R-H) Districts

Section 17.20.080 – Building Height

No duplex, triplex, townhouse, apartment, or other multiple family building permitted in the multiple family residential districts shall exceed as follows:

- A. M-R, thirty-five (35) feet in height, ~~except that when multiple family residential district abuts any single family residential district, then the building height maximum of the portion of the multiple family residential district being within fifty (50) feet of the abutting single family residential district shall be twenty (20) feet.~~
- B. M-R-M, thirty-five (35) feet in height.
- C. M-R-H, forty (40) feet in height, except shall be thirty-five (35) feet in height for that portion within fifty (50) feet of an abutting single family residential district.

Chapter 17.20 Multiple Family Residential (M-R, M-R-M, and M-R-H) Districts

Section 17.20.100 – Interior Side Setback

The interior side setback in multiple family residential districts shall be ~~fifteen (15)~~ **ten (10)** feet.

Section 17.20.160 – Building Relationship

Each building or structure shall be located at least ~~twenty (20)~~ **ten (10)** feet from every other building or structure **on-site**, except that covered walkways between buildings or structures may be permitted. A covered walkway shall not exceed twelve (12) feet in height, nor more than fifty percent (50%) of the side of the structure shall be enclosed with any material other than that necessary for roof supports, and the walkway shall not be more than ten (10) feet wide.

Chapter 17.20 Multiple Family Residential (M-R, M-R-M, and M-R-H) Districts

Section 17.20.150 – Open Area.

Twenty percent (20%) of the lot area shall not be occupied by buildings, structures, or pavement, but shall be landscaped. Seventy-five percent (75%) of this twenty percent (20%) (open space) shall be planted and maintained with growing plants consisting of a combination of groundcover, shrubs and shading trees.

~~The parcel shall not be occupied by buildings, structures, or pavement, but shall be landscaped, a minimum of as follows:~~

- A. ~~M-R, twenty five percent (25%) of the lot area shall not be occupied by buildings, structures, or pavement, but shall be landscaped. Seventy-five percent (75%) of this twenty five percent (25%) (open space) shall be planted and maintained with growing plants.;~~

Amendment to CMC Title 17 to Implement Housing and Land Use Element Policy

- ~~B. M-R-M, twenty percent (20%) of the lot area shall not be occupied by buildings, structures, or pavement, but shall be landscaped. Seventy five percent (75%) of this twenty percent (20%) (open space) shall be planted and maintained with growing plants; and~~
- ~~C. M-R-H, twenty percent (20%) of the lot area shall not be occupied by buildings, structures, or pavement, but shall be landscaped. Seventy five percent (75%) of this twenty percent (20%) (open space) shall be planted and maintained with growing plants.~~

Chapter 17.22 – Residential Density Calculations for Residential Parcels with Sensitive Land Areas

Section 17.22.060 – Exceptions

The provisions of this chapter shall not apply to any property where the City amended the General Plan designation to Multifamily High Density Residential (MHD) **identified in the sites inventory of the General Plan Housing Element** in order to comply with state law to meet the City's 2007-2014 Regional Housing Needs Allocation (RHNA) obligations **for the fifth housing cycle (2015-2022) or sixth housing cycle (2023-2031).**

Chapter 17.28 – Planned Development (PD) District

Section 17.28.140 – Review Procedures/Development Plan Permit

A. Hearing-Recommendation by Planning Commission

1. After application filing, the Community Development Director shall determine if all submittal requirements have been met and if the application is complete. The Community Development Director shall then schedule the matter before the Planning Commission. The Planning Commission shall then hold a public hearing to review the Development Plan **Permit** application. Notice of the public hearing shall be given in the manner and for the time required by California Government Code § 65091.
2. The Planning Commission shall review the Development Plan Permit request and **shall have authority to approve the request** ~~make a recommendation~~ with conditions, as warranted, ~~to the City Council~~ or to deny the request. ~~The recommendation~~ **Action of the Planning Commission** shall be by ~~affirmative~~ vote of not less than a majority of Commissioners present at a duly constituted meeting of the Planning Commission. A denial of the Development Plan Permit request by the Commission shall cease further consideration of the request for a period of one year following such denial, except in the following cases:
 - a. An appeal is filed pursuant to Chapter 17.68 of this title;
 - b. When a new application, although involving all or a portion of the same property, is filed for a materially different proposal than that previously applied for; or
 - c. When the permit request was denied for the reason that the proposed development would not conform to the General Plan and the General Plan has subsequently been amended in a manner which would allow the proposed development.

Amendment to CMC Title 17 to Implement Housing and Land Use Element Policy

3. The City Council shall be the hearing body on appeals of decisions of the Planning Commission on Development Plan Permit requests. The City Council, on appeal, shall review the Development Plan Permit request and recommendation from the decision of the Planning Commission **de novo**. After its public hearing and review, the City Council shall approve the request, with conditions, as warranted, or shall deny the request. Action of the City Council shall be by vote of not less than a majority of the Council present at a duly constituted meeting of the City Council. A denial of the Development Plan Permit request shall cease further consideration of the request for a period of one year following such denial, except in the following cases:
- a. When a new application, although involving all or a portion of the same property, is filed for a materially different proposal than that previously applied for; or
 - b. When the permit request was denied for the reason that the proposed development would not conform to the General Plan, and the General Plan has subsequently been amended in a manner which would allow the proposed development.

Chapter 17.28 – Planned Development (PD) District

Section 17.28.190 – Termination.

If within **twenty-four (24) eighteen (18)** months after the approval by the **Planning Commission or** City Council of the Development Plan Permit, construction has not commenced, then the Development Plan Permit shall become null and void.

The Planning Commission or City Council, on appeal, may grant extensions to commence construction for not more than one year at a time upon showing of good cause.

Chapter 17.30 – Institutional Density (ID) District

Section 17.30.010 – Purpose

The intent and purpose of this chapter is to provide opportunities for multiple family residential to be developed on sites shared with other community service uses, under sponsorship of public, quasipublic, private nonprofit or community-based organizations.

Section 17.30.020 – Permitted and Conditional Uses

- A. The following principal uses and their accessory uses are permitted in the ID District:
1. Duplex, triplex, townhouses, apartments and other multifamily structures;
 2. Supportive housing and transitional housing;
 3. Churches, synagogues, temples and places of worship.
- B. The additional uses are conditionally permitted in the ID District, except that no use permit is required when the use shares a site with a principal permitted use and is housed within a building that encompasses no more than 25 percent of the floor area of the building(s) that house the principal use or uses:
1. Child day care center or adult day care facility;
 2. Private school;
 3. Administrative and professional offices.

Amendment to CMC Title 17 to Implement Housing and Land Use Element Policy

- C. The following uses are conditionally permitted and may be allowed in the ID District upon granting of a use permit pursuant to the procedures in chapter 17.64 and sections 17.60.040, 17.60.050 and 17.60.060 of this title:**
- 1. Congregate care and convalescent care facilities;**
 - 2. Employee housing providing accommodations for six (6) or fewer employees;**
 - 3. Residential care facilities for seven (7) or more persons;**
 - 4. Parolee homes.**

Section 17.30.030 – Minimum Requirements Generally

- A. Residential development or a mixed use development with both residential and nonresidential uses in the ID District shall be subject to the development regulations of the M-R-H District, including minimum setback, building relationship and open area requirements, and maximum building height requirements. Maximum lot coverage shall be 75 percent. Notwithstanding the foregoing, no maximum lot coverage, minimum setback or minimum open area requirement specified for the M-R-H District may require a residential development to have fewer than 16 units.**
- B. Nonresidential development in the ID District shall be subject to the building height and setback regulations of the LC District.**
- C. Parking for residential and nonresidential uses shall comply with the regulations in chapter 17.37 of this title.**

Section 17.30.040 – Minimum Lot Area per Residential Unit

No more than four thousand four hundred (4,400) square feet and no fewer than one thousand four hundred fifty (1,450) square feet shall be provided for each dwelling unit in a residential development or a mixed use development with both residential and nonresidential uses. Notwithstanding the foregoing, a minimum of one thousand (1,000) square feet may be provided for each dwelling unit if all of the units in the development are affordable to low income households as defined in Health and Safety Code section 50079.5.

Chapter 17.37 – Off-street parking

Section 17.37.030 and Schedule 17.37.030A (excerpt) – Off-street parking space requirements

- A. Parking and Loading Space Schedules. Off-street parking spaces shall be provided in accordance with Schedule 17.37.030.A. Off-street loading spaces shall be provided for non-residential uses in accordance with Schedule 17.37.030.B or as required by the Planning Commission. References to spaces per square foot are to be computed on the basis of gross floor area unless otherwise specified, and shall include allocations of shared restroom, halls and lobby area, and mechanical equipment or maintenance areas, but shall exclude area for vertical circulation (e.g., stairs, elevators).**
- B. Parking Schedule with Public Parking Easement. In lieu of the parking space requirements provided in Schedule 17.37.030.A, the number of off-street parking spaces required for**

Amendment to CMC Title 17 to Implement Housing and Land Use Element Policy

projects meeting all of the criteria listed in subsections 1—3 below shall be in accordance with Schedule 17.37.030.C.

1. The parcel is located within the planning area of the Town Center Specific Plan (as amended).
 2. The project involves new construction and/or addition(s) of retail, restaurant, service, or office uses.
 3. The City Council accepts an offer of a public parking easement from the property owner. The public parking easement allows the general public to park in the off-street parking facility when any business establishment operating on the property is not open for business.
- C. Waiver Period. In order to encourage development of retail, restaurant, office, and personal service uses in the Town Center before June 30, ~~2022~~**2030**, a waiver period extending through June 30, ~~2022~~**2030** is established during which the number of off-street parking and loading spaces required for projects meeting all of the criteria listed in subsections 1—4 below is reduced in accordance with Schedule 17.37.030.D.
1. The parcel is located within the planning area of the Town Center Specific Plan (as amended).
 2. The parcel is located within the planning area of the Town Center Specific Plan (as amended).
 3. A building permit (if required) for the project has been issued within two (2) years of project approval. Construction and a final building permit inspection are completed within one year of the issuance of the building permit. These time periods may be extended once up to six (6) months by the Planning Commission upon a showing of good cause.
 4. City Council approval is granted for any individual project in which the requirement for more than seventy-five (75) parking spaces is waived.
- D. Monitoring of Spaces During Waiver Period. The Director shall monitor the amount of retail, restaurant, office, and personal service development within the planning area of the Town Center Specific Plan (as amended) during the waiver period. The Director shall determine the number of parking spaces which would have been required in accordance with Schedule 17.37.030A. Upon determining that new retail, restaurant, office, and personal service development has occurred or has been proposed, or other reductions in parking space requirements have been granted for which the aggregate number exceeds two hundred (200) reduced spaces, a report shall be presented to the Planning Commission. The Planning Commission shall review the report and make any appropriate recommendations for consideration by the City Council. This report shall include an assessment of the existing parking conditions in the planning area of the Town Center Specific Plan with respect to the availability of public parking, patterns of utilization, and parking needs of future commercial development in Town Center.
- E. Director Determination. Where the proposed use classification is not specified herein, the Director shall determine the probable use and the number of parking and loading spaces required. In order to make this determination, the Director may require the submission of survey or other data from the applicant or have data collected at the applicant's expense.

Amendment to CMC Title 17 to Implement Housing and Land Use Element Policy

Excerpts from Schedule 17.37.030A

- Use Classification: Single-Family Dwelling
Required Off-Street Parking Spaces: ~~4 per unit (2 must be fully enclosed and 2 may be tandem).~~ **2 per unit, at least 1 of which must be covered, plus 1 covered or uncovered space per unit with 5 or more bedrooms. No more than 2 required spaces may be tandem.**
- Use Classification: Small Lot (<4,000 sq. ft. net lot area, Multifamily General Plan designation)
Required Off-Street Parking Spaces: **2 per unit (1 must be covered and 1 may be tandem).** ~~(2 must be fully enclosed and 1 may be tandem).~~ ~~0.5 per guest parking per unit.~~
- Use Classification: Duplex Dwelling
Required Off-Street Parking Spaces: **2 per unit (1 must be covered and 1 may be tandem).** ~~0.5 guest parking per unit.~~
- Use Classification: Multiple-Family Dwelling – Studio
1 per unit (covered).
- Use Classification: Multiple-Family Dwelling – 1 Bedroom
1.5 per unit (1 must be covered).
- Use Classification: Multiple-Family Dwelling – 2+ Bedroom
2 per unit (1 must be covered).
- Use Classification: Multiple-Family Dwelling – ~~Guest Parking~~
0.5 per unit.

Chapter 17.44 – Site Plan Review

Section 17.44.030 - Exemptions

Any new development meeting one of the following characteristics shall be exempt from a Site Plan Review Permit. Such exempt development may directly apply for a building permit which is administratively reviewed by staff.

- A. Construction not meeting one of the criteria listed above.
- B. Construction receiving specific design authorization pursuant to an approved:
 - 1. Development Plan Permit;
 - 2. Vesting Tentative Map;
 - 3. Development Agreement.

Amendment to CMC Title 17 to Implement Housing and Land Use Element Policy

- C. Type 1 and Type 2 accessory dwelling units and junior accessory dwelling units ministerially approved in accordance with Chapter 17.47; provided, that Type 2 accessory dwelling units shall also require an ADU Permit in accordance with the requirements of Chapter 17.47.
- D. Additions to an existing residence in a single-family residential district or residential planned development district; provided, that the addition complies with all of the development regulations of the zoning district in which the residence is located.**

Chapter 17.44 – Site Plan Review

Section 17.44.040 – Standards of Review

The factors to be reviewed by the Planning Commission (or City Council upon appeal) shall include, but are not limited to:

- A. Conformity with the General Plan and any applicable Specific Plan (e.g. Town Center, Marsh Creek Road).
- B. Conformity with any applicable City adopted architectural and/or design standards (e.g. Oakhurst Country Club, Oakwood Subdivision, Clayton Station).
- C. Preservation of general safety (e.g. seismic, landslide, flooding, fire, traffic).
- D. Maintenance of solar rights to adjacent properties.
- E. The reasonable maintenance of the privacy of adjacent property owners and/or occupants.
- F. The reasonable maintenance of existing views of adjacent property owners and/or occupants.
- G. The new development, taken as a whole, need not be identical, but should be complementary with the adjacent existing structures in terms of materials, colors, size, and bulk.
- H. Design standards for manufactured homes shall be in accordance with Section 17.36.078 of the Municipal Code.

Notwithstanding the foregoing, the Planning Commission (or City Council upon appeal) shall not require, as a condition of approval of the site plan review permit, that the project be reduced to a density below the minimum density specified by the General Plan land use designation of the property. The Planning Commission (or City Council upon appeal) shall also not require that the development meet a standard for lot coverage that is lower than the maximum standard of the zoning district in which the development is located, nor that the development meet higher standards for minimum setbacks, landscaping, off-street parking, distances between buildings than are specified for the applicable zoning district.

Other Housing-Related Municipal Code Amendments, Clean-ups, or Updates

Amendment to CMC Title 17

Chapter 17.90 – Affordable Housing Density Bonus Requirements

17.90.010 – Title and Purpose

The purpose of this Article is to establish a program in accordance with California Government Code § 65915 *et seq.* to provide both density increases and other incentives to encourage the creation of housing affordable to moderate-, low-, and very low-income households, seniors, and other qualifying households under State law. This Chapter shall be known and may be cited as the Affordable Housing Density Bonus Requirements Ordinance of the City of Clayton and is adopted to comply with California Government § 65915.

Sections 17.90.020 through 17.90.170 are proposed to be deleted in entirety and replaced with the following text:

17.90.020 – Applicability

- A. **General.** All proposed housing developments that qualify under California Government Code § 65915 for a density increase and other incentives, and any qualified land transfer under California Government Code § 65915 shall be eligible to apply for a density bonus (including incentives and/or concessions) consistent with the requirements, provisions and obligations set forth in California Government Code § 65915, as it may be amended from time to time.
- B. **Compliance.** The applicant shall comply with all requirements stated in California Government Code § § 65915 through 65918. The requirements of California Government Code § § 65915 through 65918, and any amendments thereto, shall prevail over any conflicting provision of this Code.
- C. **Excluded development.** An applicant shall not receive a density bonus or any other incentive or concession if the housing development would be excluded under California Government Code § 65915.
- D. **Interpretation.** The provisions of this subdivision shall be interpreted to implement and be consistent with the requirements of California Government Code § 65915. Any changes to California Government Code § 65915 shall be deemed to supersede and govern over any conflicting provisions contained herein. If any portion of this Article conflicts with State Density Bonus Law or other applicable State law, State law shall supersede this Section. Any ambiguities in this Section shall be interpreted to be consistent with State Density Bonus Law.
- E. **Replacement Housing Requirement.** Pursuant to subdivision (c)(3) of California Government Code § 65915, an applicant will be ineligible for a density bonus or other incentives unless the applicant complies with the replacement housing requirements therein.

17.90.030 – Density Increase and Other Incentives

- A. **General.** If a qualifying affordable housing project or land transfer/cash payment meets the criteria of California Government Code § 65915 *et seq.*, the project shall be granted a density bonus, the amount of which shall be as specified in California Government Code § 65915 *et seq.*, and incentives or concessions also as described in California Government Code § 65915 *et seq.*

Amendment to CMC Title 17

- B. Density Bonus Units.** Except as otherwise required by California Government Code § 65915, the density bonus units shall not be included when calculating the total number of housing units that qualifies the housing development for a density bonus.
- C. Market-rate senior citizen housing developments.** Market-rate senior citizen housing developments that qualify for a density bonus shall not receive any other incentives or concessions, unless California Government Code § 65915 is amended to specifically require that local agencies grant incentives or concessions for senior citizen housing developments.

17.90.040 – Physical Constraints and Parking Waivers

- A. Physical Constraints.** Except as restricted by California Government Code § 65915, the applicant for a density bonus may submit a proposal for the waiver or reduction of development standards that have the effect of physically precluding the construction of a housing development incorporating the density bonus and any incentives or concessions granted to the applicant. A request for a waiver or reduction of development standards shall be accompanied by documentation demonstrating that the waiver or reduction is physically necessary to construct the housing development with the additional density allowed pursuant to the density bonus and incorporating any incentives or concessions required to be granted. The City shall approve a waiver or reduction of a development standard, unless it finds that:
 - 1. The application of the development standard does not have the effect of physically precluding the construction of a housing development at the density allowed by the density bonus and with the incentives or concessions granted to the applicant;
 - 2. The waiver or reduction of the development standard would have a specific, adverse impact, as defined in paragraph (2) of subdivision (d) of § 65589.5, upon health and safety, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact;
 - 3. The waiver or reduction of the development standard would have an adverse impact on any real property that is listed in the California Register of Historical Resources; or
 - 4. The waiver or reduction of the development standard would be contrary to state or federal law.
- B. Parking.** The applicant may request, and the City shall grant, a reduction in parking requirements in accordance with California Government Code § 65915(p), as that section may be amended from time to time.

17.90.050 – Retention of Density Bonus Units.

Consistent with the provisions of California Government Code § 65915 *et seq.*, prior to a density increase or other incentives being approved for a project, an appropriate method of ensuring the continued availability of the density bonus units has been determined by the City.

17.90.060 – Application Procedure for Density Increase or Other Incentives.

- A. Application Requirements.** An application for a density increase or other incentives pursuant to this chapter for a housing development shall be submitted in writing to the Community Development Director to be processed concurrently with all other entitlements of the proposed housing development. The application for a housing development shall contain information sufficient to fully evaluate the request under the requirements of this chapter, and in connection with the project for which the request is made, including, but not limited to, the following:

Amendment to CMC Title 17

1. A brief description of the proposed housing development;
 2. The total number of housing units and/or shared housing units (as defined in California Government Code § 65915(o)(6)) proposed in the development project, including unit sizes and number of bedrooms;
 3. The total number of units proposed to be granted through the density increase and incentive program over and above the otherwise maximum density for the project site;
 4. The total number of units to be made affordable to or reserved for sale, or rental to, very low-, low- or moderate-income households, or senior citizens, or other qualifying residents;
 5. The zoning, general plan designations, and assessor's parcel number(s) of the project site;
 6. A vicinity map and preliminary site plan, drawn to scale, including building footprints, driveway(s) and parking layout;
 7. The proposed method of ensuring the continued availability of the density bonus units;
 8. Within zones that rely on a form-based code, a base density study that identifies the density feasible on the site without incentives, concessions or density bonuses; and
 9. A list of any concession(s) or incentive(s) being requested to facilitate the development of the project, and a description of why the concession(s) or incentive(s) is needed.
- B. Application Processing.** The application shall be considered by the Planning Commission and/or the City Council at the same time each considers the project for which the request is being made. If the project is not to be otherwise considered by the Planning Commission or the City Council, the request being made pursuant to this chapter shall be considered by the Community Development Director or the Director's designee, separately. The request shall be approved if the applicant complies with the provisions of California Government Code § 65915 *et seq.*

17.90.190 – Administrative Fee

An administrative fee shall be charged to the Applicant for City review of all materials submitted in accordance with this chapter and for on-going enforcement of the provisions of this chapter. The fee amount shall be established by City Council resolution and will be described in the City of Clayton Master Fee Schedule. Fees will be charged for staff time and materials associated with the following activities: Development review process; project marketing and lease-up; and, long-term compliance of the Affordable Housing Units.

17.90.190 – Violation of Affordable Housing Cost Requirements

In the event it is determined that rents in excess of those allowed by operation of this chapter have been charged to a tenant residing in a rental Affordable Housing Unit, the city may take the appropriate legal action to recover, and the rental unit owner shall be obligated to pay to the tenant (or the City in the event the tenant cannot be located), any excess rent charges. In such an action, the City shall be entitled to recover its legal costs and reasonable attorney fees.

In the event it is determined that a sales price in excess of that allowed by operation of this chapter has been charged to an income-eligible household purchasing an ownership Affordable Residential Unit, the City may take the appropriate legal action to recover, and the Affordable Residential Unit seller shall be obligated to pay to the purchaser (or to the city in the event the purchaser cannot be located), any excess sales costs. In such an action, the City shall be entitled to recover its legal costs and reasonable attorney fees.

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Chapter 17.04 – Definitions

Section 17.04.030 – Accessory Use

"Accessory use" means a use incidental and accessory to the principal use of a lot, or a use accessory to the principal use of a building located on the same lot. An accessory use ~~generally means~~ **includes, but is not limited to**, the following types of uses: **large and small family day care homes, as well as**, detached garages, pool houses or cabanas, storage sheds and other small single-story structures usually related to ~~the single family~~ a residential unit.

Section 17.04.076 – Day Care

"Day Care" means a facility that provides non-medical care and supervision of individuals for periods of less than twenty-four (24) hours. These facilities include, but are not limited to the following, all of which are required to be licensed by the California State Department of Social Services, or as the licensing authority may be amended from time to time by the State of California.

- A. "Child day care center" means a commercial or non-profit child day care facility designed and approved to accommodate children, including an infant center, preschool, sick-child center, and school-age day care facility. A child day care center may be operated in conjunction with a school or church facility, or as an independent land use.
- B. "Large family day care home" means a home that provides family day care for seven (7) to fourteen (14) children, inclusive, including children under the age of ten (10) years who reside in the home, as provided by California Health and Safety Code § 1596.78. **Pursuant to California Health and Safety Code § 1596.45, a large family day care home is considered a residential use of property and ancillary to the residence in which it is operated.**
- C. "Small family day care home" means a home that provides family day care for eight (8) or fewer children, including children under the age of ten (10) years who reside in the home, as provided by California Health and Safety Code § 1596.78. **Pursuant to California Health and Safety Code § 1596.45, a small family day care home is considered a residential use of property and ancillary to the residence in which it is operated.**
- D. "Adult day care facility" means a day care facility that provides care and supervision for adult clients.

Chapter 17.20 – Multiple Family Residential (M-R, M-R-M, and M-R-H) Districts

Section 17.20.030 – Permitted Uses – Principal

The principal permitted uses in the multiple family residential districts shall be as follows:

- A. Duplex, triplex, townhouses, apartments and other multifamily structures meeting and not exceeding the density limits set by the applicable General Plan Land Use Designation, **and the accessory structures and uses normally auxiliary or ancillary to those multifamily residences;**
- B. Supportive housing and transitional housing;
- C. Single family dwelling units only with a Conditional Use Permit (See Section 17.60.030.B.5).

Amendment to CMC Title 17

- D. Employee housing providing accommodations for six (6) or fewer employees, provided that a conditional use permit is obtained. Such permit shall be reviewed and issued under the same procedures and in the same manner as that permit issued for single family dwelling units (See Section 17.60.030.B.5).
- E. Parolee homes only with a Conditional Use Permit (See Section 17.60.030.B.7).

Chapter 17.45 – Family Day Care Homes

[Delete in entirety.]

Chapter 17.36 – General Regulations

Section 17.36.075 – Fencing Standards

Fencing shall conform to the following standards:

- A. Front Setbacks. Fences shall not exceed a maximum height of thirty (30) inches within ten (10) feet of the front property line and a maximum height of six (6) feet in the remaining portion of the front setback.
- B. Interior Side Setbacks and Rear Setbacks. Fences shall not exceed a maximum height of six (6) feet on the interior side and rear property lines or anywhere within the interior side and rear setbacks.
- C. Exterior Side Setbacks. Fences shall not exceed a maximum height of six (6) feet and may be placed within the required exterior side setback or at the public right-of-way line.
- D. Corner Lots. Fences on corner lots shall conform with the restrictions on sight obstructions at intersections provided in Chapter 12.08.
- E. Driveways. Fences shall not exceed a maximum height of thirty (30) inches on either side of a driveway within the triangular areas formed by the edge of the driveway, the property line, and a line joining points on each of these twelve (12) feet from their intersection.
- F. Main Building Area. Fences shall not exceed a maximum height of eight (8) feet within an area in which a main building is permitted.
- G. Measurement. The height of fences shall be the average height of an eight-foot length of fence, measured from the lower of either the lowest adjacent ground level or the top of the footing of any retaining walls located within three (3) feet.
- H. Safety Fences. Safety fences and railings required by the Uniform Building Code are excluded from the height standards of this section.
- I. Barbed Wire. Barbed wire or other sharp materials shall not be used as a fencing material except on lands where agricultural grazing is actively conducted or where a use permit has been approved by the Planning Commission.
- J. Hazardous Locations. In no case shall any fence be located so as to cause a hazard to the movement of vehicles or pedestrians.
- K. Height Exceptions. The Director may issue an administrative use permit to allow a fence up to seven (7) feet in height in a rear setback or side setback of a lot in residential district. The Director may impose such conditions as the Director deems appropriate to mitigate any visual or other

Amendment to CMC Title 17

adverse impacts of the fence, including, but not limited to, requirements with respect to the height, design, and materials of the fence and landscape screening. Applications for an administrative use permit under this subsection shall be filed with the Director on such form as the Director prescribes, and shall be accompanied by a processing fee in such amount as established from time to time by resolution of the City Council. Prior to granting the administrative use permit, the applicant shall demonstrate and the Director shall find that:

1. The issuance of such a permit is reasonably necessary by reason of unusual or special circumstances or conditions relating to the property, for the preservation of valuable property rights or the full use and enjoyment of the property;
2. The fence will not create a safety hazard to pedestrians or vehicular traffic;
3. The fence will not unreasonably interfere with access by police, fire, and emergency service personnel;
4. The appearance of the fence is compatible with the scale, mass, design, and appearance of other existing buildings and structures in the neighborhood;
5. The orientation and location of the fence is in proper relation to the physical characteristics of the property and neighborhood;
6. The applicant has obtained the written consent of the adjacent property owner, unless the fence is adjacent to public right-of-way, in which case written consent is not necessary; and
7. The fence will be of sound construction.

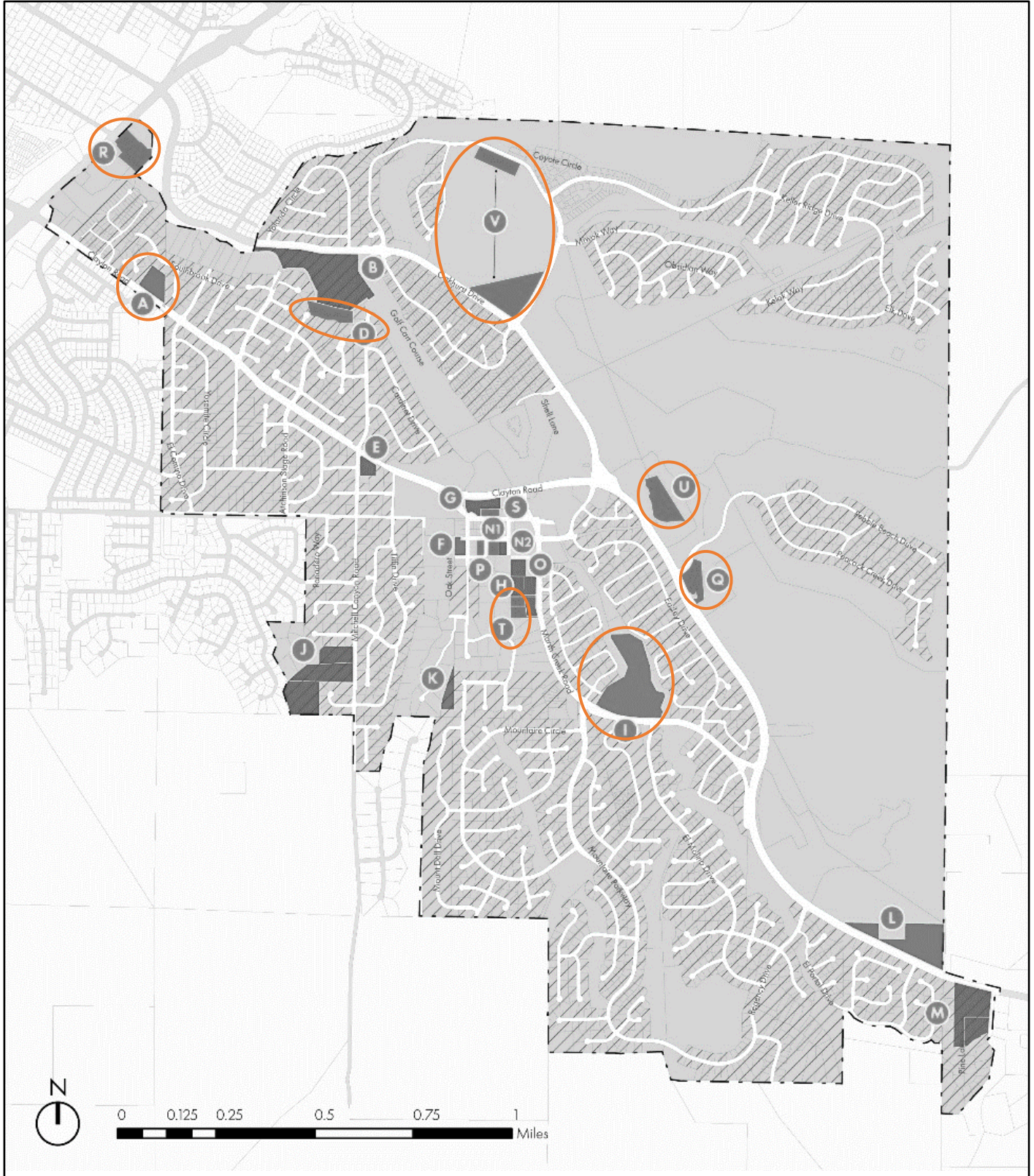
The Director may refer a request for administrative use permit for fence height exception to the Planning Commission if, in the Director's judgment, one or more of the findings in this subsection K cannot be made. The Planning Commission shall review the request in accordance with the permit procedures specified in section 17.64.110 of this title. The decision of the Planning Commission can be appealed in accordance with chapter 17.68 of this title.

Chapter 17.08 – Zoning Map – Districts Established

Section 17.08.020 – Districts Designated.

The use of all land in the city situated within the districts delineated and shown on the map described in Section 17.08.010, and any and all subsequent amendments to said map, is subject to the regulations and provisions of this title. Land is classified for the regulation of its use as set forth in this title. The land use districts in Chapters 17.12 through 17.36~~2~~ are established for all land within the city and the land use districts designated on the map herein referred to, which is made a part of this title, are established and classified in Chapters 17.12 through 17.36~~2~~.

Ordinance No. XX-2023
Exhibit B
Clayton Zoning Map Amendments



Housing Element Inventory Site	Address or Reference	Assessor's Parcel No.	Current Zoning District	Proposed Zoning District
A	5555 Clayton Road (St. John's Parish)	118-101-025	PD (Planned Development)	ID (Institutional Density)
D	Diablo Creek Place Open Space	118-230-002	PD (Planned Development)	R-15 (Single-Family Residential)
I	6955 Marsh Creek Road (Easley Ranch)	119-080-009	A (Agricultural)	M-R (Multiple Family Residential Low)
Q	Clayton Road at Peacock Creek Drive (Overflow Parking)	118-370-073	PD (Planned Development)	M-R-M (Multiple Family Residential Medium)
R	1578 Kirker Pass Road (Clayton Valley Presbyterian)	118-031-054	PD (Planned Development)	ID (Institutional Density)
T	6530 Marsh Creek Road	119-021-020, 119-021-019	PD (Planned Development)	M-R-H (Multiple Family Residential High)
U	Oakhurst Golf Course Driving Range	Portions of 118-370-017, 118-370-086, 118-370-087, 118-370-088	PD (Planned Development)	M-R-H (Multiple Family Residential High)
V	1970 Eagle Peak Avenue (Seeno Hill)	118-370-040 (portions)	A (Agricultural)	M-R-M (Multiple Family Residential Medium)

**CITY OF CLAYTON
PLANNING COMMISSION
RESOLUTION NO. 7-2023**

**A RESOLUTION OF THE CLAYTON PLANNING COMMISSION RECOMMENDING
THAT THE CITY COUNCIL ADOPT AMENDMENTS TO CLAYTON MUNICIPAL
CODE TITLE 17 (ZONING) TO IMPLEMENT ADOPTED GENERAL PLAN HOUSING
ELEMENT POLICY, REZONE PROPERTIES IN CONFORMANCE WITH THE
HOUSING AND LAND USE ELEMENTS, CLARIFY ADMINISTRATIVE
PROCEDURES, AND ALIGN WITH STATE LAW**

WHEREAS, pursuant to California Government Code sections 65300 and 65300.5, each planning agency of each California city or county is required to adopt a comprehensive, integrated, internally consistent and long-term general plan for “the physical development of the county or city, and of any land outside its boundaries which in the planning agency’s judgment bears relation to its planning;” and

WHEREAS, pursuant to Government Code sections 65302 and 65303, the general plan must include a land use element, a circulation element, a housing element, a conservation element, an open space element, a noise element, a safety element and an environmental justice element, and it may include any other elements that, in the judgment of the city or county’s legislative body, relate to the physical development of the jurisdiction; and

WHEREAS, in accordance with Government Code section 65358, the City Council of the City of Clayton (City), on recommendation from the City’s Planning Commission, may amend all or part of the City’s General Plan if the City Council deems the amendment to be in the public interest; and

WHEREAS, on January 17, 2023, the Clayton City Council held a duly noticed public hearing to consider the recommendation of the Planning Commission and accept accepted written and spoken testimony, and following the public hearing, adopted Resolution No. 6-2023 amending the Clayton General Plan’s Land Use Element and the Housing Element for the 6th housing cycle (2023-2031), and certifying the Final Environmental Impact Report (State Clearinghouse No. 2022030086) that had been prepared to analyze the potential impacts to the environment that could occur as a result of the adoption of the General Plan amendments and related Zoning code amendments to implement the amended General Plan policies; and

WHEREAS, the adoption of the Housing Element for the 6th housing cycle met the requirements of State law contained in Government Code Title 7, Division 1, Chapter 3, Article 10.6 (Housing Elements), and the certification of the FEIR was in compliance with the California Environmental Quality Act (CEQA; Public Resources Code section 21000 *et seq.*); and

WHEREAS, California Planning and Zoning Law, and specifically Government Code Section 65850, authorizes cities' legislative bodies to adopt ordinances to regulate land use and establish standards for development of lands within their boundaries; and

WHEREAS, the Zoning Ordinance of the City of Clayton is contained in Title 17 (Zoning) of Clayton Municipal Code (CMC), and the "Official Zoning Map of the City of Clayton" classifying properties within the City into zoning districts is incorporated into the Zoning Ordinance by reference in CMC section 17.08.010; and

WHEREAS, California Government Code section 65854 requires that the Planning Commission, in its capacity as an advisory body to the City Council on matters of land use, hold a duly noticed public hearing on a proposed zoning ordinance or amendment to a zoning ordinance; and

WHEREAS, CMC section 17.56.060 gives authority to the Planning Commission to make recommendations to the City Council on proposed amendments to CMC Title 17 and states further than "[n]o recommendation for amendment shall be made unless the Commission finds that such proposed amendment, is in general conformance with the General Plan, if one be in effect at said time, and that the public necessity, convenience and general welfare require the adoption of the proposed amendment;" and

WHEREAS, in accordance with Government Code sections 65854, 65090 and 65091, on or prior to November 4, 2023, notice of the November 14, 2023, Clayton Planning Commission public hearing to consider the amendments to CMC Title 17 was published as a one-eighth page ad in the East Bay Times; was posted to the notice boards at Clayton City Hall and Clayton Community Library, and to Ohm's board in the Town Center; and was sent via electronic mail to interested parties who had requested notice of public meetings pertaining to the Housing Element and its implementation, to owners' agents or owners of properties that were the subject of proposed Zoning Map amendments, and to other local agencies proximate to Clayton, special districts, public utility companies and local Native American tribes; and

WHEREAS, on or prior to November 18, 2023, notice of the November 28, 2023, Clayton Planning Commission continued public hearing to consider the amendments to CMC Title 17 was published as a one-eighth page ad in the East Bay Times; was posted to the notice boards at Clayton City Hall and Clayton Community Library, and to Ohm's board in the Town Center; was posted on the Housing Element and Public Notices pages of the City website at www.claytonca.gov; and was sent via first class or electronic mail to interested parties who had requested notice of public hearings pertaining to the Housing Element and its implementation, to owners' agents or owners of properties that were the subject of proposed Zoning Map amendments, and to other local agencies proximate to Clayton, special districts, public utility companies and local Native American tribes; and

WHEREAS, on November 14 and November 28, 2023, the Clayton Planning Commission conducted a public hearing on the amendments to CMC Title 17 (Zoning) to implement adopted General Plan Housing and Land Use Element policy, rezone properties in conformance with the Housing and Land Use Elements, clarify administrative procedures, and align with State Law; and at that public hearing, received and considered testimony and evidence, both spoken and written.

NOW, THEREFORE, the Planning Commission hereby determines the foregoing recitals to be true and correct and makes the following findings:

- A. The Final EIR certified for the Housing Element Update and related Land Use Element and Zoning amendments (State Clearinghouse No. 2022030086) was prepared in accordance with the requirements of CEQA, and the Planning Commission has considered the information contained therein. The housing-related Zoning amendments recommended herein are within the scope of the project analyzed in the certified EIR or are regulations governing family day care homes that are exempt pursuant to CEQA Guidelines section 15274.
- B. The proposed amendments to CMC Title 17 (Zoning) implement adopted policies of the Housing and Land Use Elements of the General Plan, as amended by the City Council on January 17, 2023, including programs to provide greater flexibility in development regulations for multifamily housing, increase residential densities, reduce procedural requirements for housing entitlements, and rezone sufficient sites to accommodate the City's Regional Housing Needs Allocation (RHNA). Other amendments are identified to bring the Zoning Ordinance into compliance with California statutes with respect to density bonus provisions and regulations governing use of residential properties for small and large day care homes; or they are miscellaneous clean-up items intended to address outdated references or to extend the permit appeals process to an administrative fence permit for which no such process is currently specified in the municipal code.
- C. The proposed Zoning amendments serve the public necessity, convenience and general welfare. The adopted Housing Element identifies constraints to the construction and improvement of housing in the City, and the proposed Zoning amendments implement a selection of the programs and policies adopted to remove those constraints. Implementation of these policies and programs would streamline existing zoning approval processes, reducing the number of discretionary decisions that are currently required for residential development proposals while maintaining objective standards that would help to preserve aesthetic characteristics of the City. Implementation of these policies and programs would also reduce costs of planning, permitting and construction for new home developers, as well as, for current homeowners who want to

invest in improvement of their properties through expansions of their existing home or construction of accessory dwelling units.

- D. Implementing the goals, policies and programs in the adopted Housing Element through the proposed Zoning amendments would foster a broader range of housing densities than City land use policy currently provides, allowing opportunities for increased diversity in housing types (single-family and multifamily) and tenures (rental and ownership). Greater diversity in the City's housing stock serves the public benefit and necessity for a broader spectrum of housing choices at multiple price points in Clayton, a housing market where 28 percent of households overpay for housing (Housing Element, Table 3-6). This diversity in housing stock also facilitates greater equity and fair access to housing choices for future residents, while also providing smaller unit sizes that are more affordable, more energy efficient and more accessible for recent graduates, young adult children and aging parents who currently live in Clayton and want to remain in the community. Expanded housing choices also facilitate more opportunities for special needs households as well as employees of the local service-based and public sector workforce to reside in the community, thereby reducing workers' and their customers' transportation costs, traffic congestion and automobile pollution emissions generated by vehicle trips to work from outside the City.
- E. The record of proceedings for this matter is located at the City of Clayton, City Hall, 6000 Heritage Trail, Clayton, California. The custodian of records is the City Clerk.

NOW, THEREFORE, BE IT RESOLVED, the Planning Commission hereby recommends that the City Council make the necessary findings and adopt an Ordinance amending Clayton Municipal Code Title 17 (Zoning) to incorporate the Recommended Amendments outlined in the attached Exhibit A and changes to the Zoning Map as identified in the attached Exhibit B.

[Remainder of page intentionally left blank.]

PASSED AND ADOPTED by the Planning Commission of the City of Clayton at a regular meeting on the 28th day of November, 2023.

AYES: Banchemo, Casagrande, Enea, Richardson, Shulman

NOES: none

ABSTAINED: none

ABSENT: none

APPROVED:


Richard Enea, Chair

ATTEST:


Dana Ayers, AICP, Secretary

Planning Commission Resolution No. 7-2023

Exhibit A

**Recommended Text Amendments to Clayton Municipal Code Title 17 to
Implement Adopted Housing and Land Use Element Policy**

(Text proposed to be deleted is shown in ~~struckthrough~~ font. Text proposed to be added is identified in **bold**.)

Recommended Amendment to CMC Title 17	Justification
<p><u>Zoning map amendments</u> The following amendments are proposed to the Zoning Map referenced in CMC Chapter 17.08:</p> <ul style="list-style-type: none"> • 1578 Kirker Pass Road, Assessor’s Parcel No. (APN) 118-031-054, amendment from PD District to ID District • 5555 Clayton Road, APN 118-101-025, amendment from PD District to ID District • Diablo Creek Place, APN 118-230-002, amendment from PD District to Single-family Residential (R-15) District • 6530 Marsh Creek Road, APNs 119-021-020 and 119-021-019, amendment from PD District to Multiple Family Residential High (M-R-H) District • 6955 Marsh Creek Road, APN 119-080-009, amendment from Agricultural (A) District to Multiple Family Residential Low (M-R) District • Clayton Road at Peacock Creek Drive, APN 118-370-073, amendment from PD District to Multiple Family Residential Medium (M-R-M) District • Oakhurst Golf Course Driving Range, portions of APNs 118-370-017, 118-370-086, 118-370-087 and 118-370-088, amendment from PD District to M-R-H District • 1970 Eagle Peak Avenue, APN 118-370-040 (portion), amendment from A District to M-R-M District 	<p>The Zoning Map amendments would implement the following policies of the adopted Housing Element (HE):</p> <p><i>HE Policy 2.1: Adequate Housing Sites. Maintain and implement land use policies and zoning regulations that accommodate a range of residential housing types that can fulfill local housing needs and accommodate the City’s Regional Housing Needs Allocation of at least 570 units.</i></p> <p><i>HE Policy 5.3: Housing Distribution. Distribute affordable housing throughout all Clayton neighborhoods.</i></p> <p><i>HE Policy 5.4: Quality Living Environments. Avoid concentrating low-income housing in areas with high pollution loads and low levels of public services.</i></p>

Recommended Amendment to CMC Title 17	Justification
<p>Chapter 17.20 Multiple Family Residential (M-R, M-R-M, and M-R-H) Districts</p> <p><u>Section 17.20.030</u></p> <p><u>Section 17.20.040 – Minimum Requirements Generally</u> The minimum requirements in Sections 17.20.060 through 17.20.160 shall be observed in the multiple family residential districts; however, no maximum lot coverage, minimum lot width, minimum lot depth, minimum setback or minimum open area requirement specified therein may require a development in the M-R-M or M-R-H district to have fewer than 16 units.</p>	<p>The proposed amendments would remove certain development regulations that could constrain buildable area and unit count while allowing development to occur within the density ranges specified in the General Plan. The revisions are consistent with and would implement the following HE policies and program:</p> <p><i>HE Program D2: Zoning Code Amendments</i></p> <ul style="list-style-type: none"> • <i>Amend the Zoning Code to include provisions for sites in the M-R-M (Medium Density Multiple Family Residential) and M-R-H zoning districts to allow at least 16 units regardless of density restrictions.</i> <p><i>HE Policy 2.1: Adequate Housing Sites.</i> <i>Maintain and implement land use policies and zoning regulations that accommodate a range of residential housing types that can fulfill local housing needs and accommodate the City’s Regional Housing Needs Allocation of at least 570 units.</i></p> <p><i>HE Policy 4.2: Residential Development Standards.</i> <i>Review and adjust residential development standards, regulations, ordinances, departmental processing procedures, and residential fees related to rehabilitation and construction that are determined to constrain housing development.</i></p>
<p>Chapter 17.20 Multiple Family Residential (M-R, M-R-M, and M-R-H) Districts</p> <p><u>Section 17.20.050 – Lot Area per Unit</u> No Any duplex, triplex, townhouse, apartment, or other multiple family building permitted in multiple family residential districts shall be erected or placed on a lot having less than as follows in accordance with the lot area per unit standards described below:</p>	<p>The proposed amendments establish lot area per unit standards that align with the densities specified in the adopted Housing Element. These changes are consistent with and would implement the following HE policies and programs and text of the General Plan Land Use Element:</p> <p><i>HE Program D2: Zoning Code Amendments</i></p>

Recommended Amendment to CMC Title 17	Justification
<p>A. In the M-R District, six thousand (6,000) square feet. no fewer than three thousand (3,000) square feet of land shall be provided for each dwelling unit;</p> <p>B. M-R-M, six thousand (6,000) square feet. In the M-R-M district, no more than four thousand four hundred (4,400) square feet and no fewer than and one thousand eight hundred (1,800) two thousand one hundred (2,100) square feet shall be provided for each dwelling unit; and</p> <p>C. M-R-H, nine thousand (9,000) square feet. In the M-R-H district, no more than two thousand one hundred (2,100) square feet and no fewer than one thousand four hundred fifty (1,450) square feet shall be provided for each dwelling unit. Notwithstanding the foregoing, a minimum of and one thousand (1,000) square feet may be provided for each dwelling unit if all of the units in the development are affordable to low income households as defined in Health and Safety Code section 50079.5.</p>	<ul style="list-style-type: none"> • <i>Revise the lot area regulation in Section 17.20.050 for the M-R-M zone to require a minimum of 10 units per acre and accommodate a maximum of 20 units per acre, and revise the lot area regulation for the M-R-H zone to require a minimum of 20 units per acre and accommodate a maximum of 30 units per acre.</i> <p><i>HE Policy 2.1: Adequate Housing Sites. Maintain and implement land use policies and zoning regulations that accommodate a range of residential housing types that can fulfill local housing needs and accommodate the City's Regional Housing Needs Allocation of at least 570 units.</i></p> <p><i>HE Policy 4.2: Residential Development Standards. Review and adjust residential development standards, regulations, ordinances, departmental processing procedures, and residential fees related to rehabilitation and construction that are determined to constrain housing development.</i></p> <p><i>HE Program D-1: General Plan Amendments. Amend the General Plan to include policy language that allows for 100 percent affordable housing developments at 40 units per acre.</i></p> <p><i>Land Use Element / Residential Land Use Designations: Multifamily High Density (20.1 to 30 Units Per Acre) This designation is intended for and allows two-story (or higher) apartments or condominiums located where higher densities may be appropriate, such as near multimodal transportation infrastructure and commercial centers. Development within this density shall be encouraged to use a PUD concept and standards with incorporation of significant design and amenity in the</i></p>

Recommended Amendment to CMC Title 17	Justification
	<p><i>project. Structural coverage, excluding recreational amenities, shall not exceed 65% of the site area. Permitted density may be increased to 40 units per acre for residential developments that are 100 percent affordable to low-income households. Accessory dwelling units are permitted but are not used in the calculation of development density.</i></p>
<p>Chapter 17.20 Multiple Family Residential (M-R, M-R-M, and M-R-H) Districts</p> <p><u>Section 17.20.080 – Building Height</u></p> <p>No duplex, triplex, townhouse, apartment, or other multiple family building permitted in the multiple family residential districts shall exceed as follows:</p> <p>A. M-R, thirty-five (35) feet in height, except that when multiple family residential district abuts any single family residential district, then the building height maximum of the portion of the multiple family residential district being within fifty (50) feet of the abutting single family residential district shall be twenty (20) feet.</p> <p>B. M-R-M, thirty-five (35) feet in height.</p> <p>C. M-R-H, forty (40) feet in height, except shall be thirty-five (35) feet in height for that portion within fifty (50) feet of an abutting single family residential district.</p>	<p>The proposed amendments are consistent with and would implement the following HE policies and program:</p> <p><i>HE Program D2: Zoning Code Amendments</i></p> <ul style="list-style-type: none"> • <i>Revise the development standards for the M-R zone to increase the maximum allowable building height to 35 feet within 50 feet of an abutting single-family residential district.</i> <p><i>HE Policy 2.1: Adequate Housing Sites. Maintain and implement land use policies and zoning regulations that accommodate a range of residential housing types that can fulfill local housing needs and accommodate the City’s Regional Housing Needs Allocation of at least 570 units.</i></p> <p><i>HE Policy 4.2: Residential Development Standards. Review and adjust residential development standards, regulations, ordinances, departmental processing procedures, and residential fees related to rehabilitation and construction that are determined to constrain housing development.</i></p>
<p>Chapter 17.20 Multiple Family Residential (M-R, M-R-M, and M-R-H) Districts</p> <p><u>Section 17.20.100 – Interior Side Setback</u></p>	<p>The proposed amendments would reduce the building setback and distance requirements for multiple family residential buildings, allowing for more buildable area on a lot. These changes are consistent with and would implement the following HE policies and program:</p>

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<p>The interior side setback in multiple family residential districts shall be fifteen (15) ten (10) feet.</p> <p><u>Section 17.20.160 – Building Relationship</u></p> <p>Each building or structure shall be located at least twenty (20) ten (10) feet from every other building or structure on-site, except that covered walkways between buildings or structures may be permitted. A covered walkway shall not exceed twelve (12) feet in height, nor more than fifty percent (50%) of the side of the structure shall be enclosed with any material other than that necessary for roof supports, and the walkway shall not be more than ten (10) feet wide.</p>	<p><i>HE Program D2: Zoning Code Amendments</i></p> <ul style="list-style-type: none"> • Amend the zoning code to decrease the interior side yard setback requirement for multi-family residential zones from 15 feet to 10 feet to align with smaller lot single-family residential zones. <p><i>HE Policy 2.1: Adequate Housing Sites. Maintain and implement land use policies and zoning regulations that accommodate a range of residential housing types that can fulfill local housing needs and accommodate the City’s Regional Housing Needs Allocation of at least 570 units.</i></p> <p><i>HE Policy 4.2: Residential Development Standards. Review and adjust residential development standards, regulations, ordinances, departmental processing procedures, and residential fees related to rehabilitation and construction that are determined to constrain housing development.</i></p> <p><i>HE Policy 4.3: Policy Assessments. Identify, assess, and, when appropriate, amend ordinances and policies that adversely affect housing cost.</i></p>
<p>Chapter 17.20 Multiple Family Residential (M-R, M-R-M, and M-R-H) Districts</p> <p><u>Section 17.20.150 – Open Area.</u></p> <p>Twenty percent (20%) of the lot area shall not be occupied by buildings, structures, or pavement, but shall be landscaped. Seventy-five percent (75%) of this twenty percent (20%) (open space) shall be planted and maintained with growing plants</p>	<p>The proposed amendments would establish a consistent landscape standard across all multiple family residential districts, reducing the current standard for the M-R District. This amendment is consistent with and would implement the following HE policies and program:</p> <p><i>HE Program D2: Zoning Code Amendments</i></p> <ul style="list-style-type: none"> • Revise CMC Section 17.20.150 (Multiple-Family Residential Zone - Open Area) to reduce the landscaping requirements for the multi-family residential zones.

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<p>consisting of a combination of groundcover, shrubs and shading trees.</p> <p>The parcel shall not be occupied by buildings, structures, or pavement, but shall be landscaped, a minimum of as follows:</p> <p>A. M-R, twenty five percent (25%) of the lot area shall not be occupied by buildings, structures, or pavement, but shall be landscaped. Seventy five percent (75%) of this twenty five percent (25%) (open space) shall be planted and maintained with growing plants.;</p> <p>B. M-R-M, twenty percent (20%) of the lot area shall not be occupied by buildings, structures, or pavement, but shall be landscaped. Seventy five percent (75%) of this twenty percent (20%) (open space) shall be planted and maintained with growing plants; and</p> <p>C. M-R-H, twenty percent (20%) of the lot area shall not be occupied by buildings, structures, or pavement, but shall be landscaped. Seventy five percent (75%) of this twenty percent (20%) (open space) shall be planted and maintained with growing plants.</p>	<p><i>HE Policy 4.3: Policy Assessments. Identify, assess, and, when appropriate, amend ordinances and policies that adversely affect housing cost.</i></p> <p><i>HE Policy 6.1: New Subdivisions. Require developers to incorporate sustainable practices into the design of subdivisions.</i></p>
<p>Chapter 17.22 – Residential Density Calculations for Residential Parcels with Sensitive Land Areas</p> <p><u>Section 17.22.060 – Exceptions</u></p> <p>The provisions of this chapter shall not apply to any property where the City amended the General Plan designation to Multifamily High Density Residential (MHD) identified in the sites inventory of the General Plan Housing Element in order to comply with state law to meet the City's 2007-2014 Regional Housing Needs Allocation (RHNA)</p>	<p>The proposed amendments are consistent with and would implement the following HE program:</p> <p><i>HE Program D2: Zoning Code Amendments</i></p> <ul style="list-style-type: none"> • <i>Update CMC Section 17.22.060 (Residential Density Calculations for Residential Parcels with Sensitive Land Areas – Exceptions) to add housing opportunity sites in the most recent Housing Element, in addition to sites identified in the previous Housing Element.</i>

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<p>obligations for the fifth housing cycle (2015-2022) or sixth housing cycle (2023-2031).</p>	
<p>Chapter 17.28 – Planned Development (PD) District</p> <p><u>Section 17.28.140 – Review Procedures/Development Plan Permit</u></p> <p>A. Hearing-Recommendation by Planning Commission</p> <ol style="list-style-type: none"> 1. After application filing, the Community Development Director shall determine if all submittal requirements have been met and if the application is complete. The Community Development Director shall then schedule the matter before the Planning Commission. The Planning Commission shall then hold a public hearing to review the Development Plan Permit application. Notice of the public hearing shall be given in the manner and for the time required by California Government Code § 65091. 2. The Planning Commission shall review the Development Plan Permit request and shall have authority to approve the request make a recommendation with conditions, as warranted, to the City Council or to deny the request. The recommendation Action of the Planning Commission shall be by affirmative vote of not less than a majority of Commissioners present at a duly constituted meeting of the Planning Commission. A denial of the Development Plan Permit request by the Commission shall cease further consideration of the request for a period of one year following such denial, except in the following cases: <ol style="list-style-type: none"> a. An appeal is filed pursuant to Chapter 17.68 of this title; 	<p>The proposed amendments are consistent with and would implement the following HE program:</p> <p><i>HE Program D2: Zoning Code Amendments</i></p> <ul style="list-style-type: none"> • <i>Streamline the site plan and development plan review processes, authorize the Planning Commission as the decision-making body for planned development permit approval, and make other procedural streamlining amendments to the Zoning Code as appropriate.</i>

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<p>b. When a new application, although involving all or a portion of the same property, is filed for a materially different proposal than that previously applied for; or</p> <p>c. When the permit request was denied for the reason that the proposed development would not conform to the General Plan and the General Plan has subsequently been amended in a manner which would allow the proposed development.</p> <p>3. The City Council shall be the hearing body on appeals of decisions of the Planning Commission on Development Plan Permit requests. The City Council, on appeal, shall review the Development Plan Permit request and recommendation from the decision of the Planning Commission de novo. After its public hearing and review, the City Council shall approve the request, with conditions, as warranted, or shall deny the request. Action of the City Council shall be by vote of not less than a majority of the Council present at a duly constituted meeting of the City Council. A denial of the Development Plan Permit request shall cease further consideration of the request for a period of one year following such denial, except in the following cases:</p> <p>a. When a new application, although involving all or a portion of the same property, is filed for a materially different proposal than that previously applied for; or</p> <p>b. When the permit request was denied for the reason that the proposed development would not conform to the General Plan, and the General Plan has subsequently been amended in a manner which would allow the proposed development.</p>	

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<p>Chapter 17.28 – Planned Development (PD) District</p> <p><u>Section 17.28.190 – Termination.</u></p> <p>If within twenty-four (24) eighteen (18) months after the approval by the Planning Commission or City Council of the Development Plan Permit, construction has not commenced, then the Development Plan Permit shall become null and void.</p> <p>The Planning Commission or City Council, on appeal, may grant extensions to commence construction for not more than one year at a time upon showing of good cause.</p>	<p>The proposed amendments are consistent with and would implement the following HE program:</p> <p><i>HE Program D2: Zoning Code Amendments</i></p> <ul style="list-style-type: none"> • <i>Revise CMC Section 17.28.190 (Planned Development – Termination) to extend the Development Plan Permit expiration to 24 months.</i>
<p>Chapter 17.30 – Institutional Density (ID) District</p> <p><u>Section 17.30.010 – Purpose</u></p> <p>The intent and purpose of this chapter is to provide opportunities for multiple family residential to be developed on sites shared with other community service uses, under sponsorship of public, quasipublic, private nonprofit or community-based organizations.</p> <p><u>Section 17.30.020 – Permitted and Conditional Uses</u></p> <p>A. The following principal uses and their accessory uses are permitted in the ID District:</p> <ol style="list-style-type: none"> 1. Duplex, triplex, townhouses, apartments and other multifamily structures; 2. Supportive housing and transitional housing; 3. Churches, synagogues, temples and places of worship. <p>B. The additional uses are conditionally permitted in the ID District, except that no use permit is required when the use shares a site with a principal permitted use and is housed within a building that encompasses no more than 25 percent</p>	<p>The proposed amendments are consistent with and would implement the following HE program:</p> <p><i>HE Program D2: Zoning Code Amendments</i></p> <ul style="list-style-type: none"> • <i>Establish a Religious Institutional Overlay zone or similar mechanism to allow residential development on properties with an established religious use at a minimum density of 20 units per acre.</i> • <i>Establish a zoning overlay or other mechanism to allow affordable housing developments at a maximum density of 40 units per acre on properties occupied by a religious institution.</i> <p><i>Land Use Element / Residential Land Use Designations:</i></p> <p><i>Institutional Density (10.1 to 30 Units Per Acre) – This designation is intended for development of various forms of housing under sponsorship of public or quasi-public agencies. A density range of 10.1 to 30 units per acre may be permitted. Developments may include on-site services for residents, such as group dining, counseling and child care services, in addition to common meeting rooms and recreational</i></p>

Recommended Amendment to CMC Title 17	Justification
<p>of the floor area of the building(s) that house the principal use or uses:</p> <ol style="list-style-type: none"> 1. Child day care center or adult day care facility; 2. Private school; 3. Administrative and professional offices. <p>C. The following uses are conditionally permitted and may be allowed in the ID District upon granting of a use permit pursuant to the procedures in chapter 17.64 and sections 17.60.040, 17.60.050 and 17.60.060 of this title:</p> <ol style="list-style-type: none"> 1. Congregate care and convalescent care facilities; 2. Employee housing providing accommodations for six (6) or fewer employees; 3. Residential care facilities for seven (7) or more persons; 4. Parolee homes. <p><u>Section 17.30.030 – Minimum Requirements Generally</u></p> <p>A. Residential development or a mixed use development with both residential and nonresidential uses in the ID District shall be subject to the development regulations of the M-R-H District, including minimum setback, building relationship and open area requirements, and maximum building height requirements. Maximum lot coverage shall be 75 percent. Notwithstanding the foregoing, no maximum lot coverage, minimum setback or minimum open area requirement specified for the M-R-H District may require a residential development to have fewer than 16 units.</p> <p>B. Nonresidential development in the ID District shall be subject to the building height and setback regulations of the LC District.</p> <p>C. Parking for residential and nonresidential uses shall comply with the regulations in chapter 17.37 of this title.</p>	<p><i>amenities. Structural coverage, excluding recreational amenities, shall not exceed 75% of the site area. Permitted density may be increased to 40 units per acre for residential developments that are 100 percent affordable to low-income households. Accessory dwelling units are permitted but are not used in the calculation of development density</i></p>

Recommended Amendment to CMC Title 17	Justification
<p><u>Section 17.30.040 – Minimum Lot Area per Residential Unit</u></p> <p>No more than four thousand four hundred (4,400) square feet and no fewer than one thousand four hundred fifty (1,450) square feet shall be provided for each dwelling unit in a residential development or a mixed use development with both residential and nonresidential uses. Notwithstanding the foregoing, a minimum of one thousand (1,000) square feet may be provided for each dwelling unit if all of the units in the development are affordable to low income households as defined in Health and Safety Code section 50079.5.</p>	
<p>Chapter 17.37 – Off-street parking</p> <p><u>Section 17.37.030 and Schedule 17.37.030A (excerpt) – Off-street parking space requirements</u></p> <p>A. Parking and Loading Space Schedules. Off-street parking spaces shall be provided in accordance with Schedule 17.37.030.A. Off-street loading spaces shall be provided for non-residential uses in accordance with Schedule 17.37.030.B or as required by the Planning Commission. References to spaces per square foot are to be computed on the basis of gross floor area unless otherwise specified, and shall include allocations of shared restroom, halls and lobby area, and mechanical equipment or maintenance areas, but shall exclude area for vertical circulation (e.g., stairs, elevators).</p> <p>B. Parking Schedule with Public Parking Easement. In lieu of the parking space requirements provided in Schedule 17.37.030.A, the number of off-street parking spaces required for projects meeting all of the criteria listed in</p>	<p>The proposed amendments would extend the term of the parking waiver period for commercial uses on properties in the Town Center for the duration of this 6th housing cycle, and would reduce off-street parking requirements for residential uses city-wide. Excessive parking requirements reduce buildable area and increase construction costs, which can negatively affect the economic viability of residential development and mixed use development that contributes to the vibrancy of the Town Center. The amendments proposed are consistent with and would implement the following HE program and policy:</p> <p><i>HE Program D2: Zoning Code Amendments</i></p> <ul style="list-style-type: none"> • <i>Revisit parking requirements for single-family residential uses to base requirements on the number of bedrooms in a unit instead of having the minimum standard of four per unit, and revise codified parking standards for multifamily residential uses to eliminate requirements for covered and guest parking.</i> <p><i>HE Policy 4.3: Policy Assessments.</i></p>

Recommended Amendment to CMC Title 17	Justification
<p>subsections 1—3 below shall be in accordance with Schedule 17.37.030.C.</p> <ol style="list-style-type: none"> 1. The parcel is located within the planning area of the Town Center Specific Plan (as amended). 2. The project involves new construction and/or addition(s) of retail, restaurant, service, or office uses. 3. The City Council accepts an offer of a public parking easement from the property owner. The public parking easement allows the general public to park in the off-street parking facility when any business establishment operating on the property is not open for business. <p>C. Waiver Period. In order to encourage development of retail, restaurant, office, and personal service uses in the Town Center before June 30, 20222030, a waiver period extending through June 30, 20222030 is established during which the number of off-street parking and loading spaces required for projects meeting all of the criteria listed in subsections 1—4 below is reduced in accordance with Schedule 17.37.030.D.</p> <ol style="list-style-type: none"> 1. The parcel is located within the planning area of the Town Center Specific Plan (as amended). 2. The parcel is located within the planning area of the Town Center Specific Plan (as amended). 3. A building permit (if required) for the project has been issued within two (2) years of project approval. Construction and a final building permit inspection are completed within one year of the issuance of the building permit. These time periods may be extended once up to six (6) months by the Planning Commission upon a showing of good cause. 	<p><i>Identify, assess, and, when appropriate, amend ordinances and policies that adversely affect housing cost.</i></p> <p>A parallel amendment to section 17.16.140 (parking standards applicable to single-family residential zoning districts) is proposed for consistency with those amendments described for single-family residential uses in Table 17.37.030A.</p>

Recommended Amendment to CMC Title 17	Justification
<p>4. City Council approval is granted for any individual project in which the requirement for more than seventy-five (75) parking spaces is waived.</p> <p>D. Monitoring of Spaces During Waiver Period. The Director shall monitor the amount of retail, restaurant, office, and personal service development within the planning area of the Town Center Specific Plan (as amended) during the waiver period. The Director shall determine the number of parking spaces which would have been required in accordance with Schedule 17.37.030A. Upon determining that new retail, restaurant, office, and personal service development has occurred or has been proposed, or other reductions in parking space requirements have been granted for which the aggregate number exceeds two hundred (200) reduced spaces, a report shall be presented to the Planning Commission. The Planning Commission shall review the report and make any appropriate recommendations for consideration by the City Council. This report shall include an assessment of the existing parking conditions in the planning area of the Town Center Specific Plan with respect to the availability of public parking, patterns of utilization, and parking needs of future commercial development in Town Center.</p> <p>E. Director Determination. Where the proposed use classification is not specified herein, the Director shall determine the probable use and the number of parking and loading spaces required. In order to make this determination, the Director may require the submission of survey or other data from the applicant or have data collected at the applicant's expense.</p>	

Recommended Amendment to CMC Title 17	Justification
<p><u>Excerpts from Schedule 17.37.030A</u></p> <ul style="list-style-type: none"> ○ Use Classification: Single-Family Dwelling Required Off-Street Parking Spaces: 4 per unit (2 must be fully enclosed and 2 may be tandem). 2 per unit, at least 1 of which must be covered, plus 1 covered or uncovered space per unit with 5 or more bedrooms. No more than 2 required spaces may be tandem. ○ Use Classification: Small Lot (<4,000 sq. ft. net lot area, Multifamily General Plan designation) Required Off-Street Parking Spaces: 2 per unit (1 must be covered and 1 may be tandem). (2 must be fully enclosed and 1 may be tandem). 0.5 per guest parking per unit. ○ Use Classification: Duplex Dwelling Required Off-Street Parking Spaces: 2 per unit (1 must be covered and 1 may be tandem). 0.5 guest parking per unit. ○ Use Classification: Multiple-Family Dwelling – Studio 1 per unit (covered). ○ Use Classification: Multiple-Family Dwelling – 1 Bedroom 1.5 per unit (1 must be covered). ○ Use Classification: Multiple-Family Dwelling – 2+ Bedroom 2 per unit (1 must be covered). ○ Use Classification: Multiple-Family Dwelling – Guest Parking 0.5 per unit. 	

Recommended Amendment to CMC Title 17	Justification
<p>Chapter 17.16 – Single Family Residential (R-10, R-12, R-15, R-20, R-40 and R-40-H) Districts</p> <p><u>Section 17.16.020 - Parking</u> Every dwelling unit permitted in the single family residential districts shall have on the same lot or parcel enough automobile storage space for at least four (4) two (2) automobiles. Each space shall have dimensions of at least ten (10) feet by twenty (20) feet, and two (2) of the spaces must be covered.</p>	
<p>Chapter 17.44 – Site Plan Review</p> <p><u>Section 17.44.030 - Exemptions</u></p> <p>Any new development meeting one of the following characteristics shall be exempt from a Site Plan Review Permit. Such exempt development may directly apply for a building permit which is administratively reviewed by staff.</p> <p>A. Construction not meeting one of the criteria listed above.</p> <p>B. Construction receiving specific design authorization pursuant to an approved:</p> <ol style="list-style-type: none"> 1. Development Plan Permit; 2. Vesting Tentative Map; 3. Development Agreement. <p>C. Type 1 and Type 2 accessory dwelling units and junior accessory dwelling units ministerially approved in accordance with Chapter 17.47; provided, that Type 2 accessory dwelling units shall also require an ADU Permit in accordance with the requirements of Chapter 17.47.</p>	<p>The proposed amendments are consistent with and would implement the following HE policies and program:</p> <p><i>HE Policy 1.5: Facilitate Reinvestment. Make it easy for homeowners to reinvest in their properties by having staff-level review processes for the home renovations and additions that meet minimum development standards.</i></p> <p><i>HE Program D2: Zoning Code Amendments</i></p> <ul style="list-style-type: none"> • <i>Streamline the site plan and development plan review processes, authorize the Planning Commission as the decision-making body for planned development permit approval, and make other procedural streamlining amendments to the Zoning Code as appropriate.</i> <p><i>HE Policy 4.3: Policy Assessments. Identify, assess, and, when appropriate, amend ordinances and policies that adversely affect housing cost.</i></p>

Recommended Amendment to CMC Title 17	Justification
<p>D. Additions to an existing residence in a single-family residential district or residential planned development district; provided, that the addition complies with all of the development regulations of the zoning district in which the residence is located.</p>	
<p>Chapter 17.44 – Site Plan Review Section 17.44.040 – Standards of Review</p> <p>The factors to be reviewed by the Planning Commission (or City Council upon appeal) shall include, but are not limited to:</p> <ul style="list-style-type: none"> A. Conformity with the General Plan and any applicable Specific Plan (e.g. Town Center, Marsh Creek Road). B. Conformity with any applicable City adopted architectural and/or design standards (e.g. Oakhurst Country Club, Oakwood Subdivision, Clayton Station). C. Preservation of general safety (e.g. seismic, landslide, flooding, fire, traffic). D. Maintenance of solar rights to adjacent properties. E. The reasonable maintenance of the privacy of adjacent property owners and/or occupants. F. The reasonable maintenance of existing views of adjacent property owners and/or occupants. G. The new development, taken as a whole, need not be identical, but should be complementary with the adjacent existing structures in terms of materials, colors, size, and bulk. H. Design standards for manufactured homes shall be in accordance with Section 17.36.078 of the Municipal Code. 	<p>The proposed amendments are consistent with and would implement the following HE program:</p> <p><i>HE Program D2: Zoning Code Amendments</i></p> <ul style="list-style-type: none"> • <i>Amend the CMC, including but not limited to Titles 16 (Land Development and Subdivision) and 17 (Zoning), to remove Planning Commission and/or City Council discretion to increase objective standards (e.g., on-site parking or open space/landscaping) and/or reduce allowed density for residential development.</i>

Recommended Amendment to CMC Title 17	Justification
<p>Notwithstanding the foregoing, the Planning Commission (or City Council upon appeal) shall not require, as a condition of approval of the site plan review permit, that the project be reduced to a density below the minimum density specified by the General Plan land use designation of the property. The Planning Commission (or City Council upon appeal) shall also not require that the development meet a standard for lot coverage that is lower than the maximum standard of the zoning district in which the development is located, nor that the development meet higher standards for minimum setbacks, landscaping, off-street parking, distances between buildings than are specified for the applicable zoning district.</p>	

Other Municipal Code Amendments, Clean-ups, or Updates

Proposed Amendment	Justification
<p>Chapter 17.90 – Affordable Housing Density Bonus Requirements</p> <p><u>17.90.010 – Title and Purpose</u></p> <p>The purpose of this Article is to establish a program in accordance with California Government Code § 65915 <i>et seq.</i> to provide both density increases and other incentives to encourage the creation of housing affordable to moderate-, low-, and very low-income households, seniors, and other qualifying households under State law. This Chapter shall be known and may be cited as the Affordable</p>	<p>California’s Density Bonus Law (Government Code § 65915 <i>et seq.</i>) encourages developers to build affordable housing (e.g., very low-, low- and moderate-income units) by requiring cities to grant a density bonus, concessions, incentives, and waivers of developments standards for projects that commit certain percentages of their units to affordable housing. Government Code § 65915(a) requires that local governments adopt an ordinance that specifies how compliance with State Density Bonus law will be implemented. The City’s density bonus regulations are codified in chapter 17.90, Affordable Housing Density Bonus Requirements.</p>

Proposed Amendment	Justification
<p>Housing Density Bonus Requirements Ordinance of the City of Clayton and is adopted to comply with California Government § 65915.</p> <p><i>Sections 17.90.020 through 17.90.170 are proposed to be deleted in entirety and replaced with the following text:</i></p> <p><u>17.90.020 – Applicability</u></p> <p>A. General. All proposed housing developments that qualify under California Government Code § 65915 for a density increase and other incentives, and any qualified land transfer under California Government Code § 65915 shall be eligible to apply for a density bonus (including incentives and/or concessions) consistent with the requirements, provisions and obligations set forth in California Government Code § 65915, as it may be amended from time to time.</p> <p>B. Compliance. The applicant shall comply with all requirements stated in California Government Code § § 65915 through 65918. The requirements of California Government Code § § 65915 through 65918, and any amendments thereto, shall prevail over any conflicting provision of this Code.</p> <p>C. Excluded development. An applicant shall not receive a density bonus or any other incentive or concession if the housing development would be excluded under California Government Code § 65915.</p> <p>D. Interpretation. The provisions of this subdivision shall be interpreted to implement and be consistent with the requirements of California Government Code § 65915. Any changes to California Government Code § 65915 shall be deemed to supersede and govern over any conflicting provisions contained herein. If any portion of this Article conflicts with State Density Bonus Law or other applicable State law, State law shall supersede this Section. Any</p>	<p>The proposed amendments to CMC chapter 17.90 would replace much of the text of the City’s current density bonus provisions and instead adopt the State Density Bonus Law by reference. As amended by these revisions, chapter 17.90 would provide that density bonuses and other affordable housing incentives required by State law (including but not limited to Government Code § 65915 <i>et seq.</i>) would be available to applicants on the terms and conditions specified in State law. Adopting State Law by reference would ensure that all incentives, concessions, and other provisions allowed under State Law for qualifying affordable housing developments would by default be incorporated into municipal code, without the need for the City to initiate municipal code amendments each time the California statute is amended. This approach of referencing statute also allows for better efficiency in City staff resources.</p> <p>The proposed revisions also implement adopted Housing Element policy 3.2:</p> <p><i>HE Policy 3.2: Assistance and Incentives. Facilitate the development of lower- and moderate-income housing by offering developers incentives such as density bonuses, streamlined entitlement and permitting processes, City participation in on- and off-site public improvements, and flexible development standards.</i></p>

Proposed Amendment	Justification
<p>ambiguities in this Section shall be interpreted to be consistent with State Density Bonus Law.</p> <p>E. Replacement Housing Requirement. Pursuant to subdivision (c)(3) of California Government Code § 65915, an applicant will be ineligible for a density bonus or other incentives unless the applicant complies with the replacement housing requirements therein.</p> <p><u>17.90.030 – Density Increase and Other Incentives</u></p> <p>A. General. If a qualifying affordable housing project or land transfer/cash payment meets the criteria of California Government Code § 65915 <i>et seq.</i>, the project shall be granted a density bonus, the amount of which shall be as specified in California Government Code § 65915 <i>et seq.</i>, and incentives or concessions also as described in California Government Code § 65915 <i>et seq.</i></p> <p>B. Density Bonus Units. Except as otherwise required by California Government Code § 65915, the density bonus units shall not be included when calculating the total number of housing units that qualifies the housing development for a density bonus.</p> <p>C. Market-rate senior citizen housing developments. Market-rate senior citizen housing developments that qualify for a density bonus shall not receive any other incentives or concessions, unless California Government Code § 65915 is amended to specifically require that local agencies grant incentives or concessions for senior citizen housing developments.</p> <p><u>17.90.040 – Physical Constraints and Parking Waivers</u></p> <p>A. Physical Constraints. Except as restricted by California Government Code § 65915, the applicant for a density bonus may submit a proposal for the waiver or reduction of</p>	

Proposed Amendment	Justification
<p>development standards that have the effect of physically precluding the construction of a housing development incorporating the density bonus and any incentives or concessions granted to the applicant. A request for a waiver or reduction of development standards shall be accompanied by documentation demonstrating that the waiver or reduction is physically necessary to construct the housing development with the additional density allowed pursuant to the density bonus and incorporating any incentives or concessions required to be granted. The City shall approve a waiver or reduction of a development standard, unless it finds that:</p> <ol style="list-style-type: none"> 1. The application of the development standard does not have the effect of physically precluding the construction of a housing development at the density allowed by the density bonus and with the incentives or concessions granted to the applicant; 2. The waiver or reduction of the development standard would have a specific, adverse impact, as defined in paragraph (2) of subdivision (d) of § 65589.5, upon health and safety, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact; 3. The waiver or reduction of the development standard would have an adverse impact on any real property that is listed in the California Register of Historical Resources; or 4. The waiver or reduction of the development standard would be contrary to state or federal law. <p>B. Parking. The applicant may request, and the City shall grant, a reduction in parking requirements in accordance with California Government Code § 65915(p), as that section may be amended from time to time.</p>	

17.90.050 – Retention of Density Bonus Units.

Consistent with the provisions of California Government Code § 65915 *et seq.*, prior to a density increase or other incentives being approved for a project, an appropriate method of ensuring the continued availability of the density bonus units has been determined by the City.

17.90.060 – Application Procedure for Density Increase or Other Incentives.

- A. **Application Requirements.** An application for a density increase or other incentives pursuant to this chapter for a housing development shall be submitted in writing to the Community Development Director to be processed concurrently with all other entitlements of the proposed housing development. The application for a housing development shall contain information sufficient to fully evaluate the request under the requirements of this chapter, and in connection with the project for which the request is made, including, but not limited to, the following:
1. A brief description of the proposed housing development;
 2. The total number of housing units and/or shared housing units (as defined in California Government Code § 65915(o)(6)) proposed in the development project, including unit sizes and number of bedrooms;
 3. The total number of units proposed to be granted through the density increase and incentive program over and above the otherwise maximum density for the project site;
 4. The total number of units to be made affordable to or reserved for sale, or rental to, very low-, low- or moderate-income households, or senior citizens, or other qualifying residents;

Proposed Amendment	Justification
<p>5. The zoning, general plan designations, and assessor’s parcel number(s) of the project site;</p> <p>6. A vicinity map and preliminary site plan, drawn to scale, including building footprints, driveway(s) and parking layout;</p> <p>7. The proposed method of ensuring the continued availability of the density bonus units;</p> <p>8. Within zones that rely on a form-based code, a base density study that identifies the density feasible on the site without incentives, concessions or density bonuses; and</p> <p>9. A list of any concession(s) or incentive(s) being requested to facilitate the development of the project, and a description of why the concession(s) or incentive(s) is needed.</p> <p>B. Application Processing. The application shall be considered by the Planning Commission and/or the City Council at the same time each considers the project for which the request is being made. If the project is not to be otherwise considered by the Planning Commission or the City Council, the request being made pursuant to this chapter shall be considered by the Community Development Director or the Director’s designee, separately. The request shall be approved if the applicant complies with the provisions of California Government Code § 65915 <i>et seq.</i></p> <p>17.90.190 – Administrative Fee</p> <p>An administrative fee shall be charged to the Applicant for City review of all materials submitted in accordance with this chapter and for on-going enforcement of the provisions of this chapter. The fee amount shall be established by City Council resolution and will be described in the City of Clayton Master Fee Schedule. Fees will be</p>	

Proposed Amendment	Justification
<p>charged for staff time and materials associated with the following activities: Development review process; project marketing and lease-up; and, long-term compliance of the Affordable Housing Units.</p> <p>17.90.190 – Violation of Affordable Housing Cost Requirements</p> <p>In the event it is determined that rents in excess of those allowed by operation of this chapter have been charged to a tenant residing in a rental Affordable Housing Unit, the city may take the appropriate legal action to recover, and the rental unit owner shall be obligated to pay to the tenant (or the City in the event the tenant cannot be located), any excess rent charges. In such an action, the City shall be entitled to recover its legal costs and reasonable attorney fees.</p> <p>In the event it is determined that a sales price in excess of that allowed by operation of this chapter has been charged to an income-eligible household purchasing an ownership Affordable Residential Unit, the City may take the appropriate legal action to recover, and the Affordable Residential Unit seller shall be obligated to pay to the purchaser (or to the city in the event the purchaser cannot be located), any excess sales costs. In such an action, the City shall be entitled to recover its legal costs and reasonable attorney fees.</p>	
<p>Chapter 17.04 – Definitions</p> <p><u>Section 17.04.030 – Accessory Use</u></p> <p>"Accessory use" means a use incidental and accessory to the principal use of a lot, or a use accessory to the principal use of a building located on the same lot. An accessory use generally means includes, but is not limited to, the following types of uses: large and small family day care homes, as well as, detached garages, pool</p>	<p>The proposed revisions to chapter 17.04, 17.20 and 17.45 would update CMC for consistency with amended State law in Health and Safety Code section 1597.45, which allows small and large family day care homes as permitted uses by right in any residence in a residentially-zoned property. Health and Safety Code section 1596.46, which is currently referenced in CMC chapter 17.45, no longer gives authority to the local jurisdiction to impose zoning or other local regulations, beyond those of the life and safety standards of building and fire codes.</p>

Proposed Amendment	Justification
<p>houses or cabanas, storage sheds and other small single-story structures usually related to the single family a residential unit.</p> <p><u>Section 17.04.076 – Day Care</u></p> <p>"Day Care" means a facility that provides non-medical care and supervision of individuals for periods of less than twenty-four (24) hours. These facilities include, but are not limited to the following, all of which are required to be licensed by the California State Department of Social Services, or as the licensing authority may be amended from time to time by the State of California.</p> <p>A. "Child day care center" means a commercial or non-profit child day care facility designed and approved to accommodate children, including an infant center, preschool, sick-child center, and school-age day care facility. A child day care center may be operated in conjunction with a school or church facility, or as an independent land use.</p> <p>B. "Large family day care home" means a home that provides family day care for seven (7) to fourteen (14) children, inclusive, including children under the age of ten (10) years who reside in the home, as provided by California Health and Safety Code § 1596.78. Pursuant to California Health and Safety Code § 1596.45, a large family day care home is considered a residential use of property and ancillary to the residence in which it is operated.</p> <p>C. "Small family day care home" means a home that provides family day care for eight (8) or fewer children, including children under the age of ten (10) years who reside in the home, as provided by California Health and Safety Code § 1596.78. Pursuant to California Health and Safety Code § 1596.45, a</p>	<p>Health and Safety Code section 1597.45 reads as follows:</p> <p><i>1597.45.</i></p> <p><i>(a) The use of a home as a small or large family daycare home shall be considered a residential use of property and a use by right for the purposes of all local ordinances, including, but not limited to, zoning ordinances.</i></p> <p><i>(b) A local jurisdiction shall not impose a business license, fee, or tax for the privilege of operating a small or large family daycare home.</i></p> <p><i>(c) Use of a home as a small or large family daycare home shall not constitute a change of occupancy for purposes of Part 1.5 (commencing with Section 17910) of Division 13 (State Housing Law) or for purposes of local building codes.</i></p> <p><i>(d) A small or large family daycare home shall not be subject to the provisions of Division 13 (commencing with Section 21000) of the Public Resources Code.</i></p> <p><i>(e) The provisions of this chapter do not preclude a city, county, or other local public entity from placing restrictions on building heights, setback, or lot dimensions of a family daycare home, as long as those restrictions are identical to those applied to all other residences with the same zoning designation as the family daycare home. This chapter does not preclude a local ordinance that deals with health and safety, building standards, environmental impact standards, or any other matter within the jurisdiction of a local public entity, as long as the local ordinance is identical to those applied to all other residences with the same zoning designation as the family daycare home. This chapter also does not prohibit or restrict the abatement of nuisances by a city, county, or city and county. However, the ordinance or nuisance abatement shall not distinguish family daycare homes from</i></p>

Proposed Amendment	Justification
<p>small family day care home is considered a residential use of property and ancillary to the residence in which it is operated.</p> <p>D. "Adult day care facility" means a day care facility that provides care and supervision for adult clients.</p> <p>Chapter 17.20 – Multiple Family Residential (M-R, M-R-M, and M-R-H) Districts</p> <p><u>Section 17.20.030 – Permitted Uses – Principal</u> The principal permitted uses in the multiple family residential districts shall be as follows:</p> <p>A. Duplex, triplex, townhouses, apartments and other multifamily structures meeting and not exceeding the density limits set by the applicable General Plan Land Use Designation, and the accessory structures and uses normally auxiliary or ancillary to those multifamily residences;</p> <p>B. Supportive housing and transitional housing;</p> <p>C. Single family dwelling units only with a Conditional Use Permit (See Section 17.60.030.B.5).</p> <p>D. Employee housing providing accommodations for six (6) or fewer employees, provided that a conditional use permit is obtained. Such permit shall be reviewed and issued under the same procedures and in the same manner as that permit issued for single family dwelling units (See Section 17.60.030.B.5).</p> <p>E. Parolee homes only with a Conditional Use Permit (See Section 17.60.030.B.7).</p> <p>Chapter 17.45 – Family Day Care Homes <u>[Delete in entirety.]</u></p>	<p><i>other homes with the same zoning designation, except as otherwise provided in this chapter.</i></p> <p><i>(f) For purposes of this chapter, “small family daycare home or large family daycare home” includes a detached single-family dwelling, a townhouse, a dwelling unit within a dwelling, or a dwelling unit within a covered multifamily dwelling in which the underlying zoning allows for residential uses. A small family daycare home or large family daycare home is where the family daycare provider resides, and includes a dwelling or dwelling unit that is rented, leased, or owned.</i></p> <p><i>(Amended by Stats. 2019, Ch. 244, Sec. 9. (SB 234) Effective January 1, 2020.)</i></p>

Proposed Amendment	Justification
<p>Chapter 17.36 – General Regulations</p> <p><u>Section 17.36.075 – Fencing Standards</u></p> <p>Fencing shall conform to the following standards:</p> <ul style="list-style-type: none"> A. Front Setbacks. Fences shall not exceed a maximum height of thirty (30) inches within ten (10) feet of the front property line and a maximum height of six (6) feet in the remaining portion of the front setback. B. Interior Side Setbacks and Rear Setbacks. Fences shall not exceed a maximum height of six (6) feet on the interior side and rear property lines or anywhere within the interior side and rear setbacks. C. Exterior Side Setbacks. Fences shall not exceed a maximum height of six (6) feet and may be placed within the required exterior side setback or at the public right-of-way line. D. Corner Lots. Fences on corner lots shall conform with the restrictions on sight obstructions at intersections provided in Chapter 12.08. E. Driveways. Fences shall not exceed a maximum height of thirty (30) inches on either side of a driveway within the triangular areas formed by the edge of the driveway, the property line, and a line joining points on each of these twelve (12) feet from their intersection. F. Main Building Area. Fences shall not exceed a maximum height of eight (8) feet within an area in which a main building is permitted. G. Measurement. The height of fences shall be the average height of an eight-foot length of fence, measured from the lower of 	<p>This proposed revision to CMC would provide a process for appeal, in alignment with other permits identified in municipal code, for fence height exception requests. Current codified procedures for fence height exceptions do not provide an appeal process for situations wherein the Director cannot make each of the findings required in subsection K, and persons who do not agree with the administrator’s decision must litigate in court. The proposed amendment gives applicants and any appealing party an option to exhaust all appeals locally, before proceeding to litigation, and is consistent with other provisions of the municipal code that allow for applicants or interested parties to appeal permit actions to higher decision-making bodies.</p>

Proposed Amendment	Justification
<p>either the lowest adjacent ground level or the top of the footing of any retaining walls located within three (3) feet.</p> <p>H. Safety Fences. Safety fences and railings required by the Uniform Building Code are excluded from the height standards of this section.</p> <p>I. Barbed Wire. Barbed wire or other sharp materials shall not be used as a fencing material except on lands where agricultural grazing is actively conducted or where a use permit has been approved by the Planning Commission.</p> <p>J. Hazardous Locations. In no case shall any fence be located so as to cause a hazard to the movement of vehicles or pedestrians.</p> <p>K. Height Exceptions. The Director may issue an administrative use permit to allow a fence up to seven (7) feet in height in a rear setback or side setback of a lot in residential district. The Director may impose such conditions as the Director deems appropriate to mitigate any visual or other adverse impacts of the fence, including, but not limited to, requirements with respect to the height, design, and materials of the fence and landscape screening. Applications for an administrative use permit under this subsection shall be filed with the Director on such form as the Director prescribes, and shall be accompanied by a processing fee in such amount as established from time to time by resolution of the City Council. Prior to granting the administrative use permit, the applicant shall demonstrate and the Director shall find that:</p> <ol style="list-style-type: none"> 1. The issuance of such a permit is reasonably necessary by reason of unusual or special circumstances or conditions relating to the property, for the preservation of valuable 	

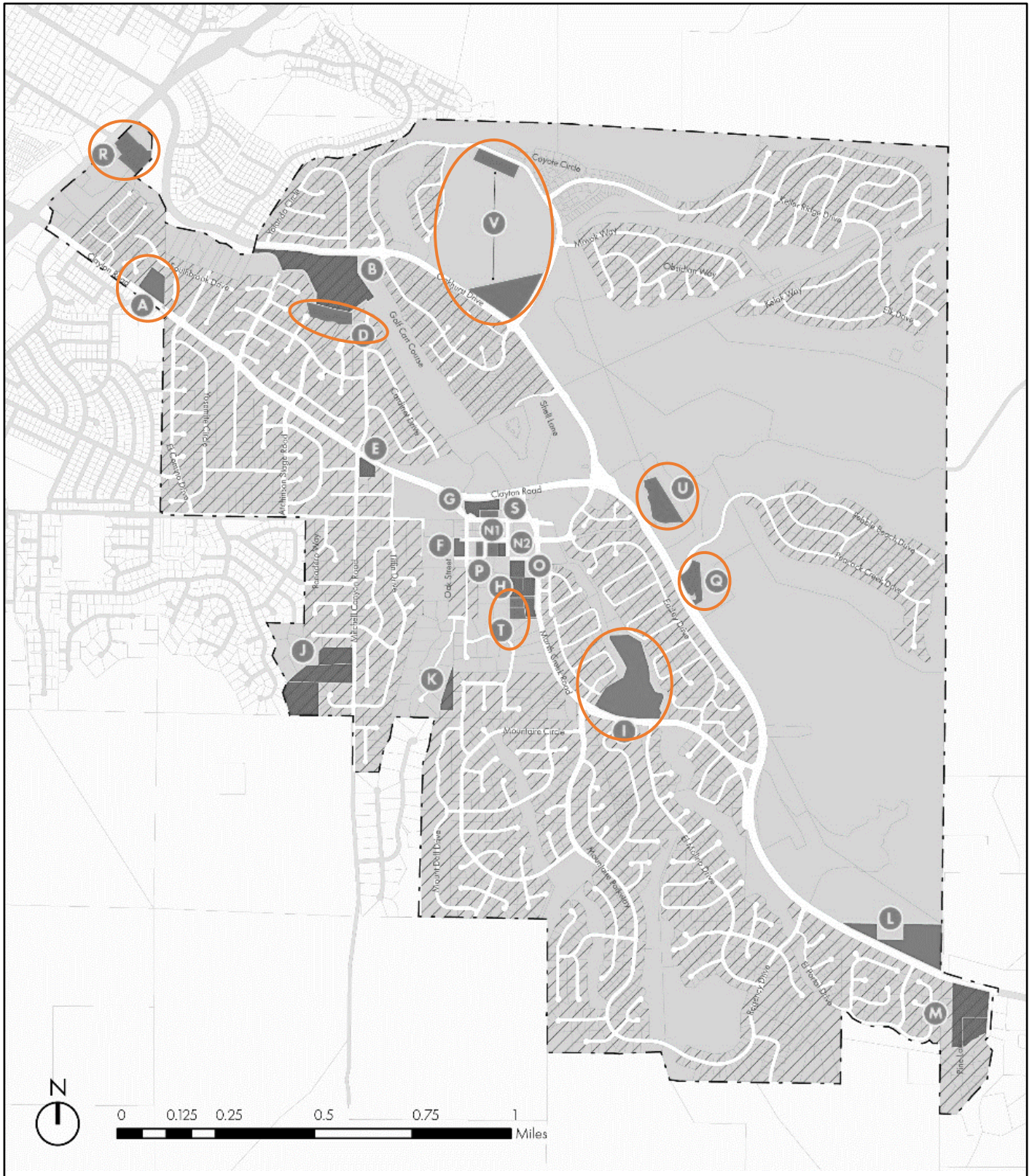
Proposed Amendment	Justification
<p>property rights or the full use and enjoyment of the property;</p> <ol style="list-style-type: none"> 2. The fence will not create a safety hazard to pedestrians or vehicular traffic; 3. The fence will not unreasonably interfere with access by police, fire, and emergency service personnel; 4. The appearance of the fence is compatible with the scale, mass, design, and appearance of other existing buildings and structures in the neighborhood; 5. The orientation and location of the fence is in proper relation to the physical characteristics of the property and neighborhood; 6. The applicant has obtained the written consent of the adjacent property owner, unless the fence is adjacent to public right-of-way, in which case written consent is not necessary; and 7. The fence will be of sound construction. <p>The Director may refer a request for administrative use permit for fence height exception to the Planning Commission if, in the Director’s judgment, one or more of the findings in this subsection K cannot be made. The Planning Commission shall review the request in accordance with the permit procedures specified in section 17.64.110 of this title. The decision of the Planning Commission can be appealed in accordance with chapter 17.68 of this title.</p>	

Proposed Amendment	Justification
<p>Chapter 17.08 – Zoning Map – Districts Established</p> <p><u>Section 17.08.020 – Districts Designated.</u></p> <p>The use of all land in the city situated within the districts delineated and shown on the map described in Section 17.08.010, and any and all subsequent amendments to said map, is subject to the regulations and provisions of this title. Land is classified for the regulation of its use as set forth in this title. The land use districts in Chapters 17.12 through 17.362 are established for all land within the city and the land use districts designated on the map herein referred to, which is made a part of this title, are established and classified in Chapters 17.12 through 17.362.</p>	<p>This is a primarily administrative revision to identify the correct references to land use zoning chapters.</p>

Planning Commission Resolution No. 7-2023

Exhibit B

Recommended Zoning Map Amendments



Housing Element Inventory Site	Address or Reference	Assessor's Parcel No.	Current Zoning District	Proposed Zoning District
A	5555 Clayton Road (St. John's Parish)	118-101-025	PD (Planned Development)	ID (Institutional Density)
D	Diablo Creek Place Open Space	118-230-002	PD (Planned Development)	R-15 (Single-Family Residential)
I	6955 Marsh Creek Road (Easley Ranch)	119-080-009	A (Agricultural)	M-R (Multiple Family Residential Low)
Q	Clayton Road at Peacock Creek Drive (Overflow Parking)	118-370-073	PD (Planned Development)	M-R-M (Multiple Family Residential Medium)
R	1578 Kirker Pass Road (Clayton Valley Presbyterian)	118-031-054	PD (Planned Development)	ID (Institutional Density)
T	6530 Marsh Creek Road	119-021-020, 119-021-019	PD (Planned Development)	M-R-H (Multiple Family Residential High)
U	Oakhurst Golf Course Driving Range	Portions of 118-370-017, 118-370-086, 118-370-087, 118-370-088	PD (Planned Development)	M-R-H (Multiple Family Residential High)
V	1970 Eagle Peak Avenue (Seeno Hill)	118-370-040 (portions)	A (Agricultural)	M-R-M (Multiple Family Residential Medium)



STAFF REPORT

TO: Honorable Mayor and Councilmembers

FROM: Bret Prebula, City Manager
Prapti Aryal, Finance Director
Bryce Rojas, CPA, Auditor

DATE: December 19, 2023

SUBJECT: Approval of Audited Annual Comprehensive Financial Report Of The City Of Clayton For The Fiscal Year Ended June 30, 2023

RECOMMENDATION

Review and approve for presentation to the City Council, the City of Clayton's Annual Financial Report (ACFR), including the unmodified opinion of the Independent Auditors Report, issued by Cropper Accountancy Corporation for the fiscal year ended June 30, 2023.

BACKGROUND

The City's independent audit firm, Cropper Accountancy Corporation, has issued their opinion on the City of Clayton's financial statements for the fiscal year ended June 30, 2023 (FY 2022/23). In their opinion:

“the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Clayton, California as of June 30, 2023, and the respective changes in financial position and, where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.”

It is the responsibility of City management to ensure the financial statements are presented fairly in accordance with generally accepted accounting principles (GAAP). City management is also responsible for the design, implementation, and maintenance of internal controls relevant to the preparation and fair presentation of financial statements free from material misstatement, whether due to fraud or error. The responsibility of the City's independent auditors is to express opinions on the City's financial statements based on its audit performed in accordance with generally accepted audit standards (GAAS) issued by the American

Institute of Certified Public Accountants (AICPA) as well as generally accepted government auditing standards (GAGAS), or “yellow book” standards, issued by the Comptroller General of the United States.

DISCUSSION

Fund Financial Statements (Governmental Funds)

For the fiscal year ended June 30, 2023, the City’s governmental funds reported combined ending fund balances of \$17,572,242. Of this amount, \$5,990,665 (34.1%) is unassigned; \$190,998 (1.1%) is in non-spendable form; \$2,042,937 (11.6%) is assigned for specific purposes; \$7,228,199 (41.1%) is restricted by law, regulation, or other outside contractual agreements; and \$2,119,443 (12.1%) is committed for specific expenditures in the future.

General Fund

The total revenue over expenditure for the fiscal year 2022-23 ended with a deficit balance of \$183,633, which signifies the operational deficit for the year (without considering the revenue received from Coronavirus State and Local Fiscal Recovery Funds (SLFRF). Due to the revenue received from the SLFRF American Rescue Plan Act (ARPA), the City’s General Fund reported an increase in fund balance of \$1,330,742 (20.7%) for the fiscal year ended June 30, 2023. The total fund balance of the General Fund, inclusive of the consolidation of the Pandemic Relief Fund as just described, is \$7,744,099 as of June 30, 2023, of which \$5,990,665 (77.4%) is reported as unassigned and available for appropriation. The total General Fund fund balance is approximately 1.36 times the General Fund adopted operating budget and the unassigned fund balance is 1.05 times the size of the General Fund’s adopted operating budget for the fiscal year ending in June 30, 2024.

It is important to note that the total general fund expenditures were reported as an aggregate in the ACFR. The table below illustrates the expenditures reported by General Fund Account Group for the year ended June 30, 2023.

	<u>General Fund</u>	<u>Rainy Day Fund</u>	<u>Pandemic Recovery Reserve</u>	<u>Total</u>
General government	\$ 1,493,937	\$ 50,794	\$ 139,093	\$ 1,683,824
Public safety	2,713,175	-	-	2,713,175
Public works	370,306	-	-	370,306
Community and economic development	346,184	-	-	346,184
Parks and recreation services	472,480	-	-	472,480
Capital outlay	-	-	8,067	8,067
Total expenditures	<u>\$ 5,396,082</u>	<u>\$ 50,794</u>	<u>\$ 147,160</u>	<u>\$ 5,594,036</u>

Rainy Day Fund

The Rainy Day Fund (Fund 110) was established during the FY2020/21 fiscal year with the goal of appropriating money to set aside funds to capture any annual surplus identified through the annual audit for the City to earmark towards one time unexpected costs that may arise throughout a budgetary year. Per GASB 54, the Rainy Day funds are presented in the financial statements as part of the general fund.

Pandemic Reserve

The Pandemic Recovery Reserve (Fund 111) was established by the City Council to capture programmatic funding decisions associated with the ARPA funds the City has received. The initial tranche of \$1,467,024 was received in FY2021/22 and the second tranche of \$1,467,024 was received in July 2022. The funds in the Pandemic Recovery Reserve can be used for any valid general government purpose.

Landscape Maintenance District

Community Facilities District No. 2007-1, referred to as the Landscape Maintenance District special revenue fund, reported a decrease of \$160,946 (25.2%) for FY2022-23. This decrease in fund balance is largely attributable to increases in labor cost and operating costs such as water service and weed abatement. The total fund balance of the Landscape Maintenance District is \$477,587 as of June 30, 2023, of which 100% is reported as assigned and restricted for the following year's operating budget.

Successor Housing Agency

The Successor Housing Agency special revenue fund reported an increase in fund balance of \$55,993 (1.0%) in FY2022-23. This increase in fund balance resulted primarily from unspent program revenue on housing loan repayments as well as unrealized gains on the inventory of affordable income housing. Total fund balance of the Successor Housing Agency is \$5,673,688 as of June 30, 2023, which is classified entirely as restricted.

Endeavor Hall Enterprise Fund

Consistent with the prior years, the Endeavor Hall rental facility is the City's only "business-type" enterprise fund reported in the ACFR. The Endeavor Hall fund reported a decrease in net position of \$30,987. The increase in administrative cost and the depreciation expense of \$31,572 are the two main factors for the decrease in net position. Overall, this fund reported a positive net position balance of \$849,152 primarily due to capital investment in the rental facility land, property and equipment. In the prior fiscal years, Endeavor Hall had reported a deficit unrestricted net position arising from several years of deficit operations covered temporarily by short-term General Fund cash flow loans. However, for the fiscal year ending June 30, 2023, Endeavor Hall reported a positive cash balance of \$2,676. The end goal for Endeavor Hall remains to operate at a break-even operational level.

Government-Wide Financial Statements

The government-wide financial statements are presented on an “economic resources” measurement focus and the accrual basis of accounting. Accordingly, and unlike the “modified accrual” governmental fund financial statements discussed previously, the government-wide statements report long-term assets and liabilities in the Statement of Net Position. In the long-run, increases or decreases in net position serve as a useful indicator or whether the financial position of the City of Clayton is improving or deteriorating. For the fiscal year ended June 30, 2023, the total government-wide net position increased by \$758,156 with governmental activities net position increasing by \$789,143 and business activities net position decreasing by \$30,987.

As of June 30, 2023, the City reported total government-wide ending net position of \$46,538,963 of which the largest portion totaling \$30,264,543 (65.0%), is classified as “net investment in capital assets” and is not in liquid form. \$10,330,144 (22.2%) of total government-wide net position is classified as “restricted” representing resources that are subject to external restrictions on how it may be used such as restricted special parcel taxes (i.e., The Grove Park and the Landscape Maintenance District), restricted transportation taxes (HUTA, RMRA, Measure J, etc.), and other restricted-use funds. The remaining governmental net position of \$5,944,276 (12.8%) is reported as “unrestricted” and may be used to meet the ongoing obligations to citizens and creditors.

The total revenue for the year for governmental and business type activities was \$10,018,248 and the total expense was \$9,260,092 resulting in the increase of net position to \$46,538,963.

FISCAL IMPACTS

The acceptance of the audited financial statements for the year ended June 30, 2023 does not have any direct fiscal impact on the City but reflects the overall financial health of the City.

ATTACHMENTS

1. Comprehensive Annual Financial Report and Independent Auditors’ Report for the Year Ended June 30, 2023.
2. Auditors’ Required Communication to Those Charged with Governance Near the End of an Audit (AU-C 260).
3. PowerPoint Presentation for the City Council.



City of Clayton, California
Annual Comprehensive Financial Report
For the Year Ended June 30, 2023

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INTRODUCTORY SECTION

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COMMUNITY
DEVELOPMENT (925) 673-7340
ENGINEERING (925) 969-8181

6000 HERITAGE TRAIL CLAYTON, CALIFORNIA 94517-1250
TELEPHONE (925) 673-7300 FAX (925) 672-4717

CITY COUNCIL
CARL "CW" WOLFE, MAYOR
PETER CLOVEN, VICE MAYOR
JEFF WAN, COUNCILMEMBER
JIM DIAZ, COUNCILMEMBER
HOLLY TILLMAN, COUNCILMEMBER

December 11, 2023

Honorable Mayor and Members of the City Council
City of Clayton

We are pleased to submit the City of Clayton's Annual Comprehensive Financial Report (ACFR) for the Fiscal year ended June 30, 2023. Since its incorporation, the City has submitted an annual audited Financial Report to the City Council and its citizens in accordance with *California Government Code* section 25253. The ACFR provides the public, businesses, property owners, investors and all interested parties with an overview of the City's finances. It is important to note the acronym for this report has changed from CAFR to ACFR as the prior acronym can be considered an offensive racial slur and is no longer used. The information in this ACFR is prepared in accordance with Generally Accepted Accounting Principles (GAAP) and includes an "unmodified opinion" (the highest rating) on the report by an independent certified public accounting firm, Cropper Rowe, LLP.

Although we rely on the standards and expertise of these independent auditors, the responsibility for the accuracy and fair representation of the ACFR ultimately rests with City management. We believe the data presented in this Report is accurate in all material respects and all statements and disclosures have been included necessary for the reader to obtain a thorough understanding of the City's financial activities. Management of the City has established an internal control framework that is designed both to protect the City's assets from loss, theft, or misuse and to compile reliable and timely information for the preparation of the City's financial statements in conformity with GAAP. Because the cost of internal controls should not outweigh its benefits, the City's framework of internal controls has been designed to provide reasonable rather than absolute assurance that its financial statements will be free from material misstatements.

For readers interested in a more detailed review of the City's financial statements, a section in the ACFR called "Management Discussion and Analysis" (MD&A) has been included in accordance with Government Accounting Standards Board (GASB) Statement 34, *Basic Financial Statements - And Management's Discussion and Analysis - For State and Local Governments*. The MD&A recounts the financial highlights of the City and provides additional analyses on the variances and trends reported as part of the financial statements. The MD&A further discloses significant items impacting the financial condition of the City and is designed to be read in conjunction with this Letter of Transmittal.

City Profile

The City of Clayton was incorporated in 1964 and is located in Contra Costa County, a suburban region in the eastern portion of the San Francisco-Bay Area. Pursuant to its adopted budget for the fiscal year ending June 30, 2022, the City has a permanent staff of 27.4 full-time equivalent employees which serves approximately 11,585 residents in a land area of approximately 4 square miles. Nestled in a small valley at the northern base of Mt. Diablo, the boundaries of the City are mostly developed with a strong community emphasis on open space preservation and maintenance of an extensive network of trails. The

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City of Clayton
Annual Comprehensive Financial Report
For the year ended June 30, 2023
Letter of Transmittal

City Profile, continued

City continues to show strength as a safe community with attractive residential neighborhoods as a gateway to the fast paced and robust Bay Area economy.

The City operates under a Council-Manager form of government and provides many essential public services to the community. The City is governed by a five-member City Council elected at large, serving staggered terms of four years. The Mayor and Vice Mayor are selected by the City Council each year from its membership and serve one-year terms. The City Council is responsible for setting policies, adopting City ordinances, resolutions, the annual budget, appointing commissions and committees, and hiring the City Manager and City Attorney, among other key duties. The City Manager is responsible for implementing the City Council's policies, ordinances and directives, overseeing the daily operations of the City, and appointing all department heads and through them all other employees of the City.

As presented in the City's government-wide statement of activities, pursuant to GASBS 34, the City's numerous departments and restricted-use funds accounting for public services are consolidated into higher-level *programs*, which include: public safety, public works, parks and recreation services, community and economic development, and general government. The public safety program is composed of an in-house police department, staffed with eleven (11) full-time sworn police officers and two (2) administrative personnel dedicated to the function of police services. Public works tracks the maintenance of public landscaping (i.e. street medians and shoulders, sub-division entryways, etc.), facilities, transportation infrastructure (i.e. streets, lighting, traffic signals, etc.), as well as contract City engineering services for management of the City's Capital Improvement Program as well as land development regulatory needs. In their capacity of providing parks and recreation services, the City's in-house maintenance department oversees the maintenance of the Clayton Community Library, the Clayton Community Park, The Grove Park, various neighborhood parks, and the historic Endeavor Hall rental facility. The community and economic development program consists of two (2) in-house staff providing planning and land-use regulatory services as well as the functions of economic development and affordable housing. Finally, the general government program reports legislative and support costs indispensable in providing in-house public services and maintains compliance an ever-expanding list of legal, fiscal and other statutory requirements imposed by the State of California.

The City's fiscal year runs from July 1st through June 30th. Each year, the City Manager presents an annual budget to the City Council for adoption by Resolution on or before June 30th in accordance with *Clayton Municipal Code* section 3.02.040. On an interim basis the budget is monitored continually with the budgetary level of control maintained at the fund level.

Economic Condition and Outlook

Essentially a cul-de-sac hugging the base of acclaimed Mt. Diablo, Clayton maintains a small-town atmosphere while its relative proximity to California State Highway 24 and neighboring city BART stations make it ideal for commuters. In addition, the semi-rural setting, low crime rate and excellent middle and elementary public schools make Clayton attractive to families of all types.

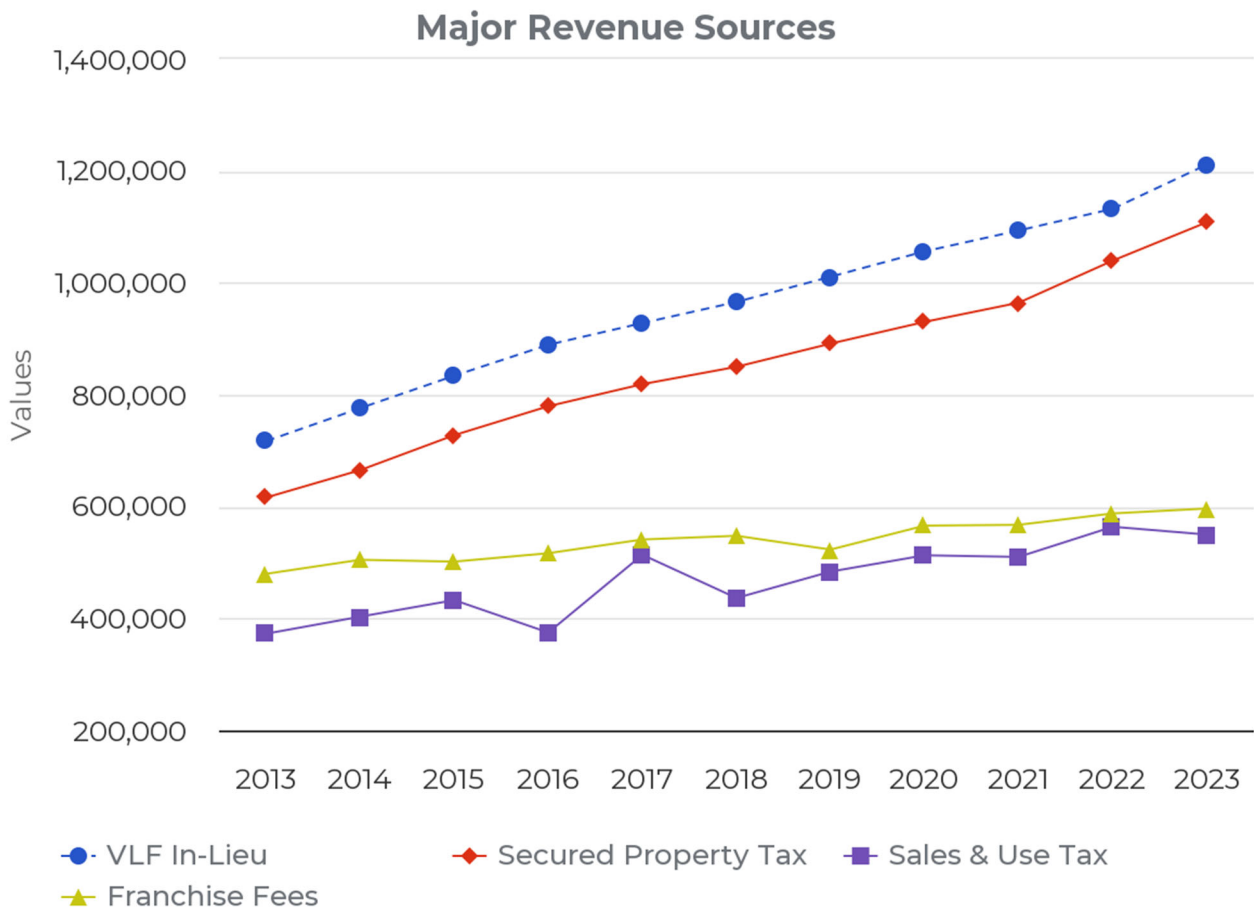
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**City of Clayton
Annual Comprehensive Financial Report
For the year ended June 30, 2023
Letter of Transmittal**

Economic Condition and Outlook, continued

Its residents are generally highly educated with approximately 57.8% of adults greater than age 25 having a bachelor’s degree or higher. In December of 2022, the unemployment rate of the City was 2.6%, compared to 3.1% and 4.1% for Contra Costa County and the State of California, respectively. In 2022 the median household income in the City was \$164,899 compared to \$91,905 for the state. The median age of Clayton residents is 44.1 as of the 2022 calendar year. The median sales price of homes in Clayton at June 30, 2023 was \$1,100,000, a 2.33% increase compared to December 31, 2022. These factors bode well for the City’s major sources of revenue, as property and sales & use taxes maintain all-time high levels.

In order, the City General Fund’s top revenue sources are: in-lieu vehicle license fees (VLF - paid from the state’s portion of property taxes); secured property taxes; franchise fees; and sales & use taxes (including the state-allocated “triple flip” prior to the fiscal year ending June 30, 2017). The following chart illustrates the ten-year trend of these four major revenue sources for the City:



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City of Clayton
Annual Comprehensive Financial Report
For the year ended June 30, 2023
Letter of Transmittal

Altogether, these four primary revenue sources (Property Tax In-Lieu 22.4%, Property Taxes 22.1%, Franchise Fees 10.7%, Sales and Use Taxes 10.1%) comprise 65.2% of General Fund revenues per the adopted budget for the fiscal year ending June 30, 2024. A non-recurring spike was realized in sales and use taxes six years ago in the year ended June 30, 2017 attributable to the City receiving a final true-up Triple Flip allocation from the state following the statutory dissolution of this process effective January 1, 2017. Accordingly, the following year realized a dip back to “normal” sales & use tax trend levels. In the long-run however, given the suburban composition of the City and its geographic boundaries limiting future development, management anticipates slow growth for the next ten years in sales & use taxes and franchise fees and moderate growth in property tax revenue (including in-lieu VLF property taxes received from the state). With increasing telecommunications technologies, cable-based franchise fees could be a declining or at-risk revenue, while other factors such as weather patterns and sustainable energy trends could impact similar franchise fee revenue. Given the U.S. Supreme Court *South Dakota v. Wayfair* ruling, the City has seen slight increase in sales & use tax revenue in past years with the definition of eligible taxable sales transactions now potentially including all online sales where “substantial nexus” requirements exist with online sellers in California.

Long-Term Financial Planning

As of the year ended June 30, 2023, the City of Clayton’s financial condition remains sound. An indicator of financial condition is the level of fund balances, both reserved and unreserved, in the City’s General Fund. The City Council has directed an absolute minimum reserve of \$250,000 as its never-to-be-expended “catastrophic reserve.” In practice, due to the effectiveness in fiscal management, this policy has been easily achieved, indicating perhaps this floor requirement should be elevated in the future. However, the standing Policy Goal of the City Council is to establish and retain an undesignated reserve of 50% the annual General Fund operating budget. At June 30, 2023, the total unassigned General Fund reserve balance is \$5,990,665. The adopted General Fund operating budget for the fiscal year ending June 30, 2024 is \$5,683,916.

The City of Clayton maintains a five-year Capital Improvement Program (CIP), which serves as its planning document to ensure its infrastructure is well maintained. The City prioritizes roads for maintenance and reconstruction based on the relative pavement condition index, with other infrastructure and facility improvement projects prioritized at the discretion of the City Council. Over the course of the last 10 years the City has invested approximately \$1.0 million into facility and infrastructure capital improvements, funded by Highway User Tax Apportionments (i.e. HUTA or “gas taxes”), local Measure J taxes, redevelopment property tax increment allocations (prior to the dissolution of the Clayton Redevelopment Agency in 2012), and other state and federal grants. For the upcoming fiscal year ending June 30, 2024, the City’s CIP is expected to invest an additional \$2,756,962 into transportation and general infrastructure maintenance and improvement needs of the community.

City of Clayton
Annual Comprehensive Financial Report
For the year ended June 30, 2023
Letter of Transmittal

Acknowledgements

The preparation of an ACFR cannot be accomplished without the professional, efficient and dedicated services of the Admin/Finance/Legal Department staff (in particular, Accounting Technician Jennifer Giantvalley), and the independent accounting firm of Cropper Rowe, LLP. We also thank the honorable members of the City Council and the various departments for their cooperation and support in planning and conducting the financial operations of the City during the fiscal year.

Respectfully Submitted,

Bret Prebula
City Manager

Prapti Aryal
Finance Director

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OUR MISSION

To be of exemplary service to the Clayton community with an emphasis on:

- Health and safety
- Responsive customer service
- Highly trained team of employees
- A cooperative work environment

OUR VALUES

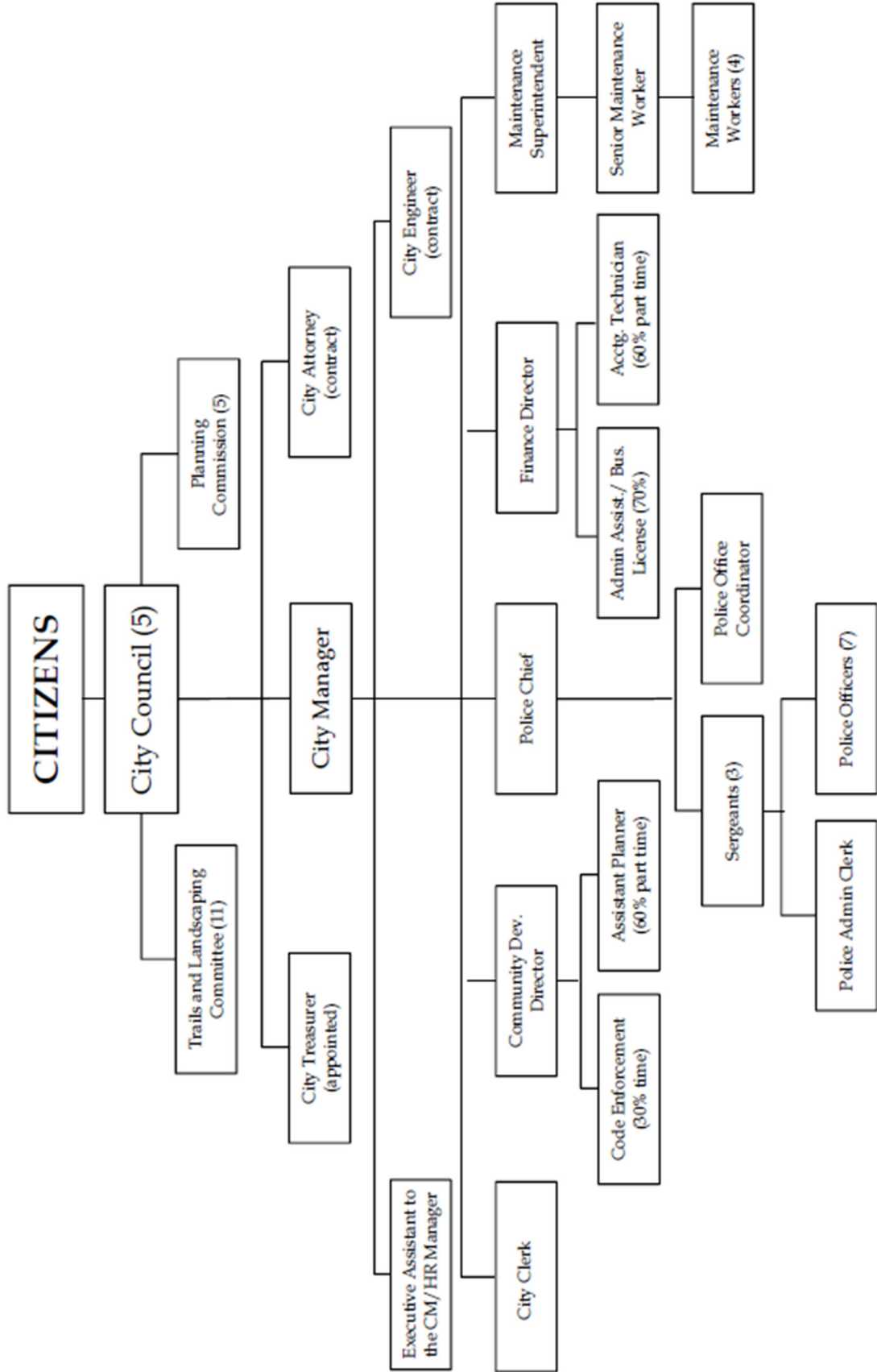
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|--------------------------|------------------------|
| ➤ Courtesy | ➤ Inclusiveness |
| ➤ Creativity | ➤ Informed risk taking |
| ➤ Diversity | ➤ Open communication |
| ➤ Employee participation | ➤ Professionalism |
| ➤ Ethical behavior | ➤ Trustworthiness |
| ➤ Fiscal responsibility | |

OUR VISION

The City of Clayton organization will be recognized as a premier small city. Customer service will be our hallmark; organizational processes will be a model of efficiency and effectiveness; innovation will be common place; and excellence of work product will be the norm. The employees will enjoy their work environment, and each will be a valued and respected member in his or her field of work. All residents and the City Council will be proud of their City government.

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CITY OF CLAYTON ORGANIZATIONAL CHART



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DIRECTORY OF PRINCIPAL OFFICIALS AND ADVISORY BODIES

As of report issuance

CITY COUNCIL

Jeff Wan, Mayor
 Jim Diaz, Vice Mayor
 Peter Cloven, Councilmember
 Holly Tillman, Councilmember
 Kim Trupiano, Councilmember

COMMISSIONS

Planning Commission

COMMITTEES

Trails and Landscaping Committee

APPOINTED OFFICIALS AND DEPARTMENT HEADS

Bret Prebula	City Manager
Hank Stratford	City Treasurer
Amy Walcker	Executive Asst. to the CM / HR Manager
Prapti Aryal	Finance Director
Richard McEachin	Chief of Police
Sheri Hartz	Interim City Clerk
Dana Ayers	Community Development Director
Jim Warburton	Maintenance Superintendent
Malathy Subramanian	City Attorney (contract)
Larry Theis	City Engineer (contract)

FINANCE TEAM

Jennifer Giantvalley	Accounting Technician
Richard Sanders	Accountant (consultant)

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Regional Map of Clayton, California And Nearby Cities



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FINANCIAL SECTION

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**INDEPENDENT AUDITORS'
REPORT**

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INDEPENDENT AUDITOR’S REPORT

To the City Council
City of Clayton, California

Report on the Audit of the Financial Statements

Opinions

We have audited the accompanying financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Clayton, Clayton, as of and for the year ended June 30, 2023, and the related notes to the financial statements, which collectively comprise the City of Clayton’s basic financial statements as listed in the table of contents.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Clayton, as of June 30, 2023, and the respective changes in financial position, and, where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Our responsibilities under those standards are further described in the Auditor’s Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the City of Clayton and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the City of Clayton’s ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

Auditor’s Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor’s report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards and *Government Auditing Standards* will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting

from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with generally accepted auditing standards and *Government Auditing Standards*, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the City of Clayton's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the City of Clayton's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis, pension plan funding status, other postemployment benefits plan funding status, and budgetary comparison information on pages 22-32 and 100-108 be presented to supplement the basic financial statements. Such information is the responsibility of management and, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Supplementary Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the City of Clayton's basic financial statements. The accompanying budgetary and combining and individual nonmajor fund financial statements are presented for purposes of additional

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analysis and are not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. The information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the combining and individual nonmajor fund financial statements and the schedule of expenditures of federal awards are fairly stated, in all material respects, in relation to the basic financial statements as a whole.

Other Information

Management is responsible for the other information included in the annual report. The other information comprises the introductory and statistical sections but does not include the basic financial statements and our auditor's report thereon. Our opinions on the basic financial statements do not cover the other information, and we do not express an opinion or any form of assurance thereon.

In connection with our audit of the basic financial statements, our responsibility is to read the other information and consider whether a material inconsistency exists between the other information and the basic financial statements, or the other information otherwise appears to be materially misstated. If, based on the work performed, we conclude that an uncorrected material misstatement of the other information exists, we are required to describe it in our report.

Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued our report dated December X, 2023, on our consideration of the City of Clayton's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the City of Clayton's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering City of Clayton's internal control over financial reporting and compliance.

CROPPER ROWE, LLP
Walnut Creek, California
December X, 2023

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MANAGEMENT'S DISCUSSION AND ANALYSIS

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**City of Clayton
Management's Discussion and Analysis
For the year ended June 30, 2023**

Management of the City of Clayton (the "City") provides this Management's Discussion and Analysis of the City's Basic Financial Statements for readers of the City's financial statements. This narrative overview and analysis of the financial activities of the City is for its fiscal year ended June 30, 2023. We encourage readers to consider this information in conjunction with the additional information that is furnished with the City's financial statements, which follow.

FINANCIAL HIGHLIGHTS - PRIMARY GOVERNMENT

Government -Wide Highlights

Net Position - The assets of the City of Clayton exceeded its liabilities at the close of the year ended June 30, 2023, by \$46,538,963. Of this amount, \$5,944,276 was reported as "unrestricted net position" and may be used to meet the ongoing obligations to citizens and creditors.

Changes in Net Position - The City's total net position increased by \$758,156 in the fiscal year ending June 30, 2023. Net position of governmental activities increased by \$789,143, while net position of business-type activities decreased by \$30,987.

Major Fund Highlights

Governmental Funds - As of the year ended June 30, 2023, the City's governmental funds reported a combined ending fund balance of \$17,572,242. Of this amount \$5,990,665 represents "unassigned fund balances" available for appropriation.

General Fund - The unassigned fund balance of the General Fund on June 30, 2023, was \$5,990,665, while the non-spendable and committed fund balances were \$190,998 and \$1,562,436 respectively.

OVERVIEW OF THE FINANCIAL STATEMENTS

This discussion and analysis is intended to serve as an introduction to the City of Clayton's basic financial statements. The City of Clayton's basic financial statements comprise three components: 1) government-wide financial statements, 2) fund financial statements and 3) notes to the financial statements. This report also contains required supplementary information and supplemental information in addition to the basic financial statements themselves.

Government-wide Financial Statements

The *government-wide financial statements* are designed to provide readers with a broad overview of the City of Clayton's finances, in a manner similar to a private-sector business.

The *statement of net position* presents information on all of the City of Clayton's assets and liabilities, with the difference between the two reported as *net position*. Over time, increases or decreases in net position may serve as a useful indicator of whether the financial position of the City of Clayton is improving or deteriorating.

**City of Clayton
Management's Discussion and Analysis
For the year ended June 30, 2023**

OVERVIEW OF THE FINANCIAL STATEMENTS, Continued

Government-wide Financial Statements, Continued

The *statement of activities* presents information showing how the City's *net position* changed during the most recent fiscal year. All changes in net position are reported as soon as the underlying event giving rise to the change occurs, *regardless of the timing of related cash flows*. Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future fiscal periods (e. g. uncollected taxes and earned but unused vacation leave).

Both of the government-wide financial statements distinguish functions of the City of Clayton that are principally supported by taxes and intergovernmental revenues (*governmental activities*) from other functions that are intended to recover all or a significant portion of their costs through user fees and charges (*business-type activities*). The governmental activities of the City of Clayton include general government, public safety, public works, community and economic development, and parks and recreation services. The business-type activities of the City of Clayton include the activities of the Endeavor Hall enterprise fund.

Fund Financial Statements

A *fund* is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The City of Clayton, like other state and local governments, uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. All of the funds of the City of Clayton can be divided into three categories: governmental funds, proprietary funds, and fiduciary funds.

Governmental Funds

Governmental funds are used to account for essentially the same functions reported as *governmental activities* in the government-wide financial statements. However, unlike the government-wide financial statements, governmental fund financial statements focus on *near-term inflows and outflows of spendable resources*, as well as on *balances of spendable resources* available at the end of the fiscal year. Such information may be useful in evaluating a government's near-term financing requirements.

Because the focus of governmental funds is narrower than that of the government-wide financial statements, it is useful to compare the information presented for *governmental funds* with similar information presented for *governmental activities* in the government-wide financial statements. By doing so, readers may better understand the long-term impact of the government's near-term financing decisions. Both the governmental fund balance sheet and the governmental fund statement of revenues, expenditures, and changes in fund balances provide a reconciliation to facilitate this comparison between *governmental funds* and *governmental activities*.

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City of Clayton
Management's Discussion and Analysis
For the year ended June 30, 2023

OVERVIEW OF THE FINANCIAL STATEMENTS, Continued

Fund Financial Statements, Continued

The City of Clayton maintains fifteen individual governmental funds. Information is presented separately in the government funds balance sheet and governmental funds statement of revenues, expenditures, and changes in fund balances for the General Fund, Landscape Maintenance District, Housing Successor Agency, and Capital Improvement Program, all of which are reported as major funds.

Proprietary Funds

The City of Clayton maintains two different types of proprietary funds. *Enterprise funds* are used to report the same functions presented as *business-type activities* in the government-wide financial statements. The City of Clayton uses an enterprise fund to account for its Endeavor Hall activities. *Internal service funds* are an accounting device used to accumulate and allocate costs internally among the City of Clayton various functions. City of Clayton uses three internal service funds to account for its capital equipment replacement program, self-insurance activities, and extraordinary employer pension contribution fluctuations. Because these services predominantly benefit governmental rather than business-type functions, they have been included within *governmental activities* in the government-wide financial statements.

Proprietary funds provide the same type of information as the government-wide financial statements, only in more detail. The City's sole enterprise fund is considered to be a major fund. The internal service funds are combined into a single, aggregated presentation in the proprietary fund financial statements.

Fiduciary Funds

The City is the fiscal agent for benefit assessment districts and other parties holding amounts collected which await payment as directed. The City's fiduciary activities are reported in the separate statement of fiduciary net position and the agency funds statement of assets and liabilities. These activities are excluded from the City's other financial statements because the City is acting as a trustee for these funds and cannot use these assets to finance its own operations. The City's fiduciary funds include a private-purpose trust fund to account for the activities of the City of Clayton Redevelopment Successor Agency.

Notes to the Financial Statements

The notes provide additional information that is essential to a full understanding of the data provided in the government-wide and fund financial statements. The notes to the financial statements can be found on pages 55-98 of this report.

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City of Clayton
Management's Discussion and Analysis
For the year ended June 30, 2023

OVERVIEW OF THE FINANCIAL STATEMENTS, Continued

Other Information

In addition to the basic financial statements and accompanying notes, this report also presents certain *required supplementary information* concerning the City's progress in funding its obligation to provide pension and other post-employment benefits to its employees as well as budgetary information for the General Fund and each of the major governmental funds.

FINANCIAL ANALYSIS GOVERNMENT-WIDE STATEMENTS

Analysis of Overall Net Position and Results of Operations

As noted previously, net position may serve over time as a useful indicator of a government's financial position. The City's total net position was \$46,538,963 at June 30, 2023, which is an increase of \$758,156 from the prior year's restated net position at June 30, 2022.

The largest portion of the City's net position reflects its investment in capital assets (e. g. land, buildings, etc.) net of any related debt used to acquire those assets that are still outstanding. The City uses these capital assets to provide services to citizens and these assets are *not* available for future spending. Although the City's investment in its capital assets is reported net of related debt, it should be noted that the resources needed to repay this debt must be provided from other sources, since the capital assets themselves cannot be used to liquidate these liabilities. The following is condensed comparative Statements of Net Position for the fiscal years ended June 30, 2023 and June 30, 2022:

	Governmental Activities 2023	Governmental Activities 2022	Business- Type Activities 2023	Business- Type Activities 2022	Total 2023	Total 2022
Assets						
Current Assets	\$ 15,675,614	\$ 14,773,722	\$ (118,216)	\$ (120,893)	\$ 15,557,398	\$ 14,652,829
Noncurrent Assets	6,297,095	6,482,003	-	-	6,297,095	6,482,003
Capital Assets	<u>29,527,927</u>	<u>29,116,205</u>	<u>977,631</u>	<u>1,009,203</u>	<u>30,505,558</u>	<u>30,125,408</u>
Total Assets	<u>51,500,636</u>	<u>50,371,930</u>	<u>859,415</u>	<u>888,310</u>	<u>52,360,051</u>	<u>51,260,240</u>
Deferred outflows	<u>3,165,399</u>	<u>1,285,641</u>	<u>-</u>	<u>-</u>	<u>3,165,399</u>	<u>1,285,641</u>
Liabilities						
Current Liabilities	1,028,687	640,113	10,263	8,171	1,038,950	648,284
Noncurrent Liabilities	<u>7,261,821</u>	<u>3,666,339</u>	<u>-</u>	<u>-</u>	<u>7,261,821</u>	<u>3,666,339</u>
Total Liabilities	<u>8,290,508</u>	<u>4,306,452</u>	<u>10,263</u>	<u>8,171</u>	<u>8,300,771</u>	<u>4,314,623</u>
Deferred inflows	<u>685,716</u>	<u>2,471,384</u>	<u>-</u>	<u>-</u>	<u>685,716</u>	<u>2,471,384</u>
Net Position						
Net investment in capital assets	29,286,912	29,116,205	977,631	1,009,203	30,264,543	30,125,408
Restricted	10,330,144	9,890,048	-	-	10,330,144	9,890,048
Unrestricted	<u>6,072,755</u>	<u>5,873,482</u>	<u>(128,479)</u>	<u>(129,064)</u>	<u>5,944,276</u>	<u>5,744,418</u>
Total net position	<u>\$ 45,689,811</u>	<u>\$ 44,879,735</u>	<u>\$ 849,152</u>	<u>\$ 880,139</u>	<u>\$ 46,538,963</u>	<u>\$ 45,759,874</u>

City of Clayton
Management's Discussion and Analysis
For the year ended June 30, 2023

FINANCIAL ANALYSIS GOVERNMENT-WIDE STATEMENTS, Continued

Analysis of Overall Net Position and Results of Operations, Continued

Of the City's total net position, \$10,330,144 (22.2%) represents resources that are subject to external restrictions on how they may be used. The balance of the *unrestricted net position* of \$5,944,276 (12.8%) may be used to meet the City's ongoing obligations to citizens and creditors. City revenues for the year, including both governmental and business-type activities, were \$10,018,248, while expenses totaled \$9,260,092, resulting in a net increase in net position of \$758,156 excluding transfers, extraordinary and special items. This net increase was primarily attributable to an increase in the net position of governmental activities, which is discussed in greater detail in the following section.

The following is a recap of the City's Statement of Activities and Changes in Net Position for the fiscal years ended June 30, 2023 and June 30, 2022:

	Governmental Activities 2023	Governmental Activities 2022	Business- Type Activities 2023	Business- Type Activities 2022	Total 2023	Total 2022
Revenues:						
Program revenues:						
Charges for services	\$ 863,754	\$ 1,002,338	\$ 34,665	\$ 16,847	\$ 898,419	\$ 1,019,185
Operating grants and contributions	2,812,484	2,755,382	-	-	2,812,484	2,755,382
Capital grants and contributions	114,959	120,774	-	-	114,959	120,774
Total program revenues	<u>3,791,197</u>	<u>3,878,494</u>	<u>34,665</u>	<u>16,847</u>	<u>3,825,862</u>	<u>3,895,341</u>
General revenues:						
Property taxes	3,163,404	2,846,766	-	-	3,163,404	2,846,766
Special parcel taxes	1,394,101	1,348,657	-	-	1,394,101	1,348,657
Sales and use taxes	539,134	563,908	-	-	539,134	563,908
Business license taxes	208,080	162,881	-	-	208,080	162,881
Franchise fees	619,204	587,740	-	-	619,204	587,740
Payments in lieu of taxes	181,493	174,443	-	-	181,493	174,443
Investment income	18,046	(281,502)	(65)	-	17,981	(281,502)
Miscellaneous	95,989	54,512	-	-	95,989	54,512
Gain (loss) on sale of assets	-	6,958	-	-	-	6,958
Total general revenues	<u>6,192,451</u>	<u>5,464,363</u>	<u>(65)</u>	<u>16,847</u>	<u>6,192,386</u>	<u>5,464,363</u>
Total revenues	<u>9,983,648</u>	<u>9,342,857</u>	<u>34,600</u>	<u>16,847</u>	<u>10,018,248</u>	<u>9,359,704</u>
Expenses:						
General government	2,018,902	2,629,048	-	-	2,018,902	2,629,048
Public works	2,907,711	2,509,096	-	-	2,907,711	2,509,096
Public safety	2,986,862	2,736,817	-	-	2,986,862	2,736,817
Community and economic development	341,335	356,450	-	-	341,335	356,450
Parks and recreation services	939,695	729,729	-	-	939,695	729,729
Endeavor Hall	-	-	65,587	60,694	65,587	60,694
Total expenses	<u>9,194,505</u>	<u>8,961,140</u>	<u>65,587</u>	<u>60,694</u>	<u>9,260,092</u>	<u>9,021,834</u>
Change in Net Position	<u>789,143</u>	<u>381,717</u>	<u>(30,987)</u>	<u>(43,847)</u>	<u>758,156</u>	<u>337,810</u>
Net Position - Beginning, restated	<u>44,900,668</u>	<u>44,498,018</u>	<u>880,139</u>	<u>923,986</u>	<u>45,780,807</u>	<u>45,422,004</u>
Net Position - ending	<u>\$ 45,689,811</u>	<u>\$ 44,879,735</u>	<u>\$ 849,152</u>	<u>\$ 880,139</u>	<u>\$ 46,538,963</u>	<u>\$ 45,759,874</u>

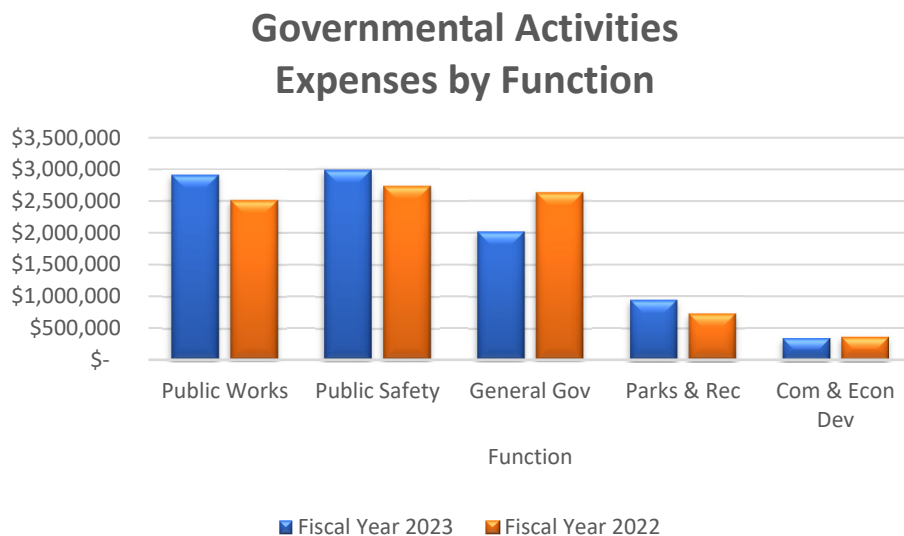
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**City of Clayton
Management's Discussion and Analysis
For the year ended June 30, 2023**

FINANCIAL ANALYSIS GOVERNMENT-WIDE STATEMENTS, Continued

Analysis of Governmental Activities

The increase in net position of the governmental activities over the prior year was primarily attributable to an increase in operating grants and contributions. Total expenses were \$9,194,505 in the current year compared to \$8,961,140 in the prior year. The following chart depicts the relative size of expenses by function for the fiscal years ending June 30, 2023 and 2022:



Total program revenues from governmental activities were \$3,791,197 in the current year compared to \$3,878,494 in the prior year. Program revenues are derived directly from the program itself or from parties outside the reporting government's taxpayers or citizenry. They reduce the net cost of the function to be financed from government's general revenues. Of the governmental program revenues, 22.8% were derived from charges for services, which includes park use fees, rental fees, licenses and permits, planning services fees, engineering plan check fees, police service fees, and other revenues. The remaining 77.2% of the governmental program revenues came from operating and capital grants and contributions. General revenues are all other revenues not categorized as program revenues such as property taxes, special parcel taxes, sales and use taxes, motor vehicle fees, investment earnings, franchise fees, use of money and property, service charges, and miscellaneous revenues.

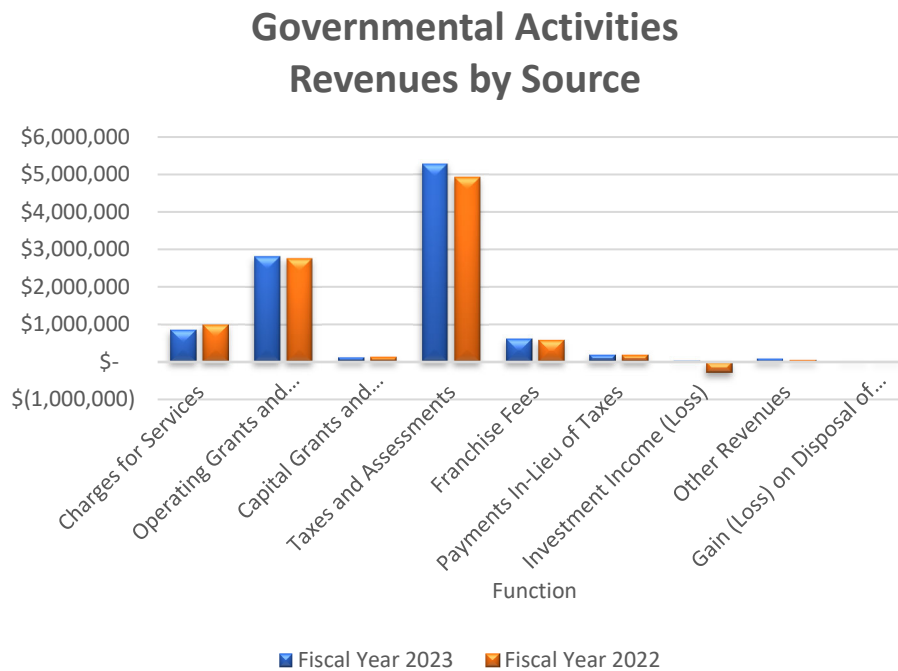
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**City of Clayton
Management’s Discussion and Analysis
For the year ended June 30, 2023**

FINANCIAL ANALYSIS GOVERNMENT-WIDE STATEMENTS, Continued

Analysis of Governmental Activities, Continued

Total general revenues from governmental activities increased by \$728,088 (13.3%) over the prior year. The following bar charts depict the relative size of governmental activities program and general revenues by source for the fiscal years ending June 30, 2023 and 2022:



Analysis of Business-Type Activities

Total business-type expenses increased 8.1% from \$60,694 in the prior year to \$65,587 in the current year. This increase is largely attributable to the increase in general and administrative costs of the Endeavor Hall rental facility. Total services revenue increased significantly from \$16,847 in the prior year to \$34,665 in the current year due to the increase in rental activity. Net position of business-type activities declined \$30,987 to a total of \$849,152 at June 30, 2023 due to charges for services being insufficient to cover the annual depreciation expense and general operating expenses of underlying Endeavor Hall rental facility assets.

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**City of Clayton
Management's Discussion and Analysis
For the year ended June 30, 2023**

FINANCIAL ANALYSIS OF INDIVIDUAL FUND STATEMENTS

Analysis of Governmental Funds

The focus of the City of Clayton's *governmental funds* is to provide information on near-term inflows, outflows, and balances of *spendable* resources. Such information is useful in assessing the City of Clayton's financing requirements. In particular, *unassigned fund balance* may serve as a useful measure of a government's net resources available for spending at the end of the fiscal year.

As of the end of the current fiscal year, the City's governmental funds reported combined ending fund balances of \$17,572,242. Of this amount, \$5,990,665 (34.1%) is unassigned; \$190,998 (1.1%) is in non-spendable form; \$2,042,937 (11.6%) is assigned for specific purposes; \$7,228,199 (41.1%) is restricted by law, regulation, or other outside contractual agreements; and \$2,119,443 (12.1%) is committed for specific expenditures in the future.

General Fund

The City's General Fund reported an increase in fund balance of \$1,330,742 (20.7%) in the current fiscal year. This increase is mostly attributable to the Coronavirus State and Local Fiscal Recovery Funds (SLFRF) program authorized by the American Rescue Plan Act (ARPA). The second tranche disbursement of \$1,467,024 was received in July 2022. Total fund balance of the General Fund is \$7,744,099 as of June 30, 2023, of which \$5,990,665 (77.4%) is reported as unassigned and available for appropriation. This unassigned fund balance is 1.05 times the size of the General Fund's adopted operating budget for the upcoming fiscal year ending June 30, 2024.

Without considering the SLFRF revenue, the actual general fund expenditures for the fiscal year ending June 30, 2023, exceed the actual general fund revenue by \$183,633. This deficit signifies the operational loss for the year.

Below is a summary of the General Fund expenditures by department.

	<u>General Fund</u>	Rainy <u>Day Fund</u>	Pandemic Recovery <u>Reserve</u>	<u>Total</u>
General government	\$ 1,493,937	\$ 50,794	\$ 139,093	\$ 1,683,824
Public safety	2,713,175	-	-	2,713,175
Public works	370,306	-	-	370,306
Community and economic development	346,184	-	-	346,184
Parks and recreation services	472,480	-	-	472,480
Capital outlay	-	-	8,067	8,067
Total expenditures	<u>\$ 5,396,082</u>	<u>\$ 50,794</u>	<u>\$ 147,160</u>	<u>\$ 5,594,036</u>

**City of Clayton
Management's Discussion and Analysis
For the year ended June 30, 2023**

Landscape Maintenance District

Community Facilities District No. 2007-1, referred to as the Landscape Maintenance District special revenue fund, reported a decrease in fund balance of \$160,946 (25.2%) in the current fiscal year. This decrease in fund balance is largely attributable to increases in operating costs such as water service and weed abatement, as well as an increase in project costs/capital outlay costs. Total fund balance of the Landscape Maintenance District is \$477,587 as of June 30, 2023, of which \$388,925 is reported as assigned for the following year's operating budget, and the remaining fund balance is restricted.

Analysis of Governmental Funds, Continued

Successor Housing Agency

The Successor Housing Agency special revenue fund reported an increase in fund balance of \$55,933 (1.0%) in the current fiscal year. This decrease in fund balance resulted primarily from unspent program revenue on housing loan repayments as well as unrealized gains on the inventory of affordable income housing. The total fund balance of the Successor Housing Agency is \$5,673,688 as of June 30, 2023, which is classified entirely as restricted.

Capital Improvement Program

The Capital Improvement Program capital projects fund reported a decrease in fund balance of \$1,004,653 (38.2%) in the current fiscal year. This decrease in fund balance is primarily due to timing differences between project execution and funding. The total fund balance of the Capital Improvement Program fund is \$1,622,724 and is reported entirely as assigned for capital projects as of June 30, 2023.

Analysis of Proprietary Funds

The City of Clayton's proprietary funds provide the same type of information found in the government-wide financial statements, but in more detail. The net position of the City's only major enterprise fund, Endeavor Hall, at the end of the year was \$849,152, and total net position for the internal service funds amounted to \$1,056,365.

GENERAL FUND BUDGETARY HIGHLIGHTS

General Fund actual revenues and transfers fall short of total revenues and transfers of the final and adopted budget by \$1,343,801. The variance is due to the transfer in the adopted budget for SLFRF between multiple funds within the General Fund. Actual property tax revenues exceeds the adopted budgetary growth projections by \$149,137 (5.0%), which was largely offset by lower-than-expected revenue from permits, licenses and fees, use of money and property, and sales tax receipts.

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**City of Clayton
Management's Discussion and Analysis
For the year ended June 30, 2023**

GENERAL FUND BUDGETARY HIGHLIGHTS, Continued

Actual General Fund expenditures of \$5,594,036 were less than the final adjusted budget by \$98,247 for the year ended June 30, 2023. The positive variance is a result of actual expenditures being less than budgeted in General Government due to lower departmental expenditures for the fiscal year ended June 30, 2023.

CAPITAL ASSET AND DEBT ADMINISTRATION

Capital Assets

The City's investment in capital assets for its governmental and business-type activities as of June 30, 2023 amounted to \$30,505,558 (net of accumulated depreciation). This investment in capital assets includes land, building, improvements, machinery and equipment, park facilities, corporate yard building, and roads. Total depreciation and amortization expense on governmental assets totaled \$1,265,141, versus \$1,048,171 in the prior year. The increase in depreciation expense is attributable to the completion of significant capital projects during the prior and current fiscal years and capital assets reaching their estimated useful lives. Additional information on the City of Clayton's capital assets can be found in Note 6 of this report.

Debt Administration

The remaining debt of the former Clayton Redevelopment Agency (RDA) of \$5,835,000 was transferred to the Successor Agency on February 1, 2012 (fiscal year ending June 30, 2012). The City has no outstanding general obligation debt. The Successor Agency has maintained its "AAA" credit rating (S&P) on outstanding Tax Allocation Bonds. Additional information on the Successor Agency's long-term debt can be found in Note 13 of this report.

ECONOMIC FACTORS AND NEXT YEAR'S BUDGET

As the City of Clayton is largely a residential community the annual General Fund operating budget relies heavily on property taxes to finance annual operating appropriations rather than other sources of revenue larger and more commercially and industrial developed municipalities have access to (i. e. sales and transient occupancy taxes). The City strives to meet the ever evolving needs of local residents and businesses within the constraints of limited and sometimes restrictive revenue sources.

There was an increase in adopted General Fund operating appropriations when compared to the actuals reported as of June 30, 2023, for the upcoming fiscal year ending June 30, 2024 of \$89,880 (1.6%). The increase in appropriations is attributable primarily to labor wage and benefit costs of various City departments and capital improvement costs included as part of the general government. The annual June 2022 to June 2023 consumer price index inflationary factor is 2.9% as published by the U. S. Bureau of Labor and Statistics for the San Francisco-Oakland-Hayward region. The adopted budget for the

**City of Clayton
Management's Discussion and Analysis
For the year ended June 30, 2023**

ECONOMIC FACTORS AND NEXT YEAR'S BUDGET, Continued

fiscal year ending June 30, 2024, projects total General Fund revenues of \$5,683,916 a decrease of approximately \$1.3 million over the prior year actual. The projected revenue decrease is because the final disbursement of SLFRF fund was received in July 2022.

The City continues to recover from the negative economic impacts of COVID-19 pandemic. The primary focus for the City has been to update the Long Term Financial Forecast (LTFF), which will provide a forward look at the City's General Fund operating revenues and expenditures. Its purpose is to identify financial trends, shortfalls, opportunities and issues so the City can proactively address them. It does so by projecting the future fiscal results of continuing the City's current service levels and policies. The LTFF lays the foundation for the budget, aiding both the City Manager and City Council in establishing priorities and allocating resources appropriately.

REQUEST FOR INFORMATION

This financial report is designed to provide a general overview of the City of Clayton's finances for all those with an interest in the City's finances. Questions concerning any of the information provided in this report, or requests for additional financial information, should be addressed to the Office of the Finance Director, 6000 Heritage Trail, Clayton, California 94517.

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**GOVERNMENT-WIDE
FINANCIAL STATEMENTS**

City of Clayton
Government-Wide
Statement of Net Position
June 30, 2023

ASSETS	Governmental Activities	Business-Type Activites	Total
Current Assets:			
Cash and investments	\$ 14,226,836	\$ 2,676	\$ 14,229,512
Accounts receivable (net of allowances)	1,265,209	-	1,265,209
Interest receivable	8,113	-	8,113
Internal balances	120,892	(120,892)	-
Prepaid expenses	54,564	-	54,564
Total Current Assets	15,675,614	(118,216)	15,557,398
Noncurrent Assets:			
Investment in affordable housing	3,101,945	-	3,101,945
Notes receivable	3,195,150	-	3,195,150
Nondepreciable assets	3,892,886	167,738	4,060,624
Depreciable assets, net	25,635,041	809,893	26,444,934
Total Noncurrent Assets	35,825,022	977,631	36,802,653
Total Assets	51,500,636	859,415	52,360,051
DEFERRED OUTFLOWS OF RESOURCES			
Deferred outflows related to pension	3,165,399	-	3,165,399
Total Deferred Outflows of Resources	3,165,399	-	3,165,399
LIABILITIES			
Current Liabilites:			
Accounts payable	475,215	4,579	479,794
Deposits payable	-	5,500	5,500
Accrued payroll	46,272	-	46,272
Unearned revenue	317,695	-	317,695
Compensated absences payable	91,007	-	91,007
Other liabilities	98,498	184.00	98,682
Total Current Liabilities	1,028,687	10,263	1,038,950
Noncurrent Liabilites:			
Compensated absences payable	91,007	-	91,007
Net OPEB liability	601,984	-	601,984
Net pension liability	6,327,815	-	6,327,815
Lease and SBITA payable	241,015	-	241,015
Total Noncurrent Liabilities	7,261,821	-	7,261,821
Total Liabilities	8,290,508	10,263	8,300,771
DEFERRED INFLOWS OF RESOURCES			
Deferred inflows related to pension	685,716	-	685,716
Total Deferred Inflows of Resources	685,716	-	685,716
NET POSITION			
Net investment in capital assets	29,286,912	977,631	30,264,543
Restricted for special projects and programs	10,330,144	-	10,330,144
Unrestricted	6,072,755	(128,479)	5,944,276
Total Net Position	\$ 45,689,811	\$ 849,152	\$ 46,538,963

The accompanying notes are an integral part of the financial statements

City of Clayton
Government-Wide
Statement of Activities and Changes in Net Position
For the year ended June 30, 2023

Functions/Programs	Expenses	Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions	Governmental Activities	Business-type Activities	Total
Primary Government:							
Governmental Activities							
General government	\$ 2,018,902	\$ 330,780	\$ 18,825	\$ 58,557	\$ (1,610,740)	\$ -	\$ (1,610,740)
Public safety	2,986,862	55,794	355,764	-	(2,575,304)	-	(2,575,304)
Public works	2,907,711	321,272	2,437,895	48,302	(100,242)	-	(100,242)
Community and economic development	341,335	102,198	-	8,100	(231,037)	-	(231,037)
Parks and recreation services	939,695	53,710	-	-	(885,985)	-	(885,985)
Total Governmental Activities	9,194,505	863,754	2,812,484	114,959	(5,403,308)	-	(5,403,308)
Business-Type Activities							
Endeavor Hall	65,587	34,665	-	-	-	(30,922)	(30,922)
Total Business-Type Activities	65,587	34,665	-	-	-	(30,922)	(30,922)
Total Primary Government	\$ 9,260,092	\$ 898,419	\$ 2,812,484	\$ 114,959	(5,403,308)	(30,922)	(5,434,230)
General revenues:							
Taxes:							
Property taxes					3,136,404	-	3,136,404
Special parcel taxes					1,394,101	-	1,394,101
Sales and use taxes					539,134	-	539,134
Business license taxes					208,080	-	208,080
Total Taxes					5,277,719	-	5,277,719
Franchise fees					619,204	-	619,204
Payments in lieu of taxes					181,493	-	181,493
Investment income (loss)					18,046	(65)	17,981
Other miscellaneous general revenues					95,989	-	95,989
Gain (loss) on disposal of fixed assets					-	-	-
Total general revenues and transfers					6,192,451	(65)	6,192,386
Change in net position					789,143	(30,987)	758,156
Net position - beginning, as restated					44,900,668	880,139	45,780,807
Net position - ending					\$ 45,689,811	\$ 849,152	\$ 46,538,963

The accompanying notes are an integral part of the financial statements

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FUND FINANCIAL STATEMENTS

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GOVERNMENTAL FUNDS

Governmental Funds are used to account for activities primarily supported by taxes, grants, and similar revenue sources. All governmental funds can be classified into one of five fund types: the General Fund, special revenue funds, debt service funds, capital projects funds, and permanent funds.

General Fund:

The General Fund is the main operating fund of the City and is presented as a major fund. It is used to account for all financial resources except those required to be accounted for in another fund.

Special Revenue Funds:

Special revenue funds account for and report the proceeds of specific revenue sources that are restricted or committed to expenditure for specified purposes other than debt service or capital projects. The following are reported as major special revenue funds:

Landscape Maintenance District - Community Facilities District (CFD) No. 2007-1, referred to as the Landscape Maintenance District special revenue fund, accounts for real property voter-approved special parcel taxes collected to maintain arterial landscaping and open space within the City (CFD No. 2007-1 sunsets in 2027).

Successor Housing Agency - Accounts for the activities related to the assets assumed by the City of Clayton as the Housing Successor to the housing activities of the former Redevelopment Agency of the City of Clayton.

American Rescue Plan Act - Accounts for the activities related to the grant funding received from the American Rescue Plan Act.

Capital Projects Funds:

Capital projects funds are used to account for financial resources to be used for the acquisition or construction of major capital facilities other than those financed by proprietary funds. The following is the City's sole major capital projects fund:

Capital Improvement Program - Accounts for the projects identified in the capital improvement program funded by various federal and state grants as well as through transfers from the General Fund.

Non-major Governmental Funds:

All non-major governmental funds of the City are aggregated and presented on the face of the basic financial statements in one column.

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**City of Clayton
Governmental Funds
Balance Sheet
June 30, 2023**

	General Fund	Special Revenue	
		Landscape Maintenance District	Successor Housing Agency
ASSETS			
Cash and investments	\$ 7,563,071	\$ 585,867	\$ 1,982,393
Accounts receivable	716,158	-	-
Interest receivable	8,113	-	-
Investment in affordable housing	-	-	3,101,945
Notes receivable	-	-	3,195,150
Prepaid items	52,164	-	-
Due from other funds	138,834	-	-
Total Assets	\$ 8,478,340	\$ 585,867	\$ 8,279,488
LIABILITIES, DEFERRED INFLOWS OF RESOURCES AND FUND BALANCES			
Liabilities:			
Accounts payable	\$ 244,115	\$ 103,750	\$ -
Other payables	96,536	-	-
Accrued payroll	41,742	4,530	-
Compensated absences	91,007	-	-
Due to other funds	-	-	-
Unearned revenue	462	-	-
Total Liabilities	473,862	108,280	-
Deferred Inflows of Resources:			
Deferred revenue	260,379	-	2,605,800
Total Deferred Inflows of Resources	260,379	-	2,605,800
Fund Balance:			
Non-spendable	190,998	-	-
Restricted	-	88,662	5,673,688
Committed	1,562,436	-	-
Assigned	-	388,925	-
Unassigned	5,990,665	-	-
Total Fund Balance	7,744,099	477,587	5,673,688
Total Liabilities, Deferred Inflows of Resources and Fund Balances	\$ 8,478,340	\$ 585,867	\$ 8,279,488

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The accompanying notes are an integral part of the financial statements

**City of Clayton
Governmental Funds
Balance Sheet
June 30, 2023**

American Rescue Plan Act	Capital Project Capital Improvement Program	Other Governmental Funds	Total
\$ -	\$ 1,633,395	\$ 1,956,509	\$ 13,721,235
-	-	549,051	1,265,209
-	-	-	8,113
-	-	-	3,101,945
-	-	-	3,195,150
-	-	2,400	54,564
-	-	-	138,834
<u>\$ -</u>	<u>\$ 1,633,395</u>	<u>\$ 2,507,960</u>	<u>\$ 21,485,050</u>
\$ -	\$ 10,671	\$ 116,679	\$ 475,215
-	-	1,962	98,498
-	-	-	46,272
-	-	-	91,007
-	-	17,942	17,942
-	-	317,233	317,695
<u>-</u>	<u>10,671</u>	<u>453,816</u>	<u>1,046,629</u>
-	-	-	2,866,179
<u>-</u>	<u>-</u>	<u>-</u>	<u>2,866,179</u>
-	-	-	190,998
-	-	1,465,849	7,228,199
-	-	557,007	2,119,443
-	1,622,724	31,288	2,042,937
-	-	-	5,990,665
<u>-</u>	<u>1,622,724</u>	<u>2,054,144</u>	<u>17,572,242</u>
<u>\$ -</u>	<u>\$ 1,633,395</u>	<u>\$ 2,507,960</u>	<u>\$ 21,485,050</u>

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The accompanying notes are an integral part of the financial statements

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City of Clayton
Reconciliation of Governmental Funds Balance Sheet to the
Statement of Net Position
June 30, 2023

Total Fund Balances - Governmental Funds \$ 17,572,242

Amounts reported for governmental activities in the Statement of Net Position are different because:

CAPITAL ASSETS

Capital assets used in governmental activities are not current financial resources and therefore are not reported in the Governmental Funds Balance Sheet.

Non-depreciable capital assets	3,892,886
Depreciable capital assets (net of internal service fund assets of \$550,764)	25,084,278

ACCRUAL OF NON-CURRENT REVENUES AND EXPENSES

Unavailable revenue which are deferred inflows of resources in the Governmental Funds because they are not available currently, but are taken into revenue in the statement of activities.	2,866,178
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LONG-TERM ASSETS AND LIABILITIES

Long-term liabilities are not due and payable in the current period and therefore are not reported in the Governmental Funds Balance Sheet.

Net OPEB liability not reported on the Governmental Funds Balance Sheet	(601,984)
Compensated absences payable	(91,007)
Net pension liability not reported on the Governmental Funds Balance Sheet	(6,327,815)
Lease liability not reported on the Governmental Funds Balance Sheet	(241,015)

DEFERRED INFLOWS AND OUTFLOWS

Deferred inflows/(outflows) of resources for not reported on the Governmental Funds Balance Sheet

Deferred outflows of resources for net pension liability	3,165,399
Deferred inflows of resources for net pension liability	(685,716)

ALLOCATION OF INTERNAL SERVICE FUND NET POSITION

Internal service funds are used by management to charge the costs of certain activities to individual funds. The assets and liabilities of the internal service funds are included in the governmental activities in the Government-wide Statement of Net Position.

1,056,365

Net Position of Governmental Activities	\$ 45,689,811
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The accompanying notes are an integral part of the financial statements

City of Clayton
Governmental Funds
Statement of Revenues, Expenditures and Changes in Fund Balance
For the year ended June 30, 2023

	General Fund	Special Revenue	
		Landscape Maintenance District	Successor Housing Agency
REVENUES			
Property taxes	\$ 3,136,404	\$ -	\$ -
Program income	-	-	116,400
Special parcel taxes and assessments	-	1,245,576	-
Sales and use taxes	539,134	-	-
Business licenses	208,080	-	-
Permits, licenses and fees	123,384	-	-
Fines, forfeitures and penalties	126,222	-	-
Intergovernmental	118,252	-	-
Motor vehicle in-lieu fees	11,341	-	-
Other in-lieu fees	181,493	-	-
Franchise fees	619,204	-	-
Service charges	241,261	-	-
Use of money and property	21,056	6,957	29,019
Other revenue	84,572	-	-
Total Revenues	5,410,403	1,252,533	145,419
EXPENDITURES			
Current:			
General government	1,683,824	-	-
Public safety	2,713,175	-	-
Public works	370,306	1,359,102	-
Community and economic development	346,184	-	-
Parks and recreation services	472,480	-	-
Capital outlay	8,067	11,500	-
Total Expenditures	5,594,036	1,370,602	-
Excess (Deficiency) of Revenues			
Over (Under) Expenditures	(183,633)	(118,069)	145,419
OTHER FINANCING SOURCES (USES)			
Unrealized gains (losses)	-	-	(89,426)
Transfers in	1,604,778	-	-
Transfers out	(90,403)	(42,877)	-
Total Other Financing Sources (Uses)	1,514,375	(42,877)	(89,426)
Net Change in Fund Balances	1,330,742	(160,946)	55,993
FUND BALANCES			
Beginning of year, restated	6,413,357	638,533	5,617,695
End of fiscal year	\$ 7,744,099	\$ 477,587	\$ 5,673,688

The accompanying notes are an integral part of the financial statements

City of Clayton
Governmental Funds
Statement of Revenues, Expenditures and Changes in Fund Balance
For the year ended June 30, 2023

American Rescue Plan Act	Capital Project Capital Improvement Program	Other Governmental Funds	Total
\$ -	\$ -	\$ -	\$ 3,136,404
-	-	-	116,400
-	-	450,855	1,696,431
-	-	-	539,134
-	-	-	208,080
-	-	71,850	195,234
-	-	-	126,222
1,467,024	-	1,229,836	2,815,112
-	-	-	11,341
-	-	-	181,493
-	-	-	619,204
-	-	-	241,261
-	43,005	5,794	105,831
-	-	71	84,643
<u>1,467,024</u>	<u>43,005</u>	<u>1,758,406</u>	<u>10,076,790</u>
-	-	119,876	1,803,700
-	-	163,867	2,877,042
-	-	592,171	2,321,579
-	-	-	346,184
-	-	137,469	609,949
-	1,470,658	90,283	1,580,508
<u>-</u>	<u>1,470,658</u>	<u>1,103,666</u>	<u>9,538,962</u>
<u>1,467,024</u>	<u>(1,427,653)</u>	<u>654,740</u>	<u>537,828</u>
-	-	-	(89,426)
-	423,000	258,725	2,286,503
<u>(1,467,024)</u>	<u>-</u>	<u>(756,199)</u>	<u>(2,356,503)</u>
<u>(1,467,024)</u>	<u>423,000</u>	<u>(497,474)</u>	<u>(159,426)</u>
-	(1,004,653)	157,266	378,402
-	2,627,377	1,896,878	17,193,840
<u>\$ -</u>	<u>\$ 1,622,724</u>	<u>\$ 2,054,144</u>	<u>\$ 17,572,242</u>

The accompanying notes are an integral part of the financial statements

City of Clayton
Reconciliation of Governmental Funds Statement of Revenues, Expenditures and Changes in Fund Balances to the Statement of Activities and Changes in Net Position
For the year ended June 30, 2023

Net Change in Fund Balances - Total Governmental Funds	\$	378,402
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Amounts reported for governmental activities in the Statement of Activities are different because:

ACCRUAL OF NON-CURRENT ITEMS

The amounts below included in the Statement of Activities do not provide (or require) the use of current financial resources and therefore are not reported as revenue or expenditures in the Governmental Funds (net change).

Net change in post-employment benefits (OPEB) liability and deferred inflows (outflows)	(23,669)	
Long-term compensated absences payable	(7,362)	
Net change in pension liability and deferred inflows (outflows).	97,351	
Unavailable revenues	(116,400)	
Net change in lease liability	3,624	

CAPITAL ASSET TRANSACTIONS

Governmental Funds report capital outlays as expenditures. However in the Statement of Activities the cost of those assets is capitalized and allocated over their estimated useful lives and reported as depreciation expense.

Capital asset acquisition, excluding internal service fund asset acquisitions.	1,550,809	
Depreciation expense is deducted from the fund balance (Net of internal service fund depreciation of \$100,425).	(1,149,241)	

ALLOCATION OF INTERNAL SERVICE FUND ACTIVITY

Internal service funds are used by management to charge the costs of certain activities, such as insurance and fleet management, to individual funds. The net gain or loss of the internal service funds is reported with governmental activities.

	55,629	
Change in Net Position of Governmental Activities on Statement of Activities	\$	789,143

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PROPRIETARY FUNDS

Proprietary funds account for City operations financed and operated in a manner similar to a private business enterprise. The intent of the City is that the cost of providing goods and services be financed primarily through user charges. The City's proprietary funds can be classified into two fund types: enterprise and internal service funds.

Enterprise Funds:

Enterprise funds are used to report any activity for which a fee is charged to external users for goods or services. The following is the City's sole major enterprise fund:

Endeavor Hall - Accounts for all rental activities related to operation of the underlying rental facility asset. The primary use of the rental facility has been for wedding receptions and other formal special events.

Internal Service Funds:

The City's internal service funds account for activities that provide goods or services to other City funds, departments, or agencies on a cost reimbursement basis. All internal service funds of the City are aggregated and presented on the face of the proprietary fund financial statements in one column.

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City of Clayton
Proprietary Funds
Statement of Net Position
June 30, 2023

	<u>Business-type Activities - Endeavor Hall</u>	<u>Governmental Activities - Internal Service</u>
ASSETS		
Current assets:		
Cash and investments	\$ 2,676	\$ 505,601
Noncurrent assets		
Land	167,738	-
Depreciable assets, net	809,893	550,764
Total Assets	<u>980,307</u>	<u>1,056,365</u>
LIABILITIES		
Current liabilities:		
Accounts payable	4,579	-
Other payables	184	-
Deposits payable	5,500	-
Due to other funds	120,892	-
Total Liabilities	<u>131,155</u>	<u>-</u>
NET POSITION		
Net investment in capital assets	977,631	550,764
Unrestricted	(128,479)	505,601
Total Net Position	<u>\$ 849,152</u>	<u>\$ 1,056,365</u>

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The accompanying notes are an integral part of the financial statements

City of Clayton
Proprietary Funds
Statement of Revenues, Expenses and Changes in Net Position
For the year ended June 30, 2023

	Business-type Activities - Endeavor Hall	Governmental Activities - Internal Service Funds
OPERATING REVENUES		
Charges for current services	\$ 34,665	\$ 52,480
Total Operating Revenues	34,665	52,480
OPERATING EXPENSES		
Personnel	6,784	-
General and administrative	27,231	11,155
Depreciation and amortization	31,572	115,900
Total Operating Expenses	65,587	127,055
Operating Income (Loss)	(30,922)	(74,575)
NONOPERATING REVENUES (EXPENSES)		
Investment income	(65)	1,647
Total Nonoperating Revenues (Expenses)	(65)	1,647
Net (loss) Before Contributions and Operating Transfers	(30,987)	(72,928)
Capital contributions	-	58,557
Transfers in / (out)	-	70,000
Change in Net Position	(30,987)	55,629
NET POSITION:		
Beginning of fiscal year	880,139	1,000,736
End of fiscal year	<u>\$ 849,152</u>	<u>\$ 1,056,365</u>

The accompanying notes are an integral part of the financial statements

**City of Clayton
Proprietary Funds
Statement of Cash Flows
For the year ended June 30, 2023**

	Business-type Activities - Endeavor Hall	Governmental Activities - Internal Service Funds
CASH FLOWS FROM OPERATING ACTIVITIES:		
Receipts from customers	\$ 34,665	\$ 52,480
Payments to suppliers	(25,323)	(5,046)
Payments to employees	(6,601)	-
Claims paid	-	(5,790)
Net cash provided (used) by operating activities	<u>2,741</u>	<u>41,644</u>
CASH FLOWS FROM NONCAPITAL FINANCING ACTIVITIES:		
Transfers in / (out)	-	70,000
Net cash provided by noncapital financing activities	<u>-</u>	<u>70,000</u>
CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES:		
Acquisition of fixed assets	-	(126,054)
Capital contributions	-	58,557
Net cash provided (used) by capital and related financing activities	<u>-</u>	<u>(67,497)</u>
CASH FLOWS FROM INVESTING ACTIVITIES:		
Interest received on investments	(65)	1,013
Net Cash provided by investing activities	<u>(65)</u>	<u>1,013</u>
Net increase (decrease) in cash and cash equivalents	<u>2,676</u>	<u>45,160</u>
CASH AND CASH EQUIVALENTS:		
Beginning of fiscal year	-	460,441
End of fiscal year	<u>\$ 2,676</u>	<u>\$ 505,601</u>
RECONCILIATION OF OPERATING INCOME (LOSS) TO NET CASH PROVIDED (USED) BY OPERATING ACTIVITIES:		
Operating income (loss)	\$ (30,922)	\$ (74,575)
Adjustments to reconcile operating income (loss) to net cash provided (used) by operating activities:		
Depreciation and amortization	31,572	115,900
Changes in current assets and liabilities:		
Increase (decrease) in accounts payable	1,908	319
Increase (decrease) in Other payables	183	-
Net cash provided (used) by operating activities	<u>\$ 2,741</u>	<u>\$ 41,644</u>

The accompanying notes are an integral part of the financial statements

FIDUCIARY FUNDS

Fiduciary funds report assets held in a trustee or agency capacity for others and therefore cannot be used to support the government's own programs. The City's fiduciary funds can be classified into two fund types: agency and private purpose trust funds.

Agency Funds:

Agency funds are custodial in nature (assets equal liabilities) and do not involve measurements of results of operations. They are used to account for assets held in an agency capacity for others and therefore cannot be used to support the City's program. Agency funds are accounted for using the economic resources measurement focus and the accrual basis of accounting.

Private Purpose Trust Funds

Private purpose trust funds account for resources held by the City as trustee for third party beneficiaries and are used to report both the Fiduciary Net Position and Changes in Fiduciary Net Position for the Successor Agency for the former Redevelopment Agency. Private Purpose Trust Funds are accounted for under the full accrual basis of accounting.

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**City of Clayton
Fiduciary Funds
Statement of Fiduciary Net Position
June 30, 2023**

	Private Purpose Trust Fund Redevelopment Successor Agency	Agency Funds
ASSETS		
Cash and investments	\$ 422,954	\$ 1,398,051
Cash and investments with fiscal agents	111	12,942
Accounts receivable	-	30,509
Other assets	-	919
Assessments receivable	-	165,838
Due from bondholders	-	556,913
Notes receivable	42,546	-
Investment in bonds	-	-
Total Assets	<u>465,611</u>	<u>\$ 2,165,172</u>
LIABILITIES		
Accounts payable	2,398	\$ 4,449
Other liabilities	-	1,482,413
Deposits payable	-	505,766
Accrued interest payable	7,379	-
Advance from Successor Housing Agency	-	-
Notes payable	-	42,546
Bonds payable	770,000	129,998
Total Liabilities	<u>779,777</u>	<u>\$ 2,165,172</u>
DEFERRED INFLOWS OF RESOURCES		
Deferred notes receivables	-	
Total Deferred Inflows of Resources	<u>-</u>	
NET POSITION		
Held in trust for others	(314,166)	
Total Net Position	<u>\$ (314,166)</u>	

The accompanying notes are an integral part of the financial statements

City of Clayton
Fiduciary Funds
Statement of Changes in Fiduciary Net Position
For the year ended June 30, 2023

	Private Purpose Trust Fund Redevelopment Successor Agency
ADDITIONS	
Tax increment revenue	\$ 479,188
Program revenue	-
Investment gain (loss)	2,766
Total Additions	481,954
DEDUCTIONS	
Interest expense	18,429
Administrative costs	196,338
Other expenses	4,795
Total Deductions	219,562
Changes in Net Position	262,392
NET POSITION	
Beginning of Year	(576,558)
End of Year	\$ (314,166)

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The accompanying notes are an integral part of the financial statements

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**NOTES TO THE BASIC
FINANCIAL STATEMENTS**

City of Clayton
Notes to Basic Financial Statements
For the year ended June 30, 2023

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The basic financial statements of the City of Clayton, California (City) have been prepared in conformity with generally accepted accounting principles (US GAAP) as applied to governmental agencies. The Governmental Accounting Standards Board (GASB) is the accepted standard setting body for establishing governmental accounting and financial reporting principles. The more significant of the City's accounting policies are described below.

Reporting Entity

The City of Clayton (City) is primarily a residential community nestled in the foothills of Mount Diablo in Contra Costa County, California. The City was incorporated on March 3, 1964 under the laws of the State of California, and encompasses approximately four square-miles with a population of 11,700. The City operates under the Council-Manager form of government, with five elected Council members served by a full-time City Manager totaling a staff of twenty-six and a fifth (26.2) full-time equivalent employees providing the following services: public works, parks and recreation services, community and economic development, public safety, and general government. The City's public safety program is served by an in-house police force of eleven (11) full-time sworn police officers supported by two (2) full-time administrative personnel.

The basic financial statements include the financial activities of the City, Successor Agency to the Clayton Redevelopment Agency (Successor Agency) and the Clayton Financing Authority (Authority).

The City is the primary government unit. Component units are those entities which are financially accountable to the primary government, either because the City appoints a voting majority of the component unit's board, or because the component unit will provide a financial benefit or impose a financial burden on the City. The Clayton Redevelopment Agency ("RDA"), which was dissolved as of February 1, 2012 was accounted for as a "blended" component unit of the City. Despite being legally separate, this entity was so intertwined with the City that it is, in substance, part of the City's operations. Accordingly, the balances and transactions of this component unit were reported within the funds of the City. Upon the dissolution of the RDA, the RDA ceased to be reported as a blended component unit and was replaced by the Successor Agency, which is reported as a private purpose trust fund in the fiduciary fund section of the financial statements.

The Authority is a joint exercise of powers authority duly organized and existing under and pursuant to that certain Joint Exercise of Powers Agreement, by and between the City and the former RDA of the City of Clayton with the City Council serving as the Board of Directors. It was created by the City of Clayton City Council in 1990 with the primary purpose of issuing bonded obligations to finance capital projects within the community for which repayment is secured by pledges of revenue from legally separate and distinct districts. The activities of the Authority are reported in the fiduciary fund financial statement section as the Authority's debt is secured entirely by third parties that are not part of the primary government of the City and the City has no obligation for such debt. Separate financial statements of the Authority are available at the City's website at www.ci.clayton.ca.gov.

City of Clayton
Notes to Basic Financial Statements
For the year ended June 30, 2023

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, *Continued*

Basis of Accounting and Measurement Focus

The accounts of the City are organized on the basis of funds, each of which is considered a separate accounting entity. The operations of each fund are accounted for with a separate set of self-balancing accounts that comprise its assets, liabilities, fund equity, revenues, and expenditures or expenses as appropriate. Government resources are allocated to and accounted for in individual funds based upon the purpose for which they are to be spent and the means by which spending activities are controlled.

Government-Wide Financial Statements

The government-wide financial statements include a Statement of Net Position and a Statement of Activities. These statements present summaries of governmental and business type activities for the City, the primary government. Fiduciary activities of the City are not included in these statements.

These financial statements are presented on an "*economic resources*" measurement focus and the accrual basis of accounting. Accordingly, all of the City's assets and liabilities, including capital assets and related infrastructure assets and long-term liabilities, are included in the accompanying Statement of Net Position. The Statement of Activities presents changes in net position.

Under the accrual basis of accounting, revenues are recognized in the period in which they are earned while expenses are recognized in the period in which the liability is incurred.

Certain types of transactions are reported as program revenues for the City in three categories:

- Charges for services
- Operating grants and contributions
- Capital grants and contributions

Certain eliminations have been made in regards to inter-fund activities, payables and receivables. All internal balances in the statement of net position have been eliminated in the statement of activities; internal service fund transactions have been eliminated. However, those transactions between governmental and business-type activities have not been eliminated. The following inter-fund activities have been eliminated:

- Advances to/from other funds
- Due to/from other funds
- Transfers in/out

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City of Clayton
Notes to Basic Financial Statements
For the year ended June 30, 2023

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, *Continued*

Basis of Accounting and Measurement Focus, Continued

Governmental fund financial statements include a balance sheet and a statement of revenues, expenditures and changes in fund balances for all major governmental funds and non-major funds aggregated. An accompanying schedule is presented to reconcile and explain the differences in fund balances as presented in these statements to the net position as presented in the government-wide financial statements. The City has presented all major funds that met the applicable criteria.

Governmental Fund Financial Statements

All governmental funds are accounted for on a spending or "*current financial resources*" measurement focus and the modified accrual basis of accounting. Accordingly, only current assets and current liabilities are included on the Balance Sheet. The statement of revenues, expenditures and changes in fund balances present increases (revenue and other financing sources) and decreases (expenditures and other financing uses) in net current assets. Under the modified accrual basis of accounting, revenues are recognized in the accounting period in which they become both measurable and available to finance expenditures of the current period.

Revenues are recorded when received in cash, except those revenues subject to accrual (generally sixty [60] days after year-end) are recognized when due. The primary revenue sources, which have been treated as susceptible to accrual by the City, are property tax, sales tax, intergovernmental revenues, and other taxes. Revenues from other governmental agencies (excluding property taxes) are deemed to be available if received within one hundred eighty (180) days after fiscal year end. Expenditures are recorded in the accounting period in which the related fund liability is incurred.

Deferred revenues arise when potential revenues do not meet both the "measurable" and "available" criteria for recognition in the current period. Deferred revenues also arise when the government receives resources before it has a legal claim to them, as when grant monies are received prior to incurring qualifying expenditures. In subsequent periods when both revenue recognition criteria are met or when the government has a legal claim to the resources, the deferred revenue is removed from the balance sheet and revenue is recognized.

The reconciliation of the fund financial statements to the government-wide financial statements is provided to explain the differences created by the integrated approach of *GASB Statement No. 34*. The City has the following major governmental funds:

General Fund - This fund is the general operating fund of the City. It is used to account for all financial resources except those that are required to be accounted for in another fund.

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City of Clayton
Notes to Basic Financial Statements
For the year ended June 30, 2023

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, Continued

Basis of Accounting and Measurement Focus, Continued

Landscape Maintenance District - This special revenue fund accounts for the Community Facility District No. 2007-1 restricted special parcel tax approved over two-thirds the local electorate in the June 2016 election through the passing of "Measure H." This special parcel tax is restricted to fund the operation, maintenance, and improvement of specific city-wide public landscaped areas.

Successor Housing Agency - This special revenue fund accounts for the City's low and moderate housing program, which was assumed by the City Council action upon dissolution of the former redevelopment agency. Program revenue of this fund is primarily generated through the repayment on low-moderate income housing loans.

American Rescue Plan Act - This special revenue fund accounts for the City's awarded grant funds from the American Rescue Plan Act (ARPA). The City's Council approved the transfer of ARPA funds to the City's Pandemic Recovery Reserve Fund, which is accounted for under the General Fund.

Capital Improvement Program - This capital projects fund accounts for the projects identified in the capital improvement program funded by various federal and state grants as well as through transfers from the General Fund.

Proprietary Fund Financial Statements

Proprietary fund financial statements include a statement of net position, a statement of revenues, expenses and change in fund net position, and a statement of cash flows for all proprietary funds. Internal service funds are presented in these statements. However, internal service balances and activities have been combined with the governmental activities in the government-wide financial statements.

Proprietary funds are accounted for using the "economic resources" measurement focus and the accrual basis of accounting. Accordingly, all assets and liabilities (whether current or noncurrent) are included on the statement of net position. The statement of revenues, expenses and changes in fund net position present increases (revenues) and decreases (expenses) in total net position. Under the accrual basis of accounting, revenues are recognized in the period in which they are earned while expenses are recognized in the period in which liability is incurred. Operating revenues in the proprietary funds are those revenues that are generated from the primary operations of the fund. All other revenues are reported as non-operating revenues. Operating expenses are those expenses that are essential to the primary operations of the fund. All other expenses are reported as nonoperating expenses.

The City has the following major enterprise fund:

Endeavor Hall - This fund accounts for all activities related to use of the facility. The primary use has been for wedding receptions.

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City of Clayton
Notes to Basic Financial Statements
For the year ended June 30, 2023

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, *Continued*

Basis of Accounting and Measurement Focus, Continued

The City has the following internal service funds:

Capital Equipment Replacement Fund - This fund accounts for the operation, maintenance, and replacement of the City vehicles and equipment.

Self-Insurance Fund - This fund accounts for the administration of the City's self-insurance programs, payment of Employee Assistance Programs, and self-insured liability claim deductibles.

Pension Rate Stabilization Fund - This fund stabilizes major fluctuations in annual employer pension costs driven by market factors and actuarial changes.

Fiduciary Fund Financial Statements

The agency funds are custodial in nature (assets equal liabilities) and do not involve measurement of results of operations, therefore only a statement of fiduciary net position is presented. Agency funds are accounted for using the economic resources measurement focus and the accrual basis of accounting. Reclassifications were recorded to prior year amounts reported for various assets and liabilities for agency funds in order to be consistent with the current year's presentation.

Private purpose trust funds account for resources held by the City as trustee for third party beneficiaries and are used to report both the fiduciary net position and changes in fiduciary net position of the Successor Agency to the former Redevelopment Agency. Private purpose trust funds are accounted for under the full accrual basis of accounting.

Use of Restricted and Unrestricted Net Position

When an expense is incurred for purposes for which both restricted and unrestricted net position are available, the City's policy is to apply restricted net position first.

Cash Equivalents

For purposes of reporting cash flows for the City's proprietary funds, pooled cash and investments held by the City are considered cash equivalents as the proprietary fund can access pooled cash and investments in a manner similar to a demand deposit.

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City of Clayton
Notes to Basic Financial Statements
For the year ended June 30, 2023

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, *Continued*

Cash and Investments

The City pools cash and investments from all funds for the purpose of increasing income through investment activities. Interest income on investments is allocated to the funds on the basis of average month-end cash and investment balances. Investments are carried at fair value. Fair value is based on quoted market price if applicable. Otherwise the fair value hierarchy is as follows:

Level 1 - Values are unadjusted quoted prices in active markets for identical assets or liabilities at the measurement date.

Level 2 - Inputs, other than quoted prices, included within Level 1 that are observable for the asset or liabilities at the measurement date.

Level 3 - Certain inputs are unobservable inputs (supported by little or no market activity, such as the City's best estimate of what hypothetical market participants would use to determine a transaction price for the asset or liability at the reporting date).

Local Agency Investment Fund (LAIF) determines fair value on its investment portfolio based on market quotations for these securities where market quotations are readily available, and on amortized cost or best estimate for those securities where market value is not readily available.

The City's investment policy (Policy) states that the primary investment objective is safety with investments being legally permitted and sufficiently liquid to meet forecasted needs. Maximization of interest earnings is a secondary objective. Further, the Policy states that the City Treasurer has the ultimate responsibility to protect, preserve and maintain cash and investments. The Policy also established internal controls and reporting requirements. The Policy stipulates "Permitted Investments and Limitation on Investments." The City invests in the California LAIF, which is part of the Pooled Money Investment Account operated by the California State Treasurer. LAIF funds are invested in high quality money market securities and are managed to insure the safety of the portfolio. A portion of LAIF's investments are in structured notes and asset-backed securities.

Investments held with CAMP are recorded at amortized cost in accordance with GASB Statement No. 79, *Certain External Investment Pools and Pool Participants*. The City participates in the California Asset Management Program (CAMP) which is a voluntary investment alternative authorized by Section 53601(p) of the California Government Code. CAMP is managed by a seven-member Board of Trustees comprised of California public agency finance officials. Investments are transacted by an investment advisor and all securities are held by a third-party custodian. All securities in CAMP are purchased under the authority of Section 53601, subdivisions (a) to (n) of the California Government Code.

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City of Clayton
Notes to Basic Financial Statements
For the year ended June 30, 2023

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, *Continued*

Cash and Investments, Continued

Certain disclosure requirements, if applicable, for deposits and investment risks are specified in the following areas:

- Interest Rate Risk
- Credit Risk
 - Overall
 - Custodial Credit Risk
 - Concentrations of Credit Risk

In addition, other disclosures are specified including use of certain methods to present deposits and investments, highly sensitive investments, credit quality at year-end and other disclosures.

Prepaid Items

Certain payments to vendors reflect costs applicable to future fiscal years and are recorded as prepaid items in both government-wide and fund financial statements. Prepaid items in governmental funds are equally offset by amounts included nonspendable fund balance which indicates that they do not constitute available spendable resources even though they are a component of net position. The cost of prepaid items is recorded as expenditures/expenses when consumed rather than when purchased.

Investment in Affordable Housing

This City Successor Housing Agency special revenue fund has purchased and re-sold several housing properties located in Stranahan Circle to low and moderate income households. The City carries the difference between the cost and sale on these properties as an investment in affordable housing until the property is either bought back by the City or sold on the open market. The City participates in the profits on any sales of these properties to an outside party in the same proportion as what the low and moderate income purchaser acquired the property from the City at the below market subsidized value. The City reports the investment in affordable housing at its proportionate equity share of the fair market value of the underlying properties at year-end. Stranahan Circle properties are considered "level 2" investments. The City values their interest in the properties annually using third party published market inputs. At June 30, 2023 the fair value was \$3,101,945, which includes a decrease of \$68,508 for the year then ended.

Capital Assets

Capital assets are valued at cost or, during the initial implementation, estimated historical cost if actual historical cost was not available. Donated capital assets are valued at their estimated fair market value on the date donated. Donated capital assets, donated works of art and similar items, and capital assets received in a service concession arrangement are reported at acquisition value rather than fair value. City policy has set the capitalization threshold for reporting infrastructure at \$100,000; all other capital assets

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City of Clayton
Notes to Basic Financial Statements
For the year ended June 30, 2023

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, *Continued*

Capital Assets, Continued

are set at \$5,000. Depreciation is recorded on a straight-line basis over estimated useful lives of the assets as follows:

Buildings	50 years
Improvements other than buildings	20 - 75 years
Vehicles, machinery and equipment	5 - 10 years
Infrastructure	20 - 75 years

In June 1999, the Governmental Accounting Standards Board (GASB) issued Statement No. 34 which requires the inclusion of infrastructure capital assets in local governments' basic financial statements. In accordance with GASB Statement No. 34, the City has included all infrastructure into the current basic financial statements. The City defines infrastructure as the basic physical assets that allow the City to function. The assets include streets, park lands, and buildings. Each major infrastructure system can be divided into subsystems. For example, the street system can be subdivided into pavement, curb and gutters, sidewalks, medians, streetlights, landscaping and land. These subsystems were not delineated in the basic financial statements. The appropriate operating department maintains information regarding the subsystems. Interest accrued during capital assets construction, if any, is capitalized for the business-type and proprietary funds as part of the asset cost. For all infrastructure systems, the City elected to use the Basic Approach as defined by GASB Statement No. 34 for infrastructure reporting. The City commissioned an appraisal of City owned infrastructure and property as of June 30, 2003. This appraisal determined the original cost, which is defined as the actual cost to acquire new property in accordance with market prices at the time of first construction/acquisition.

Original costs were developed in one of three ways: (1) historical records; (2) standard unit costs appropriate for the construction/acquisition date; or (3) present cost indexed by a reciprocal factor of the price increase from the construction/acquisition date to the current date. The accumulated depreciation, defined as the total depreciation from the date of construction/acquisition to the current date on a straight line, unrecovered cost method was computed using industry accepted life expectancies for each infrastructure subsystem. The book value was then computed by deducting the accumulated depreciation from the original cost.

Long-Term Liabilities

In the government-wide financial statements, long-term debt and other financial obligations are reported as liabilities in the appropriate activities columns. Bond premiums and discounts, as well as issuance costs, are deferred and amortized over the life of the bonds using the straight-line method. Bonds payable are reported net of the applicable premium or discount. Issuance costs are reported as deferred charges.

City of Clayton
Notes to Basic Financial Statements
For the year ended June 30, 2023

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, *Continued*

Long-Term Liabilities, Continued

The governmental fund financial statements do not present long-term debt, which are shown in the reconciliation of the governmental funds balance sheet to the government-wide statement of net position. Governmental funds recognize bond premiums and discounts, as well as bond issuance costs, during the current period. The face amount of debt issued is reported as other financial sources. Premiums received on debt issuance are reported as other financing sources while discounts on debt issuance reported as other financing uses. Issuance costs, whether or not withheld from the actual debt proceeds received, are reported as debt service expenditures.

Compensated Absences

In the government-wide financial statements compensated absences are recorded as incurred and related expenses and liabilities are reported by activity. The long-term portion of governmental activities is liquidated primarily by the General Fund. In the governmental funds compensated absences are recorded as expenditures in the years paid, as it is the City's policy to liquidate any unpaid compensated absences at June 30th from future resources, rather than currently available financial resources. Compensated absences include vacation as well as compensated leave hours earned in-lieu of overtime. It is the policy of the City to pay up to and capped at a maximum of eighteen (18) times an employee's capped monthly vacation accrual upon retirement or termination.

Pensions

For purposes of measuring the net pension liability and deferred outflows/inflows of resources related to pensions, and pension expense, information about the fiduciary net position of the City's California Public Employees' Retirement System (CalPERS) plans (Plans) and additions to/deductions from the Plans' fiduciary net position have been determined on the same basis as they are reported by CalPERS. For this purpose, benefit payments (including refunds of employee contributions) are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value. CalPERS' audited financial statements are publicly available reports that can be obtained at CalPERS' website under Forms and Publications.

Other Post-Employment Benefits (OPEB)

For purposes of measuring the net OPEB liability, deferred outflows of resources and deferred inflows of resources related to OPEB, and OPEB expense, information about the fiduciary net position of the City's plan (OPEB Plan) and additions to/deductions from the OPEB Plan's fiduciary net position have been determined on the same basis. For this purpose, benefit payments are recognized when currently due and payable in accordance with the benefit terms. Investments, if any, are reported at fair value.

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City of Clayton
Notes to Basic Financial Statements
For the year ended June 30, 2023

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, *Continued*

Other Post-Employment Benefits (OPEB), Continued

Generally accepted accounting principles require that the reported results must pertain to liability and asset information within certain defined timeframes. For this report, the following timeframes are used:

Valuation date	June 30, 2023
Measurement Date	June 30, 2023
Measurement Period	July 1, 2022 – June 30, 2023

Leases and Subscription-Based Information Technology Agreements

The City is a lessee for noncancelable equipment leases and has entered in to subscription-based information technology agreements (SBITAs). The City recognizes a lease and SBITA liability and an intangible right-to-use asset (lease and SBITA asset) in its financial statements. At the commencement of a lease or SBITA, the City initially measures the liability at the present value of payments expected to be made during the lease term. Subsequently, the liability is reduced by the principal portion of payments made. The right-of-use asset is initially measured as the initial amount of the lease or SBITA liability. Subsequently, the right-of-use asset is amortized on a straight-line basis over its useful life.

Key estimates and judgments related to leases include how the City determines (1) the discount rate it uses to discount the expected lease payments to present value, (2) the lease or SBITA term, and (3) lease or SBITA payments.

Net Position / Fund Balances

Government-Wide Financial Statements

In the government-wide financial statements, net position is classified in the following categories:

Net Investment in Capital Assets - This amount consists of capital assets net of accumulated depreciation and reduced by outstanding debt that attributed to the acquisition, construction, or improvement of the assets.

Restricted Net Position - This amount is restricted by external creditors, grantors, contributors, or laws or regulations of other governments.

Unrestricted Net Position - This amount is all net position that do not meet the definition of "net investment in capital assets" or "restricted net position. " Nonspendable governmental funds balances are categorized as unrestricted net position on the government-wide financial statements.

City of Clayton
Notes to Basic Financial Statements
For the year ended June 30, 2023

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, *Continued*

Net Position / Fund Balances, Continued

Fund Balance Reporting

Equity of governmental funds are reported in classifications that comprise a hierarchy based primarily on the extent to which the government is bound to honor constraints on the specific purposes for which amounts in those funds can be spent. The City Council, as the highest level of decision-making authority, commits and assigns fund balances through the passing of resolutions and ordinances, requiring an equal action for modification or rescinding thereof. It is the policy of the City to spend funds in order from restricted to unassigned, as listed below.

Fund balances for the governmental funds are made up of the following:

- *Non-spendable* - Includes amounts that cannot be spent because they are either not in spendable form, or are legally or contractually required to be maintained intact.
- *Restricted* - Includes amounts that should be reported as restricted when constraints placed on the use of resources are either externally imposed by creditors, grantors, contributors, or laws and regulations of other governments; or imposed by law through constitutional provisions or enabling legislation.
- *Committed* - Includes amounts that cannot be used for any other purpose unless the government removes or changes the specified use by taking the same type of action it employed to previously commit those amounts.
- *Assigned* - Includes amounts constrained by the government's intent to be used for specific purposes, but are neither restricted nor committed, except for stabilization arrangements.
- *Unassigned* - The residual funds that have not been assigned to other funds, are not non-spendable, restricted, committed, or assigned to specific purposes. The General Fund is the only fund that reports a positive unassigned fund balance.

The City Council has formally adopted a policy requiring a minimum General Fund reserve contingency of \$250,000.

Property tax revenues are recognized in the fiscal year for which the tax and assessment is levied. The County of Contra Costa (County) levies, bills, and collects property taxes and special assessments for the City. The County remits the entire amount levied and handles all delinquencies, retaining interest and penalties (under the Teeter Plan). Secured and unsecured property taxes are levied on July 1 based on January 1 assessed valuation and are payable in two installments, becoming delinquent on December 10th and April 10th.

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City of Clayton
Notes to Basic Financial Statements
For the year ended June 30, 2023

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, *Continued*

Reclassifications

Certain prior year balances may have been reclassified in order to conform to current year presentation. These reclassifications had no effect upon reported net position.

Use of Estimates

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions. These estimates and assumptions affect the reported amounts of assets and liabilities and the disclosure of contingent assets and liabilities. In addition, estimates affect the reported amount of expenses. Actual results could differ from these estimates and assumptions.

Inter-fund Balances/Internal Balances

Outstanding balances between funds are reported as due to and due from other funds. These are generally repaid within the following fiscal year.

Any residual balances outstanding between the governmental activities and business-type activities are reported in the government-wide financial statements as "internal balances. "

New Accounting Pronouncements

The following Governmental Accounting Standards Board Statements have been implemented in the current financial statements:

- GASB Statement No. 91 "*Conduit Debt Obligations*"

The primary objectives of this Statement are to provide a single method of reporting conduit debt obligations by issuers and eliminate diversity in practice associated with (1) commitments extended by issuers, (2) arrangements associated with conduit debt obligations, and (3) related note disclosures.

The requirements of this Statement will improve financial reporting by eliminating the existing option for issuers to report conduit debt obligations as their own liabilities, thereby ending significant diversity in practice. The clarified definition will resolve stakeholders' uncertainty as to whether a given financing is, in fact, a conduit debt obligation. Requiring issuers to recognize liabilities associated with additional commitments extended by issuers and to recognize assets and deferred inflows of resources related to certain arrangements associated with conduit debt obligations also will eliminate diversity, thereby improving comparability in reporting by issuers. Revised disclosure requirements will provide financial statement users with better information regarding the commitments issuers extend and the likelihood that they will fulfill those commitments. That information will inform users of the potential impact of such commitments on the financial resources of issuers and help users assess issuers' roles in conduit debt obligations.

City of Clayton
Notes to Basic Financial Statements
For the year ended June 30, 2023

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, *Continued*

New Accounting Pronouncements, Continued

This pronouncement did not have a material impact on the City's financials.

- GASB Statement No. 94 "*Public-Private and Public-Public Partnerships and Availability Payment Arrangements*"

The primary objective of this Statement is to improve financial reporting by addressing issues related to public-private and public-public partnership arrangements (PPPs). As used in this Statement, a PPP is an arrangement in which a government (the transferor) contracts with an operator (a governmental or nongovernmental entity) to provide public services by conveying control of the right to operate or use a nonfinancial asset, such as infrastructure or other capital asset (the underlying PPP asset), for a period of time in an exchange or exchange-like transaction.

The requirements of this Statement will improve financial reporting by establishing the definitions of PPPs and APAs and providing uniform guidance on accounting and financial reporting for transactions that meet those definitions. That uniform guidance will provide more relevant and reliable information for financial statement users and create greater consistency in practice. This Statement will enhance the decision usefulness of a government's financial statements by requiring governments to report assets and liabilities related to PPPs consistently and disclose important information about PPP transactions. The required disclosures will allow users to understand the scale and important aspects of a government's PPPs and evaluate a government's future obligations and assets resulting from PPP.

PPPs should be recognized and measured using the facts and circumstances that exist at the beginning of the period of implementation (or if applicable to earlier periods, the beginning of the earliest period restated). This pronouncement did not have a material impact on the City's financials.

- GASB Statement No. 96 "*Subscription-Based Information Technology Arrangements*"

This Statement provides guidance on the accounting and financial reporting for subscription-based information technology arrangements (SBITAs) for government end users (governments). This Statement (1) defines a SBITA; (2) establishes that a SBITA results in a right-to-use subscription asset – an intangible asset – and a corresponding subscription liability; (3) provides the capitalization criteria for outlays other than subscription payments, including implementation costs of a SBITA; and (4) requires note disclosures regarding a SBITA. To the extent relevant, the standards for SBITAs are based on the standards established in Statement No. 87, *Leases*, as amended.

The requirements of this Statement will improve financial reporting by establishing a definition for SBITAs and providing uniform guidance for accounting and financial reporting for transactions that meet that definition. That definition and uniform guidance will result in greater consistency in practice. Establishing the capitalization criteria for implementation costs also will reduce diversity and improve

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City of Clayton
Notes to Basic Financial Statements
For the year ended June 30, 2023

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, *Continued*

New Accounting Pronouncements, Continued

comparability in financial reporting by governments. This Statement also will enhance the relevance and reliability of a government's financial statements by requiring a government to report a subscription asset and subscription liability for a SBITA and to disclose essential information about the arrangement. The disclosures will allow users to understand the scale and important aspects of a government's SBITA activities and evaluate a government's obligations and assets resulting from SBITAs.

The City recorded SBITAs during the current year, see Notes 4 and 5 for additional information.

- GASB Statement No. 99, "*Omnibus 2022*" - The objectives of this Statement are to enhance comparability in accounting and financial reporting and to improve the consistency of authoritative literature by addressing (1) practice issues that have been identified during implementation and application of certain GASB Statements and (2) accounting and financial reporting for financial guarantees. The practice issues addressed by this Statement are as follows:
 - Classification and reporting of derivative instruments within the scope of Statement No. 53, Accounting and Financial Reporting for Derivative Instruments, that do not meet the definition of either an investment derivative instrument or a hedging derivative instrument
 - Clarification of provisions in Statement No. 87, Leases, as amended, related to the determination of the lease term, classification of a lease as a short-term lease, recognition and measurement of a lease liability and a lease asset, and identification of lease incentives
 - Clarification of provisions in Statement No. 94, Public-Private and Public-Public Partnerships and Availability Payment Arrangements, related to (a) the determination of the public-private and public- public partnership (PPP) term and (b) recognition and measurement of installment payments and the transfer of the underlying PPP asset
 - Clarification of provisions in Statement No. 96, Subscription-Based Information Technology Arrangements, related to the subscription-based information technology arrangement (SBITA) term, classification of a SBITA as a short-term SBITA, and recognition and measurement of a subscription liability
 - Extension of the period during which the London Interbank Offered Rate (LIBOR) is considered an appropriate benchmark interest rate for the qualitative evaluation of the effectiveness of an interest rate swap that hedges the interest rate risk of taxable debt
 - Accounting for the distribution of benefits as part of the Supplemental Nutrition Assistance Program (SNAP)
 - Disclosures related to nonmonetary transactions
 - Pledges of future revenues when resources are not received by the pledging government
 - Clarification of provisions in Statement No. 34, Basic Financial Statements – and Management's Discussion and Analysis – for State and Local Governments, as amended, related to the focus of the government-wide financial statements
 - Terminology updates related to certain provisions of Statement No. 63, Financial Reporting of Deferred Outflows of Resources, Deferred Inflows of Resources, and Net Position

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City of Clayton
Notes to Basic Financial Statements
For the year ended June 30, 2023

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, *Continued*

New Accounting Pronouncements, Continued

- Terminology used in Statement 53 to refer to resource flows statements.

The requirements related to leases, PPPs, and SBITAs are effective for the current fiscal year and did not have a material impact on the financial statements of the City.

The requirements related to financial guarantees and the classification and reporting of derivative instruments within the scope of Statement 53 are effective for fiscal years beginning after June 15, 2023 (fiscal 2023-24), and all reporting periods thereafter.

The following Governmental Accounting Standards Board Statements are effective in future years subsequent to the current financial reporting period:

- GASB Statement No. 100, "*Accounting Changes and Error Corrections—An Amendment of GASB Statement No. 62*"

The primary objective of this Statement is to enhance accounting and financial reporting requirements for accounting changes and error corrections to provide more understandable, reliable, relevant, consistent, and comparable information for making decisions or assessing accountability. This Statement defines accounting changes as changes in accounting principles, changes in accounting estimates, and changes to or within the financial reporting entity and describes the transactions or other events that constitute those changes. This Statement also addresses corrections of errors in previously issued financial statements.

This Statement prescribes the accounting and financial reporting for (1) each type of accounting change and (2) error corrections. This Statement requires disclosure in notes to financial statements of descriptive information about accounting changes and error corrections, such as their nature. In addition, information about the quantitative effects on beginning balances of each accounting change and error correction should be disclosed by reporting unit in a tabular format to reconcile beginning balances as previously reported to beginning balances as restated.

The requirements of this Statement are effective for accounting changes and error corrections made in fiscal years beginning after June 15, 2023 (fiscal 2023-24), and all reporting periods thereafter. Implementation of this Statement may have a material effect on the financial statements of the City.

- GASB Statement No. 101, "*Compensated Absences*"

This Statement requires that liabilities for compensated absences be recognized for (1) leave that has not been used and (2) leave that has been used but not yet paid in cash or settled through noncash means. A liability should be recognized for leave that has not been used if (a) the leave is attributable to services already rendered, (b) the leave accumulates, and (c) the leave is more likely than not to be

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City of Clayton
Notes to Basic Financial Statements
For the year ended June 30, 2023

2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, *Continued*

New Accounting Pronouncements, Continued

used for time off or otherwise paid in cash or settled through noncash means. Leave is attributable to services already rendered when an employee has performed the services required to earn the leave. Leave that accumulates is carried forward from the reporting period in which it is earned to a future reporting period during which it may be used for time off or otherwise paid or settled. In estimating the leave that is more likely than not to be used or otherwise paid or settled, a government should consider relevant factors such as employment policies related to compensated absences and historical information about the use or payment of compensated absences. However, leave that is more likely than not to be settled through conversion to defined benefit postemployment benefits should not be included in a liability for compensated absences.

The unified recognition and measurement model in this Statement will result in a liability for compensated absences that more appropriately reflects when a government incurs an obligation. In addition, the model can be applied consistently to any type of compensated absence and will eliminate potential comparability issues between governments that offer different types of leave.

The requirements of this Statement are effective for fiscal years beginning after December 15, 2023 (fiscal 2024-25), and all reporting periods thereafter. Earlier application is encouraged. The City does not anticipate that the Statement will have a material effect on the financial statements.

2. CASH AND INVESTMENTS

Classification

The City's total cash and investments, at fair value, are presented on the accompanying financial statements in the following allocation:

Government-Wide Statement of Net Position	
Governmental Activities	
Cash and investments	\$ 14,229,512
Statements of Fiduciary Net Position	
Private Purpose Trust Fund	
Cash and investments	422,954
Cash and investments with fiscal agents	111
Agency Funds	
Cash and investments	1,398,051
Cash and investments with fiscal agents	12,942
Investments in bonds	-
Total	<u>\$ 16,063,570</u>

City of Clayton
Notes to Basic Financial Statements
For the year ended June 30, 2023

2. CASH AND INVESTMENTS, Continued

Cash and investments as of June 30, 2023 consist of the following:

Cash on hand	\$	1,000
Deposits with financial institutions		3,832,602
Investments		<u>12,679,968</u>
Total	\$	<u>16,063,570</u>

Policy

Investments Authorized by the California Government Code and the City's Investment Policy

The following table identifies the investment types that are authorized for the City of Clayton by the California Government Code (or the City's investment policy, where more restrictive). The table also identifies certain provisions of the California Government Code (or the City's investment policy, where more restrictive) that address interest rate risk, credit risk, and concentration of credit risk. This table does not address investments of debt proceeds held by bond trustee that are governed by the provisions of debt agreements of the City, rather than the general provisions of the California Government Code or the City's investment policy.

<u>Authorized Investment Type</u>	<u>Maximum Maturity</u>	<u>Maximum Percentage of Portfolio</u>	<u>Maximum Percentage of One Issuer</u>
Local Agency Investment Fund (State Pool)	N/A	None	None
CAMP	N/A	None	None
Municipal Bonds	N/A	30%	5%
U. S. Treasury Obligations	N/A	None	None
U. S. Government Agency Issues	N/A	None	None
Bank Deposits	N/A	None	None
Negotiable Time Certificates of Deposit	N/A	30%	5%

Investments Authorized by Debt Agreements

Investments of debt proceeds held by bond trustees are governed by provisions of the debt agreements, rather than the general provisions of the California Government Code or the City's investment policy. The table below identifies the investment types that are authorized for investments held by bond trustees. The table also identifies certain provisions of these debt agreements that address interest rate risk, credit risk, and concentration of credit risk.

<u>Authorized Investment Type</u>	<u>Maximum Maturity</u>	<u>Maximum Percentage of Portfolio</u>	<u>Maximum Investment in One Issuer</u>
Money Market Mutual Funds	N/A	N/A	N/A
U. S. Government Agency Issues	5 years	20%	None
Federal Housing Administration Debentures	N/A	N/A	N/A
Commercial paper	92 days	N/A	N/A
Demand or time deposits	366 days	N/A	N/A

City of Clayton
Notes to Basic Financial Statements
For the year ended June 30, 2023

2. CASH AND INVESTMENTS, Continued

Interest Rate Risk

Interest rate risk is the risk that changes in market interest rates will adversely affect the fair value of an investment. Usually, the later the maturity of an investment the greater the sensitivity of its fair value to changes in market interest rates. Information about the sensitivity of the fair values of the City's investments (including investments held by bond trustees) to market interest rate fluctuations is provided by the following table that shows the distribution of investments by maturity:

Investment Type	Totals	Remaining Maturity (in Months)				
		12 Months or Less	13-24 Months	25-36 Months	37-48 Months	49-60 Months
Pooled Investments:						
Local Agency Investment Fund (LAIF)	\$ 1,033,738	\$ 1,033,738	\$ -	\$ -	\$ -	\$ -
California Asset Management Program (CAMP)	928,921	928,921	-	-	-	-
Certificates of Deposit	7,614,614	1,188,721	2,501,272	2,309,766	1,372,603	242,252
Government Securities	2,608,938	609,897	534,711	985,945	478,385	-
Money Market	493,757	493,757	-	-	-	-
Total Investments	<u>\$ 12,679,968</u>	<u>\$ 4,255,034</u>	<u>\$ 3,035,983</u>	<u>\$ 3,295,711</u>	<u>\$ 1,850,988</u>	<u>\$ 242,252</u>

Credit Risk

Generally, credit risk is the risk that an issuer of an investment will not fulfill its obligation to the holder of the investment. This is measured by the assignment of a rating by a nationally recognized statistical rating organization. Presented below is the minimum rating required by (where applicable) the California Government Code, the City's investment policy, or debt agreements, and the actual rating as of fiscal year end for each investment type.

Investment Type	AAA	AA+	A	Unrated	Total
Pooled Investments:					
Local Agency Investment Fund (LAIF)	\$ -	\$ -	\$ -	\$ 1,033,738	\$ 1,033,738
California Asset Management Program (CAMP)	928,921	-	-	-	928,921
Certificates of Deposit	-	-	-	7,614,614	7,614,614
Government securities	2,608,938	-	-	-	2,608,938
Money Market	493,775	-	-	-	493,757
Total Investments	<u>\$ 4,031,616</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 8,648,352</u>	<u>\$ 12,679,968</u>

Concentration of Credit Risk

This is the risk of loss attributed to the magnitude of a government's investment in a single issuer. Accordingly, the notes to the financial statements should disclose if the government has five (5) percent or more of its total investments in a single issuer. More than five percent of the City's investments are with the "Middle School" Community Facilities District No. 1990-1.

City of Clayton
Notes to Basic Financial Statements
For the year ended June 30, 2023

2. CASH AND INVESTMENTS, Continued

Custodial Credit Risk

Custodial credit risk for deposits is the risk that, in the event of the failure of a depository financial institution, a government will not be able to recover its deposits or will not be able to recover collateral securities that are in the possession of an outside party. The custodial credit risk for investments is the risk that, in the event of the failure of the counter party (e. g. broker-dealer) to a transaction, a government will not be able to recover the value of its investment or collateral securities that are in the possession of another party. The California Government Code and the City's investment policy do not contain legal or policy requirements that would limit the exposure to custodial credit risk for deposits or investments, other than the following provision for deposits. The California Government Code requires that a financial institution secure deposits made by state or local governmental units by pledging securities in an undivided collateral pool held by a depository regulated under state law (unless so waived by the governmental unit). The fair value of the pledged securities in the collateral pool must equal at least 110% of the total amount deposited by the public agencies. California law also allows financial institutions to secure City deposits by pledging first trust deed mortgage notes having a value of 150% of the secured public deposits.

Investment Fair Value

The City has the following recurring fair value measurements as of June 30, 2023:

- U. S. government agency note, certificates of deposit, Local Agency Investment Fund (LAIF), and California Asset Management Program (CAMP) values are based on unadjusted quoted prices in active markets for identical assets or liabilities at the measurement date [Level 1 inputs].
- Municipal bonds are valued based on unobservable inputs (supported by little or no market activity, such as the City's best estimate of what hypothetical market participants would use to determine a transaction price for the asset or liability at the reporting date) [Level 3 inputs].

The City is a voluntary participant in the LAIF and the CAMP that are regulated by the California Government Code under the oversight of the Treasurer of the State of California. The fair value of the City's investment in this pool is reported in the accompanying financial statements at amounts based upon the City's pro-rata share of the fair value provided by LAIF and CAMP for the entire respective portfolios (in relation to the amortized cost of that portfolio). The balance available for withdrawal is based on the accounting records maintained by LAIF and CAMP, which are recorded on an amortized cost basis.

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City of Clayton
Notes to Basic Financial Statements
For the year ended June 30, 2023

3. LOANS AND NOTES RECEIVABLE

The following is a summary of loans and notes receivable of the City for the year ended June 30, 2023:

	Balance July 1, 2022	Additions	Deletions	Balance at June 30, 2023
Successor Housing Agency:				
Diamond Terrace P. A. M. Note	\$ 2,722,200	\$ -	\$ (116,400)	\$ 2,605,800
Eden Affordable Housing Note	567,000	-	-	567,000
Stranahan Affordable Housing Notes	<u>22,350</u>	-	-	<u>22,350</u>
Total Successor Housing Agency	<u>3,311,550</u>	-	<u>(116,400)</u>	<u>3,195,150</u>
Total Notes Receivable	<u>\$ 3,311,550</u>	<u>\$ -</u>	<u>\$ (116,400)</u>	<u>\$ 3,195,150</u>

Diamond Terrace Note

On September 21, 1999, the former RDA low-moderate housing fund made a loan to the Professional Apartment Management, Inc. ("PAM") in the amount of \$750,000, at a non-interest bearing rate, to construct and develop an affordable senior assisted living center on the site known as "Diamond Terrace." The note is secured by the Deed of Trust. The former RDA loaned an additional \$1,286,000 on October 24, 2001. On December 1, 2003, PAM began drawing on a \$2,000,000 loan from the former RDA in the amount of \$200,000 annually. The principal balance is payable commencing on October 1, 2005 through October 1, 2030. The balance of the loan due to the Successor Housing Agency was \$2,605,800 at June 30, 2023.

Eden Housing Loan

On October 13, 1992, the former RDA low-moderate housing fund made a loan to the Peace Grove, Inc. in the amount of \$567,000, at a non-interest bearing rate, for the purchase of land for a redevelopment and housing project for low-income mental health system clients. The loan is secured by the Deed of Trust. The principal balance is payable on December 18, 2052. As of June 30, 2023, the outstanding balance of the loan due to the Successor Housing Agency was \$567,000.

Stranahan Affordable Housing Loans

The former RDA low-moderate housing fund participated in a second mortgage assistance program, whereby qualified applicants are loaned money for a "silent second" down payment to purchase a home in the Stranahan Development within the City. There is one individual loan outstanding. Interest is accrued on the principal for the first 35 years and then the total of accrued interest and principal is forgiven over the last 10 years of the term of the lease. As of June 30, 2023, the outstanding balance of the loans due to the Successor Agency was \$22,350 of principal. The collectability of the accrued interest on these notes (\$34,126) is doubtful and an allowance has been recorded to offset the full amount.

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City of Clayton
Notes to Basic Financial Statements
For the year ended June 30, 2023

4. INTERFUND TRANSACTIONS

Due To, Due From

At June 30, 2023, the City had the following short-term interfund receivables and payables:

<u>Due to</u>	<u>Due from</u>		<u>Total</u>
	Non-major Governmental Funds	Endeavor Hall	
General Fund	\$ 17,942	\$ 120,892	\$ 138,834
Total	<u>\$ 17,942</u>	<u>\$ 120,892</u>	<u>\$ 138,834</u>

General Fund cash flow loans totaling \$120,892 were made to Endeavor Hall and \$17,942 to the Stormwater Assessment Fund. The balance of the Endeavor Hall receivable is expected to be repaid from future facility rental fees.

Interfund Transfers

The following is a summary of the City's interfund transfers for the year ended June 30, 2023:

<u>Transfers Out</u>	<u>Transfers In</u>				<u>Total</u>
	General Fund	Capital Improvement Program	Non-major Governmental Funds	Capital Equipment Replacement	
General Fund	\$ -	\$ -	\$ 20,403	\$ 70,000	\$ 90,403
Landscape Maintenance	41,713	-	1,164	-	42,877
American Rescue Plan Act	1,467,024	-	-	-	1,467,024
Non-major Governmental	96,041	423,000	237,158	-	756,199
Total	<u>\$1,604,778</u>	<u>\$ 423,000</u>	<u>\$ 258,725</u>	<u>\$ 70,000</u>	<u>\$ 2,356,503</u>

The City transferred money into the General Fund from the following funds: Landscape Maintenance, Gas Tax HUTA, the Grove Park District, Oakhurst Geological Hazard Abatement District, Neighborhood Street Lighting District, Measure J Grants, Grants, American Rescue Act Plan grant, and Stormwater Treatment Assessment District to reimburse the City for administrative support activities. In addition, the City transferred money into the Capital Improvement Program from Gas Tax HUTA, Gas Tax RMRA, Grants, and Measure J Grants to fund project costs associated with the Stormwater Treatment Assessment District.

Within the General Fund the Rainy Day fund and the Pandemic's Recovery Reserve Fund transferred \$33,525 and \$37,139, respectively to the General Fund for administrative expenditures.

5. LEASES AND SUBSCRIPTION-BASED INFORMATION TECHNOLOGY AGREEMENTS

City of Clayton
Notes to Basic Financial Statements
For the year ended June 30, 2023

The City has several leasing arrangements, summarized below.

The City has accrued liabilities for two equipment leases. The discount rate used in the calculation of the lease liabilities were 3.69% and 5.00%. The remaining liability for the leases was \$178,084 as of June 30, 2023. Right-to-use assets, net of amortization, for the leases totaled \$150,766 as of June 30, 2023. The City is required to make principal and interest payments of \$924 a month through July 2023, and \$33,525 a year through September 2028.

The City's schedule of future payments included in the measurement of the lease liability is as follows:

Fiscal Year Ending June 30,	Principal	Interest	Total
2024	\$ 27,796	\$ 6,653	\$ 34,449
2025	27,885	5,640	33,525
2026	28,931	4,594	33,525
2027	30,017	3,508	33,525
2028	31,143	2,381	33,524
2029	32,312	1,213	33,525
Total	<u>\$ 178,084</u>	<u>\$ 23,989</u>	<u>\$ 202,073</u>

The City has several subscription-based information technology agreements (SBITAs), summarized below.

The City has accrued liabilities for two SBITAs. The discount rate used in the calculation of the SBITAs were 2.356%. The remaining liability for the SBITAs was \$62,930 as of June 30, 2023. Right-to-use-assets, net of amortization for the leases totaled \$74,936 as of June 30, 2023. The City is required to make annual principal and interest payments of \$16,500 through April 2024 and \$12,400 through July 2026.

The City's schedule of future payments included in the measurement of the SBITA liability is as follows:

Fiscal Year Ending June 30,	Principal	Interest	Total
2024	\$ 27,417	\$ 1,217	\$ 28,634
2025	11,563	564	12,127
2026	11,836	285	12,121
2027	12,115	-	12,115
Total	<u>\$ 62,931</u>	<u>\$ 2,066</u>	<u>\$ 64,997</u>

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City of Clayton
Notes to Basic Financial Statements
For the year ended June 30, 2023

6. CAPITAL ASSETS

Government-Wide Financial Statements

As of June 30, 2023 the City's capital assets consisted of the following:

	Governmental Activities	Business-Type Activities	Total
<i>Net depreciable Assets:</i>			
Construction in progress	\$ 1,805,921	\$ -	\$ 1,805,921
Land	2,086,965	167,738	2,254,703
Total non depreciable assets	<u>3,892,886</u>	<u>167,738</u>	<u>4,060,624</u>
<i>Depreciable Assets:</i>			
Buildings	5,937,106	1,400,744	7,337,850
Improvements	7,818,913	159,579	7,978,492
Machinery and equipment	1,987,653	5,024	1,992,677
Infrastructure	33,787,494	-	33,787,494
Intangible assets (right-to-use)	340,483	-	340,483
Total depreciable assets	49,871,649	1,565,347	51,436,996
Total accumulated depreciation	<u>(24,236,608)</u>	<u>(755,454)</u>	<u>(24,992,062)</u>
Depreciable assets, net	<u>25,635,041</u>	<u>809,893</u>	<u>26,444,934</u>
Total governmental activities capital assets, net	<u>\$ 29,527,927</u>	<u>\$ 977,631</u>	<u>\$ 30,505,558</u>

The following is a summary of governmental activities capital assets transactions for the year ended June 30, 2023:

	Balance July 1, 2022	Additions	Deletions	Balance June 30, 2023
<i>Non depreciable Assets:</i>				
Construction in progress	\$ 1,046,789	\$ 1,487,047	\$ (727,915)	\$ 1,805,921
Land	2,086,965	-	-	2,086,965
Total non depreciable assets	<u>3,133,754</u>	<u>1,487,047</u>	<u>(727,915)</u>	<u>3,892,886</u>
<i>Depreciable Assets:</i>				
Machinery and equipment	1,861,599	126,054	-	1,987,653
Buildings	5,937,106	-	-	5,937,106
Improvements	7,660,589	158,324	-	7,818,913
Infrastructure	33,239,930	547,564	-	33,787,494
Intangible assets	254,694	85,789	-	340,483
Total depreciable assets	<u>48,953,918</u>	<u>917,731</u>	<u>-</u>	<u>49,871,649</u>
<i>Accumulated depreciation:</i>				
Machinery and equipment	(1,320,988)	(115,900)	-	(1,436,888)
Buildings	(3,194,314)	(118,580)	-	(3,312,894)
Improvements	(3,566,893)	(356,387)	-	(3,923,280)
Infrastructure	(14,851,270)	(597,495)	-	(15,448,765)
Intangible assets	(38,002)	(76,779)	-	(114,781)
Total accumulated depreciation	<u>(22,971,467)</u>	<u>(1,265,141)</u>	<u>-</u>	<u>(24,236,608)</u>
Depreciable assets, net	<u>25,982,451</u>	<u>347,410</u>	<u>-</u>	<u>25,635,041</u>
Total governmental activities capital assets, net	<u>\$ 29,116,205</u>	<u>\$ 1,139,637</u>	<u>\$ (727,915)</u>	<u>\$ 29,527,927</u>

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City of Clayton
Notes to Basic Financial Statements
For the year ended June 30, 2023

7. CAPITAL ASSETS, Continued

For the year ending June 30, 2023 depreciation and amortization expense was charged to functions/programs of the governmental activities as follows:

General government	\$ 211,010
Parks and recreation	329,746
Public safety	156,376
Public works	<u>568,009</u>
Total depreciation amortization expense	<u>\$ 1,265,141</u>

The following is a summary of business-type activities capital assets transactions for the year ended June 30, 2023:

	Balance <u>July 1, 2022</u>	Additions	Deletions	Balance <u>June 30, 2023</u>
<i>Non depreciable Assets:</i>				
Land	\$ 167,738	\$ -	\$ -	\$ 167,738
Total non depreciable assets	<u>167,738</u>	<u>-</u>	<u>-</u>	<u>167,738</u>
<i>Depreciable Assets:</i>				
Machinery and equipment	5,024	-	-	5,024
Improvements	159,579	-	-	159,579
Buildings	1,400,744	-	-	1,400,744
Total depreciable assets	<u>1,565,347</u>	<u>-</u>	<u>-</u>	<u>1,565,347</u>
<i>Accumulated depreciation:</i>				
Machinery and equipment	(5,024)	-	-	(5,024)
Improvements	(154,307)	(3,557)	-	(157,864)
Buildings	(564,551)	(28,015)	-	(592,566)
Total accumulated depreciation	<u>(723,882)</u>	<u>(31,572)</u>	<u>-</u>	<u>(755,454)</u>
Depreciable assets, net	<u>841,465</u>	<u>(31,572)</u>	<u>-</u>	<u>809,893</u>
Total business-type activities capital assets, net	<u>\$ 1,009,203</u>	<u>\$ (31,572)</u>	<u>\$ -</u>	<u>\$ 977,631</u>

For the year ending June 30, 2023 depreciation expense was charged to functions/programs of the business-type activities as follows:

Endeavor Hall	\$ 31,572
Total depreciation expense	<u>\$ 31,572</u>

Fund Financial Statements

The governmental fund financial statements do not present general government capital assets, which are shown in the Reconciliation of the Governmental Funds Balance Sheet to the Government-Wide Statement of Net Position. The capital assets of the enterprise funds in the Proprietary Fund Financial Statements are the same as those shown in the business-type activities of the Government-Wide Financial Statements. Internal Service Funds' capital assets are combined with governmental activities.

City of Clayton
Notes to Basic Financial Statements
For the year ended June 30, 2023

7. COMPENSATED ABSENCES

Compensated absences include vacation and sick leave. It is the policy of the City to pay 100% of the capped accumulated vacation leave when a public safety employee retires or terminates, and up to 18 months of a general employee's maximum annual accrual allowed upon the same leave of employment action. The City recognizes the liability for its compensated absences in the governmental activities. The following is a summary of compensated absences transactions during the year ended June 30, 2023:

	Beginning Balance July 1, 2022	Additions	Deletions	Ending Balance June 30, 2023	Amount Due in One Year
Compensated absences	\$ 167,290	\$ 187,071	\$ 172,347	\$ 182,014	\$ 91,007

8. CONDUIT DEBT

The following debt issuances were issued by the City for the express purpose of providing capital financing for third parties that are not part of the primary government of the City. Although these conduit debt obligations may bear the name of the City, the City has no obligation for such debt beyond the resources provided by a lease or loan with the third party on whose behalf they are issued.

Lydia Lane Sewer Assessment District-Original Issue \$228,325

Lydia Lane Sewer Assessment District Bonds in the principal amount of \$228,325 were issued on August 5, 2002 by the City. Principal payments are payable on September 2 of each year. Interest payments are payable semi-annually on March 2 and September 2. The bonds are non city obligations and are secured by sewer assessment district revenue. As of June 30, 2023, the outstanding balance of the non-city bond obligation was \$123,325.

9. UNEARNED AND DEFERRED REVENUE

Deferred inflows of resources were recorded in the fund financial statements because the funds were not available to finance expenditures of the current period. At June 30, 2023, deferred inflows of resources in the fund financial statements were as follows.

	General Fund	Successor Housing Agency	Other Governmental Funds	Total Governmental Funds
Deferred revenue				
Unavailable state-mandated program reimbursements	\$ 260,379	\$ -	\$ -	\$ 260,379
Unavailable accounts receivable	462	-	317,233	317,695
Unavailable loans receivable	-	2,605,800	-	2,605,800
Total deferred revenue	<u>\$ 260,841</u>	<u>\$ 2,605,800</u>	<u>\$ 317,233</u>	<u>\$ 3,183,874</u>

City of Clayton
Notes to Basic Financial Statements
For the year ended June 30, 2023

10. RISK MANAGEMENT

The City participates in the Municipal Pooling Authority of Northern California (MPA), a joint powers agreement between twenty cities, which provides insurance coverage for liability, auto, property, and workers' compensation claims. Claims liabilities are accrued when it is probable that a loss has occurred and the amount of that loss can be reasonably estimated. The MPA covers claims in an amount up to \$34,500,000. The City has a deductible of \$5,000 per claim for liability cases and no deductible for workers' compensation claims. Once the City's deductible is met, the MPA becomes responsible for payment of all claims and legal defense. The MPA is governed by a board consisting of one voting representative from each member municipality. The Board controls the operations of the MPA including selection of management, approval of operating budgets, and is independent of any influence by member municipalities beyond their representation on the Board. The City's general liability and workers' compensation premium payments made to MPA for the fiscal year ending June 30, 2023, are in accordance with formulas established by the MPA. Actual surpluses or losses are shared according to a formula developed from overall loss costs and spread to member entities on a percentage basis after a retrospective rating. Financial statements may be obtained from MPA at 1911 San Miguel Drive, Suite 200, Walnut Creek, CA 94596. The City has had no settlements which exceeded insurance coverage during fiscal year ending June 30, 2023. Estimates of incurred, but not reported, liability claims are included in the City's claims estimates and based upon historical experiences as calculated by the MPA.

11. DEFINED BENEFIT PENSION PLAN

Plan Description

The Plan is a cost-sharing multiple-employer defined benefit pension plan administered by the California Public Employees' Retirement System (CalPERS). A full description of the pension plan benefit provisions, assumptions for funding purposes (not accounting purposes) and membership information is listed in the latest Annual Actuarial Valuation Report as of June 30, 2018. This report is a publicly available valuation report that can be obtained at CalPERS' website under Forms and Publications. All qualified permanent and probationary employees are eligible to participate in the City's separate Public Safety (police) and Miscellaneous (all other) defined benefit pension plans. Both the Public Safety and Miscellaneous plans are part of the public agency cost-sharing multiple employers defined benefit pension plan (PERF C), which is administered by CalPERS. PERF C consists of a Safety and Miscellaneous pool (also referred to as "risk pools"), which are comprised of individual employer safety and miscellaneous rate plans, respectively. Benefit provisions under the Plan are established by State statute and City resolution. CalPERS issues publicly available reports that include a full description of the pension plans regarding benefit provisions, assumptions and membership information that can be obtained from CalPERS at 400 Q Street, Sacramento, CA 95811.

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City of Clayton
Notes to Basic Financial Statements
For the year ended June 30, 2023

11. DEFINED BENEFIT PENSION PLAN, Continued

Benefits Provided

CalPERS provides service retirement and disability benefits, annual cost of living adjustments and death benefits to plan members, who must be public employees and beneficiaries. Benefits are based on years of credited service, equal to one year of full time employment. Members with five years of total service become vested and are eligible to retire at age 50 with statutorily reduced benefits. All members are eligible for non-duty disability benefits after 10 years of service. The death benefit is one of the following: the Basic Death Benefit, the 1957 Survivor Benefit, or the Optional Settlement 2W Death Benefit. The cost of living adjustments for each plan are applied as specified by the Public Employees' Retirement Law. The Plans' provisions and benefits in effect at June 30, 2023, are summarized as follows:

	Miscellaneous Pension Plan		
	<u>Tier I</u>	<u>Tier II</u>	<u>Tier III (PEPRA)*</u>
Hire Date	Before 7/1/2010	On or after 7/1/2020 but Before 1/1/2013	On or after 1/1/2013
Benefit formula	2% @ 55	2% @ 60	2% @ 62
Benefit vesting schedule	5 years of service	5 years of service	5 years of service
Benefit payments	Monthly for life	Monthly for life	Monthly for life
Minimum retirement age	50	50	52
Monthly benefits, as % of eligible compensation	1.426% - 2.418%	1.092% - 2.418%	0.842% - 2.5%
	Safety Pension Plan		
	<u>Tier I</u>	<u>Tier II</u>	<u>Tier III (PEPRA)*</u>
Hire Date	Before 7/1/2010	On or after 7/1/2010 but Before 1/1/2013	On or after 1/1/2013
Benefit formula	3% @ 55	2% @ 50	2.7% @ 57
Benefit vesting schedule	5 years of service	5 years of service	5 years of service
Benefit payments	Monthly for life	Monthly for life	Monthly for life
Minimum retirement age	50	50	50
Monthly benefits, as % of eligible compensation	2.4% - 3.0%	2.0% - 2.7%	2.0% - 2.7%

*The California Public Employees' Reform Act (PEPRA) was enacted in 2012 and became effective January 1, 2013.

City of Clayton
Notes to Basic Financial Statements
For the year ended June 30, 2023

11. DEFINED BENEFIT PENSION PLAN, Continued*Employees Covered*

At June 30, 2023 the following employees were covered by the benefit terms for each plan:

	Miscellaneous			Public Safety		
	Tier I	Tier II	PEPRA	Tier I	Tier II	PEPRA
Inactive employees (or their beneficiaries) currently receiving benefits	32	12	1	35	8	5
Inactive employees entitled to but not yet receiving benefits	4	-	4	8	4	7
Active employees	<u>4</u>	<u>-</u>	<u>6</u>	<u>2</u>	<u>3</u>	<u>9</u>
Total	<u>40</u>	<u>12</u>	<u>11</u>	<u>45</u>	<u>15</u>	<u>21</u>

Contributions

Section 20814(c) of the California Public Employees' Retirement Law (PERL) requires that the employer contribution rates for all public employers be determined on an annual basis by the actuary and shall be effective on the July 1 following notice of a change in the rate. The total plan contributions are determined through the CalPERS' annual actuarial valuation process. The Plan's actuarially determined rate is based on the estimated amount necessary to pay the costs of benefits earned by employees during the year, with an additional amount to pay any unfunded accrued liability. The employer is required to contribute the difference between the actuarially determined rate and the contribution rate of employees.

For the year ended June 30, 2023, the City's contractually required contributions, which are actuarially determined, were as follows:

Pension Plan	Employer Contributions		
	Normal Cost Percentage of Payroll	Unfunded Actuarial Liability	Total
Miscellaneous Tier I	\$ 16,766	\$ 181,641	\$ 198,407
Miscellaneous Tier II	30,160	2,679	32,839
Miscellaneous PEPRA	46,729	3,397	50,126
Public Safety Tier I	97,486	247,709	345,195
Public Safety Tier II	-	1,782	1,782
Public Safety PEPRA	80,307	5,587	85,894
Total	<u>\$ 271,448</u>	<u>\$ 442,795</u>	<u>\$ 712,243</u>

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Notes to Basic Financial Statements
For the year ended June 30, 2023

11. DEFINED BENEFIT PENSION PLAN, Continued

Contributions, Continued

The following is a summary of actuarially determined employer and contractually determined employee pension contribution rates as a percentage of payroll for the year ended June 30, 2022:

<u>Pension Plan</u>	<u>Employer Contribution Rate</u>	<u>Employee Contribution Rate</u>
Miscellaneous Tier I	10.34	7.000 ¹
Miscellaneous Tier II	8.65	7.000
Miscellaneous PEPRA	7.59	6.750
Public Safety Tier I	20.64	9.000
Public Safety Tier II	18.19	9.000
Public Safety PEPRA	13.13	13.000

¹ Paid on behalf of employee per labor agreement referred to as "Employee Paid Member Contribution" (EPMC) by CalPERS.

Net Pension Liability

At June 30, 2023, the City reported total net pension liabilities for its proportionate share in both the Miscellaneous and Safety plans as follows:

<u>Pension Plan</u>	<u>Net Pension Liability (Asset)</u>	<u>Proportionate Share of Net Pension Liability</u>
Miscellaneous	\$ 2,666,497	0.05699%
Public Safety	3,661,318	0.05328%
Total	<u>\$ 6,327,815</u>	<u>\$ 0.05478%</u>

The City's net pension liability was based on the proportionate shares (in dollars) determined by CalPERS based on individual actuarial measurement specific to each rate plan in the Miscellaneous Pool and the Safety Pool. The City's total proportionate share of the cost-sharing plan pension amounts is the sum of the pension amounts allocated to each of the City's Miscellaneous and Safety rate plans. The City's net pension liability is measured as of June 30, 2022, using annual actuarial valuations as of June 30, 2021 rolled forward to June 30, 2022 using standard update procedures.

For the year ending June 30, 2023, the City recognized a total pension revenue of \$97,350. At June 30, 2023, the City reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

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For the year ended June 30, 2023

11. DEFINED BENEFIT PENSION PLAN, Continued*Pension Expense, Deferred Outflows of Resources and Deferred Inflows of Resources*

	Deferred Outflows of Resources	Deferred Inflows of Resources	Net Deferred Outflows / (Inflows) of Resources
Pension contributions subsequent to measurement date	\$ 714,243	\$ -	\$ 714,243
Net difference between projected and actual earnings on pension plan investments	1,066,605	-	1,066,605
Change in employer's proportion	537,064	22,659	514,405
Changes in assumptions	642,410	-	642,410
Differences between actual and expected experiences	205,077	75,623	129,454
Differences between the employer's contributions and the employer's proportion share of contributions	-	587,434	(587,434)
Total	<u>\$ 3,165,399</u>	<u>\$ 685,716</u>	<u>\$ 2,479,683</u>

Pension Expense, Deferred Outflows of Resources and Deferred Inflows of Resources, Continued

Of the reported deferred outflows of resources, \$714,243 is related to contributions subsequent to the measurement date will be recognized as a reduction of the net pension liability in the year ended June 30, 2024 (measurement period ended June 30, 2023). Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized as pension expense as follows:

Fiscal Year End	Miscellaneous Risk Pool	Safety Risk Pool	Total
2024	\$ 143,795	\$ 316,321	\$ 460,115
2025	135,016	273,057	408,073
2026	89,289	156,529	245,818
2027	289,741	352,693	651,434
Thereafter	-	-	-

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City of Clayton
Notes to Basic Financial Statements
For the year ended June 30, 2023

11. DEFINED BENEFIT PENSION PLAN, Continued

Discount Rate

The discount rate used to measure the total pension liability was 6.90%. To determine whether the municipal bond rate should be used in the calculation of a discount rate for each plan, CalPERS stress tested plans that would most likely result in a discount rate that would be different from the actuarially assumed discount rate. Based on the testing, none of the tested plans run out of assets. Therefore, the current 6.90% discount rate is adequate and the use of the municipal bond rate calculation is not necessary. The long term expected discount rate of 6.90% will be applied to all plans in the PERF C. The stress test results are presented in a detailed report that can be obtained from the CalPERS website at www.calpers.ca.gov.

The long-term expected rate of return on pension plan investments was determined using a building-block method in which best-estimate ranges of expected future real rates of return (expected returns, net of pension plan investment expense and inflation) are developed for each major asset class.

In determining the long-term expected rate of return, CalPERS took into account both short-term and long-term market return expectations as well as the expected pension fund cash flows. Using historical and forecasted information for all the funds' asset classes, expected compound returns were calculated over the short-term (first 10 years) and the long-term (11+ years) using a building-block approach. Using the expected nominal returns for both short-term and long-term, the present value of benefits was calculated for each fund. The expected rate of return was set by calculating the rounded single equivalent expected return that arrived at the same present value of benefits for cash flows as the one calculated using both short-term and long-term returns. The expected rate of return was then set equal to the single equivalent rate calculated above and adjusted to account for assumed administrative expenses.

The expected real rates of return by asset class are as follows:

Asset Class	Assumed Asset Allocation	Real Return ^{1,2}
Global Equity - Cap-weighted	30.00%	4.54%
Global Equity - Non-Cap-weighted	12.00%	3.84%
Private Equity	13.00%	7.28%
Treasury	5.00%	0.27%
Mortgage-backed Securities	5.00%	0.50%
Investment Grade Corporates	10.00%	1.56%
High Yield	5.00%	2.27%
Emerging Market Debt	5.00%	2.48%
Private Debt	5.00%	3.57%
Real Assets	15.00%	3.21%
Leverage	(5.00)	(0.59)
Total	100.00%	

¹An expected inflation of 2.30% is used for this period.

²Figures are based on the 2021 Asset Liability Management study.

City of Clayton
Notes to Basic Financial Statements
For the year ended June 30, 2023

11. DEFINED BENEFIT PENSION PLAN, Continued

Actuarial Methods and Assumptions

The following actuarial assumptions and methods were used to calculate the total pension liability as of June 30, 2022:

Valuation Date	June 30, 2021
Measurement Date	June 30, 2022
Measurement Period	July 1, 2021 to June 30, 2022
Discount Rate	6.90%
Inflation	2.30%
Salary Increase	Varies by Entry Age and Service
Mortality	Derived using specific CalPERS Membership Data for all Funds. The mortality table used was developed based on CalPERS-specific data. The probabilities of mortality are based on the 2021 CalPERS Experience Study for the period from 2001 to 2019. Pre-retirement and post-retirement mortality rates include generational mortality improvement using 80% of scale MP-2020 published by the Society of Actuaries.
Post Retirement Benefit Increase	Contract COLA up to 2.30% until Purchasing Power Protection Allowance Floor on Purchasing Power applies.

All other actuarial assumptions used in the June 30, 2021 valuation can be obtained from CalPERS at their website at www.calpers.ca.gov under Forms and Publications.

Sensitivity of the Net Pension Liability to Changes in the Discount Rate

The following presents the City's proportionate share of the net pension liability, calculated using the discount rate of 6.90%, as well as what the City's proportionate share of the net pension liability/(asset) would be if it were calculated using a discount rate that is 1-percentage point lower (5.90%) or 1-percentage point higher (7.90%) than the current rate:

	Miscellaneous	Safety	Total
1% decrease	5.90%	5.90%	5.90%
Net pension liability	\$ 4,094,875	\$ 5,668,577	\$ 9,763,451
Current discount rate	6.90%	6.90%	6.90%
Net pension liability	\$ 2,666,497	\$ 3,661,318	\$ 6,327,815
1% increase	7.90%	7.90%	7.90%
Net pension liability	\$ 1,491,296	\$ 2,020,837	\$ 3,512,134

City of Clayton
Notes to Basic Financial Statements
For the year ended June 30, 2023

11. DEFINED BENEFIT PENSION PLAN, Continued

Pension Plan Fiduciary Net Position

Detailed information about each pension plan's fiduciary net position is available in the separately issued CalPERS financial reports. The plan's fiduciary net position disclosed per the GASB Statement No. 68 accounting valuation report may differ from the plan assets reported in the funding actuarial valuation report due to several reasons. For the accounting valuations, CalPERS must keep items such as deficiency reserves, fiduciary self-insurance and OPEB expense included as assets. These amounts are excluded for rate setting purposes in the City's funding actuarial valuation. In addition, differences may result from early financial statement closing and final reconciled reserves.

Plan Description

The City of Clayton Retired Employee Health Care Program is a single-employer defined benefit healthcare program administered by the City of Clayton. The program offers medical only (no dental) insurance benefits to eligible retirees and their families through the same self-insured program coverage to active City employees. In connection with this, the City has established a plan to provide post-employment benefits other than pensions as defined in *California Public Employees' Retirement Law* section 7500-7514. 5. The plan provides employees who retire directly from the City, at a minimum age of 50, with a minimum of five years of service, a cash subsidy for monthly medical insurance premiums to a cap of \$151 per employee per month as of January 1, 2023. This monthly subsidy is the statutory minimum employer premium contribution under the California Public Employee's Medical and Health Care Act (PEMHCA). To be eligible for this OPEB health coverage, employees must retire within 120 days of separation from employment with the City and also receive a monthly retirement warrant. Furthermore, to be eligible for retiree health benefits, the City of Clayton must still contract with CalPERS for health benefits. Once a retiree becomes eligible for Medicare, these benefits are integrated with the Medicare plan. Separate stand-alone audited financial statements are not issued for this plan.

Employees Covered

As of the June 30, 2023, the date of the latest actuarial valuation, the following current and former employees were covered by the benefit terms under the plan:

Active employees	27
Inactive employees or beneficiaries currently receiving benefits	9
Inactive employees entitled to, but not yet receiving benefits	-
Total employees	<u>36</u>

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City of Clayton
Notes to Basic Financial Statements
For the year ended June 30, 2023

12. OTHER POST-EMPLOYMENT BENEFITS (OPEB), Continued

Contributions

The City does not have an actuarially-determined contribution requirement as an irrevocable trust has not yet been established. The City currently administers the plan on a pay-as-you-go basis with nine (9) retirees currently receiving the PEMHCA minimum benefit. Total retiree OPEB premium payments, excluding the implicit rate subsidy of \$14,349 were made by the City during the fiscal year ended June 30, 2023.

Net OPEB Liability

The City's net OPEB liability was measured as of June 30, 2023, and the total OPEB liability used to calculate the net OPEB liability was determined by an actuarial valuation dated June 30, 2023, that was rolled forward to determine the June 30, 2023, total OPEB liability, based on the following actuarial methods and assumptions:

Actuarial Cost Method	Entry Age Normal Level Percentage of Pay (AMM)
Discount Rate	4.13%
Inflation Rate	2.30%
Payroll Growth	2.80% wage inflation
Investment Rate of Return	N/A - OPEB plan is unfunded
Funded Ratio	0.00%
Health Care Trend Rates	Based on 2022 Getzen model with an initial rate of 7.00%, gradually decreasing to an ultimate rate of 3.94% by 2075

Discount Rate

As of June 30, 2023, the City has not established a dedicated irrevocable trust to pay retiree healthcare benefits. Pursuant to GASBS 75, the discount rate should be a yield or index rate for 20-year, tax-exempt general obligation municipal bonds with an average rating of AA/Aa or higher (or equivalent quality on another rating scale). A rate of 4.13% is used, with is the Standard & Poor's Municipal Bond 20-Year High-Grade Rate Index as of June 30, 2023.

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City of Clayton
Notes to Basic Financial Statements
For the year ended June 30, 2023

12. OTHER POST-EMPLOYMENT BENEFITS (OPEB), Continued

Changes in the OPEB Liability

The changes in the net OPEB liability for the plan are as follows:

	Total OPEB Liability	Plan Fiduciary Net Position	Net OPEB Liability
Balances as of July 1, 2022	\$ 578,315	\$ -	\$ 578,315
Changes recognized for the measurement period:			
Service Cost	32,489	-	32,489
Interest on total OPEB liability and service cost ¹	24,351	-	24,351
Changes of benefit terms	-	-	-
Difference between expected and actual experience	726	-	726
Changes of assumptions and other inputs	(2,744)	-	(2,744)
Employer contributions	-	31,153	(31,153)
Active and inactive employee contributions	-	-	-
Net investment income	-	-	-
Benefit payments ²	(31,153)	(31,153)	-
Administrative expenses	-	-	-
Other changes	-	-	-
Net changes	23,669	-	23,669
Balances as of June 30, 2023	\$ 601,984	\$ -	\$ 601,984

¹Service costs prior to fiscal year ended June 30, 2023 already include interest cost to the end of the year

²Based on \$16,804 in explicit benefit payments and estimated implicit subsidy payments of \$14,349.

Sensitivity of the Net OPEB Liability to Changes in the Discount Rate

The following presents the net OPEB liability of the City if it were calculated using a discount rate that is one percentage point lower or higher than the current rate, as of the measurement June 30, 2023, date:

	1% Decrease (3.13%)	Current Discount Rate (4.13%)	1% Increase (5.13%)
Net OPEB Liability	\$ 676,690	\$ 601,984	\$ 539,026

Sensitivity of the Net OPEB Liability to Changes in the Health Care Cost Trend Rates

The following presents the net OPEB liability of the City if it were calculated using health care cost trend rates that are one percentage point lower or one percentage point higher than the current rate, for measurement the period ended June 30, 2023:

	6.00% decreasing to 2.94%	7.00% decreasing to 3.94%	8.00% decreasing to 4.94%
Net OPEB Liability	\$ 525,703	\$ 601,984	\$ 695,189

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City of Clayton
Notes to Basic Financial Statements
For the year ended June 30, 2023

12. OTHER POST-EMPLOYMENT BENEFITS (OPEB), Continued

OPEB Plan Fiduciary Net Position

As the City has not established an irrevocable trust to pay retiree health care benefits, the plan has a fiduciary net position of \$0 as of June 30, 2023.

Recognition of Deferred Outflows and Deferred Inflows of Resources

Gains and losses related to changes in total OPEB liability and fiduciary net position are recognized in OPEB expense systematically over time. Amounts are first recognized in OPEB expense for the year the gain or loss occurs. The remaining amounts are categorized as deferred outflows and deferred inflows of resources related to OPEB and are to be recognized in future OPEB expense over an assumed expected average remaining service lifetime (EARSL) of 1.0 years.

OPEB Expense and Deferred Outflows/Inflows of Resources Related to OPEB

For the fiscal year ended June 30, 2023, the City recognized OPEB expense of \$23,669. The measurement date is the same as the fiscal year end date. Consequently, as of the fiscal year ended June 30, 2023, the City did not report deferred outflows and deferred inflows of resources related to OPEB from the following sources:

	<u>Deferred Outflows of Resources</u>	<u>Deferred Inflows of Resources</u>	<u>Net Deferred Outflows / (Inflows) of Resources</u>
Differences between actual and expected experiences	\$ -	\$ -	\$ -
Changes in assumptions	-	-	-
Difference between expected and actual earnings on OPEB plan investments	-	-	-
Total	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

As an irrevocable trust for payment of retiree health benefits has not been established, there are no contributions subsequent to the measurement date to report, which would otherwise be recognized as a reduction of the net OPEB liability in the following fiscal year. Other amounts reported as deferred outflows and deferred inflows of resources related to OPEB will be recognized as OPEB expense as follows:

<u>Fiscal Year Ending June 30</u>	<u>Deferred Outflows / (Inflows) of Resources</u>
2024	\$ -
2025	-
2026	-
2027	-
2028	-
Thereafter	-
Total	<u>\$ -</u>

City of Clayton
Notes to Basic Financial Statements
For the year ended June 30, 2023

13. REDEVELOPMENT SUCCESSOR AGENCY ACTIVITIES

Background

On June 28, 2011, the California State Legislature adopted two pieces of legislation - AB IX 26 and AB IX 27 (the Bill) - that eliminated redevelopment agencies and provided cities with the opportunity to preserve their redevelopment agency if they agreed to make certain payments to the County Auditor Controller. On behalf of cities and redevelopment agencies throughout the State, the League of California Cities and California Redevelopment Association requested a stay on the implementation of both pieces of legislation and filed a lawsuit with the California Supreme Court challenging both pieces of legislation. The stay was rejected and on December 29, 2011, the Supreme Court validated AB IX 26 and overturned AB IX 27. Further, the Supreme Court indicated that all redevelopment agencies in the State of California were to be dissolved and cease operations as a legal entity as of February 1, 2012.

Under the new law, redevelopment agencies in the State of California cannot enter into new projects, obligations, or commitments. Subject to the control of a newly established oversight board, remaining assets can only be used to pay enforceable obligations in existence at the date of dissolution (including the completion of any unfinished project that were subject to legally enforceable contractual commitments).

In fiscal years subsequent to the statutory dissolution date, successor agencies are only allocated revenue in the amount that is necessary to pay the estimated annual installment payments on enforceable obligations of the former redevelopment agency until all enforceable obligations of the prior redevelopment agency have been paid in full and all assets have been liquidated.

The Bill directed the California State Controller to review the propriety of any transfers of assets between redevelopment agencies and other public bodies that occurred after January 1, 2011. If the public body that received such transfers is not contractually committed to a third party for the expenditure or encumbrance of those assets, the State Controller was required to order the available assets to be transferred to the public body designated as the Successor Agency by the Bill.

Amongst numerous requirements, AB IX 26 required the following:

- i. Subject to the control of a newly established oversight board, assets of the former redevelopment agency must be disposed expeditiously and property tax revenue generated by a former redevelopment agency can only be used to pay enforceable obligations (i. e. debt obligations and other third party contractual obligations);
- ii. Either the city or another unit of local government may agree to serve as the “Successor Agency” to hold the net position until they are distributed to units of state and local government;
- iii. Successor agencies may transfer housing functions of the former redevelopment agency to the appropriate entity; and
- iv. Any property tax revenue in excess of enforceable obligations is to be distributed by county auditor controllers to taxing entities, which includes the City, as surplus property tax.

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City of Clayton
Notes to Basic Financial Statements
For the year ended June 30, 2023

13. REDEVELOPMENT SUCCESSOR AGENCY ACTIVITIES, *Continued*

Background, Continued

As a result of the restrictions placed on the assets and liabilities of the former redevelopment agency, they were transferred to a private purpose trust fund on February 1, 2012. Prior to the transfer, the Redevelopment Agency was treated as a blended component unit of the City until the fiscal year ending June 30, 2012. On January 11, 2012, the City Council elected to become the Successor Agency to the former Redevelopment Agency in accordance with AB IX 26 as part of City resolution number 03-2012.

Subsequent to the adoption of AB IX 26 and AB IX 27, the California State Legislature adopted AB 1484 in June 2012. Among other things, AB 1484 required the following:

- i. A process to transfer housing assets of the former redevelopment agency to the entity designated to receive these assets. In the case of the City, assets with a total value of \$14,057,320 and liabilities with a total value of \$10,999,595 were transferred to the Successor Agency from the former Redevelopment Agency.
- ii. Requirements that the Successor Agency must complete due diligence reviews (DDRs) of the assets of the former Low and Moderate Income Housing Fund and all other funds of the former redevelopment agency. The DDRs of the Clayton Successor Agency were finalized and approved by the Oversight Board on October 9, 2014 via Resolution No. 2014-04 and 2014-05. These reports concluded that payments of \$887,404 and \$3,791,725 are required to be remitted to Contra Costa County by the Redevelopment Successor Agency and Successor Housing Agency respectively.

The California Department of Finance (DOF) completed their review of the low and moderate income housing funds and issued a final determination letter to the City dated April 24, 2015 with no modifications. The Successor Housing Agency issued the payment specified by the DOF's low and moderate housing funds determination letter in the fiscal year ending June 30, 2015, resulting in a net extraordinary loss of \$3,616,725 for the year then ended.

On November 30, 2015, the DOF issued their final determination letter approving the all other funds DDR report with modifications. The modifications required an additional payment of \$230,983 to the County Auditor-Controller, which was reported as an Extraordinary Loss of the City's General Fund in the fiscal year ending June 30, 2016. The Successor Agency issued the payment specified by the DOF's final all other funds determination letter to the County Auditor-Controller's office in the fiscal year ending June 30, 2016, resulting in an extraordinary loss of \$1,025,396 for the year then ended.

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City of Clayton
Notes to Basic Financial Statements
For the year ended June 30, 2023

13. REDEVELOPMENT SUCCESSOR AGENCY ACTIVITIES, *Continued*

Background, Continued

Upon the DOF's approval of the DDRs, and the distribution of unobligated funds, the Successor Agency is authorized to apply for a "Finding of Completion". The Finding of Completion enables the Successor Agency to transfer and sell land and buildings of the former Redevelopment Agency, subject to the review and approval of a Property Management Plan by the State Department of Finance. In addition by receiving the Finding of Completion, the City may establish loans between the City and the former Redevelopment Agency as enforceable obligations. The Clayton Successor Received its finding of completion from the DOF on December 30, 2015.

Successor Agency Assets and Liabilities

Cash and Investments

The total cash and investments balance of \$422,954 is presented in a format consistent with GASBS 31 and is presented at fair value. Pursuant to AB IX 26 and AB 1484, all unencumbered cash balances have been previously distributed to the County Auditor-Controller for distribution to taxing entities. See Note 2 for further information and disclosures regarding the City's pooled cash and investments.

Inter-Agency Loans

Notes Receivable transferred from former RDA to Successor Agency, effective February 1, 2012:

The former RDA provided assistance to special assessment districts within the City, to fund repairs and improvements. The High Street Permanent Road Division and Oak Street Sewer Assessment District received loans from the former RDA to finance necessary infrastructure improvements. These loans are secured by special assessment property tax levies within the District's boundaries. As of June 30, 2023, the outstanding balance of the loans due to the Successor Agency was \$42,546.

Long-Term Debt

The following is a summary of changes in long-term debt transactions for the year ended June 30, 2023:

	Balance <u>July 1, 2022</u>	<u>Additions</u>	<u>Deletions</u>	Balance <u>June 30, 2023</u>	Due in one <u>year</u>
2014 Tax Refunding					
Allocation Bonds	<u>\$ 1,145,000</u>	<u>\$ -</u>	<u>\$ (375,000)</u>	<u>\$ 770,000</u>	<u>\$ 380,000</u>
Total	<u>\$ 1,145,000</u>	<u>\$ -</u>	<u>\$ (375,000)</u>	<u>\$ 770,000</u>	<u>\$ 380,000</u>

City of Clayton
Notes to Basic Financial Statements
For the year ended June 30, 2023

13. REDEVELOPMENT SUCCESSOR AGENCY ACTIVITIES, *Continued*

2014 Refunding Tax Allocation Bonds

Refunding Tax Allocation Bonds, Series 2014, in the principal amount of \$3,790,000 were issued on June 25, 2014 by the Successor Agency. Principal payments are payable on August 1 of each year, beginning on August 1, 2015. Interest payments are payable semi-annually on February 1 and August 1. The bonds are special obligations of the Successor Agency and are secured by the Successor Agency's tax increment revenue.

The 2014 refunding was exercised in order to take advantage of more favorable interest rates. The refunding decreased the City's total debt service payments by approximately \$601,895. The transaction resulted in economic gain (difference between present value of the debt service on the old and new bonds) of approximately \$580,184. For the current year, principal and interest paid were \$375,000 and \$18,429, respectively.

The annual debt service requirements to amortize the Successor Agency's 2014 Refunding Tax Allocation Bonds outstanding at June 30, 2023, were as follows:

Fiscal Year Ending June 30	Principal	Interest	Total
2024	\$ 380,000	\$ 13,340	\$ 393,340
2025	390,000	4,484	394,484
Total	<u>\$ 770,000</u>	<u>\$ 17,824</u>	<u>\$ 787,824</u>

14. EQUITY BALANCES

Governmental Fund Balances

Fund balances are presented in the following categories: non-spendable, restricted, committed, assigned and unassigned (see Note 1 for a description of these categories). A detailed schedule of fund balances at June 30, 2023, is as follows:

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City of Clayton
Notes to Basic Financial Statements
For the year ended June 30, 2023

14. EQUITY BALANCES, Continued

Fund Balance Classifications	Major Funds					Total
	General Fund	Landscape Maintenance District	Successor Housing Agency	Capital Improvement Program	Other Governmental Funds	
Nonspendable for:						
Notes receivable	\$ 138,834	\$ -	-	\$ -	\$ -	\$ 138,834
Prepaid expenses	52,164	-	-	-	-	52,164
Total	<u>190,998</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>190,998</u>
Restricted for:						
Affordable housing	-	-	5,673,688	-	-	5,673,688
Public landscaping	-	88,662	-	-	-	88,662
Grant-funded programs	-	-	-	-	472,541	472,541
The Grove Park (CFD 2006-1)	-	-	-	-	432,317	432,317
Stormwater compliance	-	-	-	-	3,232	3,232
Neighborhood street lighting	-	-	-	-	(9,990)	(9,990)
Transportation	-	-	-	-	567,749	567,749
Total	<u>-</u>	<u>88,662</u>	<u>5,673,688</u>	<u>-</u>	<u>1,465,849</u>	<u>7,228,199</u>
Committed for:						
Rainy Day	64,263	-	-	-	-	64,263
Pandemic Recovery Reserve	1,525,610	-	-	-	-	1,525,610
Concerts	(27,437)	-	-	-	-	(27,437)
Pressley settlement	-	-	-	-	49,991	49,991
Geological hazard prevention and repair	-	-	-	-	53,684	53,684
Development impact	-	-	-	-	453,332	453,332
Total	<u>1,562,436</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>557,007</u>	<u>2,119,443</u>
Assigned for:						
Next year's budget	-	388,925	-	-	31,288	420,213
Capital projects	-	-	-	1,622,724	-	1,622,724
Total	<u>-</u>	<u>388,925</u>	<u>-</u>	<u>1,622,724</u>	<u>31,288</u>	<u>2,042,937</u>
Unassigned	<u>5,990,665</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>5,990,665</u>
Total Fund Balance	<u>\$ 7,744,099</u>	<u>\$ 477,587</u>	<u>\$ 5,673,688</u>	<u>\$ 1,622,724</u>	<u>\$ 2,054,144</u>	<u>\$ 17,572,242</u>

*During the year ended June 30, 2022, the City established the American Rescue Plan Act (ARPA) fund to accounts for those federal monies received. The City has elected to use these funds as revenue replacement for revenues lost during the COVID-19 Pandemic.

During the year ended June 30, 2021, the City established a Rainy Day Fund. This fund was established to capture any annual surplus identified through the annual financial audit that the City Council wishes to earmark for future allocation to one-time purposes. Funds are tracked and shown as committed in the General Fund.

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City of Clayton
Notes to Basic Financial Statements
For the year ended June 30, 2023

14. EQUITY BALANCES, Continued

Governmental Fund Balances, Continued

The Pandemic Recovery Reserve was established by the City Council to capture programmatic funding decisions associated with the American Rescue Plan Act funds the City has received. For both the initial tranche of \$1,467,024 received during the year ended June 30, 2022, and the second tranche received in July 2022, the City Council has chosen to transfer the funds to the City's General Fund to pay for public safety services. This funding for public safety then allows the transfer of an equal amount from the General Fund to the Pandemic Recovery Reserve. The funds in the Pandemic Recovery Reserve can be used for any valid general government purpose.

Net Position

The restricted component of net position includes assets subject to constraints either (1) externally imposed by creditors, grantors, contributors, or laws or regulations of other governments, or (2) imposed by law through constitutional provisions or enabling legislation. The restricted component of net position at June 30, 2023 for governmental activities includes:

Restricted for community and economic development:	
Affordable housing	\$ 8,775,633
Restricted for public works:	
Public landscaping (CFD 2007-1)	88,662
Stormwater state mandate compliance	3,232
Neighborhood street lighting	(9,990)
Transportation	567,749
Restricted for general government:	
Grant-funded programs	401,932
Restricted for parks and recreation:	
The Grove Park (CFD 2006-1)	432,317
Restricted for public safety:	<u>70,609</u>
Total restricted net position	<u>\$ 10,330,144</u>

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City of Clayton
Notes to Basic Financial Statements
For the year ended June 30, 2023

15. PRIOR PERIOD RESTATEMENT

During the year ended June 30, 2023, a correction was made to the prior year fund balance for an expense in the Capital Improvements Program Fund had been duplicated. A restatement in the amount of \$20,933 was made to remove the duplicated expense. This restatement affected the ending fund balance/net position at June 30, 2022, as follows:

	Fund Balance of Capital Improvement Fund	Net Position of Governmental Activities
Balance at June 30, 2022, as previously stated	\$ 2,606,444	\$ 44,879,735
Restatement	20,933	20,933
Balance at June 30, 2022, as restated	<u>\$ 2,627,377</u>	<u>\$ 44,900,668</u>

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REQUIRED SUPPLEMENTARY INFORMATION

City of Clayton
Required Supplementary Information
For the year ended June 30, 2023

Schedule of Revenues, Expenditures and Changes in Fund Balance
Budgetary Comparison Schedule - General Fund

	Adopted Budget	Final Budget	Actual	Variance from Final Budget Positive (Negative)
REVENUES				
Property taxes	\$ 2,987,267	\$ 2,987,267	\$ 3,136,404	\$ 149,137
Sales and use taxes	571,816	571,816	539,134	(32,682)
Business licenses	154,500	154,500	208,080	53,580
Permits, licenses and fees	139,463	139,463	123,384	(16,079)
Fines, forfeitures and penalties	111,120	111,120	126,222	15,102
Intergovernmental	109,243	109,243	118,252	9,009
Motor vehicle in-lieu fees	12,000	12,000	11,341	(659)
Other in-lieu fees	174,389	174,389	181,493	7,104
Franchise fees	580,380	580,380	619,204	38,824
Service charges	254,682	254,682	241,261	(13,421)
Use of money and property	87,500	87,500	21,056	(66,444)
Other revenue	27,000	27,000	84,572	57,572
Total Revenues	<u>5,209,360</u>	<u>5,209,360</u>	<u>5,410,403</u>	<u>201,043</u>
EXPENDITURES				
Current:				
General government	1,776,587	1,776,587	1,683,824	92,763
Public works	386,866	386,866	370,306	16,560
Parks and recreation services	408,596	408,596	472,480	(63,884)
Community and economic development	381,717	381,717	346,184	35,533
Public safety	2,738,517	2,738,517	2,713,175	25,342
Capital Outlay	-	-	8,067	(8,067)
Total Expenditures	<u>5,692,283</u>	<u>5,692,283</u>	<u>5,594,036</u>	<u>98,247</u>
Revenues Over (Under) Expenditures	<u>(482,923)</u>	<u>(482,923)</u>	<u>(183,633)</u>	<u>299,290</u>
OTHER FINANCING SOURCES (USES)				
Transfers in	3,149,622	3,149,622	1,604,778	(1,544,844)
Transfers out	(1,628,091)	(1,628,091)	(90,403)	1,537,688
Total Other Financing Sources (Uses)	<u>1,521,531</u>	<u>1,521,531</u>	<u>1,514,375</u>	<u>(7,156)</u>
Change in fund balance	<u>\$ 1,038,609</u>	<u>\$ 1,038,609</u>	<u>1,330,742</u>	<u>\$ 292,133</u>
FUND BALANCE				
Beginning of year			6,413,357	
End of year			<u>\$ 7,744,099</u>	

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City of Clayton
Required Supplementary Information
For the year ended June 30, 2023

Schedule of Revenues, Expenditures and Changes in Fund Balance
Budgetary Comparison Schedule - Landscape Maintenance District

	Adopted Budget	Final Budget	Actual	Variance from Final Budget Positive (Negative)
REVENUES				
Special parcel tax	\$ 1,241,053	\$ 1,241,053	\$ 1,245,576	\$ 4,523
Use of money and property	15,000	15,000	6,957	(8,043)
Other revenue	-	-	-	
Total Revenues	<u>1,256,053</u>	<u>1,256,053</u>	<u>1,252,533</u>	<u>(3,520)</u>
EXPENDITURES				
Current:				
Public works	1,750,077	1,750,077	1,359,102	390,975
Capital Outlay	112,000	112,000	11,500	100,500
Total Expenditures	<u>1,862,077</u>	<u>1,862,077</u>	<u>1,370,602</u>	<u>491,475</u>
Revenues Over (Under) Expenditures	<u>(606,024)</u>	<u>(606,024)</u>	<u>(118,069)</u>	<u>487,955</u>
OTHER FINANCING SOURCES (USES)				
Transfers out	(41,809)	(41,809)	(42,877)	(1,068)
Total Other Financing Sources (Uses)	<u>(41,809)</u>	<u>(41,809)</u>	<u>(42,877)</u>	<u>(1,068)</u>
Change in fund balance	<u>\$ (647,833)</u>	<u>\$ (647,833)</u>	<u>(160,946)</u>	<u>\$ 486,887</u>
FUND BALANCE				
Beginning of year			<u>638,533</u>	
End of year			<u>\$ 477,587</u>	

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City of Clayton
Required Supplementary Information
For the year ended June 30, 2023

Schedule of Revenues, Expenditures and Changes in Fund Balance
Budgetary Comparison Schedule - Successor Housing Agency

	Adopted Budget	Final Budget	Actual	Variance from Final Budget Positive (Negative)
REVENUES				
Program income	\$ 110,400	\$ 110,400	\$ 116,400	\$ 6,000.00
Use of money and property	15,000	15,000	29,019	14,019
Total Revenues	<u>125,400</u>	<u>125,400</u>	<u>145,419</u>	<u>20,019</u>
EXPENDITURES				
Current:				
Community and economic development	47,000	47,000	-	47,000
Total Expenditures	<u>47,000</u>	<u>47,000</u>	<u>-</u>	<u>47,000</u>
Revenues Over (Under) Expenditures	<u>78,400</u>	<u>78,400</u>	<u>145,419</u>	<u>67,019</u>
OTHER FINANCING SOURCES (USES)				
Unrealized gains (losses)	-	-	(89,426)	(89,426)
Total Other Financing Sources (Uses)	<u>-</u>	<u>-</u>	<u>(89,426)</u>	<u>(89,426)</u>
Change in fund balance	<u>\$ 78,400</u>	<u>\$ 78,400</u>	55,993	<u>\$ (22,407)</u>
FUND BALANCE				
Beginning of year			5,617,695	
End of year			<u>\$ 5,673,688</u>	

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City of Clayton
Required Supplementary Information
For the year ended June 30, 2023

Schedule of Revenues, Expenditures and Changes in Fund Balance
Budgetary Comparison Schedule - American Rescue Plan Act

	Adopted Budget	Final Budget	Actual	Variance from Final Budget Positive (Negative)
REVENUES				
Program income	\$ -	\$ -	\$ -	\$ -
Intergovernmental	146,024	1,467,024	1,467,024	-
Total Revenues	<u>146,024</u>	<u>1,467,024</u>	<u>1,467,024</u>	<u>-</u>
EXPENDITURES				
Current:				
Community and economic development	-	-	-	-
Total Expenditures	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Revenues Over (Under) Expenditures	<u>146,024</u>	<u>1,467,024</u>	<u>1,467,024</u>	<u>-</u>
OTHER FINANCING SOURCES (USES)				
Transfers out	(1,467,024)	(1,467,024)	(1,467,024)	-
Total Other Financing Sources (Uses)	<u>(1,467,024)</u>	<u>(1,467,024)</u>	<u>(1,467,024)</u>	<u>-</u>
Change in fund balance	<u>\$ (1,321,000)</u>	<u>\$ -</u>	<u>-</u>	<u>\$ -</u>
FUND BALANCE				
Beginning of year			-	
End of year			<u>\$ -</u>	

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City of Clayton
 Required Supplementary Information
 For the Year Ended June 30, 2022

**Schedule of Proportionate Share of Net Pension Liability
 Last 10 Years***

	Fiscal Year Ending June 30*								
	2023	2022	2021	2020	2019	2018	2017	2016	2015
Measurement Date	6/30/2022	6/30/2021	6/30/2020	6/30/2019	6/30/2018	6/30/2017	6/30/2016	6/30/2015	6/30/2014
Plan's Proportion of the Net Pension Liability/(Asset)	0.054780%	0.051030%	0.048970%	0.047570%	0.048490%	0.049420%	0.051003%	0.052357%	0.030626%
Plan's Proportionate Share of the Net Pension Liability/(Asset)	\$ 6,327,815	\$ 2,759,739	\$ 5,328,676	\$ 4,874,908	\$ 4,672,754	\$ 4,901,330	\$ 4,413,357	\$ 3,593,771	\$ 3,693,394
Plan's Covered-Employee Payroll**	\$ 2,287,078	\$ 2,252,998	\$ 2,064,898	\$ 2,016,021	\$ 1,995,400	\$ 1,931,042	\$ 1,820,066	\$ 1,706,509	\$ 1,963,054
Plan's Proportionate Share of the Net Pension Liability/(Asset) as a Percentage of its Covered-Employee Payroll	276.68%	122.49%	258.06%	241.81%	234.18%	253.82%	242.48%	210.59%	188.15%
Plan's Proportionate Share of the Fiduciary Net Position as a Percentage of the Plan's Total Pension Liability	74.70%	88.23%	75.10%	75.26%	76.24%	73.86%	74.06%	78.40%	77.60%

* Fiscal year ending June 30, 2015 was the 1st year of implementation, future years' information will be displayed up to 10 years, as information becomes available.

** For the year ending on the measurement date.

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City of Clayton
Required Supplementary Information
For the Year Ended June 30, 2022

Schedule of Pension Plan Contributions
Last 10 Years*

	2023	2022	2021	2020	June 30, 2019	2018	2017	2016	2015
Actuarially determined contributions*	\$ 653,073	\$ 584,865	\$ 412,971	\$ 577,734	\$ 530,067	\$ 612,898	\$ 573,677	\$ 530,677	\$ 375,647
Contributions in relation to the actuarially determined contribution	653,073	584,865	412,971	577,734	530,067	612,898	573,677	530,677	375,647
Contribution deficiency (excess)	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
Covered-employee payroll**	\$ 2,287,078	\$ 2,252,998	\$ 2,244,193	\$ 2,064,898	\$ 2,016,021	\$ 1,995,400	\$ 1,931,042	\$ 1,820,066	\$ 1,706,509
Contributions as a percentage of covered employee payroll	28.55%	25.96%	18.40%	27.98%	26.29%	30.72%	29.71%	29.16%	22.01%

* Excludes employer-paid member contributions (EPMC)

** For the fiscal year ending on the date shown

Actuarially determined contribution assumptions:**

Valuation Date	June 30, 2021
Actuarial cost method	Entry age normal cost method
Amortization method	Level percent of pay, direct rate smoothing
Remaining amortization periods	Differs by employer rate plan but not more than 20 years
Asset valuation method	Market value of assets
Inflation	2.30%
Salary increases	Varies by entry age and service
Overall payroll growth	2.75% compounded annually
Discount rate***	6.90% (net of administrative expenses)
Mortality	Derived using CalPERS' Membership Data for all Funds. The post-retirement mortality rates include 15 years of projected on-going mortality improvement using Scale MP 2016 published by the Society of Actuaries.

* Fiscal year ending June 30, 2015 was the 1st year of implementation, future years' information will be displayed, up to 10 years, as information becomes available.

** From the CalPERS reports found at:

<https://www.calpers.ca.gov/docs/forms-publications/actuarial-valuation-section2-miscellaneous-2017.pdf>

<https://www.calpers.ca.gov/docs/forms-publications/actuarial-valuation-section2-safety-2017.pdf>

*** The discount rate used for Actuarially Determined Contributions (ARC) is different from the one used for Total Pension Liability.

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Schedule of Changes in the Net OPEB Liability and Related Ratios
Last 10 Years*

	Fiscal Year Ended June 30, 2023	Fiscal Year Ended June 30, 2022	Fiscal Year Ended June 30, 2021	Fiscal Year Ended June 30, 2020	Fiscal Year Ended June 30, 2019	Fiscal Year Ended June 30, 2018
Measurement Date	6/30/2023	6/30/2022	6/30/2021	6/30/2020	6/29/2019	6/29/2018
Total OPEB Liability:						
Total OPEB liability - Beginning	\$ 578,315	\$ 532,528	\$ 535,900	\$ 570,116	\$ 545,327	\$ 464,490
Changes recognized for the measurement period:						
Service cost ²	32,489	18,942	18,521	21,745	28,428	27,530
Interest on total OPEB liability	24,351	11,706	13,536	15,090	15,783	15,800
Changes of benefit terms	-	-	-	-	-	45,605
Difference between expected and actual experience	726	57,970	-	(11,405)	-	22,654
Changes of assumptions and other inputs	(2,744)	(13,653)	18,602	(4,186)	9,159	16,307
Benefit payments ¹	(31,153)	(29,178)	(54,031)	(58,507)	(31,408)	(30,226)
Other changes	-	-	-	3,047	2,827	(16,833)
Net change in total OPEB liability	23,669	45,787	(3,372)	(34,216)	24,789	80,837
Total OPEB liability - Ending	601,984	578,315	532,528	535,900	570,116	545,327
Plan Fiduciary Net Position:						
Plan fiduciary net position - Beginning	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Changes recognized for the measurement period:						
Contributions - Employer	31,153	29,178	-	-	-	-
Net investment income	-	-	-	-	-	-
Benefit payments	(31,153)	(29,178)	-	-	-	-
Administrative expense	-	-	-	-	-	-
Net change in plan fiduciary net position	-	-	-	-	-	-
Plan fiduciary net position - Ending ³	-	-	-	-	-	-
Net OPEB Liability - Ending	\$ 601,984	\$ 578,315	\$ 532,528	\$ 535,900	\$ 570,116	\$ 545,327
Plan Fiduciary net position as a percentage of the total OPEB liability	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Covered-employee payroll	\$ 2,097,192	\$ 2,361,666	\$ 2,244,193	\$ 2,307,289	\$ 2,016,021	\$ 1,995,400
Net OPEB liability as a percentage of covered employee payroll	28.70%	24.49%	23.73%	23.23%	28.28%	27.33%

* Fiscal year ending June 30, 2018 was the 1st year of implementation, future years' information will be displayed, up to 10 years, as information becomes available.

¹ Includes the implicit rate subsidy.

² Service costs prior to fiscal year 2022/23 already include interest cost to the end of the year.

³ As of the year ended June 30, 2023 the City had not established an irrevocable trust for payment of OPEB plan benefits.

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Schedule of OPEB Plan Contributions						
Last 10 Years*						
	Fiscal Year Ended June 30, 2023	Fiscal Year Ended June 30, 2022	Fiscal Year Ended June 30, 2021	Fiscal Year Ended June 30, 2020	Fiscal Year Ended June 30, 2019	Fiscal Year Ended June 30, 2018
Actuarially determined contributions (ADC) ¹	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Contributions in relation to the ADC	-	-	-	-	-	-
Contribution deficiency (excess)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Covered-employee payroll ²	\$ 2,097,192	\$ 2,361,666	\$ 2,244,193	\$ 2,307,289	\$ 2,016,021	\$ 1,995,400
Contributions as a percentage of covered-employee payroll	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%

* Fiscal year ending June 30, 2018 was the 1st year of implementation, future years' information will be displayed up to 10 years, as information becomes available.

¹ As of the year ended June 30, 2023 the City had not established an irrevocable trust for payment of OPEB plan benefits.

² For the fiscal year ending on the date shown

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City of Clayton
Notes to the Required Supplementary Information
For the year ended June 30, 2023

1. BUDGETARY PRINCIPLES

The City follows these procedures in establishing the budgetary data reflected in the financial statements:

- By June 30, the City Manager submits to the City Council a proposed operating budget for the year commencing July 1. The operating budget includes proposed expenditures and the means of financing them. Continuing appropriations are re-budgeted by the City Council as part of the adoption of subsequent year's budgets.
- Public hearings are conducted to obtain taxpayer comments.
- The budget is legally enacted through passage of a resolution during a City Council meeting in the month of June.
- The City Manager is authorized to transfer budgeted amounts within an activity, within any fund; however, any revisions that alter the total expenditures of any fund must be approved by the City Council.
- Formal budgeting is employed as a management control device during the year for the general, certain special revenue and debt service funds. The Presley Settlement, Stormwater Treatment District Assessment, and Clayton Development Impact Fees funds are not budgeted for and thus do not have budget to actual comparison statements.
- Budgets for the general, certain special revenue and debt service funds are adopted on a basis consistent with generally accepted accounting principles (US GAAP).
- Budgets for capital projects funds are adopted on a project-life basis.

Budgeted amounts are as originally adopted or as amended by the City Council. Budget amendments were not material in relation to the original appropriations.

2. PENSION AND OTHER POSTEMPLOYMENT BENEFITS

This information is intended to help users assess the City's Pension and Other Postemployment Benefits (OPEB) plan's status on a going-concern basis, assess progress made in accumulating assets to pay benefits when due, and make comparisons with other public employers.

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SUPPLEMENTARY INFORMATION

City of Clayton
Supplementary Information
Major Governmental Fund Budgetary Comparison Schedule
For the year ended June 30, 2023

Schedule of Revenues, Expenditures and Changes in Fund Balance
Budgetary Comparison Schedule - Capital Improvement Program

	Adopted Budget	Final Budget	Actual	Variance from Final Budget Positive (Negative)
REVENUES				
Intergovernmental	\$ 272,000	\$ 272,000	\$ -	\$ (272,000)
Program income	-	-	-	-
Use of money and property	48,000	48,000	43,005	(4,995)
Total Revenues	<u>320,000</u>	<u>320,000</u>	<u>43,005</u>	<u>(276,995)</u>
EXPENDITURES				
Capital outlay	342,542	1,441,719	1,470,658	(28,939)
Total Expenditures	<u>342,542</u>	<u>1,441,719</u>	<u>1,470,658</u>	<u>(28,939)</u>
Revenues Over (Under) Expenditures	<u>(22,542)</u>	<u>(1,121,719)</u>	<u>(1,427,653)</u>	<u>(305,934)</u>
OTHER FINANCING SOURCES (USES)				
Transfers in	286,000	286,000	423,000	137,000
Transfers out	-	-	-	-
Total Other Financing Sources (Uses)	<u>286,000</u>	<u>286,000</u>	<u>423,000</u>	<u>137,000</u>
Change in fund balance	<u>\$ 263,458</u>	<u>\$ (835,719)</u>	<u>(1,004,653)</u>	<u>\$ (168,934)</u>
FUND BALANCE				
Beginning of year			<u>2,627,377</u>	
End of year			<u>\$ 1,622,724</u>	

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NON-MAJOR GOVERNMENTAL FUNDS

Non-Major Special Revenue Funds:

Development Impact Fees - Accounts for projects funded with the development impact fees.

Gas Tax HUTA - Accounts for taxes raised under Street and Highway Code Sections 2106, 2107 and 2107. 5, used for the maintenance and construction of City streets.

Gas Tax RMRA - Accounts for taxes raised under Road Maintenance and Rehabilitation Account (SB1), used for the maintenance and construction of City streets.

Grants - Accounts for grants received for specific programs and projects.

The Grove Park District - Accounts for voter-approved real property special parcel taxes restricted for the operation, maintenance, repair and replacement landscaping, irrigation, hardscaping, lighting, public restroom, gazebo, and playground equipment for "The Grove Park" in the downtown area.

Measure J - Accounts for a \$0.05 sales tax extended by voters in 2004 to provide transportation and street improvements, a growth management process, and a regional planning process to address quality of life issues. A portion of their county wide voter-approved tax is returned to local governments.

Neighborhood Street Lighting District - Accounts for assessments collected to maintain residential street lighting within the defined benefit assessment district boundaries.

Oakhurst Geological Hazard Abatement District - Accounts for voter-approved real property assessments collected from Oakhurst parcels to provide preventive maintenance measures and to mitigate potential landslides and other hazardous geological conditions within the benefit assessment district boundaries.

Presley Settlement - Accounts for litigation settlement proceeds restricted for specific programs and projects.

Stormwater Assessment District - Accounts for real property assessments collected to comply with the National Pollution Discharge Elimination System (NPDES).

Stormwater Treatment Assessment District - This fund was formed to provide a mechanism for the levying of private development (property) benefit assessments to fund the cost of inspections, maintenance and capital improvements related to the stormwater treatment requirements imposed upon the City by the Regional Water Quality Control Board as part of the City's General Stormwater Discharge Permit.

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City of Clayton
Supplementary Information
Combining Balance Sheets - Non-major Governmental Funds
June 30, 2023

	Special Revenue				The Grove Park District
	Development Impact Fees	Gas Tax HUTA	Gas Tax RMRA	Grants	
ASSETS					
Cash and investments	\$ 465,368	\$ 208,263	\$ 335,209	\$ 100,198	\$ 462,535
Accounts receivable	-	24,774	22,160	96,726	-
Taxes receivable	-	-	-	-	-
Prepaid expenses	-	-	-	2,400	-
Total Assets	\$ 465,368	\$ 233,037	\$ 357,369	\$ 199,324	\$ 462,535
LIABILITIES, DEFERRED INFLOWS OF RESOURCES AND FUND BALANCES					
Liabilities:					
Accounts payable	\$ 12,036	\$ 22,657	\$ -	\$ 35,511	\$ 15,165
Other payables	-	-	-	1,711	251
Unearned revenue	-	-	-	-	-
Due to other funds	-	-	-	-	-
Advance from other funds	-	-	-	-	-
Total Liabilities	12,036	22,657	-	37,222	15,416
Fund Balance:					
Restricted	-	210,380	357,369	162,102	432,317
Committed	453,332	-	-	-	-
Assigned	-	-	-	-	14,802
Unassigned	-	-	-	-	-
Total Fund Balance	453,332	210,380	357,369	162,102	447,119
Total Liabilities, Deferred Inflows of Resources and Fund Balances	\$ 465,368	\$ 233,037	\$ 357,369	\$ 199,324	\$ 462,535

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City of Clayton
Supplementary Information
Combining Balance Sheets - Non-major Governmental Funds
June 30, 2023

Special Revenue					
Measure J	Neighborhood Street Lighting District	Oakhurst Geological Hazard Abatement District	Presley Settlement	Stormwater Assessment	Total Other Governmental Funds
\$ 270,092	\$ 8,654	\$ 54,655	\$ 51,535	\$ -	\$ 1,956,509
357,580	-	-	-	47,811	549,051
-	-	-	-	-	-
-	-	-	-	-	2,400
<u>\$ 627,672</u>	<u>\$ 8,654</u>	<u>\$ 54,655</u>	<u>\$ 51,535</u>	<u>\$ 47,811</u>	<u>\$ 2,507,960</u>
\$ -	\$ 18,644	\$ 971	\$ -	\$ 11,695	\$ 116,679
-	-	-	-	-	1,962
317,233	-	-	-	-	317,233
-	-	-	-	17,942	17,942
-	-	-	-	-	-
<u>317,233</u>	<u>18,644</u>	<u>971</u>	<u>-</u>	<u>29,637</u>	<u>453,816</u>
310,439	(9,990)	-	-	3,232	1,465,849
-	-	53,684	49,991	-	557,007
-	-	-	1,544	14,942	31,288
-	-	-	-	-	-
<u>310,439</u>	<u>(9,990)</u>	<u>53,684</u>	<u>51,535</u>	<u>18,174</u>	<u>2,054,144</u>
<u>\$ 627,672</u>	<u>\$ 8,654</u>	<u>\$ 54,655</u>	<u>\$ 51,535</u>	<u>\$ 47,811</u>	<u>\$ 2,507,960</u>

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City of Clayton
Supplementary Information
Combining Statement of Revenues, Expenditures and Changes in Fund Balances
Non-major Governmental Funds - For the year ended June 30, 2023

	Special Revenue				
	Development Impact Fees	Gas Tax HUTA	Gas Tax RMRA	Grants	The Grove Park District
REVENUES					
Special parcel taxes and assessments	\$ -	\$ 48,301	\$ -	\$ -	\$ 148,525
Permits, licenses and fees	8,100	-	-	-	3,915
Intergovernmental	-	284,832	244,308	283,965	-
Use of money and property	8,068	(4,132)	(1,235)	3,918	1,794
Other revenue	-	71	-	-	-
Total Revenues	<u>16,168</u>	<u>329,072</u>	<u>243,073</u>	<u>287,883</u>	<u>154,234</u>
EXPENDITURES					
Current:					
General government	-	-	-	119,876	-
Public works	-	159,554	-	-	-
Parks and recreation services	-	-	-	-	137,469
Community and economic development	-	-	-	-	-
Public safety	-	-	-	163,867	-
Capital outlay	8,913	-	-	51,780	7,573
Total Expenditures	<u>8,913</u>	<u>159,554</u>	<u>-</u>	<u>335,523</u>	<u>145,042</u>
Revenues Over (Under) Expenditures	<u>7,255</u>	<u>169,518</u>	<u>243,073</u>	<u>(47,640)</u>	<u>9,192</u>
OTHER FINANCING SOURCES (USES)					
Transfers in	-	-	-	173,074	23,606
Transfers out	(173,074)	(16,883)	(143,000)	(233,606)	(8,687)
Total Other Financing Sources (Uses)	<u>(173,074)</u>	<u>(16,883)</u>	<u>(143,000)</u>	<u>(60,532)</u>	<u>14,919</u>
Net change in fund balances	<u>(165,819)</u>	<u>152,635</u>	<u>100,073</u>	<u>(108,172)</u>	<u>24,111</u>
FUND BALANCES					
Beginning of year	<u>619,151</u>	<u>57,745</u>	<u>257,296</u>	<u>270,274</u>	<u>423,008</u>
End of year	<u>\$ 453,332</u>	<u>\$ 210,380</u>	<u>\$ 357,369</u>	<u>\$ 162,102</u>	<u>\$ 447,119</u>

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City of Clayton
Supplementary Information
Combining Statement of Revenues, Expenditures and Changes in Fund Balances
Non-major Governmental Funds - For the year ended June 30, 2023

Measure J	Special Revenue				Total Other Governmental Funds
	Neighborhood Street Lighting District	Oakhurst Geological Hazard Abatement District	Presley Settlement	Stormwater Assessment	
\$ -	\$ 126,122	\$ 47,108	\$ -	\$ 80,799	\$ 450,855
-	-	-	-	59,835	71,850
416,731	-	-	-	-	1,229,836
(6,598)	594	1,071	1,543	771	5,794
-	-	-	-	-	71
<u>410,133</u>	<u>126,716</u>	<u>48,179</u>	<u>1,543</u>	<u>141,405</u>	<u>1,758,406</u>
-	-	-	-	-	119,876
31,908	167,424	81,081	-	152,204	592,171
-	-	-	-	-	137,469
-	-	-	-	-	-
-	-	-	-	-	163,867
-	-	22,017	-	-	90,283
<u>31,908</u>	<u>167,424</u>	<u>103,098</u>	<u>-</u>	<u>152,204</u>	<u>1,103,666</u>
<u>378,225</u>	<u>(40,708)</u>	<u>(54,919)</u>	<u>1,543</u>	<u>(10,799)</u>	<u>654,740</u>
-	20,403	40,478	-	1,164	258,725
<u>(77,330)</u>	<u>(13,006)</u>	<u>(8,169)</u>	<u>(40,478)</u>	<u>(41,966)</u>	<u>(756,199)</u>
<u>(77,330)</u>	<u>7,397</u>	<u>32,309</u>	<u>(40,478)</u>	<u>(40,802)</u>	<u>(497,474)</u>
300,895	(33,311)	(22,610)	(38,935)	(51,601)	157,266
<u>9,544</u>	<u>23,321</u>	<u>76,294</u>	<u>90,470</u>	<u>69,775</u>	<u>1,896,878</u>
<u>\$ 310,439</u>	<u>\$ (9,990)</u>	<u>\$ 53,684</u>	<u>\$ 51,535</u>	<u>\$ 18,174</u>	<u>\$ 2,054,144</u>

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City of Clayton
Supplementary Information
Non-Major Governmental Funds
For the year ended June 30, 2023

Schedule of Revenues, Expenditures and Changes in Fund Balance
Budgetary Comparison Schedule - Development Impact Fees

	Adopted Budget	Final Budget	Actual	Variance from Final Budget Positive (Negative)
REVENUES				
Permits, licenses and fees	\$ -	\$ -	\$ 8,100	\$ 8,100
Use of money and property	4,000	4,000	8,068	4,068
Total Revenues	<u>4,000</u>	<u>4,000</u>	<u>16,168</u>	<u>12,168</u>
EXPENDITURES				
Current:				
Public safety	-	-	-	-
Capital Outlay	-	-	8,913	(8,913)
Total Expenditures	<u>-</u>	<u>-</u>	<u>8,913</u>	<u>(8,913)</u>
Revenues Over (Under) Expenditures	<u>4,000</u>	<u>4,000</u>	<u>7,255</u>	<u>3,255</u>
OTHER FINANCING SOURCES (USES)				
Transfers out	(221,074)	(221,074)	(173,074)	48,000
Total Other Financing Sources (Uses)	<u>(221,074)</u>	<u>(221,074)</u>	<u>(173,074)</u>	<u>48,000</u>
Change in fund balance	<u>\$ (217,074)</u>	<u>\$ (217,074)</u>	<u>(165,819)</u>	<u>\$ 51,255</u>
FUND BALANCE				
Beginning of year			<u>619,151</u>	
End of year			<u>\$ 453,332</u>	

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City of Clayton
Supplementary Information
Non-Major Governmental Funds
For the year ended June 30, 2023

Schedule of Revenues, Expenditures and Changes in Fund Balance
Budgetary Comparison Schedule - Gas Tax HUTA

	Adopted Budget	Final Budget	Actual	Variance from Final Budget Positive (Negative)
REVENUES				
Special parcel taxes and assessments	\$ -	\$ -	\$ 48,301	\$ 48,301
Intergovernmental	334,021	334,021	284,832	(49,189)
Use of money and property	-	-	(4,132)	(4,132)
Other revenue	-	-	71	71
Total Revenues	<u>334,021</u>	<u>334,021</u>	<u>329,072</u>	<u>(4,949)</u>
EXPENDITURES				
Public works	192,825	192,825	159,554	33,271
Total Expenditures	<u>192,825</u>	<u>192,825</u>	<u>159,554</u>	<u>33,271</u>
Revenues Over (Under) Expenditures	<u>141,196</u>	<u>141,196</u>	<u>169,518</u>	<u>28,322</u>
OTHER FINANCING SOURCES (USES)				
Transfers out	(66,883)	(66,883)	(16,883)	50,000
Total Other Financing Sources (Uses)	<u>(66,883)</u>	<u>(66,883)</u>	<u>(16,883)</u>	<u>50,000</u>
Change in fund balance	<u>\$ 74,313</u>	<u>\$ 74,313</u>	<u>152,635</u>	<u>\$ 78,322</u>
FUND BALANCE				
Beginning of year			<u>57,745</u>	
End of year			<u>\$ 210,380</u>	

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City of Clayton
Supplementary Information
Non-Major Governmental Funds
For the year ended June 30, 2023

Schedule of Revenues, Expenditures and Changes in Fund Balance
Budgetary Comparison Schedule - Gas Tax RMRA

	Adopted Budget	Final Budget	Actual	Variance from Final Budget Positive (Negative)
REVENUES				
Property taxes	\$ -	\$ -	\$ -	\$ -
Intergovernmental	256,850	256,850	244,308	(12,542)
Use of money and property	4,200	4,200	(1,235)	(5,435)
Total Revenues	<u>261,050</u>	<u>261,050</u>	<u>243,073</u>	<u>(17,977)</u>
EXPENDITURES				
Public works	-	-	-	-
Total Expenditures	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Revenues Over (Under) Expenditures	<u>261,050</u>	<u>261,050</u>	<u>243,073</u>	<u>(17,977)</u>
OTHER FINANCING SOURCES (USES)				
Transfers out	(143,000)	(143,000)	(143,000)	-
Total Other Financing Sources (Uses)	<u>(143,000)</u>	<u>(143,000)</u>	<u>(143,000)</u>	<u>-</u>
Change in fund balance	<u>\$ 118,050</u>	<u>\$ 118,050</u>	100,073	<u>\$ (17,977)</u>
FUND BALANCE				
Beginning of year			<u>257,296</u>	
End of year			<u>\$ 357,369</u>	

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City of Clayton
Supplementary Information
Non-Major Governmental Funds
For the year ended June 30, 2023

Schedule of Revenues, Expenditures and Changes in Fund Balance
Budgetary Comparison Schedule - Grants

	Adopted Budget	Final Budget	Actual	Variance from Final Budget Positive (Negative)
REVENUES				
Intergovernmental	\$ 1,340,074	\$ 1,340,074	\$ 283,965	\$ (1,056,109)
Use of money and property	-	-	3,918	3,918
Total Revenues	<u>1,340,074</u>	<u>1,340,074</u>	<u>287,883</u>	<u>(1,052,191)</u>
EXPENDITURES				
Current:				
General government	241,342	241,342	119,876	121,466
Public safety	145,291	145,291	163,867	(18,576)
Capital outlay	526,468	526,468	51,780	474,688
Total Expenditures	<u>913,101</u>	<u>913,101</u>	<u>335,523</u>	<u>577,578</u>
Revenues Over (Under) Expenditures	<u>426,973</u>	<u>426,973</u>	<u>(47,640)</u>	<u>(474,613)</u>
OTHER FINANCING SOURCES (USES)				
Transfers in	-	-	173,074	173,074
Transfers out	(390,606)	(390,606)	(233,606)	157,000
Total Other Financing Sources (Uses)	<u>(390,606)</u>	<u>(390,606)</u>	<u>(60,532)</u>	<u>330,074</u>
Change in fund balance	<u>\$ 36,367</u>	<u>\$ 36,367</u>	<u>(108,172)</u>	<u>\$ (144,539)</u>
FUND BALANCE				
Beginning of year			<u>270,274</u>	
End of year			<u>\$ 162,102</u>	

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City of Clayton
Supplementary Information
Non-Major Governmental Funds
For the year ended June 30, 2023

Schedule of Revenues, Expenditures and Changes in Fund Balance
Budgetary Comparison Schedule - The Grove Park District

	Adopted Budget	Final Budget	Actual	Variance from Final Budget Positive (Negative)
REVENUES				
Special parcel taxes and assessments	\$ 148,110	\$ 148,110	\$ 148,525	\$ 415
Permits, licenses and fees	1,000	1,000	3,915	2,915
Use of money and property	6,400	6,400	1,794	(4,606)
Other revenue	-	-	-	-
Total Revenues	<u>155,510</u>	<u>155,510</u>	<u>154,234</u>	<u>(1,276)</u>
EXPENDITURES				
Current:				
Parks and recreation services	129,702	129,702	137,469	(7,767)
Capital Outlay	15,000	15,000	7,573	7,427
Total Expenditures	<u>144,702</u>	<u>144,702</u>	<u>145,042</u>	<u>(340)</u>
Revenues Over (Under) Expenditures	<u>10,808</u>	<u>10,808</u>	<u>9,192</u>	<u>(1,616)</u>
OTHER FINANCING SOURCES (USES)				
Transfers in	23,606	-	23,606	23,606
Transfers out	(8,687)	(8,687)	(8,687)	0
Total Other Financing Sources (Uses)	<u>14,919</u>	<u>(8,687)</u>	<u>14,919</u>	<u>23,606</u>
Change in fund balance	<u>\$ 25,727</u>	<u>\$ 2,121</u>	24,111	<u>\$ 21,990</u>
FUND BALANCE				
Beginning of year			<u>423,008</u>	
End of year			<u>\$ 447,119</u>	

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City of Clayton
Supplementary Information
Non-Major Governmental Funds
For the year ended June 30, 2023

Schedule of Revenues, Expenditures and Changes in Fund Balance
Budgetary Comparison Schedule - Measure J

	Adopted Budget	Final Budget	Actual	Variance from Final Budget Positive (Negative)
REVENUES				
Intergovernmental	\$ 363,820	\$ 363,820	\$ 416,731	\$ 52,911
Use of money and property	900	900	(6,598)	(7,498)
Total Revenues	<u>364,720</u>	<u>364,720</u>	<u>410,133</u>	<u>45,413</u>
EXPENDITURES				
Current:				
Public works	32,000	32,000	31,908	92
Total Expenditures	<u>32,000</u>	<u>32,000</u>	<u>31,908</u>	<u>92</u>
Revenues Over (Under) Expenditures	<u>332,720</u>	<u>332,720</u>	<u>378,225</u>	<u>45,505</u>
OTHER FINANCING SOURCES (USES)				
Transfers out	(5,330)	(5,330)	(77,330)	(72,000)
Total Other Financing Sources (Uses)	<u>(5,330)</u>	<u>(5,330)</u>	<u>(77,330)</u>	<u>(72,000)</u>
Change in fund balance	<u>\$ 327,390</u>	<u>\$ 327,390</u>	300,895	<u>\$ (26,495)</u>
FUND BALANCE				
Beginning of year			9,544	
End of year			<u>\$ 310,439</u>	

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City of Clayton
Supplementary Information
Non-Major Governmental Funds
For the year ended June 30, 2023

Schedule of Revenues, Expenditures and Changes in Fund Balance
Budgetary Comparison Schedule - Neighborhood Street Lighting District

	Adopted Budget	Final Budget	Actual	Variance from Final Budget Positive (Negative)
REVENUES				
Special parcel taxes and assessments	\$ 126,122	\$ 126,122	\$ 126,122	\$ -
Use of money and property	200	200	594	394
Total Revenues	<u>126,322</u>	<u>126,322</u>	<u>126,716</u>	<u>394</u>
EXPENDITURES				
Current:				
Public works	157,000	157,000	167,424	(10,424)
Total Expenditures	<u>157,000</u>	<u>157,000</u>	<u>167,424</u>	<u>(10,424)</u>
Revenues Over (Under) Expenditures	<u>(30,678)</u>	<u>(30,678)</u>	<u>(40,708)</u>	<u>(10,030)</u>
OTHER FINANCING SOURCES (USES)				
Transfers in	20,403	20,403	20,403	-
Transfers out	(13,006)	(13,006)	(13,006)	-
Total Other Financing Sources (Uses)	<u>7,397</u>	<u>7,397</u>	<u>7,397</u>	<u>-</u>
Change in fund balance	<u>\$ (23,281)</u>	<u>\$ (23,281)</u>	<u>(33,311)</u>	<u>\$ (10,030)</u>
FUND BALANCE				
Beginning of year			<u>23,321</u>	
End of year			<u>\$ (9,990)</u>	

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City of Clayton
Supplementary Information
Non-Major Governmental Funds
For the year ended June 30, 2023

Schedule of Revenues, Expenditures and Changes in Fund Balance
Budgetary Comparison Schedule - Oakhurst Geological Hazard and Abatement District

	Adopted Budget	Final Budget	Actual	Variance from Final Budget Positive (Negative)
REVENUES				
Special parcel taxes and assessments	\$ 47,108	\$ 47,108	\$ 47,108	\$ -
Use of money and property	210	210	1,071	861
Total Revenues	<u>47,318</u>	<u>47,318</u>	<u>48,179</u>	<u>861</u>
EXPENDITURES				
Current:				
Public works	130,800	130,800	81,081	49,719
Capital outlay	-	-	22,017	(22,017)
Total Expenditures	<u>130,800</u>	<u>130,800</u>	<u>103,098</u>	<u>27,702</u>
Revenues Over (Under) Expenditures	<u>(83,482)</u>	<u>(83,482)</u>	<u>(54,919)</u>	<u>28,563</u>
OTHER FINANCING SOURCES (USES)				
Transfers in	40,478	40,478	40,478	-
Transfers out	(8,169)	(8,169)	(8,169)	-
Total Other Financing Sources (Uses)	<u>32,309</u>	<u>32,309</u>	<u>32,309</u>	<u>-</u>
Change in fund balance	<u>\$ (51,173)</u>	<u>\$ (51,173)</u>	<u>(22,610)</u>	<u>\$ 28,563</u>
FUND BALANCE				
Beginning of year			<u>76,294</u>	
End of year			<u>\$ 53,684</u>	

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City of Clayton
Supplementary Information
Non-Major Governmental Funds
For the year ended June 30, 2023

Schedule of Revenues, Expenditures and Changes in Fund Balance
Budgetary Comparison Schedule - Presley Settlement

	Adopted Budget	Final Budget	Actual	Variance from Final Budget Positive (Negative)
REVENUES				
Use of money and property	\$ 1,000	\$ 1,000	\$ 1,543	\$ 543
Total Revenues	<u>1,000</u>	<u>1,000</u>	<u>1,543</u>	<u>543</u>
EXPENDITURES				
Current:				
Public works	-	-	-	-
Capital outlay	-	-	-	-
Total Expenditures	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Revenues Over (Under) Expenditures	<u>1,000</u>	<u>1,000</u>	<u>1,543</u>	<u>543</u>
OTHER FINANCING SOURCES (USES)				
Transfers in	-	-	-	-
Transfers out	(40,478)	(40,478)	(40,478)	-
Total Other Financing Sources (Uses)	<u>(40,478)</u>	<u>(40,478)</u>	<u>(40,478)</u>	<u>-</u>
Change in fund balance	<u>\$ (39,478)</u>	<u>\$ (39,478)</u>	(38,935)	<u>\$ 543</u>
FUND BALANCE				
Beginning of year			<u>90,470</u>	
End of year			<u>\$ 51,535</u>	

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City of Clayton
Supplementary Information
Non-Major Governmental Funds
For the year ended June 30, 2023

Schedule of Revenues, Expenditures and Changes in Fund Balance
Budgetary Comparison Schedule - Stormwater Assessment District

	Adopted Budget	Final Budget	Actual	Variance from Final Budget Positive (Negative)
REVENUES				
Special parcel taxes and assessments	\$ -	\$ -	\$ 80,799	\$ 80,799
Permits, licenses and fees	59,200	59,200	59,835	635
Use of money and property	600	600	771	171
Total Revenues	<u>59,800</u>	<u>59,800</u>	<u>141,405</u>	<u>81,605</u>
EXPENDITURES				
Current:				
Public works	136,227	136,227	152,204	(15,977)
Total Expenditures	<u>136,227</u>	<u>136,227</u>	<u>152,204</u>	<u>(15,977)</u>
Revenues Over (Under) Expenditures	<u>(76,427)</u>	<u>(76,427)</u>	<u>(10,799)</u>	<u>65,628</u>
OTHER FINANCING SOURCES (USES)				
Transfers in	1,130	1,130	1,164	34
Transfers out	(41,966)	(41,966)	(41,966)	-
Total Other Financing Sources (Uses)	<u>(40,836)</u>	<u>(40,836)</u>	<u>(40,802)</u>	<u>34</u>
Change in fund balance	<u>\$ (117,263)</u>	<u>\$ (117,263)</u>	<u>(51,601)</u>	<u>\$ 65,662</u>
FUND BALANCE				
Beginning of year			<u>69,775</u>	
End of year			<u>\$ 18,174</u>	

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INTERNAL SERVICE FUNDS

Internal service funds account for activities that provide goods or services to other City funds or department on a cost reimbursement basis. The following are the City's internal service funds:

Capital Equipment Replacement Fund (CERF) - This fund accounts for the operation, maintenance, depreciation, and replacement of City vehicles and equipment.

Self-Insurance Fund - This fund accounts for the administration of the City's self-insurance program and payment of workers' compensation and liability claims.

Pension Rate Stabilization Fund - This fund stabilizes major fluctuations in annual employer pension costs driven by market factors and actuarial changes.

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City of Clayton
Supplementary Information
Combining Statement of Net Position - Internal Service Funds
June 30, 2023

	Capital Equipment Replacement	Pension Rate Stabilization	Self- Insurance	Total
ASSETS				
Current assets:				
Cash and investments	\$ 203,826	\$ 282,108	\$ 19,667	\$ 505,601
Noncurrent assets:				
Depreciable assets, net	550,764	-	-	550,764
Total Asset	754,590	282,108	19,667	1,056,365
LIABILITIES				
Current liabilities:				
Accounts payable	-	-	-	-
Total Liabilities	-	-	-	-
NET POSITION				
Net investment in capital assets	550,764	-	-	550,764
Unrestricted	203,826	282,108	19,667	505,601
Total Net Position	\$ 754,590	\$ 282,108	\$ 19,667	\$ 1,056,365

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City of Clayton
Supplementary Information
Combining Statement of Revenues, Expenses and Changes in Net Position
Internal Service Funds - For the year ended June 30, 2023

	Capital Equipment Replacement	Pension Rate Stabilization	Self- Insurance	Total
OPERATING REVENUES				
Charges for current services	\$ 52,480	\$ -	\$ -	\$ 52,480
Total Operating Revenues	<u>52,480</u>	<u>-</u>	<u>-</u>	<u>52,480</u>
OPERATING EXPENSES				
General and administrative	5,046	-	6,109	11,155
Depreciation and amortization	115,900	-	-	115,900
Total Operating Expenses	<u>120,946</u>	<u>-</u>	<u>6,109</u>	<u>127,055</u>
Operating Income (Loss)	(68,466)	-	(6,109)	(74,575)
NONOPERATING REVENUES (EXPENSES)				
Investment income (loss)	(331)	1,661	317	1,647
Total Nonoperating Revenues (Expenses)	<u>(331)</u>	<u>1,661</u>	<u>317</u>	<u>1,647</u>
Net (loss) Before Contributions and Operating Transfers	(68,797)	1,661	(5,792)	(72,928)
Capital contributions	58,557	-	-	58,557
Transfers in	70,000	-	-	70,000
Change in Net Position	59,760	1,661	(5,792)	55,629
NET POSITION:				
Beginning of fiscal year	694,830	280,447	25,459	1,000,736
End of fiscal year	<u>\$ 754,590</u>	<u>\$ 282,108</u>	<u>\$ 19,667</u>	<u>\$ 1,056,365</u>

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City of Clayton
Supplementary Information
Combining Statement of Cash Flows - Internal Service Funds
For the year ended June 30, 2023

	Capital Equipment Replacement	Pension Rate Stabilization	Self- Insurance	Total
CASH FLOWS FROM OPERATING ACTIVITIES:				
Receipts from customers	\$ 52,480	\$ -	\$ -	\$ 52,480
Supplies and equipment purchased	(5,046)	-	-	(5,046)
Claims paid	-	-	(5,790)	(5,790)
Net cash provided (used) by operating activities	<u>47,434</u>	<u>-</u>	<u>(5,790)</u>	<u>41,644</u>
CASH FLOWS FROM NONCAPITAL FINANCING ACTIVITIES:				
Transfers in	70,000	-	-	70,000
Net cash provided (used) by noncapital financing activities	<u>70,000</u>	<u>-</u>	<u>-</u>	<u>70,000</u>
CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES:				
Acquisition of capital assets	(126,054)	-	-	(126,054)
Capital contributions	58,557	-	-	58,557
Net cash provided (used) by capital and related financing activities	<u>(67,497)</u>	<u>-</u>	<u>-</u>	<u>(67,497)</u>
CASH FLOWS FROM INVESTING ACTIVITIES:				
Interest received on investments	(331)	1,661	(317)	1,013
Net Cash provided (used) by investing activities	<u>(331)</u>	<u>1,661</u>	<u>(317)</u>	<u>1,013</u>
Net increase (decrease) in cash and cash equivalents	49,606	1,661	(6,107)	45,160
CASH AND CASH EQUIVALENTS:				
Beginning of fiscal year	154,220	280,447	25,774	460,441
End of fiscal year	<u>\$ 203,826</u>	<u>\$ 282,108</u>	<u>\$ 19,667</u>	<u>\$ 505,601</u>
RECONCILIATION OF OPERATING INCOME (LOSS) TO NET CASH PROVIDED (USED) BY OPERATING ACTIVITIES:				
Operating income (loss)	\$ (68,466)	\$ -	\$ (6,109)	\$ (74,575)
Adjustments to reconcile operating income (loss) to net cash provided (used) by operating activities:				
Depreciation and amortization	115,900	-	-	115,900
Changes in current assets and liabilities:				
Increase (decrease) in accounts payable	-	-	319	319
Net cash provided (used) by operating activities	<u>\$ 47,434</u>	<u>\$ -</u>	<u>\$ (5,790)</u>	<u>\$ 41,644</u>

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AGENCY FUNDS

Agency Funds are used to account for assets held by the City in a fiduciary capacity or as an agent for individuals, government entities and other non-public organizations. The following are reported as agency funds:

Clayton Financing Authority - Accounts for projects related to the Financing Authority.

Clayton Financing Authority 2007 Refunding Bonds - Accounts for the refunding of the Authority's 1997 Special Tax Revenue Refunding Bonds payable from revenues received by the Authority as the result of payment of debt service on the local obligations of the Middle School CFD 1990-1 Bonds.

Deposits- Represents funds held for: performance deposits, Clayton Community Gym donation deposits, refundable rental security deposits, planning services deposits, engineering plan check deposits, and other various deposits.

Diablo Estates Benefit Assessment District - Accounts for parcel owner approved real property assessments collected to maintain certain infrastructure components (including street lighting) for the Diablo Estates development.

High Street Bridge Benefit Assessment District - Accounts for real property assessments collected to maintain bridges.

Lydia Lane Sewer Benefit Assessment District - Accounts for real property assessments to be collected for construction of a sewer system.

Middle School Community Facilities District - Accounts for special parcel taxes restricted to repay indebtedness of the Middle School Community Facilities District No. 1990-1.

Oak Street Bridge Benefit Assessment District - Accounts for real property assessments collected to maintain bridges.

Oak Street Sewer Benefit Assessment District - Accounts for real property assessments to be collected for construction of a sewer system.

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City of Clayton
Supplementary Information
Combining Statement of Changes in Assets and Liabilities - Agency Funds
For the year ended June 30, 2023

	Balance July 1, 2022	Additions	Deductions	Balance June 30, 2023
<u>Clayton Financing Authority</u>				
Assets:				
Cash and investments	\$ 587,462	\$ 38,982	\$ (32,424)	\$ 594,020
Total Assets	\$ 587,462	\$ 38,982	\$ (32,424)	\$ 594,020
Liabilities:				
Other liabilities	\$ 587,462	\$ 69,172	\$ (62,614)	\$ 594,020
Total Liabilities	\$ 587,462	\$ 69,172	\$ (62,614)	\$ 594,020
<u>Clayton Financing Authority 2007 Refunding Bonds</u>				
Assets:				
Cash and investments	\$ 115,264	\$ 859,734	\$ (473,213)	\$ 501,785
Cash with fiscal agent	363,297	250	(363,547)	-
Accounts receivable	10,188	-	(10,188)	-
Investments in bonds	470,000	-	(470,000)	-
Total Assets	\$ 958,749	\$ 859,984	\$ (1,316,948)	\$ 501,785
Liabilities:				
Other liabilities	\$ 538,749	\$ 50,190	\$ (87,154)	\$ 501,785
Due to bondholders	420,000	-	(420,000)	-
Total Liabilities	\$ 958,749	\$ 50,190	\$ (507,154)	\$ 501,785
<u>Deposits</u>				
Assets:				
Cash and investments	\$ 777,520	\$ 193,669	\$ (494,987)	\$ 476,202
Accounts receivable	-	32,822	(2,313)	30,509
Total Assets	\$ 777,520	\$ 226,491	\$ (497,300)	\$ 506,711
Liabilities:				
Other liabilities	\$ 2,981	\$ 4,251	\$ (6,287)	\$ 945
Deposits payable	774,539	570,833	(839,606)	505,766
Total Liabilities	\$ 777,520	\$ 575,084	\$ (845,893)	\$ 506,711
<u>Diablo Estates Benefit Assessment District</u>				
Assets:				
Cash and investments	\$ 228,277	\$ 105,215	\$ (45,732)	\$ 287,760
Total Assets	\$ 228,277	\$ 105,215	\$ (45,732)	\$ 287,760
Liabilities:				
Accounts payable	\$ 4,026	\$ 36,382	\$ (36,845)	\$ 3,563
Other liabilities	224,251	110,647	(50,701)	284,197
Total Liabilities	\$ 228,277	\$ 147,029	\$ (87,546)	\$ 287,760

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City of Clayton
Supplementary Information
Combining Statement of Changes in Assets and Liabilities - Agency Funds
For the year ended June 30, 2023

	Balance July 1, 2022	Additions	Deductions	Balance June 30, 2023
<u>High Street Bridge Benefit Assessment District</u>				
Assets:				
Cash and investments	\$ 6,843	\$ 2,068	\$ (2,238)	\$ 6,673
Assessments receivable	8,062	-	(970)	7,092
Total Assets	<u>\$ 14,905</u>	<u>\$ 2,068</u>	<u>\$ (3,208)</u>	<u>\$ 13,765</u>
Liabilities:				
Accounts payable	\$ 350	\$ 515	\$ (865)	\$ -
Notes payable	8,062	-	(970)	7,092
Due to bondholders	6,493	7,218	(7,038)	6,673
Total Liabilities	<u>\$ 14,905</u>	<u>\$ 7,733</u>	<u>\$ (8,873)</u>	<u>\$ 13,765</u>
<u>Lydia Lane Sewer Benefit Assessment District</u>				
Assets:				
Cash and investments	\$ 68,491	\$ 21,667	\$ (23,983)	\$ 66,175
Cash with fiscal agent	12,806	365	(229)	12,942
Assessments receivable	133,325	-	(10,000)	123,325
Total Assets	<u>\$ 214,622</u>	<u>\$ 22,032</u>	<u>\$ (34,212)</u>	<u>\$ 202,442</u>
Liabilities:				
Other liabilities	\$ 81,297	\$ 41,146	\$ (43,326)	\$ 79,117
Due to bondholders	133,325	-	(10,000)	123,325
Total Liabilities	<u>\$ 214,622</u>	<u>\$ 41,146</u>	<u>\$ (53,326)</u>	<u>\$ 202,442</u>
<u>Middle School Community Facilities District</u>				
Assets:				
Cash and investments	\$ (172,695)	\$ 180,276	\$ (564,494)	\$ (556,913)
Assessments receivable	470,000	-	(470,000)	-
Due from bondholders	182,883	564,494	(190,464)	556,913
Total Assets	<u>\$ 480,188</u>	<u>\$ 744,770</u>	<u>\$ (1,224,958)</u>	<u>\$ -</u>
Liabilities:				
Accounts payable	\$ 10,188	\$ 65,918	\$ (76,106)	\$ -
Due to bondholders	470,000	-	(470,000)	-
Total Liabilities	<u>\$ 480,188</u>	<u>\$ 65,918</u>	<u>\$ (546,106)</u>	<u>\$ -</u>

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City of Clayton
Supplementary Information
Combining Statement of Changes in Assets and Liabilities - Agency Funds
For the year ended June 30, 2023

	Balance July 1, 2022	Additions	Deductions	Balance June 30, 2023
Oak Street Bridge Benefit Assessment District				
Assets:				
Cash and investments	\$ 21,261	\$ 2,759	\$ (1,671)	\$ 22,349
Total Assets	\$ 21,261	\$ 2,759	\$ (1,671)	\$ 22,349
Liabilities:				
Accounts payable	\$ 350	\$ 515	\$ (865)	\$ -
Other liabilities	20,911	26,309	(24,871)	22,349
Total Liabilities	\$ 21,261	\$ 26,824	\$ (25,736)	\$ 22,349
Oak Street Sewer Benefit Assessment District				
Assets:				
Cash and investments	\$ 497	\$ 11,961	\$ (12,458)	\$ -
Assessments receivable	44,544	-	(9,123)	35,421
Other assets	967	12,490	(12,538)	919
Total Assets	\$ 46,008	\$ 24,451	\$ (34,119)	\$ 36,340
Liabilities:				
Accounts payable	\$ 1,464	\$ 515	\$ (1,093)	\$ 886
Notes payable	44,544	-	(9,090)	35,454
Total Liabilities	\$ 46,008	\$ 515	\$ (10,183)	\$ 36,340
Total - All Agency Funds				
Assets:				
Cash and investments	\$ 1,632,920	\$ 1,416,331	\$ (1,651,200)	\$ 1,398,051
Cash with fiscal agent	376,103	615	(363,776)	12,942
Assessments receivable	655,931	-	(490,093)	165,838
Accounts receivable	10,188	32,822	(12,501)	30,509
Due from bondholders	182,883	564,494	(190,464)	556,913
Other assets	967	12,490	(12,538)	919
Investments in bonds	470,000	-	(470,000)	-
Total Assets	\$ 3,328,992	\$ 2,026,752	\$ (3,190,572)	\$ 2,165,172
Liabilities:				
Accounts payable	\$ 16,378	\$ 103,845	\$ (115,774)	\$ 4,449
Other liabilities	1,455,651	301,715	(274,953)	1,482,413
Deposits payable	774,539	570,833	(839,606)	505,766
Notes payable	52,606	-	(10,060)	42,546
Due to bondholders	1,029,818	7,218	(907,038)	129,998
Total Liabilities	\$ 3,328,992	\$ 983,611	\$ (2,147,431)	\$ 2,165,172

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STATISTICAL SECTION

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STATISTICAL SECTION

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City of Clayton
Statistical Section
Net Position by Component - Last Ten Fiscal Years
(Accrual Basis of Accounting)

Attachment 1

	2014	2015	2016	2017
Governmental activities:				
Net investment in capital assets	\$ 29,344,437	\$ 28,653,515	\$ 28,929,140	\$ 29,349,667
Restricted	3,470,831	2,024,193	7,783,815	7,731,727
Unrestricted	6,306,416	4,781,508	7,028,670	7,835,030
Total governmental activities net position	39,121,684	35,459,216	43,741,625	44,916,424
Business-type activities:				
Net investment in capital assets	1,286,748	1,250,681	1,221,999	1,184,742
Restricted	-	-	-	-
Unrestricted	(49,038)	(44,572)	(56,305)	(64,190)
Total business-type activities net position	1,237,710	1,206,109	1,165,694	1,120,552
Primary government:				
Net investment in capital assets	30,631,185	29,904,196	30,151,139	30,534,409
Restricted	3,470,831	2,024,193	7,783,815	7,731,727
Unrestricted	6,257,378	4,736,936	6,972,365	7,770,840
Total primary government net position	\$ 40,359,394	\$ 36,665,325	\$ 44,907,319	\$ 46,036,976

Source: City of Clayton Finance Department.

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**City of Clayton
Statistical Section
Net Position by Component - Last Ten Fiscal Years
(Accrual Basis of Accounting)**

2018	2019	2020	2021	2022	2023
\$ 28,976,510	\$ 29,790,706	\$ 29,780,115	\$ 28,793,685	\$ 29,116,205	\$ 29,286,912
12,059,042	11,915,594	12,046,964	13,156,670	9,890,048	10,330,144
3,836,715	3,009,835	3,433,238	2,492,751	5,873,482	6,072,755
<u>44,872,267</u>	<u>44,716,135</u>	<u>45,260,317</u>	<u>44,443,106</u>	<u>44,879,735</u>	<u>45,689,811</u>
1,147,485	1,110,485	1,073,743	1,038,076	1,009,203	977,631
-	-	-	-	-	-
<u>(75,944)</u>	<u>(72,753)</u>	<u>(74,819)</u>	<u>(114,090)</u>	<u>(129,064)</u>	<u>(128,479)</u>
<u>1,071,541</u>	<u>1,037,732</u>	<u>998,924</u>	<u>923,986</u>	<u>880,139</u>	<u>849,152</u>
30,123,995	30,901,191	30,853,858	29,831,761	30,125,408	30,264,543
12,059,042	11,915,594	12,046,964	13,156,670	9,890,048	10,330,144
3,760,771	2,937,082	3,358,419	2,378,661	5,744,418	5,944,276
<u>\$ 45,943,808</u>	<u>\$ 45,753,867</u>	<u>\$ 46,259,241</u>	<u>\$ 45,367,092</u>	<u>\$ 45,759,874</u>	<u>\$ 46,538,963</u>

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City of Clayton
Statistical Section

Changes in Net Position - Last Ten Fiscal Years
(Accrual Basis of Accounting)

	Fiscal Year			
	2014	2015	2016	2017
Expenses				
Governmental activities:				
General government	\$ 1,249,238	\$ 1,119,567	\$ 1,051,461	\$ 1,174,069
Public works	2,118,015	2,139,918	1,975,653	2,221,835
Parks and recreation services	352,498	339,894	583,120	676,790
Community and economic development	410,413	405,941	362,248	287,775
Public safety	2,016,145	2,006,052	2,060,621	2,075,082
Interest and fiscal charges	-	-	-	-
Total governmental activities expenses	<u>6,146,309</u>	<u>6,011,372</u>	<u>6,033,103</u>	<u>6,435,551</u>
Business-type activities:				
Endeavor Hall	65,351	66,606	67,668	67,393
Total business-type activities expenses	<u>65,351</u>	<u>66,606</u>	<u>67,668</u>	<u>67,393</u>
Total primary government expenses	\$ 6,211,660	\$ 6,077,978	\$ 6,100,771	\$ 6,502,944
Program revenues				
Governmental activities:				
Charges for services:				
General government	\$ 567,663	\$ 643,070	\$ 355,391	\$ 349,220
Public works	296,974	418,498	321,544	324,308
Parks and recreation services	608	14,337	73,501	70,394
Community and economic development	54,013	25,990	100,612	113,336
Public safety	14,631	13,862	49,326	52,497
Operating grants and contributions	683,492	157,397	836,833	813,168
Capital grants and contributions	-	-	22,200	885,398
Total governmental activities program revenues	<u>1,617,381</u>	<u>1,273,154</u>	<u>1,759,407</u>	<u>2,608,321</u>
Business-type activities:				
Charges for services:				
Endeavor hall	19,545	25,818	27,253	22,251
Operating grants and contributions	-	-	-	-
Total business-type program revenues	<u>19,545</u>	<u>25,818</u>	<u>27,253</u>	<u>22,251</u>
Net revenues (expenses)				
Governmental activities	\$ (4,528,928)	\$ (4,738,218)	\$ (4,273,696)	\$ (3,827,230)
Business-type activities	(45,806)	(40,788)	(40,415)	(45,142)
Total primary government net expense	<u>\$ (4,574,734)</u>	<u>\$ (4,779,006)</u>	<u>\$ (4,314,111)</u>	<u>\$ (3,872,372)</u>
General revenues and other changes in net position				
Governmental activities:				
Taxes:				
Property taxes	\$ 1,862,734	\$ 2,302,278	\$ 2,256,780	\$ 2,339,221
Special parcel taxes	1,122,349	1,155,141	1,185,651	1,220,427
Sales and use taxes	370,330	397,544	372,705	455,387
Business license taxes	-	-	133,943	135,866
Other taxes	865,752	1,339,537	-	-
Franchise fees	-	-	516,607	541,138
Payments in lieu of taxes	-	-	154,852	157,949
Investment income	64,319	82,909	295,904	119,201
Miscellaneous	175,082	91,230	58,694	31,216
Gain/(loss) on sale of assets	-	624	792	1,624
Transfers	(688,709)	88,793	-	-
Total governmental activities	<u>3,771,857</u>	<u>5,458,056</u>	<u>4,975,928</u>	<u>5,002,029</u>
Business type activities:				
Investment income/(loss)	393	175	-	-
Miscellaneous	-	4,316	-	-
Transfers	-	(88,793)	-	-
Total business-type activities	<u>393</u>	<u>(84,302)</u>	<u>-</u>	<u>-</u>
Extraordinary and Special Items				
Governmental activities:				
Extraordinary gain/(loss)	-	(200,000)	(230,786)	-
Business-type activities:				
Special item gain/(loss)	-	93,489	-	-
Total primary government changes in net position				
Governmental activities	(757,071)	519,838	471,446	1,174,799
Business-type activities	(45,413)	(31,601)	(40,415)	(45,142)
Total primary government	<u>\$ (802,484)</u>	<u>\$ 488,237</u>	<u>\$ 431,031</u>	<u>\$ 1,129,657</u>

Source: City of Clayton Finance Department.

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**City of Clayton
Statistical Section**

**Changes in Net Position - Last Ten Fiscal Years
(Accrual Basis of Accounting)**

		Fiscal Year									
		2018	2019	2020	2021	2022	2023				
\$	1,305,562	\$	1,457,326	\$	2,781,523	\$	1,796,454	\$	2,629,048	\$	2,018,902
	2,509,147		2,825,969		1,988,766		2,909,710		2,509,096		2,907,711
	667,687		718,267		452,535		592,433		729,729		939,695
	329,418		367,682		296,372		357,133		356,450		341,335
	2,538,912		2,536,880		2,521,690		2,980,000		2,736,817		2,986,862
	-		-		-		-		-		-
	7,350,726		7,906,124		8,040,886		8,635,730		8,961,140		9,194,505
	76,901		58,455		63,631		73,117		60,694		65,587
	76,901		58,455		63,631		73,117		60,694		65,587
\$	7,427,627	\$	7,964,579	\$	8,104,517	\$	8,708,847	\$	9,021,834	\$	9,260,092
\$	397,668	\$	397,436	\$	438,906	\$	430,894	\$	437,626	\$	330,780
	355,625		356,347		338,877		328,731		331,218		321,272
	66,868		71,681		43,635		17,622		42,903		53,710
	127,487		96,596		113,600		133,404		142,299		102,198
	44,545		41,195		65,674		51,259		48,292		55,794
	900,239		825,018		1,024,732		893,718		2,755,382		2,812,484
	526,452		570,049		559,220		42,363		120,774		114,959
	2,418,884		2,358,322		2,584,644		1,897,991		3,878,494		3,791,197
	27,890		24,642		24,702		(1,442)		16,847		34,665
	-		-		-		-		-		-
	27,890		24,642		24,702		(1,442)		16,847		34,665
\$	(4,931,842)	\$	(5,547,802)	\$	(5,456,242)	\$	(6,737,739)	\$	(5,082,646)	\$	(5,403,308)
	(49,011)		(33,813)		(38,929)		(74,559)		(43,847)		(30,922)
\$	(4,980,853)	\$	(5,581,615)	\$	(5,495,171)	\$	(6,812,298)	\$	(5,126,493)	\$	(5,434,230)
\$	2,345,067	\$	2,463,898	\$	2,587,812	\$	2,722,906	\$	2,846,766	\$	3,136,404
	1,254,911		1,256,011		1,295,034		1,309,373		1,348,657		1,394,101
	436,560		483,741		512,868		510,029		563,908		539,134
	154,397		175,153		140,620		90,872		162,881		208,080
	-		-		-		-		-		-
	547,765		523,129		565,893		567,350		587,740		619,204
	161,108		164,331		167,677		171,029		174,443		181,493
	287,595		255,272		684,244		508,256		(281,502)		18,046
	23,118		39,211		40,516		38,972		54,512		95,989
	(893)		30,924		5,760		1,741		6,958		-
	-		-		-		-		-		-
	5,209,628		5,391,670		6,000,424		5,920,528		5,464,363		6,192,451
	-		4		121		(379)		-		(65)
	-		-		-		-		-		-
	-		-		-		-		-		-
	-		4		121		(379)		-		(65)
	-		-		-		-		-		-
	-		-		-		-		-		-
	277,786		(156,132)		544,182		(817,211)		381,717		789,143
	(49,011)		(33,809)		(38,808)		(74,938)		(43,847)		(30,987)
\$	228,775	\$	(189,941)	\$	505,374	\$	(892,149)	\$	337,870	\$	758,156

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City of Clayton
Statistical Section

Attachment 1

Fund Balances of Governmental Funds - Last Ten Fiscal Years
(Modified Accrual Basis of Accounting)

	Fiscal Year Ending June 30			
	2014	2015	2016	2017
General fund:				
Nonspendable	\$ 1,242,346	\$ 1,029,377	\$ 308,064	\$ 72,518
Restricted	-	-	-	-
Committed	-	-	-	-
Assigned	34,542	-	278,853	415,239
Unassigned	3,871,849	4,509,255	5,031,142	5,429,524
Total general fund	<u>5,148,737</u>	<u>5,538,632</u>	<u>5,618,059</u>	<u>5,917,281</u>
All other governmental funds:				
Nonspendable	-	-	3,633,951	3,696,238
Restricted	1,399,064	1,303,081	2,150,476	2,122,471
Committed	829,421	721,112	667,134	494,241
Assigned	2,354,314	3,309,135	2,684,533	3,026,942
Unassigned	(2,550)	(2,550)	(2,550)	(2,550)
Total other governmental funds	<u>4,580,249</u>	<u>5,330,778</u>	<u>9,133,544</u>	<u>9,337,342</u>
Total governmental funds	<u>\$ 9,728,986</u>	<u>\$ 10,869,410</u>	<u>\$ 14,751,603</u>	<u>\$ 15,254,623</u>

Source: City of Clayton Finance Department.

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**City of Clayton
Statistical Section**

**Fund Balances of Governmental Funds - Last Ten Fiscal Years
(Modified Accrual Basis of Accounting)**

Fiscal Year Ending June 30					
2018	2019	2020	2021	2022	2023
\$ 81,790	\$ 320,232	\$ 100,163	\$ 120,623	\$ 173,471	\$ 190,998
-	-	-	-	-	-
-	-	-	177,496	495,019	1,562,436
281,930	102,228	409,482	-	-	-
5,302,751	5,337,685	5,654,925	5,810,862	5,744,867	5,990,665
5,666,471	5,760,145	6,164,570	6,108,981	6,413,357	7,744,099
-	-	-	-	-	-
6,293,306	6,403,413	6,452,671	7,283,999	6,719,595	7,228,199
571,915	647,611	669,841	643,461	709,802	557,007
3,542,680	2,744,642	3,167,804	3,261,239	3,330,153	2,042,937
(2,550)	(223,171)	(23,566)	-	-	-
10,405,351	9,572,495	10,266,750	11,188,699	10,759,550	9,828,143
\$ 16,071,822	\$ 15,332,640	\$ 16,431,320	\$ 17,297,680	\$ 17,172,907	\$ 17,572,242

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City of Clayton
Statistical Section

Attachment 1

Changes in Fund Balances of Governmental Funds - Last Ten Fiscal Years
(Modified Accrual Basis of Accounting)

	Fiscal Year			
	2014	2015	2016	2017
Revenues				
Property taxes	\$ 1,862,734	\$ 2,302,278	\$ 2,256,780	\$ 2,339,221
Program income	10,668	10,063	81,400	86,400
Special parcel taxes and assessments	1,260,823	1,287,748	1,437,156	1,465,905
Sales and use taxes	370,330	397,544	372,705	455,387
Business license taxes and fees	-	-	133,943	135,866
Permits, licenses and fees	290,598	306,545	194,261	209,026
Fines, forfeitures and penalties	78,173	72,635	84,270	92,662
Intergovernmental	967,729	1,066,757	964,539	1,706,688
Motor vehicle in-lieu fees	4,703	4,590	4,554	-
Other in-lieu fees	148,839	151,816	154,852	157,949
Franchise fees	504,867	501,597	516,607	541,138
Service charges	338,626	366,080	342,308	311,796
Use of money and property	62,642	81,408	290,966	118,210
Other revenue	175,538	91,131	48,517	40,186
Total revenues	<u>6,076,270</u>	<u>6,640,192</u>	<u>6,882,858</u>	<u>7,660,434</u>
Expenditures				
Current				
General government	1,118,026	1,018,852	1,068,970	1,194,606
Public works	1,293,402	1,342,373	1,237,683	1,519,992
Parks and recreation services	352,498	349,862	375,554	458,294
Community and economic development	410,413	410,972	379,162	309,048
Public safety	1,950,034	2,005,607	2,281,621	2,265,845
Capital outlay	393,505	260,895	1,275,563	1,409,599
Debt service				
Principal	-	-	-	-
Interest and fiscal charges	-	-	-	-
Total expenditures	<u>5,517,878</u>	<u>5,388,561</u>	<u>6,618,553</u>	<u>7,157,384</u>
Revenues over (under) expenditures	<u>558,392</u>	<u>1,251,631</u>	<u>264,305</u>	<u>503,050</u>
Other financing sources (uses)				
Unrealized gains (losses)	-	-	-	-
Transfers in	524,187	600,458	1,026,538	497,960
Transfers out	(603,341)	(511,665)	(1,177,781)	(497,960)
Total other financing sources (uses)	<u>(79,154)</u>	<u>88,793</u>	<u>(151,243)</u>	<u>-</u>
Revenues and other financing sources over (under) expenditures and other financing uses	<u>479,238</u>	<u>1,340,424</u>	<u>113,062</u>	<u>503,050</u>
Special and extraordinary items				
Special item gain (loss)	(90,690)	-	-	-
Extraordinary gain (loss)	-	(200,000)	(230,786)	-
Total special and extraordinary items	<u>(90,690)</u>	<u>(200,000)</u>	<u>(230,786)</u>	<u>-</u>
Change in fund balances	<u>\$ 388,548</u>	<u>\$ 1,140,424</u>	<u>\$ (117,724)</u>	<u>\$ 503,050</u>
Ratio of Total Debt Service Expenditures to Noncapital Expenditures	0.00	0.00	0.00	0.00

Source: City of Clayton Finance Department

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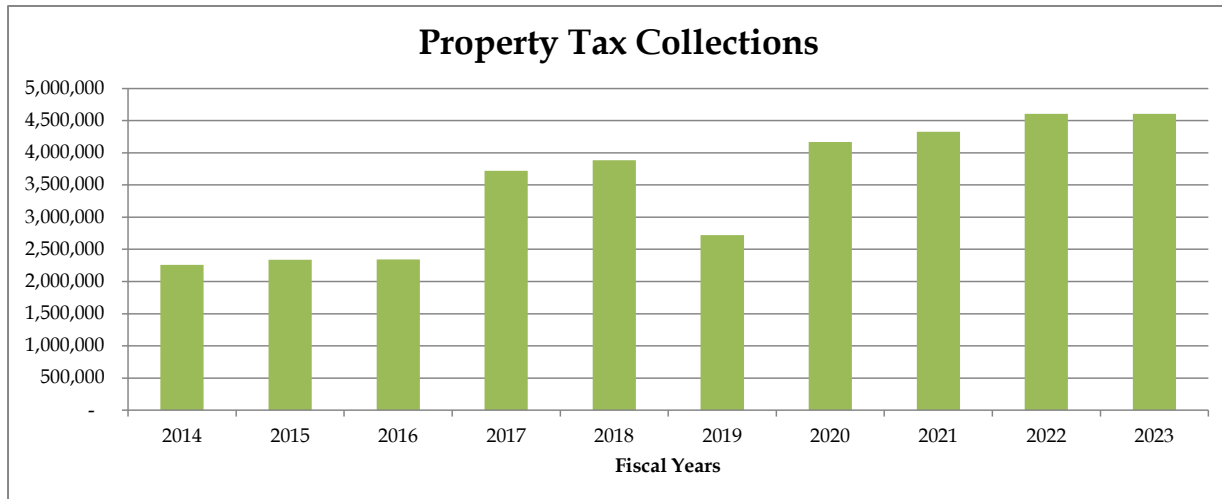
**City of Clayton
Statistical Section**

**Changes in Fund Balances of Governmental Funds - Last Ten Fiscal Years
(Modified Accrual Basis of Accounting)**

		Fiscal Year									
		2018	2019	2020	2021	2022	2023				
\$	2,345,067	\$	2,463,898	\$	2,463,898	\$	2,722,905	\$	2,846,766	\$	3,136,404
	91,400		146,400		146,400		106,400		111,400		116,400
	1,522,187		1,546,399		1,546,399		1,606,706		1,647,112		1,696,431
	436,560		483,741		483,741		510,029		563,908		539,134
	154,397		175,153		175,153		90,872		162,881		208,080
	356,052		212,242		212,242		172,297		254,352		195,234
	110,787		82,375		82,375		118,766		151,409		126,222
	1,178,659		1,312,528		1,312,528		911,240		2,772,298		2,815,112
	-		-		-		-		-		11,341
	161,108		164,331		164,331		171,029		174,443		181,493
	547,765		523,129		523,129		567,350		587,740		619,204
	329,164		325,078		325,078		297,393		305,645		241,261
	274,244		385,696		385,696		132,791		(324,916)		105,831
	23,168		35,723		35,723		30,657		41,492		84,643
	<u>7,530,558</u>		<u>7,856,693</u>		<u>7,856,693</u>		<u>7,438,435</u>		<u>9,294,530</u>		<u>10,076,790</u>
	1,183,609		1,317,973		1,317,973		1,547,319		2,697,067		1,803,700
	1,592,903		1,621,629		1,621,629		1,908,291		2,141,455		2,321,579
	433,764		477,266		477,266		349,854		477,400		609,949
	317,284		352,163		352,163		318,173		299,175		346,184
	2,363,298		2,365,339		2,365,339		2,605,103		2,814,860		2,877,042
	654,531		2,146,778		2,146,778		213,610		1,102,349		1,580,508
	-		-		-		-		-		-
	-		-		-		-		-		-
	<u>6,545,389</u>		<u>8,281,148</u>		<u>8,281,148</u>		<u>6,942,350</u>		<u>9,532,306</u>		<u>9,538,962</u>
	985,169		(424,455)		(424,455)		496,085		(237,776)		537,828
	-		(214,727)		(214,727)		370,275		58,091		(89,426)
	481,974		1,261,171		1,261,171		494,175		3,251,504		2,286,503
	(649,974)		(1,361,171)		(1,361,171)		(494,175)		(3,251,504)		(2,356,503)
	<u>(168,000)</u>		<u>(314,727)</u>		<u>(314,727)</u>		<u>370,275</u>		<u>58,091</u>		<u>(159,426)</u>
	817,169		(739,182)		(739,182)		866,360		(179,685)		378,402
	-		-		-		-		-		-
	-		-		-		-		-		-
	-		-		-		-		-		-
\$	<u>817,169</u>	\$	<u>(739,182)</u>	\$	<u>(739,182)</u>	\$	<u>866,360</u>	\$	<u>(179,685)</u>	\$	<u>378,402</u>
	0.00		0.00		0.00		0.00		0.00		0.00

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**City of Clayton
Statistical Section
Property Tax Levies and Collections
Last Ten Fiscal Years**



Fiscal Year Ended June 30	Total Tax Levy for Fiscal Year ¹	Collected within the Fiscal Year of the Levy		Total Collections to Date	
		Amount	Percentage of Levy	Amount	Percentage of Levy
2014	2,256,780	2,256,780	100%	2,256,780	100%
2015	2,339,221	2,339,221	100%	2,339,221	100%
2016	2,345,067	2,345,067	100%	2,345,067	100%
2017	3,719,909	3,719,909	100%	3,719,909	100%
2018	3,882,846	3,882,846	100%	3,882,846	100%
2019	2,722,906	2,722,906	100%	2,722,906	100%
2020	4,170,045	4,170,045	100%	4,170,045	100%
2021	4,329,611	4,329,611	100%	4,329,611	100%
2022	4,605,278	4,605,278	100%	4,605,278	100%
2023	4,605,278	4,605,278	100%	4,605,278	100%

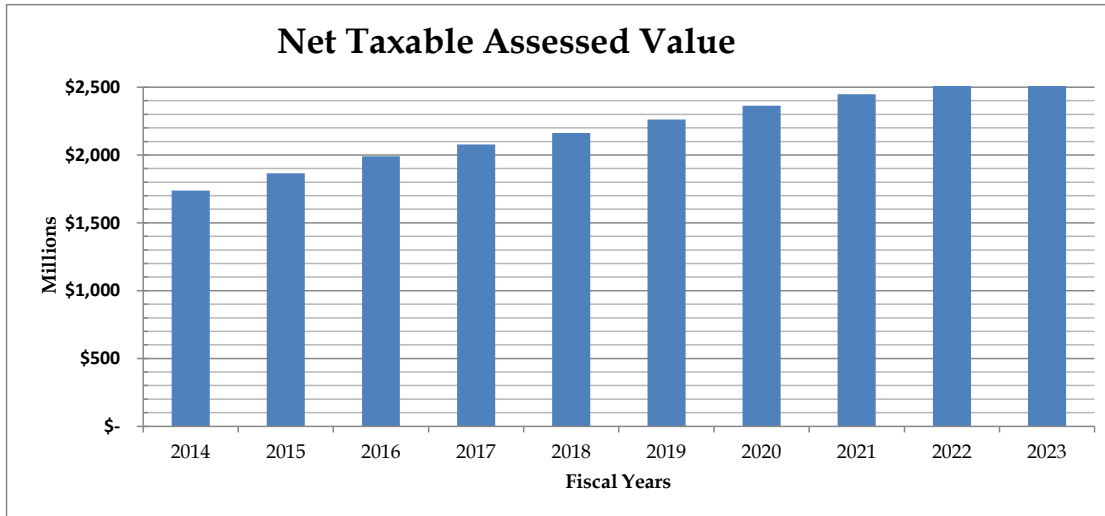
Source: City of Clayton Finance Department

¹ Property tax levies above include secured and unsecured general ad valorem property taxes, restricted local special parcel taxes, and property taxes pertaining to the Redevelopment Property Tax Trust Fund.

² The City is enrolled in the "Teeter" Plan, where the County remits the entire amount levied and handles all delinquencies, retaining the interest and penalties.

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Assessed Value and Estimated Actual Value of Taxable Property
Last Ten Fiscal Years



Fiscal Year Ended June 30	Secured	Unsecured	SBE Nonunitary	Net Total Assessed Valuation	Total Direct Tax Rate ²
2014	1,724,741,279	12,046,811	-	1,736,788,090	6.992%
2015	1,855,952,809	10,423,772	-	1,866,376,581	6.587%
2016	1,966,021,862	24,268,730	-	1,990,290,592	6.627%
2017	2,052,672,378	24,551,781	-	2,077,224,159	6.642%
2018	2,138,664,468	22,857,474	-	2,161,521,942	6.650%
2019	2,238,046,407	24,573,625	-	2,262,620,032	6.667%
2020	2,335,781,999	28,167,199	-	2,363,949,198	6.684%
2021	2,419,252,507	28,191,208	-	2,447,443,715	6.697%
2022	2,503,001,127	31,341,543	-	2,534,342,670	6.697%
2023	2,669,424,558	41,767,424	-	2,711,191,982	6.527%

Source: HdL, Coren & Cone, Contra Costa County Assessor Tax Rolls

¹ In 1978 the voters of the State of California passed Proposition 13 which limited property taxes to a maximum rate of 1.0% based up on the assessed value of the property being taxed. Each year, the assessed value of property may be increased by an "inflation factor" (limited to the maximum increase of 2.0%). With few exceptions, property is only reassessed at the time that it is sold to a new owner. At that point, the new assessed value is reassessed at the purchase price of the property sold. The assessed valuation data shown above represents the only data currently available with respect to the actual market value of taxable property and is subject to the limitations described above.

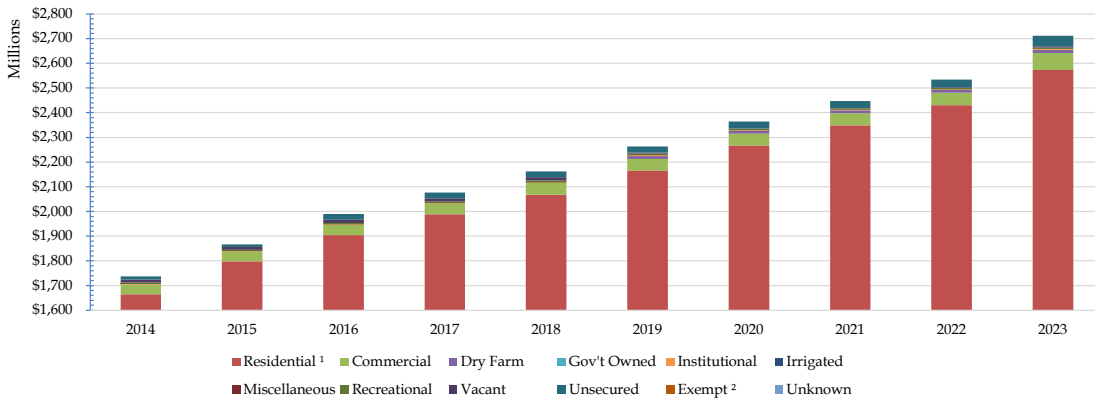
² City's share of 1.0% basic levy is based on the City's share of the general fund tax rate area with the largest net taxable value within the City. Tax Rate Area 13-015 is represented here for this report.

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**City of Clayton
Statistical Section
Taxable Assessed Value By Source
Last Ten Fiscal Years**

Category	Fiscal Year Ending June 30			
	2014	2015	2016	2017
Residential ¹	\$ 1,664,638,727	\$ 1,797,596,765	\$ 1,904,368,929	\$ 1,988,952,192
Commercial	39,271,189	38,942,508	41,544,210	41,858,935
Dry Farm				
Gov't Owned				
Institutional	2,509,634	2,521,025	2,571,392	2,610,603
Irrigated	129,240			
Miscellaneous	197,555	198,449	202,412	205,496
Recreational	5,364,585	5,364,688	5,365,145	6,302,648
Vacant	12,630,349	11,329,374	11,969,774	12,742,504
Unsecured	12,046,811	10,423,772	24,268,730	24,551,781
Exempt ²	(25,038,500)	(26,156,667)	(26,679,230)	(27,086,036)
Unknown	-	-	-	-
Totals	\$ 1,736,788,090	\$ 1,866,376,581	\$ 1,990,290,592	\$ 2,077,224,159
Total Direct Rate	0.06992	0.06587	0.06627	0.06642

Taxable Assessed Value By Source



Source: HdL, Coren & Cone, Contra Costa County Assessor Tax Rolls

¹ In 1978 the voters of the State of California passed Proposition 13 which limited property taxes to a maximum rate of 1.0% based up on the assessed value of the property being taxed. Each year, the assessed value of property may be increased by an "inflation factor" (limited to the maximum increase of 2.0%). With few exceptions, property is only reassessed at the time that it is sold to a new owner. At that point, the new assessed value is reassessed at the purchase price of the property sold. The assessed valuation data shown above represents the only data currently available with respect to the actual market value of taxable property and is subject to the limitations described above.

² Exempt values are not included in total.

² California cities do not set their own direct tax rate. The State Constitution establishes the rate at 1.0% and allocates a portion of that amount by an annual calculation to all the taxing entities within a tax rate area. The City of Clayton encompasses ten (10) tax rate areas.

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**City of Clayton
Statistical Section
Taxable Assessed Value By Source
Last Ten Fiscal Years**

Fiscal Year Ending June 30					
2018	2019	2020	2021	2022	2023
\$ 2,067,562,369	\$ 2,165,479,800	\$ 2,266,477,116	\$ 2,348,456,415	\$ 2,430,095,644	\$ 2,572,969,703
47,590,673	47,779,713	48,208,120	49,037,518	50,373,722	68,834,764
	11,134,894	11,399,590	11,865,579	12,060,444	12,750,111
2,662,812	3,253,330	2,729,354	2,783,939	2,812,779	3,717,892
209,603	129,549	140,719	143,532	145,018	147,917
7,403,121	7,402,753	4,957,742	5,058,784	5,055,770	5,137,948
13,235,890	2,866,368	1,869,358	1,906,740	2,457,750	5,866,223
22,857,474	24,573,625	28,167,199	28,191,208	31,341,543	41,767,424
(27,627,706)	(28,243,119)	(28,807,933)	(29,384,046)	(29,688,415)	(30,282,131)
-	-	-	-	-	-
<u>\$ 2,161,521,942</u>	<u>\$ 2,262,620,032</u>	<u>\$ 2,363,949,198</u>	<u>\$ 2,447,443,715</u>	<u>\$ 2,534,342,670</u>	<u>\$ 2,711,191,982</u>
0.06650	0.06667	0.06684	0.06697	0.06711	0.06527

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City of Clayton
Statistical Section

Property Tax Rates - Direct and Overlapping Governments
Last Ten Fiscal Years (Rate per \$100 of Assessed Value)

	Fiscal Year Ending June 30			
	2014	2015	2016	2017
City Direct Rates:				
City of Clayton General Fund ¹	0.06628	0.06628	0.06628	0.06628
Clayton Light Maintenance District No. 1 ²	0.01039	0.01039	0.01039	0.01039
Direct and Overlapping Rates:				
Basic Levy ³	1.00000	1.00000	1.00000	1.00000
Bay Area Rapid Transit (BART) Bond	0.00430	0.00750	0.00450	0.00260
Contra Costa Community College Bond	0.00870	0.01330	0.02520	0.02200
Contra Costa Water Land Levy	0.00450	0.00420	0.00370	0.00350
East Bay Regional Park Bond	0.00510	0.00780	0.00850	0.00670
Mt. Diablo School Bond	0.08710	0.07400	0.08530	0.08120
Total Direct and Overlapping Rates	1.10970	1.10680	1.12720	1.11600
City's Share of 1% Levy Per Prop 13 ³	0.06628	0.06628	0.06628	0.06628
Redevelopment Rate ⁴	-	-	-	-
Total Direct Rate ⁵	0.34145	0.06992	0.06587	0.06627

Source: HdL, Coren & Cone, Contra Costa County Assessor 2010-11 to 2019-20 tax rate table.

¹ City's share of 1.0% basic levy is based on the City's share of the general fund tax rate area with the largest net taxable value within the City. Tax Rate Area 13-015 is represented here for this report.

² City's share of 1.0% basic levy is based on the City's share of the Light Maintenance District No. 1 tax rate area with the largest net taxable value within the City. Tax Rate Area 13-002 is represented here for this report.

³ In 1978, California voters passed Proposition 13 which caps the property tax rate at a 1.00% fixed amount. This 1.00% is shared by all taxing agencies for which the subject property resides within. In addition to the 1.00% fixed amount, property owners are charged taxes as a percentage of assessed property values for the payment of voter approved bonds from various agencies.

⁴ Redevelopment rate is based on the largest RDA tax rate area and only includes rate(s) from indebtedness adopted prior to 1989 per California State statute. RDA direct and overlapping rates are applied only to the incremental property values. The approval of ABX1 26 eliminated Redevelopment from the State of California for the fiscal year 2012-13 and years thereafter.

⁵ Total direct rate is the weighted average of all individual direct rates applied to by the government preparing the statistical section information and excludes revenues derived from aircraft. Beginning in 2013-14 the total direct rate no longer includes revenue generated from the former redevelopment tax rate areas. Challenges to recognized enforceable obligations are assumed to have been resolved during 2012-13. For the purposes of this report, residual revenue is assumed to be distributed to the City in the same proportions as general fund revenue.

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**City of Clayton
Statistical Section
Property Tax Rates - Direct and Overlapping Governments
Last Ten Fiscal Years (Rate per \$100 of Assessed Value)**

Fiscal Year Ending June 30					
2018	2019	2020	2021	2022	2023
0.06628	0.06628	0.06628	0.06628	0.06628	0.06628
0.01039	0.01039	0.01039	0.01039	0.01039	0.01039
1.00000	1.00000	1.00000	1.00000	1.00000	1.00000
0.00800	0.00840	0.00700	0.01200	0.01390	0.01400
0.01200	0.01140	0.01100	0.01880	0.01610	0.01620
0.00320	0.00300	0.00280	0.00260	0.00250	0.00210
0.00320	0.00210	0.00210	0.00940	0.00140	0.00580
0.07640	0.07900	0.09250	0.09080	0.09090	0.08100
<u>1.10280</u>	<u>1.10390</u>	<u>1.11540</u>	<u>1.13360</u>	<u>1.12480</u>	<u>1.11910</u>
0.06628	0.06628	0.06628	0.06628	0.06628	0.06628
-	-	-	-	-	-
0.06642	0.06650	0.06667	0.06684	0.06697	0.06527

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**City of Clayton
Statistical Section
Principal Property Tax Payers
Current Year and Nine Years Ago**

Attachment 1

		Fiscal Year Ending June 30, 2014		
		Secured		
Property Owner	Primary Use, Primary Agency	Parcels	Value	% of Net AV
1) Safeway Stores, Inc ¹	Commercial, Successor Agency	1	\$ 10,851,073	0.63%
2) Clayton Station Shopping Center ¹	Commercial, Successor Agency	4	9,604,744	0.56%
3) Albert D. Jr. & Sandra Seeno Trust	Vacant, Clayton General Fund	1	6,850,000	0.40%
4) NGP Realty Sub LP	Recreational, Successor Agency	17	5,363,386	0.31%
5) Endashiian LLC	Commercial, Successor Agency	1	3,398,684	0.20%
6) Village Oaks LLC	Commercial, Successor Agency	2	2,803,739	0.16%
7) Comcast	Unsecured, Successor Agency	-	-	0.00%
8) Ocean West Nevada Corporation	Commercial, Successor Agency	1	2,383,397	0.14%
9) NUCP-Clayton LLC	Commercial, Successor Agency	1	2,223,563	0.13%
10) Joe Leggallet Trust	Institutional, Successor Agency	1	2,171,108	0.13%
Top Ten Total		29	\$ 45,649,694	2.65%
City Total			\$ 1,724,741,279	

		Fiscal Year Ending June 30, 2023		
		Secured		
Property Owner	Primary Use, Primary Agency	Parcels	Value	% of Net AV
1) Comcast	Unsecured, Clayton General Fund	-	\$ -	0.00%
2) Clayton Station Shopping Center ¹	Commercial, Successor Agency	4	28,412,729	1.06%
3) Safeway Stores, Inc ¹	Commercial, Successor Agency	1	12,014,754	0.45%
4) Albert D. Jr. & Sandra Seeno Trust	Dry Farm, Clayton General Fund	1	9,377,925	0.35%
5) 1026 Oak LLC	Commercial, Successor Agency	1	5,242,935	0.20%
6) William Patrick Jordan Trust	Residential, Successor Agency	6	4,819,440	0.18%
7) Liu-Hom Family Trust	Commercial, Successor Agency	1	4,768,294	0.18%
8) Endashiian LLC	Commercial, Successor Agency	1	3,943,835	0.15%
9) Village Oaks LLC	Commercial, Successor Agency	2	3,253,455	0.12%
10) Ocean West Nevada Corporation	Commercial, Successor Agency	1	2,765,693	0.10%
Top Ten Total		18	\$ 74,599,060	2.79%
City Total			\$ 2,669,424,558	

Source: HdL, Coren & Cone, Contra Costa County Assessor 2013/14 & 2022/23 Combined Tax Rolls & the SBE Non-Unitary Tax Roll

¹ Pending appeals on parcels

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City of Clayton
Statistical Section
Principal Property Tax Payers
Current Year and Nine Years Ago

Fiscal Year Ending June 30, 2014

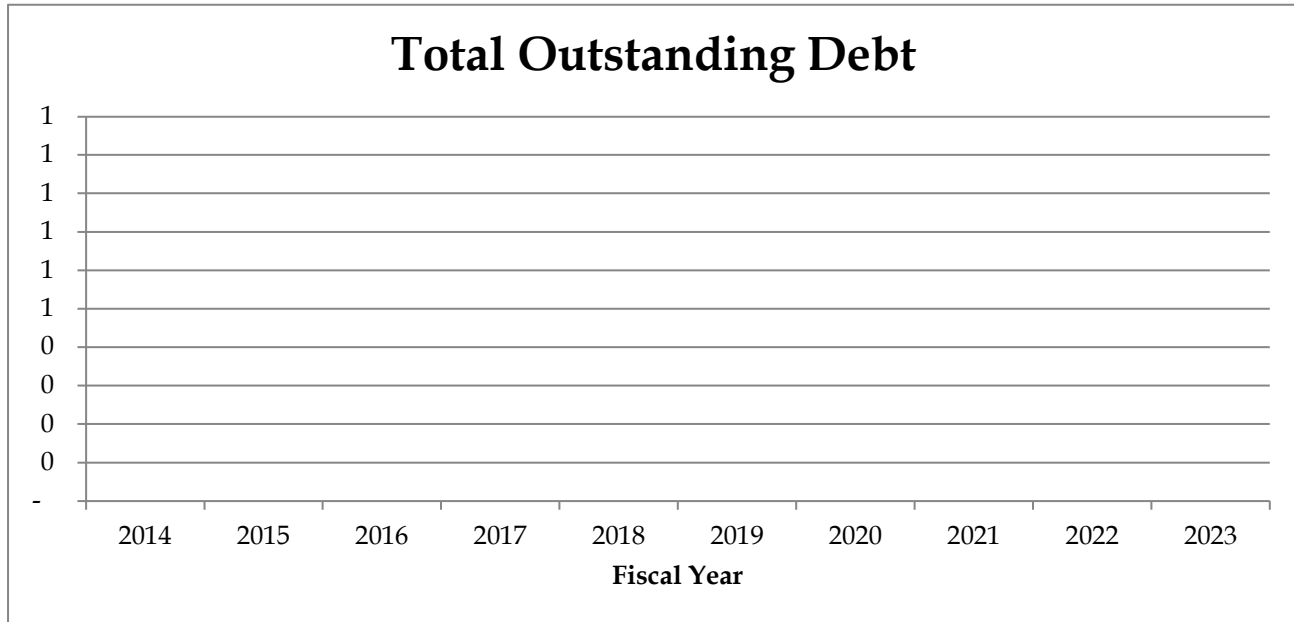
Parcels	Unsecured		Combined	
	Value	% of Net AV	Value	% of Net AV
-	\$ -	0.00%	\$ 10,851,073	0.62%
-	-	0.00%	9,604,744	0.55%
-	-	0.00%	6,850,000	0.39%
-	-	0.00%	5,363,386	0.31%
-	-	0.00%	3,398,684	0.20%
-	-	0.00%	2,803,739	0.16%
4	2,410,247	20.01%	2,410,247	0.14%
-	-	0.00%	2,383,397	0.14%
-	-	0.00%	2,223,563	0.13%
-	-	0.00%	2,171,108	0.13%
4	\$ 2,410,247	20.01%	\$ 48,059,941	2.77%
	<u>\$ 12,046,811</u>		<u>\$ 1,736,788,090</u>	

Fiscal Year Ending June 30, 2023

Parcels	Unsecured		Combined	
	Value	% of Net AV	Value	% of Net AV
5	\$ 31,656,222	75.79%	\$ 31,656,222	1.17%
-	-	0.00%	28,412,729	1.05%
-	-	0.00%	12,014,754	0.44%
-	-	0.00%	9,377,925	0.35%
-	-	0.00%	5,242,935	0.19%
-	-	0.00%	4,819,440	0.18%
-	-	0.00%	4,768,294	0.18%
-	-	0.00%	3,943,835	0.15%
-	-	0.00%	3,253,455	0.12%
-	-	0.00%	2,765,693	0.10%
5	\$ 31,656,222	75.79%	\$ 106,255,282	3.92%
	<u>\$ 41,767,424</u>		<u>\$ 2,711,191,982</u>	

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City of Clayton
 Statistical Section
 Ratios of Debt Outstanding
 Last Ten Fiscal Years



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Fiscal Year Ended June 30	Tax Allocation Bonds¹	Percentage of Total Assessed Value	Percent of Personal Income	Per Capita
2014	-	0.000%	0.000%	-
2015	-	0.000%	0.000%	-
2016	-	0.000%	0.000%	-
2017	-	0.000%	0.000%	-
2018	-	0.000%	0.000%	-
2019	-	0.000%	0.000%	-
2020	-	0.000%	0.000%	-
2021	-	0.000%	0.000%	-
2022	-	0.000%	0.000%	-
2023	-	0.000%	0.000%	-

Source: City of Clayton Finance Department.

¹The balance of Tax Allocation Bonds was transferred to the Redevelopment Successor Agency as of February 1, 2012.

**City of Clayton
Statistical Section**

**Computation of Direct and Overlapping Debt
June 30, 2022**

Overlapping Debt	Gross Bonded Debt Balance	Percent Applicable to City	Net Bonded Debt
County General	\$ 193,515,000	1.075%	\$ 2,080,286
Bay Area Rapid Transit District	2,484,285,000	0.285%	7,080,212
East Bay Regional Park District	175,955,000	0.451%	793,557
Mt. Diablo Unified School District General Obligation Bonds	388,584,259	5.318%	20,664,911
Mt. Diablo Unified School District Community Facilities District No. 1	14,520,000	4.684%	680,117
City of Clayton Lydia Lane Assessment District	123,325	100.000%	123,325
Contra Costa Community College District	649,015,000	1.078%	6,996,382
Tax increment debt (successor agencies)	770,000	100.000%	770,000
Total Overlapping Debt			\$ 39,188,790

2021-22 Assessed Valuation: \$1,693,258,542 after deducting \$841,084,128 incremental value.

Debt to Assessed Valuation Ratios:	Direct Debt	0.00%
	Overlapping Debt	1.43%
	Total Debt	1.43%

Source: HdL, Coren & Cone, Contra Costa County Assessor & Auditor combined 2022/23 lien date tax rolls.

This report reflects debt which is being repaid through voter-approved property tax indebtedness. It excludes mortgage revenue, tax allocation bonds, interim financing obligations, non-bonded capital lease obligations, and certificates of participation.

Overlapping governments are those that coincide at least in part, with the geographic boundaries of the city. The percentage of overlapping debt applicable is estimated by using taxable assessed values. Applicable percentages were estimated by determining the portion of another governmental unit's taxable assessed value that is within the city's boundaries and dividing it by each unit's total taxable assessed value.

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**City of Clayton
Statistical Section
Legal Debt Margin
Last Ten Fiscal Years**

	Fiscal Year Ending			
	2014	2015	2016	2017
Assessed valuation	\$ 1,711,749,590	\$ 1,711,749,590	\$ 1,963,611,362	\$ 2,050,138,123
Add back exempted real property	25,038,500	25,038,500	26,679,230	27,086,036
Total assessed valuation	\$ 1,736,788,090	\$ 1,736,788,090	\$ 1,990,290,592	\$ 2,077,224,159
Debt limit percentage ¹	3.75%	3.75%	3.75%	3.75%
Debt limit	\$ 65,129,553	\$ 65,129,553	\$ 74,635,897	\$ 77,895,906
Total net debt applicable to limit	\$ -	\$ -	\$ -	\$ -
Legal Debt margin	\$ 65,129,553	\$ 65,129,553	\$ 74,635,897	\$ 77,895,906
Total debt applicable to the limit as a percentage of debt limit	0.00%	0.00%	0.00%	0.00%

Source: City of Clayton Finance Department.

¹ The government code of the State of California provides for a legal debt limit of 15% of gross assessed valuation. However, this provision was enacted when assessed valuation was based upon 25% of market value. Effective with the 1981-82 fiscal year, each parcel is now assessed at 100% of market value (as of the most recent change in ownership for that parcel). Although the statutory debt limit has not been amended by the State since this change, the percentages presented in the above computations have been proportionately modified to 3.75% (25% of 15%) for the purpose of this calculation in order to be consistent with the computational effect of the debt limit at the time of the state's establishment of the limit.

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**City of Clayton
Statistical Section
Legal Debt Margin
Last Ten Fiscal Years**

Attachment 1

Fiscal Year Ending					
2018	2019	2020	2021	2022	2023
\$ 2,133,894,236	\$ 2,234,376,913	\$ 2,335,141,265	\$ 2,418,059,669	\$ 2,504,654,255	\$ 2,741,474,113
<u>27,627,706</u>	<u>28,243,119</u>	<u>28,807,933</u>	<u>29,384,046</u>	<u>29,688,415</u>	<u>30,282,131</u>
<u>\$ 2,161,521,942</u>	<u>\$ 2,262,620,032</u>	<u>\$ 2,363,949,198</u>	<u>\$ 2,447,443,715</u>	<u>\$ 2,534,342,670</u>	<u>\$ 2,771,756,244</u>
3.75%	3.75%	3.75%	3.75%	3.75%	3.75%
\$ 81,057,073	\$ 84,848,251	\$ 88,648,095	\$ 91,779,139	\$ 95,037,850	\$ 103,940,859
<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
<u>\$ 81,057,073</u>	<u>\$ 84,848,251</u>	<u>\$ 88,648,095</u>	<u>\$ 91,779,139</u>	<u>\$ 95,037,850</u>	<u>\$ 103,940,859</u>
0.00%	0.00%	0.00%	0.00%	0.00%	0.00%

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City of Clayton
 Statistical Section
 Bonded Debt Pledged Revenue Coverage
 Last Ten Fiscal Years

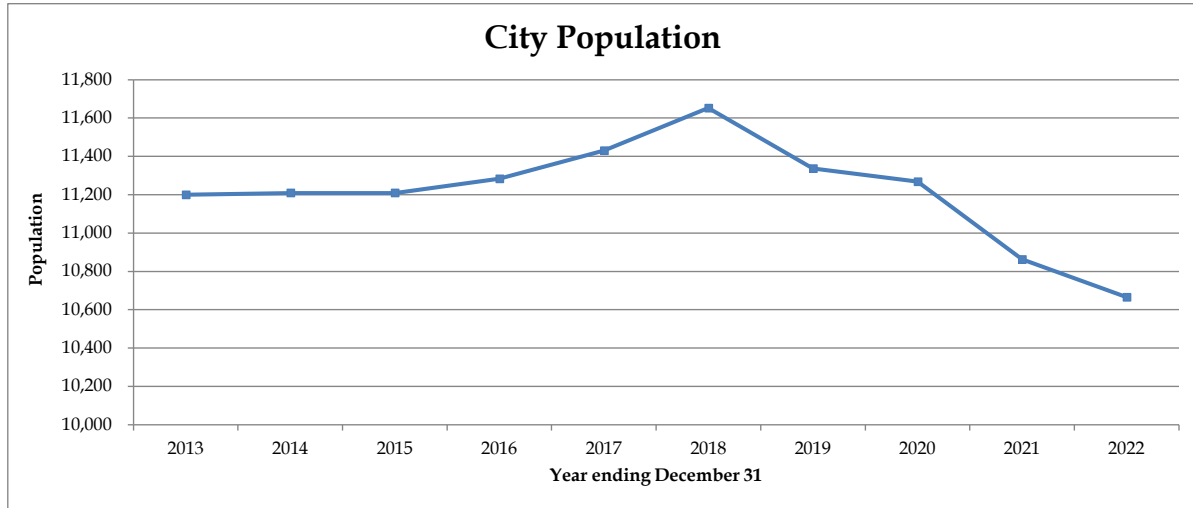
Fiscal Year Ended June 30	Tax Allocation Bonds			
	Debt Service ¹			Coverage Ratio
	Tax Increment	Principal	Interest	
2014	-	-	-	-
2015	-	-	-	-
2016	-	-	-	-
2017	-	-	-	-
2018	-	-	-	-
2019	-	-	-	-
2020	-	-	-	-
2021	-	-	-	-
2022	-	-	-	-
2023	-	-	-	-

Source: City of Clayton Finance Department.

¹ The balance of the tax allocation bonds was transferred to the Successor Agency as of February 1, 2012. Principal and interest payments are recorded through January 31, 2012.

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**City of Clayton
Statistical Section
Demographic and Economic Statistics
Last Ten Fiscal Years**



Calendar Year	City Population	Personal Income (in Thousands)	Per Capita Personal Income	Unemployment Rate	Contra Costa County Population ¹	City Population % of County
2013	11,200	567,885	50,704	1.4%	1,074,702	1.04%
2014	11,209	581,063	51,839	5.4%	1,087,008	1.03%
2015	11,209	620,092	55,320	4.4%	1,102,871	1.02%
2016	11,284	628,783	55,723	3.9%	1,123,429	1.00%
2017	11,431	656,122	57,398	3.1%	1,149,363	0.99%
2018	11,653	694,323	59,583	1.8%	1,155,879	1.01%
2019	11,337	776,778	68,517	1.4%	1,153,561	0.98%
2020	11,268	817,954	72,590	5.3%	1,165,927	0.97%
2021	10,863	761,054	70,059	6.1%	1,163,298	0.94%
2022	10,666	752,230	70,525	2.6%	1,156,555	0.92%

¹Source: California State Department of Finance Price and Population Information letter to local governments.

Source of other information shown: HdL, Coren & Cone, Demographic and Economic Statistics Report.

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**City of Clayton
Statistical Section
Full-Time Equivalent City Employees by Function
Last Ten Fiscal Years**

Attachment 1

Function:	Fiscal Year Ending June 30			
	2014	2015	2016	2017
General Government:				
Management Services	2.00	2.00	2.00	2.00
Finance	2.30	2.30	2.30	2.30
City Clerk/Human Resources	1.00	1.00	1.00	1.00
	5.30	5.30	5.30	5.30
Public Safety:				
Sworn Officers	11.00	11.00	11.00	11.00
Non-Sworn/Administration	2.00	2.00	2.00	2.00
	13.00	13.00	13.00	13.00
Public Works¹	3.40	3.10	3.50	4.80
Parks & Recreation¹	1.60	1.90	1.50	1.20
Community & Economic Development:				
Planning Services	1.60	1.60	1.60	1.60
Code Enforcement	0.30	0.30	0.30	0.30
	1.90	1.90	1.90	1.90
Totals	25.20	25.20	25.20	26.20

Source: City of Clayton Finance Department, Adopted Budgets.

¹Full-time equivalent figure for maintenance personnel allocated to

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**City of Clayton
Statistical Section
Full-Time Equivalent City Employees by Function
Last Ten Fiscal Years**

Fiscal Year Ending June 30					
2018	2019	2020	2021	2022	2023
2.00	2.00	2.00	2.00	2.00	2.00
2.30	2.30	2.30	2.30	3.30	3.30
1.00	1.00	1.00	1.00	1.00	1.00
5.30	5.30	5.30	5.30	6.30	6.30
11.00	11.00	11.00	11.00	11.00	11.00
2.00	2.00	2.00	2.00	2.00	2.00
13.00	13.00	13.00	13.00	13.00	13.00
4.50	4.50	4.50	4.50	4.50	4.50
1.50	1.50	1.50	1.50	1.50	1.50
1.60	1.60	1.60	1.60	1.80	1.80
0.30	0.30	0.30	0.30	0.30	0.30
1.90	1.90	1.90	1.90	2.10	2.10
26.20	26.20	26.20	26.20	27.40	27.40

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City of Clayton
 Statistical Section
 Operating Indicators by Function
 Last Ten Fiscal Years

Function:	Fiscal Year Ending			
	2013	2014	2015	2016
Police:				
Police calls for service	5,858	7,303	6,730	6,650
Parking violations	40	53	53	151
Traffic citations	664	653	518	494
Physical arrests	137	200	219	150
Public Works:				
Storm drains inspected	*	*	500	500
Trees trimmed	*	*	70	70
Park maintenance (acres)	*	*	19.07	19.07
Street signs maintained	*	*	350	350
Traffic signals maintained	*	*	13	13
Streetlights maintained	*	*	1,200	1,200
Parks and Recreation Services:				
Endeavor Hall rentals (days)	*	*	135	144
Hoyer Hall rentals	*	*	33	53
Ballfields (hours rented)	*	*	1,512	1,170
Community and Economic Development:				
Planning permits issued	*	*	161	107
Code enforcement cases closed	*	*	61	93
Building permits issued	376	430	386	403
General Government:				
Business licenses issued	547	707	645	777
Home occupation applications	*	*	20	16
Number of recruitments	*	*	5	3

Source: Clayton Finance Department, Contra Costa County Building Department, Clayton Planning Department, Clayton Police Department, Clayton Maintenance Department.

* Fiscal year ending June 30, 2016 was the first year of ACFR implementation for the City, this historical data not readily available.

**City of Clayton
Statistical Section
Operating Indicators by Function
Last Ten Fiscal Years**

Fiscal Year Ending					
2017	2018	2019	2020	2021	2023
7,497	7,545	8,419	6,164	5,804	5,804
132	146	572	390	435	435
506	386	289	272	327	327
169	169	94	67	180	180
500	56	500	500	500	500
70	316	412	385	1350	1350
19.07	19.07	19.07	19.07	19.07	19.07
350	17	212	160	210	210
13	7	13	13	13	13
1,200	89	1,196	1,200	111	111
138	139	86	2	37	37
39	92	33	0	24	24
1,047	1,225	386	922	1137	1137
182	187	36	87	51	51
43	79	47	101		
475	424	232	401		
840	741	768	646	708	708
28	22	14	18	26	26
6	3	5	6	13	13

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**City of Clayton
Statistical Section
Capital Asset Statistics by Function
Last Ten Fiscal Years**

Attachment 1

Function:	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>
Public Safety:				
Automated license plate readers	0	0	0	0
Police stations	1	1	1	1
Patrol units	*	*	8	10
Situational awareness traffic cameras	0	0	0	0
Trailers/Trucks	*	*	2	2
Public Works:				
City owned parking lots	6	6	6	6
Community facilities	*	*	3	3
Curb lane miles	*	*	*	82
Manholes	*	*	*	162
Miles of storm drains	*	*	*	32,479
Number of catch basins	*	*	*	968
Number of street islands/medians	*	*	*	50
Miles of "v" ditches	*	*	*	15
Parking meters	0	0	0	0
Street signs	*	*	*	2,000
Streetlights (City owned)	*	*	*	500
Tractors/Trailers	*	*	11	12
Traffic signals (intersections)	*	*	13	13
Work trucks	*	*	8	8
Parks and Recreation Services:				
Acres of city parks	19.07	19.07	19.07	19.07
Acres of landscaped area (excl. parks)	46	46	46	46
Acres of open space	515.51	515.51	515.51	515.51
Acres of parks and irrigation	50	50	50	50
Miles of creekside trails	7	7	7	7
Miles of open space trails	20	20	20	20
Number of city parks	7	7	7	7
Number of city trees	3,000	3,000	3,000	3,000
Number of pedestrian bridges	9	9	9	9
Number of children playgrounds	4	4	4	4
Number of playfields	4	4	4	4

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**City of Clayton
Statistical Section
Capital Asset Statistics by Function
Last Ten Fiscal Years**

Fiscal Year Ending June 30					
<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>
0	6	6	6	6	6
1	1	1	1	1	1
11	10	10	10	10	10
0	4	4	4	4	4
2	2	2	2	2	2
6	6	6	6	6	6
3	3	3	3	3	3
82	82	82	82	82	82
162	162	162	162	162	162
32,479	32,479	32,479	32,479	32,479	32,479
968	968	968	968	968	968
50	50	50	50	50	50
15	15	15	15	15	15
0	0	0	0	0	0
2,000	2,000	2,015	2015	2015	2015
500	500	500	500	500	500
13	13	14	14	14	14
13	13	13	13	13	13
8	8	7	8	8	8
19.07	19.07	19.07	19.07	19.07	19.07
46	46	46	46	46	46
515.51	515.51	515.51	515.51	515.51	515.51
50	50	50	50	50	50
7	7	7	7	7	7
20	20	20	20	20	20
7	7	7	7	7	7
3,000	3,000	3,000	3000	3000	3000
9	9	9	9	9	9
4	4	4	4	4	4
4	4	4	4	4	4

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General Information:

Date of Incorporation	March 18, 1964
Form of Government	Council-Manager
Number of authorized City employees	27

Population:

Population	10,666
Median age	44.1
Median household income	\$150,948
Registered voters	8,477
Area in square miles	4.3

Miles of Streets:

Lane miles	44.9
Pavement condition index	79/100 ["Very Good" rating]

Fire Protection (CalFire Services Clayton)

Number of stations	1
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Police Protection

Number of stations	1
Number of patrol vehicles	10
Number of sworn personnel	11

Education

Elementary Schools:	1
Mt Diablo Elementary	
Middle Schools:	1
Diablo View Middle School	

Library (Contracted with Contra Costa County)

Number of libraries	1
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Parks & Community Facilities

Park sites	7
Park acreage	19.07
Open space acreage	515.51
Open space trail miles	20
Creekside trail miles	7
Endeavor Hall	1
Hoyer Hall (in the library)	1
City Hall Conference Room	1

Source: City of Clayton Finance Department, Contra Costa County Library, City of Clayton City Clerk, HdL "Demographic and Economics Statistics" Report for calendar year 2018, US Census, DataUSA.

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ADDITIONAL REPORTS

INDEPENDENT AUDITOR’S REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH *GOVERNMENT AUDITING STANDARDS*

To the City Council
City of Clayton, California

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of City of Clayton, California, as of and for the year ended June 30, 2023, and the related notes to the financial statements, which collectively comprise City of Clayton, California’s basic financial statements and have issued our report thereon dated December X, 2023.

Report on Internal Control over Financial Reporting

In planning and performing our audit of the financial statements, we considered City of Clayton’s internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of City of Clayton’s internal control. Accordingly, we do not express an opinion on the effectiveness of City of Clayton’s internal control.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies and therefore, material weaknesses or significant deficiencies may exist that were not identified.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity’s financial statements will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance. We consider the deficiencies described below to be material weaknesses.

Continuity of Personnel

In the past few years, the City has had a significant transition in management, particularly with the Finance Director position. Since the beginning of the fiscal year ended June 30, 2022, the City has gone from an interim Finance Director, to a Finance Director, and then another Finance Director.

With the change in management, some of the institutional knowledge and responsibilities that are essential for the smooth operation of the City were not adequately documented and have been lost. As a result, the audit noted a dozen general ledger accounts across multiple funds that were not properly closed which resulted in five (5) material journal entries.

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We recommend that management consider developing a succession plan in the event the Finance Director is unable to perform their duties for a length of time due to illness, attrition, or any other reason. The succession plan should outline procedures to be implemented and a redistribution of responsibilities in the event of a temporary or permanent change. The succession plan should also provide description and purpose of the funds, the relationships of one fund to another, and the description and purpose of accounts unique to the City. The succession plan should also include clear and comprehensive procedures for timely and accurate closure of financial accounts at the end of each reporting period. This plan will ensure that the organization will be able to conduct its operations in the orderly and efficient manner that has been the basic ingredient for its past success.

City Response: The City has been challenged with the recruitment of a Finance Director for many months primarily due to the lack of candidates interested in this type of job opportunity. The City has seen a substantial increase in competition for the recruitment of this position as a number of agencies are hiring for similar positions with limited qualified applicants. The City will work on a succession plan that allows for better written procedures as well as a staffing plan that allows for succession.

Agency Funds

The City acts as custodian for a number of agency funds. Auditing procedures noted that the relationship between the agency funds was not understood. Auditing procedures also noted that the cash balance for one of these agency funds was negative (\$556,913) at June 30, 2023.

We recommend that the City create a memo to assist accounting personnel in understanding not only the purpose of the agency funds and their relationship with one another, but the proper procedures to account for these funds.

City Response: The City had a loan outstanding in the Agency fund that was fully paid off in Fiscal Year 2023. The City staff is working on reconciling the Agency Funds in Fiscal Year 2024 and will make accounting adjustments as deem appropriate and reasonable to correct the deficit cash balance which is result of incorrect booking between agency funds in the prior fiscal years.

Report on Compliance and Other Matters

As part of obtaining reasonable assurance about whether the City's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

City of Clayton's Response to Findings

Government Auditing Standards requires the auditor to perform limited procedures on the City of Clayton's response to the findings identified in our audit and described in the accompanying schedule of findings and questioned costs. City of Clayton's response was not subjected to the other auditing procedures applied in the audit of the financial statements and, accordingly, we express no opinion on the response.

Purpose of This Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity’s internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity’s internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

CROPPER ACCOUNTANCY CORPORATION
Walnut Creek, California
December X, 2023

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December 31, 2023

City Council
City of Clayton, California
6000 Heritage Trail

We have audited the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Clayton, California for the year ended June 30, 2023. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards and *Government Auditing Standards*, as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our letter to you dated July 26, 2023. Professional standards also require that we communicate to you the following information related to our audit.

Significant Audit Matters

Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by the City of Clayton are described in Note 1 to the financial statements. The City adopted GASB No. 91 – *Conduit Debt Obligations*, GASB No. 94 – *Public-Private and Public-Public Partnerships and Availability Payment Arrangements*, and GASB No. 96 – *Subscription Based Information Technology Agreements* during the fiscal year ended June 30, 2023. We noted no transactions entered into by the City of Clayton during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management’s knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimates affecting the City of Clayton’s financial statements were:

- Management’s estimate of the liabilities, deferred inflows, and deferred outflows related to both pension benefits (Note 11) and Other Post-Employment Benefits (OPEB) (Note 12). These estimates are based on the provisions of GASB No. 68 and GASB No. 75, respectively, and actuarial methodology and assumptions. We evaluated the key factors and assumptions used to develop these estimates in determining that they are reasonable in relation to the financial statements taken as a whole.
- Management’s estimate of the depreciation expense (Note 6) is based on the useful lives of the underlying assets. We evaluated the key factors and assumptions used to develop these estimates in determining that they are reasonable in relation to the financial statements taken as a whole.

- Management's estimate of lease and subscription based information technology agreements (SBITAs) payables and their related right-of-use assets. These estimates are based on the provisions of GASB No. 87 and GASB No. 96, respectively, and the discount rates either noted in the agreement or selected by the City. We evaluated the key factors and assumptions used to develop these estimates in determining that they are reasonable in relation to the financial statements taken as a whole.

Certain financial statement disclosures are particularly sensitive because of their significance to financial statement users. The most sensitive disclosures affecting the financial statements were:

- The disclosure of plan details for the Pension plans as described in Note 11 to the financial statements.
- The disclosure of plan details for Other Post-Employment Benefits as described in Note 12 to the financial statements.
- The disclosure of the classifications of fund balances and net position in Note 14 to the financial statements.

The financial statement disclosures are neutral, consistent, and clear.

Difficulties Encountered in Performing the Audit

We encountered no significant difficulties in dealing with management in performing and completing our audit.

Corrected and Uncorrected Misstatements

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are clearly trivial, and communicate them to the appropriate level of management. The attached schedule summarizes the corrected and uncorrected misstatements of the financial statements. Management has determined that their effects are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

The material misstatements listed on the attached schedule were corrected by management and were detected as a result of audit procedures or were booked by management after the audit began.

Disagreements with Management

For purposes of this letter, a disagreement with management is a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

Management Representations

We have requested certain representations from management that are included in the management representation letter dated January 31, 2023.

Management Consultations with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application

of an accounting principle to the City of Clayton's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

Other Audit Findings or Issues

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the City of Clayton's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

Other Matters

We applied certain limited procedures to management's discussion and analysis, budgetary comparison information, Schedule of Proportionate Share of Net Pension Liability, Schedule of Pension Plan Contribution, Schedule of Changes in Net OPEB Liability and Related Ratios, and Schedule of OPEB Plan Contributions, which are required supplementary information (RSI) that supplements the basic financial statements. Our procedures consisted of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We did not audit the RSI and do not express an opinion or provide any assurance on the RSI.

We were engaged to report on the combining and individual nonmajor fund financial statements which accompany the financial statements but are not RSI. With respect to this supplementary information, we made certain inquiries of management and evaluated the form, content, and methods of preparing the information to determine that the information complies with accounting principles generally accepted in the United States of America, the method of preparing it has not changed from the prior period, and the information is appropriate and complete in relation to our audit of the financial statements. We compared and reconciled the supplementary information to the underlying accounting records used to prepare the financial statements or to the financial statements themselves.

We were not engaged to report on introductory and statistical sections of the annual comprehensive financial report (ACFR), which accompany the financial statements but are not RSI. Such information has not been subjected to the auditing procedures applied in the audit of the basic financial statements, and accordingly, we do not express an opinion or provide any assurance on it.

Restriction on Use

This information is intended solely for the information and use of the City Council and management of the City of Clayton and is not intended to be, and should not be, used by anyone other than these specified parties.

Very truly yours,

CROPPER ACCOUNTANCY CORPORATION
Walnut Creek, California

CITY OF CLAYTON
FISCAL YEAR ENDED JUNE 30, 2023
AUDIT ENTRIES

Account	Description	Debit	Credit	Net Income Effect
CORRECTED ADJUSTING JOURNAL ENTRIES				
Auditor 2 BR: Correct beginning equity balances.				
101-3201-00	Unreserved/Designated Fund Bal		213	-
101-7332-05	Telecommunications		-	213
211-3201-00	Unreserved/Designated Fund Bal		-	213
211-7332-00	Telecommunications		213	-
801-1503-00	Improvements other than Buildi	1,025,294		-
801-3220-00	Investment in General Fixed Assets		-	<u>1,025,294</u>
Total		<u>1,025,721</u>	<u>1,025,721</u>	=
Auditor 4 BR: Advance funds to Fund 216 to cover the negative cash balance at 6/30/2023.				
216-1199-00	Equity in Pooled Cash		17,942	-
216-2601-00	Due to General Fund		-	17,942
101-1199-00	Equity in Pooled Cash		-	17,942
101-1330-00	Advances to Other Funds		<u>17,942</u>	-
Total		<u>35,883</u>	<u>35,883</u>	=
Auditor 5 BR: Reverse entries made in error to Fund 303's revenue and fund balance accounts.				
303-5805-00	Project Revenue		-	685,748
303-5601-00	Interest		-	119,512
303-3201-00	Unreserved/Designated Fund Bal	<u>805,259</u>		-
Total		<u>805,259</u>	<u>805,259</u>	<u>805,259</u>
Auditor 6 BR: Complete the CLIENT 1 entry by adding in the transfers in and out.				
101-1199-00	Equity in Pooled Cash		220,878	-
222-1199-00	Equity in Pooled Cash		-	2,400
223-1199-00	Equity in Pooled Cash		-	1,241
231-1199-00	Equity in Pooled Cash		-	2,389

420-1199-00	Equity in Pooled Cash	-	18,510	
615-1199-00	Equity in Pooled Cash	=	<u>196,338</u>	
Total		<u>220,878</u>	<u>220,878</u>	=

Auditor 7 BR: True-up of lease related accounts for the Motorola Radios Lease. Lease balances calculated with monthly payments, should be calculated based on annual payments.

801-1516-00	Right to Use Asset	-	14,071	
801-1517-00	Accumulated Amortization-Right to Use Asset	4,844	-	
801-3220-00	Investment in General Fixed Assets	9,227	-	
802-2302-00	Lease Payable	20,916	-	
802-1519-00	Amount Provided-Lease Payable	=	<u>20,916</u>	
Total		<u>34,987</u>	<u>34,987</u>	=

CLIENT 1 Client Adjustment for Fiduciary Fee Application. FY22-23 Budgeted Transfer.

101-5322-00	Fiduciary Funds Administration	-	220,878	
222-7420-00	Other Outside Services	2,400	-	
223-7420-00	Other Outside Services	1,241	-	
231-7420-00	Administrative Costs	2,389	-	
420-7420-00	Other Outside Services	18,510	-	
615-7420-00	Administrative Costs	<u>196,338</u>	=	
Total		<u>220,878</u>	<u>220,878</u>	<u>24,540</u>

CLIENT 2 Client Entry #4734 GASB 86 - Leases entry for FY22-23.

801-1516-00	Right to Use Asset	8,779	-	
801-1517-00	Accumulated Amortization-Right to Use Asset	-	8,779	
801-3220-00	Investment in General Fixed Assets	11,849	-	
801-1517-00	Accumulated Amortization-Right to Use Asset	-	11,849	
802-1519-00	Amount Provided-Lease Payable	-	12,114	
802-2302-00	Lease Payable	12,114	-	
801-1516-00	Right to Use Asset	0	-	
801-3220-00	Investment in General Fixed Assets	-	0	

801-3220-00	Investment in General Fixed Assets	-	27,682	
801-1517-00	Accumulated Amortization-Right to Use Asset	27,682	-	
801-3220-00	Investment in General Fixed Assets	27,682	-	
801-1517-00	Accumulated Amortization-Right to Use Asset	-	27,682	
801-3220-00	Investment in General Fixed Assets	33,218	-	
801-1517-00	Accumulated Amortization-Right to Use Asset	-	33,218	
802-1519-00	Amount Provided-Lease Payable	0	-	
802-2302-00	Lease Payable	-	0	
802-1519-00	Amount Provided-Lease Payable	-	33,525	
802-2302-00	Lease Payable	<u>33,525</u>	=	
Total		<u>154,849</u>	<u>154,849</u>	=

CLIENT 3 Client adjustment #4743

801-1516-00	Right to Use Asset	31,870	-	
801-3220-00	Investment in General Fixed Assets	-	31,870	
802-2303-00	Subscriptions Payable	-	31,870	
802-1520-00	Amount Provided-Subscription Payable	31,870	-	
801-3220-00	Investment in General Fixed Assets	15,936	-	
801-1817-00	Accumulated Amortization-Right to Use Asset	-	15,936	
802-1520-00	Amount Provided-Subscription Payable	-	15,751	
802-2303-00	Subscriptions Payable	15,751	-	
801-1516-00	Right to Use Asset	59,211	-	
801-3220-00	Investment in General Fixed Assets	-	59,211	
802-2303-00	Subscriptions Payable	-	59,211	
802-1520-00	Amount Provided-Subscription Payable	59,211	-	
801-3220-00	Investment in General Fixed Assets	11,842	-	
801-1517-00	Accumulated Amortization-Right to Use Asset	-	11,842	
802-1520-00	Amount Provided-Subscription Payable	-	12,400	
802-2303-00	Subscriptions Payable	<u>12,400</u>	=	
Total		<u>238,091</u>	<u>238,091</u>	=

GRAND TOTAL		<u>2,736,547</u>	<u>2,736,547</u>	<u>829,799</u>
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UNCORRECTED ADJUSTING JOURNAL ENTRIES

Auditor 1 The City incorrectly calculated accrued vacation payable.

	Current Portion Accrued Vacation Payable	2,351	-	
101-2350-00				
101-7111-02	Regular Salaries	-	<u>2,351</u>	
Total		<u>2,351</u>	<u>2,351</u>	<u>2,351</u>

Auditor 3 BR: Correct debit liability balance in Fund 211 (This was corrected by City in FY24 - JE #4732)

601-2012-00	The Grove Park Rental Deposit	1,507	-	
211-2012-00	Grove Park Security Deposit	-	1,507	
101-5701-00	Reimbursements/Refunds	693	-	
211-2012-00	Grove Park Security Deposit	-	693	
101-1199-00	Equity in Pooled Cash	-	693	
211-1199-00	Equity in Pooled Cash	2,200	-	
601-1199-00	Equity in Pooled Cash	-	<u>1,507</u>	
Total		<u>4,400</u>	<u>4,400</u>	<u>(693)</u>
GRAND TOTAL		<u>6,751</u>	<u>6,751</u>	<u>1,658</u>



FY 2022/23 Financial Audit Results

Bryce Rojas, CPA

Cropper Accountancy Corporation (City's External Auditor)

Council Meeting

December 19, 2023

Background

Annual external audit of basic financial statements is required to comply with legal and regulatory requirements.

Cropper Accountancy Corporation is the CPA firm serving the City as the external auditor.

Bryce Rojas, CPA is your audit partner. Our office is located in Walnut Creek.



Fiscal 22/23 Financial Audit

Key Findings

- “Unmodified” or “clean” opinion issued by auditor represents highest quality outcome.
- The City increased its net position to \$46.54 million on June 30, 2023. The unrestricted net position was \$5.94 million.
- The City’s *General Fund Revenues* were \$5.410 million and \$5.594 million in expenditures resulting in a \$183k deficiency of revenues over expenditures.
The General Fund received a \$1.467 million transfer from the American Rescue Plan Act fund, resulting in an increase in fund balance of \$1.330m.
- Ultimately, the City increased its net position by \$758k.



Fiscal 22/23 Financial Audit Memorandum on Internal Control

- Material weaknesses identified in City's internal controls
 - Continuity of personnel
 - Agency funds
- Opportunities to Strengthen Internal Controls and Operating Efficiency
 - No additional opportunities noted



Fiscal 22/23 Financial Audit Financial Highlights

Total Net Position = \$46.539 million

- Net investment in capital assets = \$30.265 million
- Restricted for special projects and programs = \$10.330 million
- Unrestricted net position = \$5.944 million

Change in Net Position = \$758k increase

Total General Fund Balance = \$7.744 million

- Non-spendable= \$191k
- Committed= \$1.562 million
- Unassigned= \$5.991 million

Change in General Fund fund balance = \$1.331 million



FY 22/23 Government-Wide Revenues

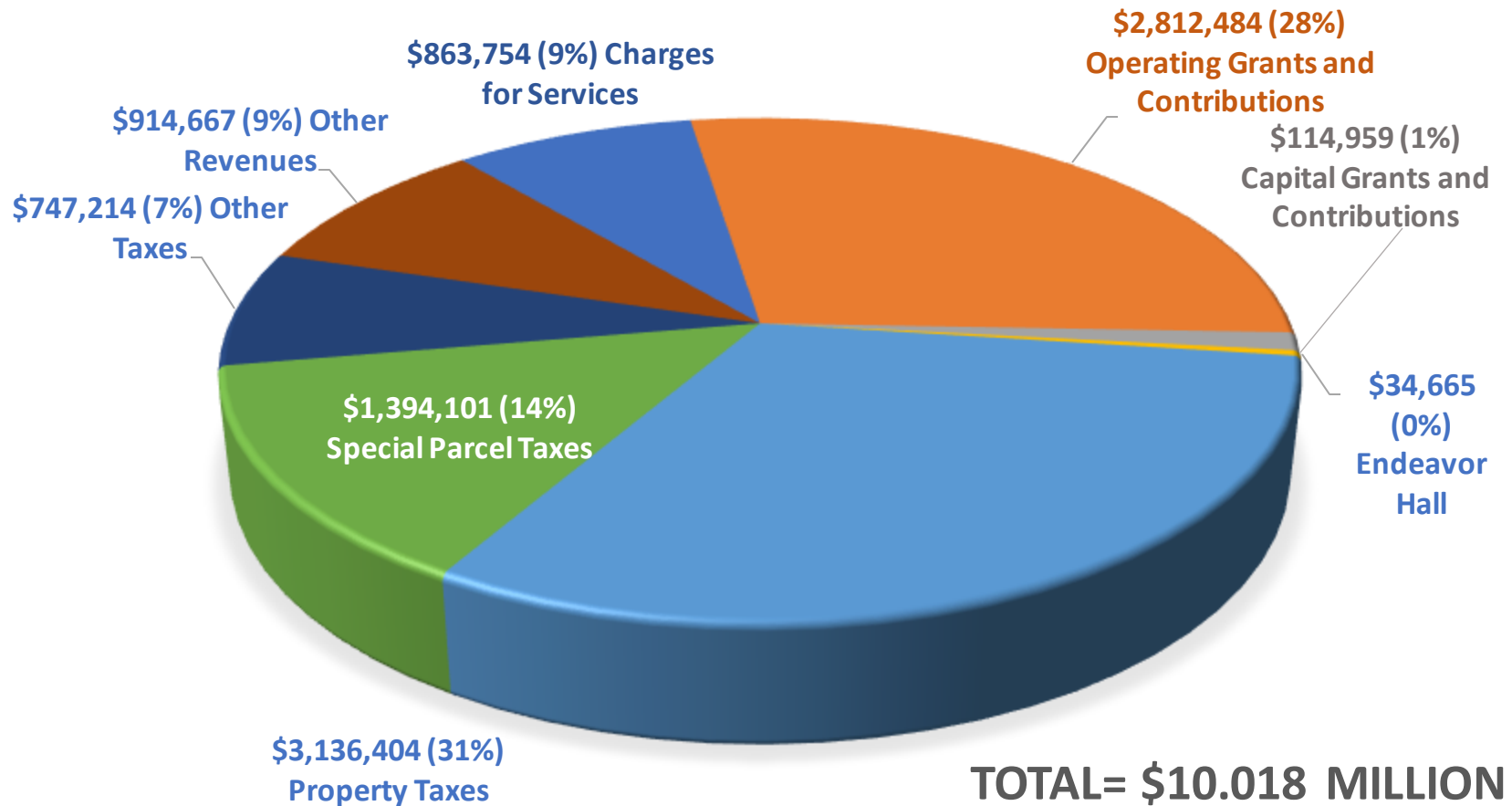
	<u>2023</u>	<u>2022</u>	YTY Change	%
Charges for Services	\$863,754	\$1,002,338	\$(138,584)	14%
Operating Grants and Contributions	2,812,484	2,755,382	57,102	2%
Capital Grants and Contributions	114,959	120,774	(5,815)	(5)%
Endeavor Hall	34,665	16,847	17,818	106%
Property Taxes	3,136,404	2,846,766	289,638	10%
Special Parcel Taxes	1,394,101	1,348,657	45,444	3%
Other Taxes	747,214	726,789	20,425	3%
Other Revenues	914,667	542,151	372,516	69%
Total Revenues	10,018,248	9,359,704	658,544	7%

Operating Grants and Contributions – 2023

ARPA Grant = \$1,467,024, Other Grants = \$1,345,460



FY22/23 Government-Wide Revenues

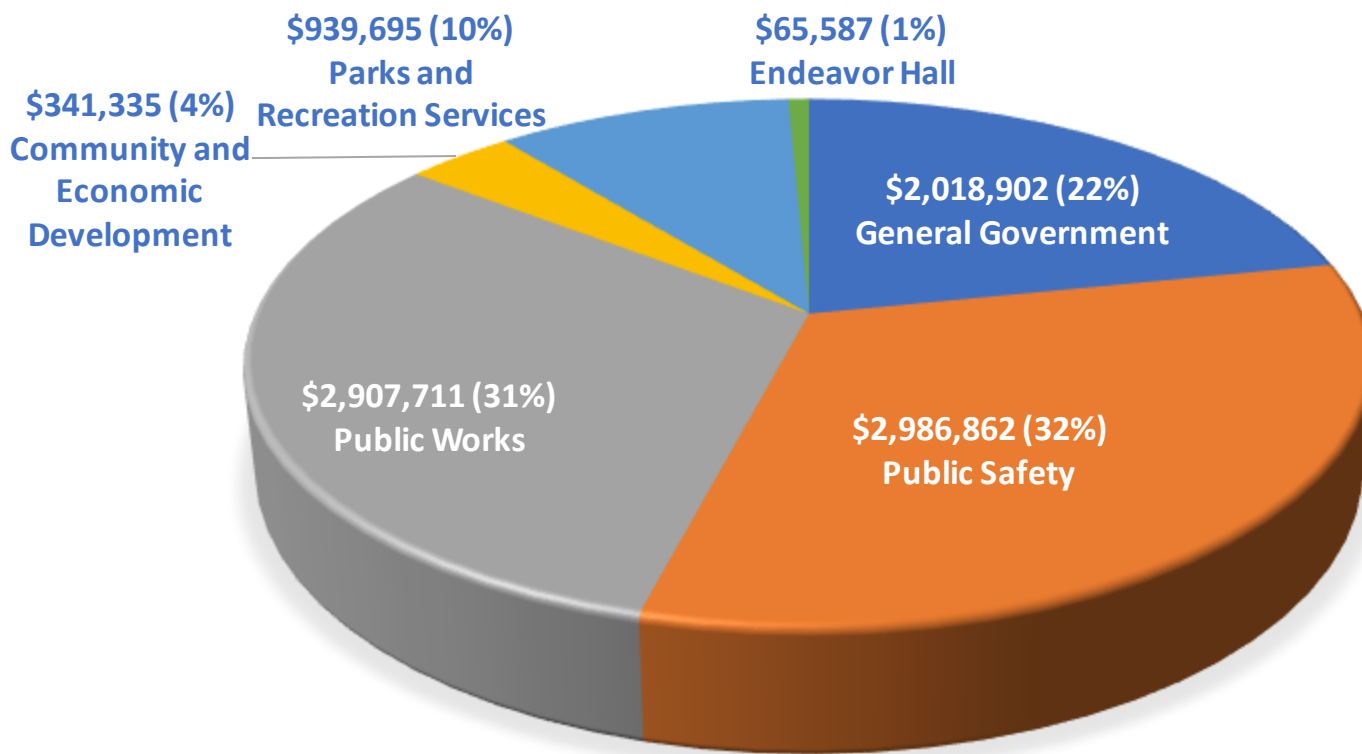


FY 22/23 Government-Wide Expenses

	<u>2023</u>	<u>2022</u>	YTY Change	%
General government	\$2,018,902	\$2,629,048	\$(610,146)	(23)%
Public safety	2,986,862	2,736,817	250,045	9%
Public works	2,907,711	2,509,096	398,615	16%
Community and economic development	341,335	356,450	(15,115)	(4)%
Parks and recreation services	939,695	729,729	209,966	29%
Endeavor Hall	65,587	60,694	4,893	8%
Total Government-wide Expenses	9,260,092	9,021,834	238,258	3%



FY22/23 Expenses by Major Category



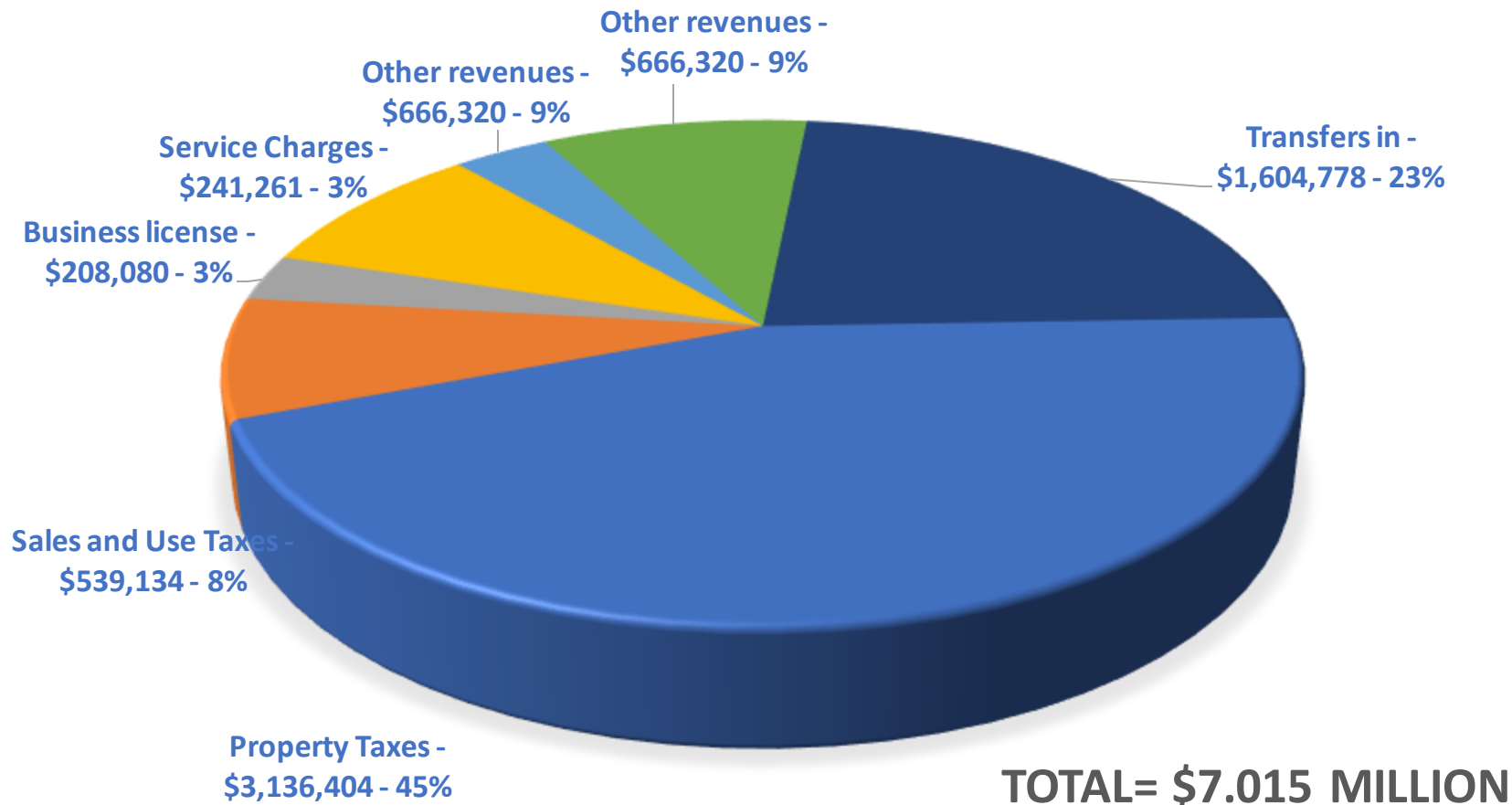
TOTAL= \$9.022 MILLION

FY 22/23 General Fund Revenues

	<u>2023</u>	<u>2022</u>	YTY Change	%
Property taxes	\$3,136,404	\$2,846,766	\$123,861	10%
Sales and use taxes	539,134	563,908	(24,774)	(4)%
Business license	208,080	162,881	45,199	28%
Franchise Fees	619,204	587,740	31,464	5%
Service charges	241,261	305,645	(64,384)	(21)%
Other revenues	593,818	593,818	235,383	55%
Transfers in	1,604,778	1,597,681	7,097	0%
Total Revenues and Transfers	\$7,015,181	\$6,495,558	\$519,623	8%



FY22/23 General Fund Revenues

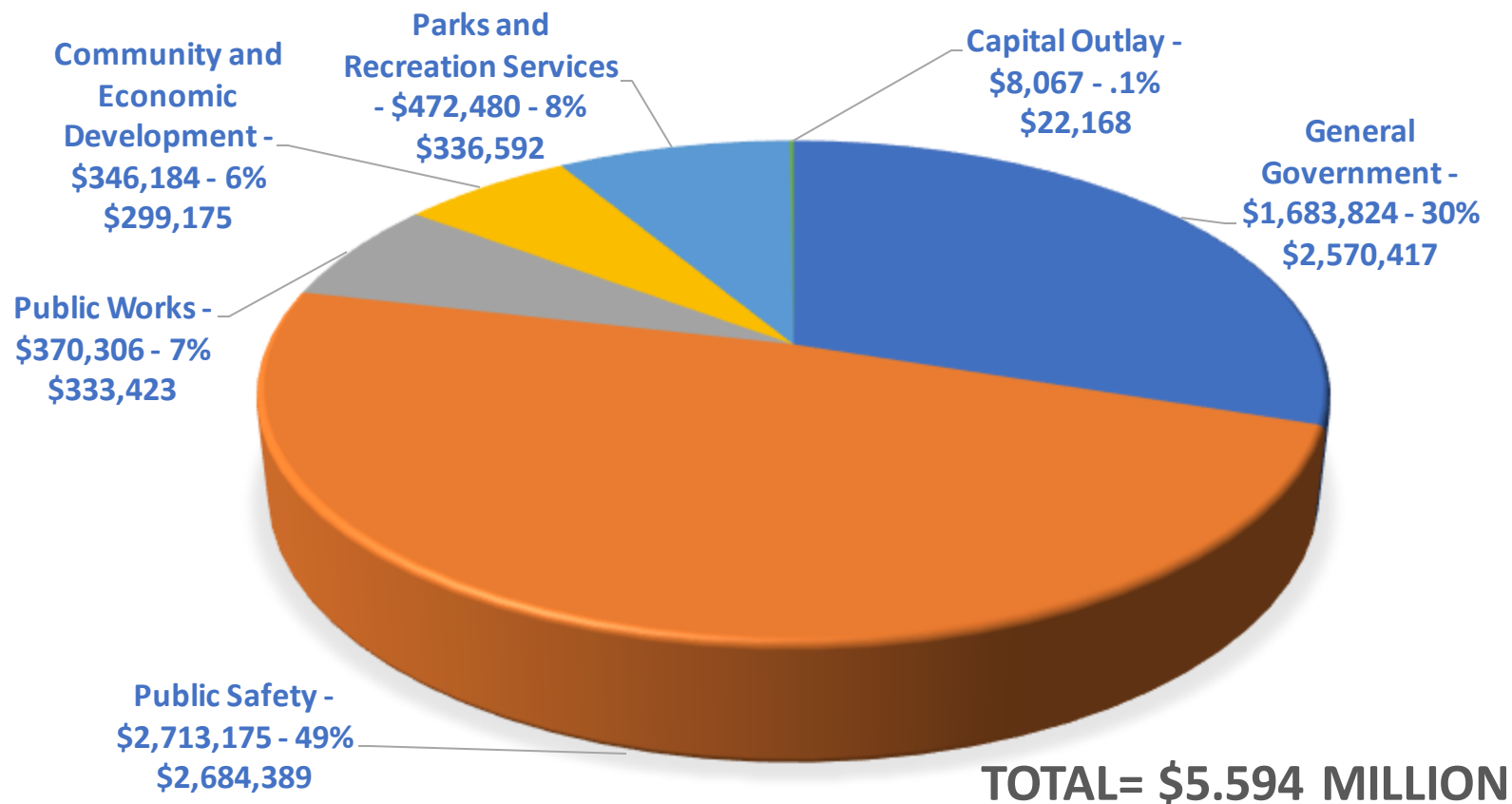


FY 22/23 General Fund Expenditures

	<u>2023</u>	<u>2022</u>	YTY Change	%
General government	\$1,683,824	\$2,570,417	\$(886,593)	(34)%
Public safety	2,713,175	2,684,319	28,856	1%
Public works	370,306	333,423	36,883	11%
Community and economic development	346,184	299,175	47,009	16%
Parks and recreation services	472,480	336,592	135,888	40%
Capital outlay	8,067	22,168	(14,101)	(64)%
Total Expenses	\$5,594,036	\$6,246,094	\$(652,058)	(10)%



FY21/22 Expenses by Major Category



FY 22/23 General Fund Expenditures

	<u>General Fund</u>	<u>Rainy Day Fund</u>	<u>Pandemic Recovery Reserve</u>	<u>Total</u>
General government	\$1,493,937	\$50,794	\$139,093	\$1,693,824
Public safety	2,713,175	-	-	2,713,175
Public works	370,306	-	-	370,306
Community and economic development	346,184	-	-	346,184
Parks and recreation services	472,480	-	-	472,480
Capital outlay	-	-	8,067	8,067
Total Expenditures	\$5,396,082	\$50,794	\$147,160	%5,594,036



Additional Notes

- PENSION under GASB 68 (9th year)
 - Net Pension Liability = \$6,327,815
 - Deferred Outflows = \$3,165,399
 - Deferred Inflows = \$685,716

- OPEB under GASB 75 (6th year)
 - Net OPEB Liability = \$601,984
 - Deferred Outflows = \$0
 - Deferred Inflows = \$0

- Leases under GASB 87 (2nd year) and SBITAs under GASB 96 (1st year)
 - Right-of-use asset = \$340,483
 - Accumulated amortization = \$114,781
 - Lease and SBITA Payable = \$241,015



Any Questions?





STAFF REPORT

TO: Honorable Mayor and Councilmembers

FROM: Larry Theis, P.E., City Engineer

DATE: December 19, 2023

SUBJECT: Authorize \$200,000 of General Fund Reserves to Initiate Civil Engineering Design and Environmental Permitting Consultant Services for the Cardinet Trail/Mt. Diablo Creek Bank Repairs with Future Reimbursement from FEMA

RECOMMENDATION

Authorize \$200,000 of General Fund Reserves to initiate civil engineering design and environmental permitting consultant services for the Cardinet Trail/Mt. Diablo Creek Bank Repairs with future reimbursement from FEMA; as recommended by City Staff and unanimously by the Trails and Landscape Committee.

This project is eligible for FEMA reimbursement due to the declared emergency storm damage from January 2023. Eligible costs will be reimbursed by FEMA at a ratio of 75% and an additional 18.75% from California Office of Emergency Services (CAL-OES) – therefore the City local share is anticipated to be 6.25%.

BACKGROUND

In January 2023, the Bay Area was impacted by several severe rainstorms that caused significant damage to the region. The City of Clayton declared a local emergency on January 10, 2023, and subsequently on February 17, 2023, FEMA approved Public Assistance/ Financial Relief to Contra Costa County along most of Northern California.

Mount Diablo Creek is the main drainage channel within the City of Clayton which takes in flows from Mitchell, Peacock, and Donner Creeks upstream of Clayton Rd. The segment of Mount Diablo Creek between Kirker Pass Road and Clayton Road (near City Hall) is mostly a natural creek that is subject to periodic flooding. The surrounding neighborhoods are mapped within the flood zone for the 1% chance (100 year) storm event. Heavy storms around New Years Day caused the creek within this segment to

overflow its banks and also scour/erode three creek bank locations. The high flows turning right going downstream (outside of the curve) caused erosion on the west bank of the creek at each of these locations.

The Cardinet Trail runs along the right side of Mount Diablo Creek when looking upstream. At each of the three locations, the gravel trail surface was undermined by the creek bank erosion, including the most upstream segment being narrowed to less than five feet in passable width for trail users. See the following vicinity map for further details.



DISCUSSION

City Staff submitted its initial damage estimate (preliminarily \$500,000), conducted its site visit, and met with FEMA's site coordinator to measure out the dimensions of the damaged locations. FEMA required these steps to be completed (by July 2023) within six months of the start of the disaster event. We are currently working with FEMA to proceed to the next step in the process which requires the City to provide engineering plans for the proposed repair and additional mitigation measures to help prevent these locations from eroding again in a future storm; in conjunction with a detailed cost for design, management, environmental permitting/mitigation, construction, and inspection.

In order to proceed further in the FEMA process, the City will need to hire a consultant(s) that has engineering design experience with creek bank repairs and worked with regulatory agencies (California Dept. of Fish & Wildlife, U.S. Army Corps of Engineers,

and Regional Water Quality Control Board) to obtain permits to work within a creek. It is very likely that the regulatory agencies will require design alternatives to avoid placement of hardscape improvements such as rock slope protection, gabion basket walls, or sheet pile walls.

FEMA generally requires the repair work to be completed within 18 months of the storm event (July 2024). However, it is anticipated the City will request and be granted an extension due to the environmental permitting process likely taking at least a year to complete.

On December 11, 2023, City Staff presented this information to the Trails and Landscape Committee to obtain their concurrence with the trail repair approach and the committee's recommendation to the City Council to authorize funds for engineering design and environmental permitting.

(Remainder of page intentionally left blank. Site photos on next page.)



FISCAL IMPACTS

If the City Council approves a funding allocation of \$200,000 in the upcoming mid-year budget adjustment for engineering design and environmental permitting consultation, it is expected those funds would be expended between FY23-24 and FY24-25. Additional funds estimated to be approximately \$300,000 will be needed in the future for construction and inspection services which would also likely need to be fronted using ARPA funds. Assuming all work is deemed eligible by FEMA, then the City should be reimbursed 93.75% (75% by FEMA + 18.75% from CAL-OES) of all project costs. The City of Clayton will have to front all of the cost of the repairs and then submit for reimbursement which may take between six to twelve months after the completion of the project which is targeted for Fall 2025. The preliminary estimate of the City's local share for a \$500,000 project would be \$31,250.

NEXT STEPS

City Staff will seek the services of an engineering firm with extensive experience in creek bank repair projects that may have in-house or a subconsultant that can obtain the necessary environmental permitting necessary to allow for construction of the project. The City of Clayton will hire the consultant using its Professional Services Agreement form.

ATTACHMENTS

None



STAFF REPORT

TO: Honorable Mayor and Councilmembers

FROM: Bret Prebula, City Manager

DATE: December 19, 2023

SUBJECT: Dissolve the Concerts in The Grove Oversight Committee and Appoint Members to the City Sponsored Special Events Committee

RECOMMENDATION

Staff recommends the following:

1. Dissolve the Concerts in The Grove Oversight Committee; and
2. Create the City Sponsored Special Events Committee and its membership.

BACKGROUND

The City Council created a “Brown Act” subcommittee for oversight of the Concerts in The Grove. That subcommittee consisted of Councilmember Trupiano and Vice Mayor Diaz. The City Council's recently approved City Sponsored Special Events (“CSSE”) Policy calls for the creation of a City Sponsored Special Events Committee. Since the Concerts in The Grove will be a part of what is considered by the CSSE as a City sponsored event, the Concerts in The Grove Oversight Committee is no longer required once the new committee is formed.

DISCUSSION

Staff is requesting the Concerts in The Grove Oversight Committee be dissolved and the CSSE Committee be formed. Staff is requesting the City Council provide the following:

- How many individuals will be on the committee?
- Does the committee include public at large members? If so, are any specific backgrounds required to be eligible for the committee?
- Length of term for the committee members?
- General mission of the committee?

If this new CSSE Committee is approved, staff will add it to the list of City Council committees to be determined at the December 19, 2023, City Council meeting. If public members are desired on the committee, staff will begin public solicitation for applicants to the committee and will bring those applications back to City Council for appointment after the applications are received.

FISCAL IMPACTS

There is no financial impact in creating the CSSE Committee, but the committee will be a part of managing the costs related to the production of the approved city sponsored events.

ATTACHMENTS

None



STAFF REPORT

TO: Honorable Mayor and Councilmembers
FROM: Bret Prebula, City Manager
DATE: December 19, 2023
SUBJECT: Discuss and Approve City Council Committees and Assignments for Standing/Ad-Hoc Committees and Liaison Positions

RECOMMENDATION

Staff recommends that the City Council discuss and approve City Council Committees and Assignments for Standing/Ad Hoc Committees and Liaison positions for 2024.

BACKGROUND

The Mayor works with City Council members to finalize City Council Assignments, Standing/Ad-Hoc Committees and Liaisons.

DISCUSSION

Attached for the City Council's information are the current City Council Assignments, Standing/Ad-Hoc Committees and Liaisons for 2023.

FISCAL IMPACTS

Appointment to these committees does not create any additional fiscal impact.

ATTACHMENTS

1. 2023 City Council Assignments, Standing/Ad-Hoc Committees, and Liaisons with 2024 selections (added during meeting).

<u>Standing/Ad-Hoc Committee/Liaison</u>	<u>2024</u>		<u>2023</u>	
	<u>Main</u>	<u>Alternate</u>	<u>Main</u>	<u>Alternate</u>
Association of Bay Area Governments (ABAG)			Jeff Wan	Jim Diaz
Budget/Audit Committee			Jeff Wan/Kim Trupiano	Jim Diaz
Clayton Financing Authority (Mayor and Vice Mayor*)			Mayor	Vice Mayor
City Sponsored Special Events Committee				
Concerts in the Grove Committee			Jim Diaz	Kim Trupiano
Community Emergency Response Team (CERT)-- <i>previously Citizens Corps Council</i>			Jim Diaz	Kim Trupiano
Community Parks Sports Field Ad-Hoc			Jeff Wan	Jim Diaz
Contra Costa Water District Liaison			Jim Diaz	Holly Tillman
Central Contra Costa Transit Authority			Jim Diaz	Kim Trupiano
Do The Right Thing/Unsung Hero Program			Peter Cloven	Holly Tillman
East Bay Division- League of California Cities			Kim Trupiano	Jim Diaz
Energy Services and Infrastructure Renewal Ad Hoc Committee			Jeff Wan	Kim Trupiano
East Contra Costa County Habitat Conservancy			Kim Trupiano	Jeff Wan
Garbage and Recycling Committee			Jeff Wan	Kim Trupiano
Interview Committees:				
a. Planning Commission Applicants			City Council	--
b. Trails and Landscaping Committee Applicants			Holly Tillman	Kim Trupiano
Clayton Library Foundation Liaison			Kim Trupiano	Holly Tillman
Internship Training Committee			Jeff Wan	Kim Trupiano
Mayor's Conference			Mayor/City Council	
Mt. Diablo School District Liaison			Jeff Wan/Holly Tillman	Peter Cloven
Oakhurst Geological Hazard Abatement District (GHAD)			Kim Trupiano	Peter Cloven
Trails and Landscape Committee (TLC) Liaison			Holly Tillman	Kim Trupiano
TRANSPAC			Peter Cloven	Kim Trupiano

**Offices automatically go to Mayor & Vice Mayor per Bylaws*