



AGENDA

JOINT REGULAR MEETINGS

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CLAYTON CITY COUNCIL and CLAYTON SUCCESSOR & SUCCESSOR HOUSING AGENCIES

* * *

TUESDAY, January 16, 2018

7:00 P.M.

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

Mayor: Keith Haydon
Vice Mayor: David T. Shuey

Council Members

Tuija Catalano
Jim Diaz
Julie K. Pierce

- A complete packet of information containing staff reports and exhibits related to each public item is available for public review in City Hall located at 6000 Heritage Trail and on the City's Website at least 72 hours prior to the Council meeting.
- Agendas are posted at: 1) City Hall, 6000 Heritage Trail; 2) Library, 6125 Clayton Road; 3) Ohm's Bulletin Board, 1028 Diablo Street, Clayton; and 4) City Website at www.ci.clayton.ca.us
- Any writings or documents provided to a majority of the City Council after distribution of the Agenda Packet and regarding any public item on this Agenda will be made available for public inspection in the City Clerk's office located at 6000 Heritage Trail during normal business hours.
- If you have a physical impairment that requires special accommodations to participate, please call the City Clerk's office at least 72 hours in advance of the meeting at (925) 673-7304.

*** CITY COUNCIL ***
January 16, 2018

7:00 P.M

1. **CALL TO ORDER AND ROLL CALL** – Mayor Haydon.

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

3. **CONSENT CALENDAR**

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

(a) **Information Only** – No Action.

1. Notification by Contra Costa County Library of Clayton Community Library holiday operational closures from January 1, 2018 through January 1, 2019. ([View Here](#))

(b) Approve the minutes of the City Council's regular meeting of December 5, 2017. ([View Here](#))

(c) Approve the Financial Demands and Obligations of the City. ([View Here](#))

(d) Approve a Fourth Addendum to the Exclusive Sales Listing Agreement with Transwestern Property Company West, Inc. to extend the existing terms and conditions to January 2, 2020 for the list and market for sale and development certain City-owned real properties in the Clayton Town Center (APN 118-560-010, vacant 1.67 acre parcel off Main Street; and APNs 119-050-034, 119-050-008, and 119-050-009 located at 1005 and 1007 Oak Street). ([View Here](#))

4. **RECOGNITIONS AND PRESENTATIONS**

(a) Recognition to former Trails and Landscape Committee Member Carol Herington in appreciation for her valued civic service to the Clayton community.

5. **REPORTS**

(a) Planning Commission – Commissioner A.J. Chippero.

(b) Trails and Landscaping Committee – Chair Howard Kaplan.

(c) City Manager/Staff

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

(e) Other

6. PUBLIC COMMENT ON NON - AGENDA ITEMS

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

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

7. PUBLIC HEARINGS – None.

8. ACTION ITEMS

- (a) Presentation and acceptance of the FY 2016-17 Annual Citizens' Oversight Committee Report by the Trails and Landscaping Committee (TLC) for Measure B, Citywide Landscape Maintenance District; and discussion and clarification of the TLC's role as an "oversight" body for the Landscape Maintenance District. (TLC Chair Howard Kaplan) ([View Here](#))

Staff recommendations:

- 1. Following presentation of the FY 2016-17 Annual Citizens' Oversight Report and opportunity for public comments, that Council by motion accept the Trails and Landscaping Committee's Annual Report for FY 2016-17; and
- 2. Provide policy direction to the TLC and City staff regarding the role of the TLC Citizens Advisory Committee as it pertains to operations of the Citywide Landscape Maintenance District.

- (b) Consider project concept designs for the North Valley Park Playground Rehabilitation Project (CIP No. 10442) to include replacement of the resilient play surface, new playground apparatus, sheltered picnic canopies, and shade trees. (Maintenance Supervisor) ([View Here](#))

Staff recommendation: Following staff presentation and opportunity for public comment, that Council provide staff with its preferred design for the replacement playground equipment with instruction for competitive bidding of this park improvement capital project.

- (c) City Council discussion of proposed uses for a portion or all of its \$299,222 in General Fund excess monies from FY 2016-17 on one-time unmet priority-need expenditures, equipment or capital projects. ([View Here](#))
(Finance Manager, City Manager, and Council Budget Sub-Committee)

Staff recommendation: Following staff presentation and opportunity for public comment, that City Council authorize the recommended assignment of \$299,000 regarding use of Fiscal Year 2016-17 excess General Fund monies for one-time unmet priority needs of the City.

- (d) Consider the adoption of a Resolution approving various percentage adjustments to and establishing new salary ranges for four (4) management job classifications of the City: chief of police, community development director, finance manager, and assistant to the city manager. ([View Here](#))
(City Manager)

Staff Recommendation: Following staff report and opportunity for public comments, that Council adopt the proposed Resolution.

- (e) Review and approve the Mayoral determinations for City Council ad-hoc, committee, inter-governmental and regional board assignments in 2018.
(Mayor Haydon) ([View Here](#))

Staff recommendation: Following report by Mayor Haydon and opportunity for public comment, approve by motion the proposed City Council member assignments for calendar year 2018.

- (f) City Council discussion to determine the date, time and location for the City Council's annual Goals and Objectives Setting Session with its City Manager.
(City Manager) ([View Here](#))

Staff recommendation: That Council determine a suitable date and time to hold its annual Goals Setting Session, and then by motion approve the calling of a City Council special meeting for said purpose, date, time and location.

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

10. **CLOSED SESSION** – None.

11. **ADJOURNMENT**

The next regularly scheduled meeting of the City Council will be February 6, 2018.

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**Contra Costa County Library and Holiday Closures
January 1, 2018 through January 1, 2019:**

Agenda Date: 1-16-2018

Agenda Item: 3a

Monday, January 1, 2018	New Year's Day	All libraries closed (holiday)
Monday, January 15, 2018	Dr. Martin Luther King Jr. Day	All libraries closed (holiday)
Monday, February 19, 2018	Presidents' Day	All libraries closed (holiday)
Sunday, April 1, 2018	Easter	All libraries closed
Sunday, May 13, 2018	Mother's Day	All libraries closed
Sunday, May 27, 2018		All libraries closed
Monday, May 28, 2018	Memorial Day	All libraries closed (holiday)
Wednesday, July 4, 2018	Independence Day	All libraries closed (holiday)
Sunday, September 2, 2018		All libraries closed
Monday, September 3, 2018	Labor Day	All libraries closed (holiday)
Monday, October 8, 2018	All Staff Training Day	All libraries closed
Sunday, November 11, 2018	Veterans Day	All libraries closed
Monday, November 12, 2018	Veterans Day (observed)	All libraries closed (holiday)
Wednesday, November 21, 2018	(day before Thanksgiving)	All libraries close at 6:00 p.m.
Thursday, November 22, 2018	Thanksgiving Day	All libraries closed (holiday)
Monday, December 24, 2018	Christmas Eve	All libraries closed (holiday)
Tuesday, December 25, 2018	Christmas Day	All libraries closed (holiday)
Monday, December 31, 2018	New Year's Eve	All libraries close at 5:00 p.m.
Tuesday, January 1, 2019	New Year's Day	All libraries closed (holiday)

MINUTES
OF THE
REGULAR MEETING
CLAYTON CITY COUNCIL

Agenda Date: 1-16-2018

Agenda Item: 3b

TUESDAY, December 5, 2017

1. **CALL TO ORDER & ROLL CALL** – The meeting was called to order at 7:00 p.m. by Mayor Diaz in Hoyer Hall, Clayton Community Library, 6125 Clayton Road, Clayton, CA. Councilmembers present: Mayor Diaz, Vice Mayor Haydon, and Councilmembers Catalano, Pierce, and Shuey. Councilmembers absent: None. Staff present: City Manager Gary Napper, City Attorney Mala Subramanian, City Engineer Scott Allman, and City Clerk/HR Manager Janet Brown.

Mayor Diaz recognized Clayton's first Mayor Bob Hoyer and former Mayor Howard Geller who are in the audience this evening.

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

3. **CONSENT CALENDAR**

It was moved by Vice Mayor Haydon, seconded by Councilmember Shuey, to approve the Consent Calendar as submitted. (Passed; 5-0 vote).

- (a) Information Only – No Action Requested.
 1. Notification of a Public Hearing on Wednesday, January 3, 2018 by the Contra Costa Water District Board of Directors (CCWD) to consider a treated water rate revenue increase of up to 6.0% to become effective February 1, 2018.
 2. Notification by Republic Services that residential and commercial solid waste/recycling collection and disposal services rates in Clayton will increase by 2.42% effective January 1, 2018 (ref. 90% of the annual October-October Bay Area Consumer Price Index (CPI) change of 2.69%, per the City's Franchise Agreement).
- (b) Approved the minutes of the City Council's regular meeting of November 7, 2017.
- (c) Approved Financial Demands and Obligations of the City.
- (d) Adopted Resolution No. 45-2017 re-appointing Carin Kaplan, Howard Kaplan, Nancy Morgan and Maryann Carroll Moser to the Trails and Landscaping Citizens Advisory Committee for the terms of office to expire December 31, 2019.
- (e) Adopted Resolution No. 46-2017 approving the City's AB 1600 Annual Report for FY 2016-2017 with the finding there remains a reasonable relationship between the current needs for the City's Development Impact Fees and the purposes for which they were originally charged and collected (per *California Government Code Section 66000 et. seq.*).
- (f) Approved the list of the preferred and alternative street names for the shared driveway of four single-family homes in the Verna Way residential subdivision project.

4. RECOGNITIONS AND PRESENTATIONS

- (a) Presentation to the City of a framed photo of Brierley Green Farm, the birthplace of Joel Clayton in Bugsworth, England, by Ray Strong, a great great grandson of Joel Clayton.

Mr. Ray Strong, great great grandson of Joel Clayton, presented to the City a framed photo of Brierley Green Farm, the birthplace of Joel Clayton in Bugsworth, England. Mr. Strong shared his experiences and the hospitality he and his wife received when they made a recent visit to Bugsworth, England.

Mayor Diaz thanked Mr. Strong for the beautifully framed photograph of the birthplace of this City's founder and indicated it would be hung in a visible place in Clayton City Hall.

- (b) Certificates of Recognition to selected CVCHS students for exemplifying the "Do the Right Thing" character trait of "Respect" during the month of October 2017.

Mayor Diaz and Clayton Valley Charter High School Academic Advisor (9th grade) Bob Ralston presented Certificates to students Brooke Johnson and Vanessa Chena Davila.

5. ANNUAL REORGANIZATION OF CLAYTON CITY COUNCIL

- (a) Election of Mayor by the City Council

Mayor Diaz opened nominations. Councilmember Shuey nominated Keith Haydon for the office of Mayor. Councilmember Pierce seconded the nomination. There were no other nominations and Mayor Diaz closed the nominations.

On call by Mayor Diaz, the election of Keith Haydon as Mayor passed by acclamation (Passed; 5-0 vote).

- (b) Election of Vice Mayor by the City Council

Mayor Haydon opened nominations for Vice Mayor. Mayor Haydon nominated David Shuey for the position of Vice Mayor. Councilmember Pierce seconded the nomination. There were no other nominations and Mayor Haydon closed the nominations.

On call by Mayor Haydon, the election of David Shuey as Vice Mayor passed by acclamation (Passed; 5-0 vote).

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

Mayor Haydon thanked the City Council for its support and is honored and privileged to serve as the Mayor for the next term by maintaining the high standards that have been set.

George Escutia, Jr., Field Representative for California Senator Glazer, presented a certificate to former Mayor Diaz in recognition of his services as Mayor to the Clayton community.

Audrey Detmer, Field Representative for California Assemblyman Tim Grayson presented a certificate of recognition to former Mayor Diaz for his services as Mayor to the Clayton community.

Councilmember Diaz remarked he found the experience as Mayor to be enjoyable and busy with administration matters and working with City staff under the leadership of City Manager Gary Napper who is available whenever needed. He added Janet Brown, City Clerk ably takes care of numerous document preparations for signatures. Councilmember Diaz thanked the City Council for its support and assistance, in particular from now Vice Mayor David Shuey and Councilmember Julie Pierce.

Mayor Haydon presented Councilmember Diaz a gavel plaque in recognition for his service as Mayor to the Clayton community.

7:23 p.m. Social Break

Mayor Haydon called for a short break in the Council proceedings so attendees in the audience and members of the City Council could socialize with the members of the community in attendance tonight.

7:43 p.m.

Mayor Haydon called the Clayton City Council meeting back to order.

6. REPORTS

- (a) Planning Commission – No meeting held.
- (b) Trails and Landscaping Committee – No meeting held.
- (c) City Manager/Staff

City Manager Napper noted with the Holiday Season approaching it is typically a slow time of the year at City Hall. Along with the previous cancellation of the December 19th City Council meeting, he talked with the City Hall employees and they have collectively elected to use personal accrued paid time to close City Hall between Christmas Day, which is a regular holiday, and New Year's Day, also a regular holiday, making City Hall closed until January 2, 2018 except for Police field services and Maintenance crews for City-determined emergencies.

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

Councilmember Diaz attended the Clayton Business and Community Association's Clayton Rib Cook-off committee meeting, Senator Glazer's Holiday Reception, the County Connection Operations/Scheduling committee meeting, the East Bay Communication Authority meeting, the Contra Costa County Public Works Department's celebrated completion of the Morgan Territory Road Slide Repair Project with a ribbon cutting, the Clayton Business and Community Association's Annual Tree Lighting event followed by the Clayton Business and Community Association's Annual Member Appreciation dinner.

Vice Mayor Shuey indicated no report.

Councilmember Pierce attended the California Council of Governments Board meeting.

Councilmember Catalano attended the Clayton Business and Community Association's Annual Tree Lighting event followed by the Clayton Business and Community Association Member Appreciation dinner.

Mayor Haydon attended the Clayton Business and Community Association's Annual Tree Lighting event, the Clayton Business and Community Association's Member Appreciation dinner, and a Trails and Landscaping Committee meeting.

(e) Other – None.

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

8. **PUBLIC HEARINGS** – None.

9. **ACTION ITEMS**

(a) Consider a proposed Resolution adjusting and approving a salary adjustment, a one-time discretionary pay for performance award, and authorizing the Mayor to execute a Fourth Amendment to the City Manager's Agreement to adjust compensation.
(City Attorney)

City Attorney Mala Subramanian noted since October 2017 the City Manager and City Council have been in discussions regarding his annual performance evaluation and associated compensation. As a result of those discussions the City Council requested she prepare the attached Resolution, which does three (3) things: 1. Modifies the City Manager's monthly salary range effective October 29, 2017 for each of the five (5) steps by 3%; 2. It provides a one-time discretionary performance pay award of \$9,000.00 to the City Manager, payable in the first pay period of 2018; and 3. Authorizes the execution of a 4th Amendment to the City Manager's employment contract amending and approving the City Manager's salary to be \$206,016.00 per year, effective October 29, 2017. This Staff Report serves as the City Council's oral report for purposes of the Brown Act related to city manager compensation.

Mayor Haydon opened the item for public comment; no comments were offered.

Councilmember Pierce commented these last several years have been a test for Clayton as there have been number of personnel changes and other issues come up and Gary's innovation and dedication to this small community is a testament to what can be done with a small budget.

Vice Mayor Shuey added many cities have tried to poach Gary over the years; he has remained here and we are really blessed to have him. This is a well-deserved raise and one-time bonus.

Councilmember Diaz also added while he was Mayor he was able to see Gary's leadership first-hand with day-to day operations which requires a thoughtful decision maker. Councilmember Catalano indicated she supported the sentiments expressed.

Mayor Haydon finally added his observation of the City getting by with a limited staff and many cases Gary takes on quite a bit himself; he is very effective with the small number of staff that he does have.

It was moved by Councilmember Pierce, seconded by Councilmember Diaz, to adopt Resolution No. 47-2017 setting, adjusting and approving the City Manager's Salary Range, awarding the City Manager a one-time discretionary pay for performance reward, and authorizing the Mayor to execute a Fourth Amendment to the City Manager's Employment Agreement.
(Passed; 5-0 vote).

10. COUNCIL ITEMS – None.

11. CLOSED SESSION – None.

12. ADJOURNMENT– on call by Mayor Haydon, the City Council adjourned its meeting at 7:55 p.m.

The City Council regularly scheduled meetings of December 19, 2017 and January 2, 2018 were canceled by previous action of the City Council.

The next regularly scheduled meeting of the City Council will be January 16, 2018.

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Respectfully submitted,

Janet Brown, City Clerk

APPROVED BY THE CLAYTON CITY COUNCIL

Keith Haydon, Mayor


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Agenda Date: 1/16/18

Agenda Item: 3c

STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: Kevin Mizuno, FINANCE MANAGER 
DATE: 1/16/18
SUBJECT: INVOICE SUMMARY

Approved: 
Gary A. Napper
City Manager

RECOMMENDATION:

Approve the following Invoices:

Cash Requirements Report Date 01/12/18	\$ 409,548.61
ADP Payroll, Week 49, PPE 12/3/17	\$ 88,967.40
ADP Payroll, Week 51, PPE 12/17/17	\$ 89,220.39
ADP Payroll, Week 01 , PPE 12/31/17	\$ 94,788.60

Total: \$ 682,525.00

Attachments:

Cash Requirements report dated 1/12/18 (11 pages)
ADP Payroll report, Weeks 49, 51, 01 (3 pages)

City of Clayton Cash Requirements Report

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
Abacus Concrete								
Abacus Concrete	12/31/2017	12/31/2017	1001.3	Installation curb/gutters @ El Portal	\$25,074.40	\$0.00		\$25,074.40
<i>Totals for Abacus Concrete:</i>					<u>\$25,074.40</u>	<u>\$0.00</u>		<u>\$25,074.40</u>
Ace Sierra Tow								
Ace Sierra Tow	12/31/2017	12/31/2017	55448	PD car 1735 towing	\$55.00	\$0.00		\$55.00
<i>Totals for Ace Sierra Tow:</i>					<u>\$55.00</u>	<u>\$0.00</u>		<u>\$55.00</u>
ADP, LLC								
ADP, LLC	12/31/2017	12/31/2017	504440776	Payroll fees for Q1 FY 2018	\$19.80	\$0.00		\$19.80
ADP, LLC	12/31/2017	12/31/2017	504817094	Payroll fees PPE 12/3/17	\$169.34	\$0.00		\$169.34
ADP, LLC	12/31/2017	12/31/2017	505659044	Payroll fees PPE 12/17/17	\$152.11	\$0.00		\$152.11
ADP, LLC	12/31/2017	12/31/2017	506390354	Payroll fees PPE 12/31/17	\$153.84	\$0.00		\$153.84
<i>Totals for ADP, LLC:</i>					<u>\$495.09</u>	<u>\$0.00</u>		<u>\$495.09</u>
All City Management Services, Inc.								
All City Management Services, Inc.	1/16/2018	12/31/2017	51651	School crossing guard 11/5/17-11/18/17	\$498.69	\$0.00		\$498.69
All City Management Services, Inc.	1/16/2018	12/31/2017	51825	School crossing guard 11/19/17-12/2/17	\$277.05	\$0.00		\$277.05
All City Management Services, Inc.	12/31/2017	12/31/2017	52053	School crossing guard 12/3/17-12/16/17	\$554.10	\$0.00		\$554.10
All City Management Services, Inc.	12/31/2017	12/31/2017	52372	School crossing guard 12/17/17-12/30/17	\$277.05	\$0.00		\$277.05
<i>Totals for All City Management Services, Inc.:</i>					<u>\$1,606.89</u>	<u>\$0.00</u>		<u>\$1,606.89</u>
All-Guard Systems, Inc.								
All-Guard Systems, Inc.	1/16/2018	1/16/2018	107539	Svc call for EH, Fire alarm monitoring repair	\$150.00	\$0.00		\$150.00
<i>Totals for All-Guard Systems, Inc.:</i>					<u>\$150.00</u>	<u>\$0.00</u>		<u>\$150.00</u>
American Fidelity Assurance Company								
American Fidelity Assurance Company	12/31/2017	12/31/2017	1561338A	FSA PPE 10/8/17	\$478.45	\$0.00		\$478.45
American Fidelity Assurance Company	12/31/2017	12/31/2017	1561339A	FSA PPE 10/22/17	\$478.45	\$0.00		\$478.45
American Fidelity Assurance Company	12/31/2017	12/31/2017	1561340A	FSA PPE 11/5/17	\$478.45	\$0.00		\$478.45
American Fidelity Assurance Company	12/31/2017	12/31/2017	1561341A	FSA PPE 11/19/17	\$478.45	\$0.00		\$478.45
American Fidelity Assurance Company	12/31/2017	12/31/2017	1561342A	FSA PPE 12/3/17	\$478.45	\$0.00		\$478.45
American Fidelity Assurance Company	12/31/2017	12/31/2017	1561343A	FSA PPE 12/17/17	\$478.45	\$0.00		\$478.45
American Fidelity Assurance Company	12/31/2017	12/31/2017	B689278	Supplemental Insurance for December	\$356.61	\$0.00		\$356.61
American Fidelity Assurance Company	12/31/2017	12/31/2017	1561344A	FSA PPE 12/31/17	\$478.45	\$0.00		\$478.45
<i>Totals for American Fidelity Assurance Company:</i>					<u>\$3,705.76</u>	<u>\$0.00</u>		<u>\$3,705.76</u>
Arrowhead Scientific, Inc								
Arrowhead Scientific, Inc	12/31/2017	12/31/2017	101952	Evidence supplies	\$180.78	\$0.00		\$180.78
<i>Totals for Arrowhead Scientific, Inc:</i>					<u>\$180.78</u>	<u>\$0.00</u>		<u>\$180.78</u>
AT&T (CalNet3)								
AT&T (CalNet3)	12/31/2017	12/31/2017	10692687	Phones 11/22/17-12/21/17	\$1,634.11	\$0.00		\$1,634.11
<i>Totals for AT&T (CalNet3):</i>					<u>\$1,634.11</u>	<u>\$0.00</u>		<u>\$1,634.11</u>
Authorize.net								

City of Clayton Cash Requirements Report

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
Authorize.net	12/31/2017	12/31/2017	November	Online credit card gateway fee for November	\$25.38	\$0.00		\$25.38
Authorize.net	12/31/2017	12/31/2017	December	Online credit card gateway fee for December	\$25.45	\$0.00		\$25.45
<i>Totals for Authorize.net:</i>					<u>\$50.83</u>	<u>\$0.00</u>		<u>\$50.83</u>
Bay Area Barricade Serv.								
Bay Area Barricade Serv.	12/31/2017	12/31/2017	0350034-IN	LED Bulbs	\$309.94	\$0.00		\$309.94
Bay Area Barricade Serv.	12/31/2017	12/31/2017	0351368-IN	Driving gloves, safety glasses	\$153.34	\$0.00		\$153.34
Bay Area Barricade Serv.	12/31/2017	12/31/2017	0350948-IN	HIP Metal Signs	\$227.33	\$0.00		\$227.33
Bay Area Barricade Serv.	12/31/2017	12/31/2017	0350648-IN	Population signs	\$130.50	\$0.00		\$130.50
Bay Area Barricade Serv.	12/31/2017	12/31/2017	0351260-IN	Signs - Wildlife warning	\$122.35	\$0.00		\$122.35
<i>Totals for Bay Area Barricade Serv.:</i>					<u>\$943.46</u>	<u>\$0.00</u>		<u>\$943.46</u>
Bay Area News Group East Bay (CCT)								
Bay Area News Group East Bay (CCT)	12/31/2017	12/31/2017	1099617	Legal ad for Creekside Terrace Dvlpmnt Plan	\$230.48	\$0.00		\$230.48
<i>Totals for Bay Area News Group East Bay (CCT):</i>					<u>\$230.48</u>	<u>\$0.00</u>		<u>\$230.48</u>
Best Best & Kreiger LLP								
Best Best & Kreiger LLP	1/16/2018	12/31/2017	809752	Legal services for November	\$8,500.00	\$0.00		\$8,500.00
Best Best & Kreiger LLP	1/16/2018	12/31/2017	809753	Legal services for November	\$1,609.00	\$0.00		\$1,609.00
Best Best & Kreiger LLP	1/16/2018	12/31/2017	809754	Legal services for November	\$796.50	\$0.00		\$796.50
<i>Totals for Best Best & Kreiger LLP:</i>					<u>\$10,905.50</u>	<u>\$0.00</u>		<u>\$10,905.50</u>
Burris Window Shades								
Burris Window Shades	12/31/2017	12/31/2017	1881	Repair window shade in Library	\$188.00	\$0.00		\$188.00
<i>Totals for Burris Window Shades:</i>					<u>\$188.00</u>	<u>\$0.00</u>		<u>\$188.00</u>
CalPERS Health								
CalPERS Health	1/16/2018	1/16/2018	15148717	Medical for January	\$31,807.37	\$0.00		\$31,807.37
<i>Totals for CalPERS Health:</i>					<u>\$31,807.37</u>	<u>\$0.00</u>		<u>\$31,807.37</u>
CalPERS Retirement								
CalPERS Retirement	12/31/2017	12/31/2017	121617	Retirement PPE 12/6/17	\$13,696.34	\$0.00		\$13,696.34
CalPERS Retirement	12/31/2017	12/31/2017	121717	Retirement PPE 12/17/17	\$14,399.11	\$0.00		\$14,399.11
CalPERS Retirement	12/31/2017	12/31/2017	CC122417	CC Retirement ending 12/24/17	\$146.78	\$0.00		\$146.78
CalPERS Retirement	12/31/2017	12/31/2017	123117	Retirement PPE 12/31/17	\$13,674.74	\$0.00		\$13,674.74
<i>Totals for CalPERS Retirement:</i>					<u>\$41,916.97</u>	<u>\$0.00</u>		<u>\$41,916.97</u>
Caltronics Business Systems, Inc								
Caltronics Business Systems, Inc	12/31/2017	12/31/2017	2420948	Copier contract coverage 11/30/17-12/29/17	\$179.73	\$0.00		\$179.73
<i>Totals for Caltronics Business Systems, Inc:</i>					<u>\$179.73</u>	<u>\$0.00</u>		<u>\$179.73</u>
CCWD								
CCWD	1/16/2018	12/31/2017	F Series	City Irrigation 10/7/17-12/6/17	\$17,905.52	\$0.00		\$17,905.52
<i>Totals for CCWD:</i>					<u>\$17,905.52</u>	<u>\$0.00</u>		<u>\$17,905.52</u>
Cintas Fire Protection								
Cintas Fire Protection	12/31/2017	12/31/2017	OP44665919	Recharge/repair fire extinguishers @ Corp Yard	\$502.72	\$0.00		\$502.72

City of Clayton Cash Requirements Report

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
Cintas Fire Protection	12/31/2017	12/31/2017	OF44666013	Fire extinguisher insp.@ Library	\$182.99	\$0.00		\$182.99
Cintas Fire Protection	12/31/2017	12/31/2017	OF44666014	Fire extinguisher insp @ EH	\$182.62	\$0.00		\$182.62
Cintas Fire Protection	12/31/2017	12/31/2017	OF44666082	Recharge/repair extinguishers @ CH	\$1,040.78	\$0.00		\$1,040.78
				<i>Totals for Cintas Fire Protection:</i>	<i>\$1,909.11</i>	<i>\$0.00</i>		<i>\$1,909.11</i>
City of Concord								
City of Concord	1/16/2018	12/31/2017	62741	Dispatch services for November	\$20,089.50	\$0.00		\$20,089.50
City of Concord	1/16/2018	12/31/2017	62761	Live scan services	\$110.00	\$0.00		\$110.00
City of Concord	1/16/2018	12/31/2017	62989	"Protect your Mail" postcards	\$871.86	\$0.00		\$871.86
City of Concord	12/31/2017	12/31/2017	63250	Letterhead, envelopes, business cards	\$591.03	\$0.00		\$591.03
City of Concord	12/31/2017	12/31/2017	63262	PD vehicle maintenance/repairs November	\$419.65	\$0.00		\$419.65
				<i>Totals for City of Concord:</i>	<i>\$22,082.04</i>	<i>\$0.00</i>		<i>\$22,082.04</i>
City of Walnut Creek								
City of Walnut Creek	1/16/2018	1/16/2018	Public Mgrs Assn	Public Mgrs pre-paid lunch dues 2018	\$180.00	\$0.00		\$180.00
				<i>Totals for City of Walnut Creek:</i>	<i>\$180.00</i>	<i>\$0.00</i>		<i>\$180.00</i>
Clean Street								
Clean Street	12/31/2017	12/31/2017	88790	Sweep fee for December 2017	\$4,500.00	\$0.00		\$4,500.00
				<i>Totals for Clean Street:</i>	<i>\$4,500.00</i>	<i>\$0.00</i>		<i>\$4,500.00</i>
CLEARs, Inc.								
CLEARs, Inc.	1/16/2018	1/16/2018	2018	Active membership dues	\$50.00	\$0.00		\$50.00
				<i>Totals for CLEARs, Inc.:</i>	<i>\$50.00</i>	<i>\$0.00</i>		<i>\$50.00</i>
Coast Remodeling & Construction								
Coast Remodeling & Construction	1/16/2018	1/16/2018	CAP0040	C&D refund for 323 Roundhill Pl	\$2,000.00	\$0.00		\$2,000.00
				<i>Totals for Coast Remodeling & Construction:</i>	<i>\$2,000.00</i>	<i>\$0.00</i>		<i>\$2,000.00</i>
Comcast								
Comcast	1/16/2018	12/31/2017	120117	Internet 12/10/17-1/9/18	\$386.08	\$0.00		\$386.08
Comcast	1/16/2018	1/16/2018	010118	Internet 1/10/18-2/9/18	\$386.08	\$0.00		\$386.08
				<i>Totals for Comcast:</i>	<i>\$772.16</i>	<i>\$0.00</i>		<i>\$772.16</i>
Concord Trailer World & Sport								
Concord Trailer World & Sport	1/16/2018	12/31/2017	797703	LED lights	\$43.39	\$0.00		\$43.39
Concord Trailer World & Sport	1/16/2018	12/31/2017	799043	7-way pigtail, 6 ft	\$54.32	\$0.00		\$54.32
Concord Trailer World & Sport	12/31/2017	12/31/2017	788196	Wiring harnesses	\$26.97	\$0.00		\$26.97
Concord Trailer World & Sport	12/31/2017	12/31/2017	787703	LED lights	\$43.39	\$0.00		\$43.39
				<i>Totals for Concord Trailer World & Sport:</i>	<i>\$168.07</i>	<i>\$0.00</i>		<i>\$168.07</i>
Concord Uniforms								
Concord Uniforms	1/16/2018	12/31/2017	13217	Cadet uniform	\$189.01	\$0.00		\$189.01
				<i>Totals for Concord Uniforms:</i>	<i>\$189.01</i>	<i>\$0.00</i>		<i>\$189.01</i>
Susan Confetti								
Susan Confetti	1/16/2018	1/16/2018	120317	Deposit refund for EH 12/3/17	\$500.00	\$0.00		\$500.00

City of Clayton Cash Requirements Report

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
<i>Totals for Susan Confetti:</i>					\$500.00	\$0.00		\$500.00
Contra Costa County Animal Svcs Dept								
Contra Costa County Animal Svcs Dept	1/16/2018	1/16/2018	ASD M6006	Animal Control Services for Q3 FY 18	\$16,645.37	\$0.00		\$16,645.37
<i>Totals for Contra Costa County Animal Svcs Dept:</i>					\$16,645.37	\$0.00		\$16,645.37
Contra Costa County Department of Conservation & Development								
Contra Costa County Department of Co	12/31/2017	12/31/2017	Q2 FY18	Business license fee Q2 FY 18	\$26.70	\$0.00		\$26.70
<i>Totals for Contra Costa County Department of Conservation & Development:</i>					\$26.70	\$0.00		\$26.70
Contra Costa County Employment & Human Services								
Contra Costa County Employment & Hu	1/16/2018	1/16/2018	CIC 2018	Children's Interview Center FY 18	\$500.00	\$0.00		\$500.00
<i>Totals for Contra Costa County Employment & Human Services:</i>					\$500.00	\$0.00		\$500.00
Contra Costa County Library Administration								
Contra Costa County Library Administr	12/31/2017	12/31/2017	Q1 FY18	Library additional hours for Q1 FY 18	\$2,642.71	\$0.00		\$2,642.71
<i>Totals for Contra Costa County Library Administration:</i>					\$2,642.71	\$0.00		\$2,642.71
Contra Costa County Public Works Dept								
Contra Costa County Public Works Dept	1/16/2018	12/31/2017	701363	Traffic signal maintenance for October	\$1,185.87	\$0.00		\$1,185.87
Contra Costa County Public Works Dept	12/31/2017	12/31/2017	701429	Traffic signal maintenance for November	\$1,510.68	\$0.00		\$1,510.68
<i>Totals for Contra Costa County Public Works Dept:</i>					\$2,696.55	\$0.00		\$2,696.55
Contra Costa County Sheriff - Forensic Svc Div (Lab)								
Contra Costa County Sheriff - Forensic S	1/16/2018	12/31/2017	CLPD-1710	Criminalistics, Alcohol tests for October	\$1,037.50	\$0.00		\$1,037.50
Contra Costa County Sheriff - Forensic S	12/31/2017	12/31/2017	CLPD-1711	Alcohol testing for November	\$200.00	\$0.00		\$200.00
<i>Totals for Contra Costa County Sheriff - Forensic Svc Div (Lab):</i>					\$1,237.50	\$0.00		\$1,237.50
Contra Costa County Sheriff-Coroner (CLETS)								
Contra Costa County Sheriff-Coroner (1/16/2018	12/31/2017	CL 16/17	CLETS 16/17 maintenance	\$840.01	\$0.00		\$840.01
<i>Totals for Contra Costa County Sheriff-Coroner (CLETS):</i>					\$840.01	\$0.00		\$840.01
Critical Reach								
Critical Reach	1/16/2018	1/16/2018	18-105	Critical Reach APBnet bulletin svc CalYr 18	\$145.00	\$0.00		\$145.00
<i>Totals for Critical Reach:</i>					\$145.00	\$0.00		\$145.00
CSAC Excess Insurance Authority								
CSAC Excess Insurance Authority	1/16/2018	1/16/2018	18401292	EAP - January-March 2018	\$312.00	\$0.00		\$312.00
<i>Totals for CSAC Excess Insurance Authority:</i>					\$312.00	\$0.00		\$312.00
De Lage Landen Financial Services, Inc.								
De Lage Landen Financial Services, Inc.	1/16/2018	12/31/2017	57148545	Copier contract 12/15/17-1/14/18	\$304.59	\$0.00		\$304.59
De Lage Landen Financial Services, Inc.	1/16/2018	1/16/2018	57537685	Copier contract 1/15/18-2/14/18	\$304.59	\$0.00		\$304.59
<i>Totals for De Lage Landen Financial Services, Inc.:</i>					\$609.18	\$0.00		\$609.18
Diablo View Cleaning								
Diablo View Clean	12/31/2017	12/31/2017	23209	Carpet cleaning in **ver Hall	\$225.00	\$0.00		\$225.00

City of Clayton Cash Requirements Report

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
<i>Totals for Diablo View Cleaning:</i>					\$225.00	\$0.00		\$225.00
Division of the State Architect								
Division of the State Architect	12/31/2017	12/31/2017	Q2 FY18	Business license fees Q2 FY 18	\$26.70	\$0.00		\$26.70
<i>Totals for Division of the State Architect:</i>					\$26.70	\$0.00		\$26.70
ENGEO								
ENGEO	1/16/2018	12/31/2017	230980	Verna Wy Prof. services through Nov. 26, 17	\$1,500.00	\$0.00		\$1,500.00
<i>Totals for ENGEO:</i>					\$1,500.00	\$0.00		\$1,500.00
Erik Adams Design								
Erik Adams Design	1/16/2018	1/16/2018	1060	Deposit refund for 226 Bigelow St	\$472.45	\$0.00		\$472.45
<i>Totals for Erik Adams Design:</i>					\$472.45	\$0.00		\$472.45
Express Services, Inc								
Express Services, Inc	12/31/2017	12/31/2017	19869621	PD office temp week end 12/3/17	\$408.89	\$0.00		\$408.89
Express Services, Inc	12/31/2017	12/31/2017	19899444	PD office temp week end 12/10/17	\$527.60	\$0.00		\$527.60
Express Services, Inc	12/31/2017	12/31/2017	19940699	PD office temp week end 12/17/17	\$633.12	\$0.00		\$633.12
Express Services, Inc	12/31/2017	12/31/2017	19972288	PD office temp week end 12/24/17	\$633.12	\$0.00		\$633.12
<i>Totals for Express Services, Inc:</i>					\$2,202.73	\$0.00		\$2,202.73
Future Auto Center of Concord								
Future Auto Center of Concord	1/16/2018	1/16/2018	11217	PD Vehicle	\$32,538.64	\$0.00		\$32,538.64
<i>Totals for Future Auto Center of Concord:</i>					\$32,538.64	\$0.00		\$32,538.64
Geoconsultants, Inc.								
Geoconsultants, Inc.	1/16/2018	12/31/2017	18906	Well monitoring for November	\$1,546.50	\$0.00		\$1,546.50
<i>Totals for Geoconsultants, Inc.:</i>					\$1,546.50	\$0.00		\$1,546.50
Globalstar LLC								
Globalstar LLC	1/16/2018	1/16/2018	8968220	Sat phone 12/16/17-1/15/18	\$86.66	\$0.00		\$86.66
<i>Totals for Globalstar LLC:</i>					\$86.66	\$0.00		\$86.66
GW Bartle Enterprises								
GW Bartle Enterprises	1/16/2018	1/16/2018	CAP0273	Deposit refund for 1498 N Mitchell Canyon R.	\$2,500.00	\$0.00		\$2,500.00
<i>Totals for GW Bartle Enterprises:</i>					\$2,500.00	\$0.00		\$2,500.00
Hammons Supply Company								
Hammons Supply Company	1/16/2018	12/31/2017	100390	Library janitorial supplies	\$199.20	\$0.00		\$199.20
Hammons Supply Company	1/16/2018	12/31/2017	100391	The Grove janitorial supplies	\$162.22	\$0.00		\$162.22
<i>Totals for Hammons Supply Company:</i>					\$361.42	\$0.00		\$361.42
Harris & Associates, Inc.								
Harris & Associates, Inc.	12/31/2017	12/31/2017	36276	Verna Wy services 10/29/17-11/25/17	\$2,060.00	\$0.00		\$2,060.00
Harris & Associates, Inc.	12/31/2017	12/31/2017	36372	Engineering services 10/29/17-11/25/17	\$9,585.00	\$0.00		\$9,585.00
Harris & Associates, Inc.	12/31/2017	12/31/2017	36398	CIP Billing 10/29/17-11/25/17	\$33,007.50	\$0.00		\$33,007.50
Harris & Associates, Inc.	12/31/2017	12/31/2017	36275	Engineering services, GHAD 10/29/17-11/25/	\$1,710.00	\$0.00		\$1,710.00

City of Clayton Cash Requirements Report

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
Harris & Associates, Inc.	12/31/2017	12/31/2017	36517	Engineering services for October	\$9,585.00	\$0.00		\$9,585.00
				<i>Totals for Harris & Associates, Inc.:</i>	<i>\$55,947.50</i>	<i>\$0.00</i>		<i>\$55,947.50</i>
Health Care Dental Trust								
Health Care Dental Trust	1/16/2018	1/16/2018	236640	Dental for January	\$2,521.35	\$0.00		\$2,521.35
				<i>Totals for Health Care Dental Trust:</i>	<i>\$2,521.35</i>	<i>\$0.00</i>		<i>\$2,521.35</i>
iPayment								
iPayment	12/31/2017	12/31/2017	112017	Online bankcard fees for November	\$59.11	\$0.00		\$59.11
iPayment	12/31/2017	12/31/2017	112017	Bankcard fees for November	\$69.30	\$0.00		\$69.30
iPayment	12/31/2017	12/31/2017	123117	Online Bankcard fees for December	\$33.66	\$0.00		\$33.66
iPayment	12/31/2017	12/31/2017	123117	Bankcard fees for December	\$44.00	\$0.00		\$44.00
				<i>Totals for iPayment:</i>	<i>\$206.07</i>	<i>\$0.00</i>		<i>\$206.07</i>
J&R Floor Services								
J&R Floor Services	12/31/2017	12/31/2017	Eleven 2017	Janitorial services for November	\$4,940.00	\$0.00		\$4,940.00
J&R Floor Services	12/31/2017	12/31/2017	Twelve 17	Janitorial services for December	\$4,850.00	\$0.00		\$4,850.00
				<i>Totals for J&R Floor Services:</i>	<i>\$9,790.00</i>	<i>\$0.00</i>		<i>\$9,790.00</i>
LarryLogic Productions								
LarryLogic Productions	1/16/2018	12/31/2017	1700	City council meeting production 12/5/17	\$360.00	\$0.00		\$360.00
				<i>Totals for LarryLogic Productions:</i>	<i>\$360.00</i>	<i>\$0.00</i>		<i>\$360.00</i>
League of CA cities								
League of CA cities	1/16/2018	1/16/2018	4496	League of CA Cities member dues, dinners fo	\$535.00	\$0.00		\$535.00
				<i>Totals for League of CA cities:</i>	<i>\$535.00</i>	<i>\$0.00</i>		<i>\$535.00</i>
Legal Defense Fund								
Legal Defense Fund	1/16/2018	1/16/2018	229305	Dues 1/1/18	\$13.50	\$0.00		\$13.50
				<i>Totals for Legal Defense Fund:</i>	<i>\$13.50</i>	<i>\$0.00</i>		<i>\$13.50</i>
Lexipol LLC								
Lexipol LLC	1/16/2018	1/16/2018	22997	DTB subscription, management svcs for 2018	\$2,269.00	\$0.00		\$2,269.00
				<i>Totals for Lexipol LLC:</i>	<i>\$2,269.00</i>	<i>\$0.00</i>		<i>\$2,269.00</i>
Marken Mechanical Services Inc								
Marken Mechanical Services Inc	12/31/2017	12/31/2017	5281	HVAC maintenance for November	\$527.17	\$0.00		\$527.17
				<i>Totals for Marken Mechanical Services Inc:</i>	<i>\$527.17</i>	<i>\$0.00</i>		<i>\$527.17</i>
Matrix Association Management								
Matrix Association Management	12/31/2017	12/31/2017	5118	Diablo Estates management for October	\$4,532.50	\$0.00		\$4,532.50
Matrix Association Management	1/16/2018	12/31/2017	5549	Diablo Estates management for December	\$4,532.50	\$0.00		\$4,532.50
Matrix Association Management	1/16/2018	1/16/2018	5792	Diablo Estates management for January	\$4,532.50	\$0.00		\$4,532.50
				<i>Totals for Matrix Association Management:</i>	<i>\$13,597.50</i>	<i>\$0.00</i>		<i>\$13,597.50</i>
MMA Homes 2013, LLC								
MMA Homes 2013, LLC	1/16/2018	1/16/2018	1040	Deposit refund from Ma Wy	\$5,305.73	\$0.00		\$5,305.73

City of Clayton Cash Requirements Report

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
<i>Totals for MMA Homes 2013, LLC:</i>					\$5,305.73	\$0.00		\$5,305.73
MPA								
MPA	1/16/2018	12/31/2017	A111703	Unmet Liability Deductible for November	\$1,100.00	\$0.00		\$1,100.00
MPA	1/16/2018	1/16/2018	January 18	LTD/Life for January	\$1,904.47	\$0.00		\$1,904.47
<i>Totals for MPA:</i>					\$3,004.47	\$0.00		\$3,004.47
NAVSURFWARCENDIV Crane								
NAVSURFWARCENDIV Crane	1/16/2018	1/16/2018	N00164LE1015-17	Electro-Optics Agreement # N00164LE1015-1	\$300.00	\$0.00		\$300.00
<i>Totals for NAVSURFWARCENDIV Crane:</i>					\$300.00	\$0.00		\$300.00
NBS Govt. Finance Group								
NBS Govt. Finance Group	1/16/2018	1/16/2018	101700169	Disclosure reporting svcs 2007 Bonds	\$1,870.58	\$0.00		\$1,870.58
NBS Govt. Finance Group	1/16/2018	1/16/2018	101700291	CFD Qtrly Admin fees Q3 FY 18	\$4,465.12	\$0.00		\$4,465.12
<i>Totals for NBS Govt. Finance Group:</i>					\$6,335.70	\$0.00		\$6,335.70
Pacific Telemanagement Svc								
Pacific Telemanagement Svc	1/16/2018	1/16/2018	962391	Courtyard payphone for January	\$73.00	\$0.00		\$73.00
<i>Totals for Pacific Telemanagement Svc:</i>					\$73.00	\$0.00		\$73.00
Peace Officers Research Assoc of CA								
Peace Officers Research Assoc of CA	1/16/2018	1/16/2018	198020	Member Dues 1/01/18	\$10.00	\$0.00		\$10.00
<i>Totals for Peace Officers Research Assoc of CA:</i>					\$10.00	\$0.00		\$10.00
PG&E								
PG&E	1/16/2018	12/31/2017	121417	Energy 11/14/17-12/13/17	\$17,232.38	\$0.00		\$17,232.38
PG&E	12/31/2017	12/31/2017	122117	Energy 11/19/17-12/20/17	\$3,509.39	\$0.00		\$3,509.39
<i>Totals for PG&E:</i>					\$20,741.77	\$0.00		\$20,741.77
Pond M Solutions								
Pond M Solutions	1/16/2018	12/31/2017	263	Fountain maintenance	\$650.00	\$0.00		\$650.00
<i>Totals for Pond M Solutions:</i>					\$650.00	\$0.00		\$650.00
Jack or Diane Post								
Jack or Diane Post	1/16/2018	1/16/2018	CAP0217	Deposit refunds for 985 Kenston Dr	\$3,810.52	\$0.00		\$3,810.52
<i>Totals for Jack or Diane Post:</i>					\$3,810.52	\$0.00		\$3,810.52
Reliable Automotive, LLC								
Reliable Automotive, LLC	1/16/2018	1/16/2018	24451	Repair to F550	\$363.92	\$0.00		\$363.92
<i>Totals for Reliable Automotive, LLC:</i>					\$363.92	\$0.00		\$363.92
Riso Products of Sacramento								
Riso Products of Sacramento	1/16/2018	12/31/2017	177537	Copier lease # 9 of 60	\$106.09	\$0.00		\$106.09
Riso Products of Sacramento	1/16/2018	1/16/2018	178302	Copier lease #10 of 60	\$106.09	\$0.00		\$106.09
Riso Products of Sacramento	12/31/2017	12/31/2017	178222	Copier contract coverage 11/20/17-12/19/17	\$24.82	\$0.00		\$24.82
<i>Totals for Riso Products of Sacramento:</i>					\$237.00	\$0.00		\$237.00

City of Clayton Cash Requirements Report

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
Ross Recreation Equipment, Co., Inc								
Ross Recreation Equipment, Co., Inc	1/16/2018	12/31/2017	112097	Bench slats	\$1,557.35	\$0.00		\$1,557.35
<i>Totals for Ross Recreation Equipment, Co., Inc:</i>					<u>\$1,557.35</u>	<u>\$0.00</u>		<u>\$1,557.35</u>
Dana or Kathy Seeman								
Dana or Kathy Seeman	1/16/2018	1/16/2018	0594	Deposit refund for 9001 Elk Dr	\$362.11	\$0.00		\$362.11
<i>Totals for Dana or Kathy Seeman:</i>					<u>\$362.11</u>	<u>\$0.00</u>		<u>\$362.11</u>
SPRAYTEC								
SPRAYTEC	1/16/2018	12/31/2017	14648	Waste water monthly maintenance for Octobe	\$225.00	\$0.00		\$225.00
SPRAYTEC	1/16/2018	12/31/2017	14644	Waste water monthly maintenance for Septem	\$225.00	\$0.00		\$225.00
SPRAYTEC	1/16/2018	12/31/2017	14642	Waste water monthly maintenance for August	\$225.00	\$0.00		\$225.00
<i>Totals for SPRAYTEC:</i>					<u>\$675.00</u>	<u>\$0.00</u>		<u>\$675.00</u>
Sprint Comm (PD)								
Sprint Comm (PD)	12/31/2017	12/31/2017	703335311-192	Cell phones 10/26/17-11/25/17	\$935.32	\$0.00		\$935.32
Sprint Comm (PD)	12/31/2017	12/31/2017	703335311-193	Cell phones 11/26/17-12/25/17	\$936.24	\$0.00		\$936.24
<i>Totals for Sprint Comm (PD):</i>					<u>\$1,871.56</u>	<u>\$0.00</u>		<u>\$1,871.56</u>
Staples Advantage								
Staples Advantage	1/16/2018	12/31/2017	8047589065	Office supplies for November	\$117.93	\$0.00		\$117.93
Staples Advantage	12/31/2017	12/31/2017	8048087183	Office supplies for December	\$582.04	\$0.00		\$582.04
<i>Totals for Staples Advantage:</i>					<u>\$699.97</u>	<u>\$0.00</u>		<u>\$699.97</u>
State Water Resources Control Board								
State Water Resources Control Board	1/16/2018	12/31/2017	WD-0130737	Sewer system mgmt plan annual fee	\$2,088.00	\$0.00		\$2,088.00
<i>Totals for State Water Resources Control Board:</i>					<u>\$2,088.00</u>	<u>\$0.00</u>		<u>\$2,088.00</u>
Stericycle Inc								
Stericycle Inc	1/16/2018	1/16/2018	3004096540	Medical waste disposal	\$101.44	\$0.00		\$101.44
<i>Totals for Stericycle Inc:</i>					<u>\$101.44</u>	<u>\$0.00</u>		<u>\$101.44</u>
US Bank - Corp Pmt System CalCard								
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmt end 11/22/17	Paper, receipt books	\$297.64	\$0.00		\$297.64
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmt end 11/22/17	Panera, food for interview panel	\$99.98	\$0.00		\$99.98
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmt end 11/22/17	Plaques for outgoing employees	\$90.70	\$0.00		\$90.70
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmt end 11/22/17	Panera, food for flagger training	\$29.94	\$0.00		\$29.94
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmt end 11/22/17	Bench Plaque	\$27.19	\$0.00		\$27.19
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmt end 11/22/17	Storage unit rent	\$127.00	\$0.00		\$127.00
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmt end 11/22/17	Govt Finance CAFR	\$740.00	\$0.00		\$740.00
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmt end 11/22/17	CSMFO Dues	\$110.00	\$0.00		\$110.00
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmt end 11/22/17	Fuel	\$335.36	\$0.00		\$335.36
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmt end 11/22/17	Fuel	\$507.97	\$0.00		\$507.97
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmt end 11/22/17	Fuel	\$406.61	\$0.00		\$406.61
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmt end 11/22/17	Fuel	\$50.11	\$0.00		\$50.11
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmt end 11/22/17	Bulbs, tester, star, conduit, bench slats,	\$1,899.51	\$0.00		\$1,899.51

City of Clayton Cash Requirements Report

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 11/22/17	Dimmers, tarps, keys, cords, ties	\$791.38	\$0.00		\$791.38
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 11/22/17	Bench slats	\$1,014.56	\$0.00		\$1,014.56
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 11/22/17	Light switch	\$83.54	\$0.00		\$83.54
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 11/22/17	Concrete sign post, pallet	\$299.53	\$0.00		\$299.53
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 11/22/17	F350 Battery	\$455.19	\$0.00		\$455.19
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 11/22/17	Fuel	\$369.05	\$0.00		\$369.05
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 11/22/17	Bulbs, trans fluid	\$33.22	\$0.00		\$33.22
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 11/22/17	Batteries	\$312.45	\$0.00		\$312.45
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 11/22/17	Trash bags	\$97.81	\$0.00		\$97.81
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 11/22/17	Fuel	\$248.20	\$0.00		\$248.20
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 11/22/17	Vehicle Gas	\$260.63	\$0.00		\$260.63
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 11/22/17	Vehicle Gas	\$290.29	\$0.00		\$290.29
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 11/22/17	Vehicle Gas	\$365.73	\$0.00		\$365.73
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 11/22/17	ID Badges	\$41.32	\$0.00		\$41.32
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 11/22/17	Vehicle Gas	\$160.32	\$0.00		\$160.32
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 11/22/17	Web hosting	\$47.88	\$0.00		\$47.88
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 11/22/17	Search Engine	\$32.50	\$0.00		\$32.50
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 11/22/17	FTO School, Borman	\$305.00	\$0.00		\$305.00
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 11/22/17	Vehicle Gas	\$287.90	\$0.00		\$287.90
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 11/22/17	Headlamp bulbs, mirror adhesive kits	\$71.74	\$0.00		\$71.74
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 11/22/17	Training - transportation, accomodations	\$300.76	\$0.00		\$300.76
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 11/22/17	Vehicle Gas	\$311.25	\$0.00		\$311.25
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 11/22/17	Vehicle Gas	\$537.22	\$0.00		\$537.22
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 11/22/17	CAPE Member Dues	\$45.00	\$0.00		\$45.00
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 11/22/17	Vehicle Gas	\$77.92	\$0.00		\$77.92
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 11/22/17	Taser Equipment, AED Pads/Battery	\$744.92	\$0.00		\$744.92
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 11/22/17	IFAK Equipment	\$2,498.17	\$0.00		\$2,498.17
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 11/22/17	Streamlight battery, range equipment	\$46.61	\$0.00		\$46.61
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 11/22/17	Vehicle Gas	\$275.57	\$0.00		\$275.57
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 11/22/17	Car Washes	\$51.96	\$0.00		\$51.96
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 11/22/17	Training Lunch for all PD	\$290.76	\$0.00		\$290.76
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 11/22/17	Vehicle Gas	\$40.55	\$0.00		\$40.55
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 11/22/17	Vehicle Gas	\$277.00	\$0.00		\$277.00
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 12/22/17	battery charger, printer, office supplies	\$761.58	\$0.00		\$761.58
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 12/22/17	Plaque, Jim Diaz, name tags	\$187.59	\$0.00		\$187.59
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 12/22/17	Employee recognition gifts	\$426.46	\$0.00		\$426.46
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 12/22/17	Employee recognition gifts	\$284.73	\$0.00		\$284.73
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 12/22/17	Cake for City Council	\$39.99	\$0.00		\$39.99
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 12/22/17	Storage unit rent	\$127.00	\$0.00		\$127.00
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 12/22/17	Officer interview panel meal	\$12.76	\$0.00		\$12.76
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 12/22/17	Parking @ CalPERS, CPE training renewal	\$273.20	\$0.00		\$273.20
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 12/22/17	ICMA Membership	\$1,400.00	\$0.00		\$1,400.00
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 12/22/17	Fuel	\$493.95	\$0.00		\$493.95
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 12/22/17	Fuel	\$198.92	\$0.00		\$198.92
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 12/22/17	Fuel	\$85.00	\$0.00		\$85.00

City of Clayton Cash Requirements Report

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 12/22/17	Staples	\$76.11	\$0.00		\$76.11
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 12/22/17	OSH - LED bulbs	\$48.90	\$0.00		\$48.90
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 12/22/17	Ace Hardware - Motion sensor	\$31.08	\$0.00		\$31.08
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 12/22/17	Fuel	\$554.44	\$0.00		\$554.44
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 12/22/17	Autozone - turn lights	\$10.86	\$0.00		\$10.86
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 12/22/17	OSH - lights, christmas lights	\$92.89	\$0.00		\$92.89
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 12/22/17	Fuel	\$241.36	\$0.00		\$241.36
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 12/22/17	Vehicle Gas	\$361.24	\$0.00		\$361.24
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 12/22/17	Vehicle Gas	\$264.08	\$0.00		\$264.08
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 12/22/17	Vehicle Gas	\$314.69	\$0.00		\$314.69
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 12/22/17	Fastsigns - decals for car 1741	\$641.57	\$0.00		\$641.57
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 12/22/17	Vehicle Gas	\$178.32	\$0.00		\$178.32
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 12/22/17	Image Sales - ID badge for 2 retired officers	\$48.52	\$0.00		\$48.52
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 12/22/17	Fuel	\$33.85	\$0.00		\$33.85
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 12/22/17	Vehicle Gas	\$275.33	\$0.00		\$275.33
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 12/22/17	Autozone - Radar trailer wiring/lighting parts	\$47.80	\$0.00		\$47.80
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 12/22/17	Amazon - batteries for tactical lights	\$128.99	\$0.00		\$128.99
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 12/22/17	Vehicle Gas	\$354.85	\$0.00		\$354.85
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 12/22/17	Vehicle Gas	\$447.11	\$0.00		\$447.11
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 12/22/17	Office supplies	\$335.80	\$0.00		\$335.80
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 12/22/17	Postage	\$8.41	\$0.00		\$8.41
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 12/22/17	Christmas Cards	\$210.01	\$0.00		\$210.01
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 12/22/17	Police patches	\$293.62	\$0.00		\$293.62
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 12/22/17	Fred Pryor, training	\$142.41	\$0.00		\$142.41
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 12/22/17	Vehicle Gas	\$200.01	\$0.00		\$200.01
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 12/22/17	OSH, Heater	\$76.11	\$0.00		\$76.11
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 12/22/17	Amazon, Survival Supply - IFAK Equip	\$1,246.47	\$0.00		\$1,246.47
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 12/22/17	Western States	\$100.00	\$0.00		\$100.00
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 12/22/17	School Health Corp, AED Pads, battery	\$109.99	\$0.00		\$109.99
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 12/22/17	Vehicle Gas	\$237.74	\$0.00		\$237.74
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 12/22/17	Car Washes	\$51.96	\$0.00		\$51.96
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 12/22/17	Vehicle Gas	\$46.75	\$0.00		\$46.75
US Bank - Corp Pmt System CalCard	12/31/2017	12/31/2017	Stmnt end 12/22/17	Vehicle Gas	\$270.11	\$0.00		\$270.11
<i>Totals for US Bank - Corp Pmt System CalCard:</i>					<i>\$27,560.50</i>	<i>\$0.00</i>		<i>\$27,560.50</i>
US Bank (CM 9690)								
US Bank (CM 9690)	1/16/2018	1/16/2018	4828529	Admin Fees/Expenses 1990 bonds 11/1/17-1	\$715.00	\$0.00		\$715.00
<i>Totals for US Bank (CM 9690):</i>					<i>\$715.00</i>	<i>\$0.00</i>		<i>\$715.00</i>
Verizon Wireless								
Verizon Wireless	12/31/2017	12/31/2017	9797238905	Cell service 11/2/17-12/1/17	\$91.91	\$0.00		\$91.91
Verizon Wireless	12/31/2017	12/31/2017	9799041872	Cell service 12/2/17-1/1/18	\$94.91	\$0.00		\$94.91
<i>Totals for Verizon Wireless:</i>					<i>\$186.82</i>	<i>\$0.00</i>		<i>\$186.82</i>
Village Oaks, LLC								
Village Oaks, LLC	1/16/2018	1/16/2018	CAP0203	Deposit refund from office @ 6200 Cen	\$1,963.78	\$0.00		\$963.78

City of Clayton Cash Requirements Report

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
<i>Totals for Village Oaks, LLC:</i>					<u>\$1,963.78</u>	<u>\$0.00</u>		<u>\$1,963.78</u>
Waraner Brothers Tree Service								
Waraner Brothers Tree Service	1/16/2018	12/31/2017	14024	Tree work, Four Oaks Ln/Mitchell Canyon	\$2,550.00	\$0.00		\$2,550.00
<i>Totals for Waraner Brothers Tree Service:</i>					<u>\$2,550.00</u>	<u>\$0.00</u>		<u>\$2,550.00</u>
Western Exterminator								
Western Exterminator	1/16/2018	12/31/2017	5604890	Pest control for November	\$385.50	\$0.00		\$385.50
Western Exterminator	12/31/2017	12/31/2017	5700623	Pest control for December	\$385.50	\$0.00		\$385.50
<i>Totals for Western Exterminator:</i>					<u>\$771.00</u>	<u>\$0.00</u>		<u>\$771.00</u>
Workers.com								
Workers.com	12/31/2017	12/31/2017	120807	Seasonal workers week end 12/3/17	\$1,410.34	\$0.00		\$1,410.34
Workers.com	12/31/2017	12/31/2017	120739	Seasonal workers week end 11/26/17	\$756.66	\$0.00		\$756.66
Workers.com	12/31/2017	12/31/2017	120873	Seasonal workers week end 12/10/17	\$922.73	\$0.00		\$922.73
Workers.com	12/31/2017	12/31/2017	120939	Seasonal workers week end 12/17/17	\$1,236.49	\$0.00		\$1,236.49
Workers.com	12/31/2017	12/31/2017	121004	Seasonal workers week end 12/24/17	\$1,025.26	\$0.00		\$1,025.26
<i>Totals for Workers.com:</i>					<u>\$5,351.48</u>	<u>\$0.00</u>		<u>\$5,351.48</u>
GRAND TOTALS:					\$409,548.61	\$0.00		\$409,548.61



Agenda Date: 1-16-2018

Agenda Item: 3d

Approved 
Gary A. Napper
City Manager

AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: CITY MANAGER

DATE: 16 JANUARY 2018

SUBJECT: APPROVE A 4TH ADDENDUM TO THE EXCLUSIVE SALES LISTING AGREEMENT WITH TRANSWESTERN PROPERTY COMPANY TO CONTINUE ITS LIST AND MARKET FOR SALE AND DEVELOPMENT OF CERTAIN CITY-OWNED REAL PROPERTIES IN THE CLAYTON TOWN CENTER

RECOMMENDATION

It is recommended the City Council, by minute motion, approve a Fourth Addendum to the Exclusive Sales Listing Agreement with Transwestern Property Company West, Inc. (a Texas Corporation) to extend the list time to 02 January 2020 for the market, sale and development of several City-owned real properties within the Clayton Town Center; specifically, a vacant 1.67 acre parcel on Main Street (APN 118-560-010) and two (2) improved but dilapidated real properties and one (1) adjacent unimproved parcel (0.75 acres total) located at 1005 and 1007 Oak Street (APNs 119-050-034, 119-050-008, and 119-050-009); and authorize the City Manager to sign the Fourth Addendum on behalf of the City.

BACKGROUND

The City currently holds title to several real properties within the Clayton Town Center area that it previously attempted, with marginal advancement, to self-advertise for sale and development to a private developer for construction of improvements consistent with the City Council's vision for its downtown contained in the *Clayton Town Center Specific Plan*. The real properties available are:

1. An unimproved vacant parcel with some frontage on Main Street (with dual access rights) consisting of approximately 1.67 acres acquired by the City in April 2013 from the Clayton Community Church. The land presently has two (2) signs posted on it by Transwestern noticing the property for sale (APN 118-560-010); and
2. Three smaller parcels with frontage on the west side of Oak Street, between Center and High Streets, comprised of two (2) unoccupied ramshackle bungalows abutting Mitchell Creek, along with an unimproved adjacent hillside parcel to the west. Records indicate City ownership dating back to 1974 and 1986.

The latter real properties listed above enjoy, through significant financial efforts of the former Clayton Redevelopment Agency (RDA), a fully-entitled City-approved development project known as "Creekside Terrace." This commercial mixed-use project involves the permitted construction of a mixed-use two story building with a western-style frontage characteristic of architectural themes suggested in the *Town Center Specific Plan*. The first floor plans for approximately 7,200 sq. ft. of retail commercial space with a 20-foot ceiling. The second floor calls for seven (7) residential units which originally were targeted for affordable housing opportunities with additional financial assistance of the RDA. In the currently-entitled plan, the residential units are 1-bedroom with several containing dens.

The Creekside Terrace Project received its City entitlements on 06 July 2010, and those land use permits have routinely been extended by City Planning Commission action to now expire on 09 January 2019 (note: further 1-year extensions are eligible). The City placed small billboards on the property depicting and illustrating with color renderings the front elevations of the approved project. Those postings elicited several telephone calls and interests. However, continuously the City has no prospective developer interested in pursuing purchase or development of this particular project or properties.

COMMERCIAL BROKER SELECTION AND PROGRESS

At its public meeting on 01 April 2014, following the City's solicitation of list proposals from several commercial realty companies, the City Council unanimously approved an agreement with Transwestern Property Company West, Inc. (dba Transwestern) to list and to market the City's vacant and underutilized real properties in the Town Center. Since that time, Transwestern created and developed a marketing plan, outreached to numerous retail commercial firms and prospective developers, and brought several interested developers to meet with the City Council Sub-Committee on Economic Development and City staff. During calendar year 2015, Transwestern submitted four (4) distinct developers to the City interested in developing the Main Street property. Driven by market demand, none included ground-floor commercial retail only.

On 19 July 2016 the City approved an Exclusive Negotiation Agreement (ENA) with Pacific Union Land Investors (PULI) as it also worked on obtaining a Purchase-Sale Agreement for the 25,000 sq. ft. real property fronting the City's vacant land on Main Street (owner: Clayton Community Church; APN 119-011-003, 6055 Main Street).

When complications arose with its purchase agreement with the church, PULI requested additional time from the City to file its Initial [City] Application, which date was set to expire on November 1st. On 04 October 2016 at its regular public meeting and in recognition of the PULI's difficult status with the church, the City Council approved a First Amendment with PULI to extend its Initial Application filing deadline to 01 December 2016. That deadline passed but on 07 March 2017, PULI sought and received a revised ENA with the City to pursue development solely on the City's property, to include limited commercial retail uses on the street frontage and with an elevated purchase price of \$1.7 million. Shortly thereafter, PULI notified the City it would not be filing a land use application for the project concept.

Turning yet again to Transwestern to solicit additional development proposals for the Main Street site, Transwestern obtained and presented two (2) developers to the City for further consideration. Each potential developer expressed interest in purchasing the property to construct a senior assisted/memory care residential facility coupled with limited commercial retail uses along the Main Street frontage (note: emphasis added as some local social media conversations omit the commercial retail component of the proposal).

At its public meeting on 07 November 2017, the City Council formally approved a new ENA with Fulcrum Development, LLC, a company consisting of long-term owners of several such facilities either operational or under development within California. The adjusted purchase price is now \$1.9 million (City originally purchased the property for \$1.0 million in 2013).

FOURTH ADDENDUM WITH TRANSWESTERN

The initial term of the Exclusive Sales Listing Agreement with Transwestern was for a period of 365 days commencing with the date of signature of the Agreement, namely 02 April 2014. At its regular public meeting held on 07 April 2015, the City Council and Transwestern mutually agreed to extend the existing terms and conditions of the original Agreement to a new expiration date of 02 January 2016. Thereafter, at its regular public meeting on 19 January 2016, both parties agreed to further extend its marketing relationship to 02 January 2017, and then again on December 20, 2016 the commercial brokerage agreement was extended by approval of a 3rd Addendum with Transwestern that expired on 02 January 2018.

That sunset date passed before the City Council could hold its first meeting in 2018 on January 16th. Consequently, the Agreement and its listing association warrant an additional time extension. Transwestern has provided a Fourth Addendum to extend the original terms and conditions for two years to 02 January 2020. Given the timeframe for Fulcrum's pursuit and public review of its development proposal, a two-year time extension with Transwestern is proposed rather than a single year period.

It is staff's recommendation the City Council maintain its existing commercial brokerage relationship with Transwestern as proposed.

- Exhibits: 1. Fourth Addendum to Exclusive Sales Listing Agreement with Transwestern [1 pg.]
2. Transwestern Exclusive Sales Listing Agreement [7 pp.]
3. Bio of Edward F. Del Beccaro, Transwestern [1 pp.]
4. Fulcrum Development, LLC info [25 pp.]
5. Creekside Terrace Mixed-Use development opportunity [7 pp.]



ADDENDUM FOUR TO EXCLUSIVE SALES LISTING AGREEMENT

Listing name here and TRANSWESTERN PROPERTY COMPANY WEST, INC. DBA/ TRANSWESTERN, a Texas Corporation ("Broker") is effective upon execution of this Agreement (the "Effective Date"). Edward Del Beccaro, Matt Hatfield agree to the following amendment(s) in an Authorization regarding the subject property in the City of Clayton, County of Contra Costa, State of California, located at 6005 Main Street, Clayton CA, and further described as parcel number 118-560-010 and three (3) parcels totaling 0.65 acres that make up the Creekside Terrace Development with parcel numbers 119-050-009, 119-050-008, 119-050-034 in the City of Clayton, Contra Costa County, California.

1. Expiration date extended to: January 2, 2020

a. Note: This Listing Agreement is subject to termination by either party for any reason with (30) thirty days written notice. All other terms and conditions of the Agreement shall remain the same.


Dated: _____

Dated: _____

OWNER: City of Clayton

BROKER: TRANSWESTERN PROPERTY COMPANY WEST, INC., DBA TRANSWESTERN License # 01263636

BY: _____ Gary Napper, City Manager

BY:  Edward F. Del Beccaro, Sr. Managing Director License # 00642167

Address: 6000 Heritage Trail Clayton, CA 94517

BY:  Matt Hatfield, Associate License # 01937755



TRANSWESTERN

EXCLUSIVE SALES LISTING AGREEMENT

This Exclusive Sales Listing Agreement ("Agreement") is made and entered into on this 24th day of April, 2014 by and between The City of Clayton ("Owner") and TRANSWESTERN PROPERTY COMPANY WEST, INC. DBA/ TRANSWESTERN, a Texas Corporation ("Broker") is effective upon execution of this Agreement (the "Effective Date").

1. BASIC AGREEMENT

- a. Subject to the terms and conditions of this Agreement, Owner grants Broker the exclusive right to offer for sale to third parties ("Buyer"), on the terms and conditions set forth in this Agreement, Owner's 1.66 acres of undeveloped land located at 6005 Main Street, Clayton, CA with parcel number 118-560-010 and three (3) parcels totaling 0.65 acres that make up the Creekside Terrace Development with parcel numbers 119-050-009, 119-050-008, 119-050-034 in the City of Clayton, Contra Costa County, California.

- b. Broker shall provide the professional services ("Services") set forth in Paragraph 2 in connection with the sale of the Property, and Owner shall compensate Broker for these Services, in accordance with the terms and conditions of this Agreement.

2. BROKER'S SERVICES

- a. Owner is entering into this Agreement in reliance on Broker's special and unique abilities with respect to performing the Services. Broker accepts the relationship of trust and confidence established between it and Owner by this Agreement. Broker represents and warrants that Broker will use its best efforts, skill, judgment, and abilities to show the Property and offer the Property for sale.

1. "Show the Property", as used in this Agreement, shall mean presenting the Property to prospective Buyers and shall include the methods utilized in marketing the Property. Broker shall notify Owner of the methods Broker proposes to use in marketing the Property, and Owner shall have the right to approve or disapprove such methods. Owner shall make its determination whether to approve or disapprove the marketing methods on the basis of Owner's personal taste, the industry norm in marketing similar properties, and the potential effect of the proposed marketing on Owner's other properties, if any.

- ii. "Offer the Property for Sale", as used in the Agreement, shall mean (1) presenting to the Buyer the terms and conditions upon which the Owner is willing to sell and convey the Property, which terms and conditions will be approved by Owner and presented by Broker in writings; (2) negotiating with the Buyer the terms and conditions upon which Buyer is willing to purchase the Property; and (3) bringing Buyer and Owner to the execution and subsequent closing of a transaction for Buyer to purchase the Property from Owner.

- b. Broker represents and warrants that it will further the interests of Owner in accordance with Owner's requirements and procedures, in accordance

with the highest professional standards, regulations and canons, and in compliance with all applicable national, federal, state and municipal laws, regulations, codes, ordinances, orders, and with those of any other body having jurisdiction.

- c. Broker represents and warrants that there are no obligations, commitments, or impediments of any kind that will limit or prevent performance of the Services. Notwithstanding the foregoing, Owner acknowledges that Broker may represent prospective Buyers and Owner consents to such dual representation so long as Owner is properly notified of such dual representation.
- d. Broker represents and warrants that all of the Services to be furnished by Broker pursuant to this Agreement from its inception until the closing of the sale of the Property shall be of the type, standard and quality that prevail among brokers of superior knowledge and skill engaged in commercial real estate brokerage practice.
- e. Broker represents and warrants that all its agents performing this brokerage listing will be duly licensed under the appropriate real estate licensing acts. The agent(s) primarily responsible for performing services under this listing is (are) Edward Del Beccaro, Managing Director license # 00642167, Colby Mikulich Senior Associate license # 01755707 and Sean Barter Associate license # 01920111. Broker represents and warrants that it will furnish efficient business administration and superintendence and perform the Services in the best way and in the most expeditious and economical manner consistent with the interests of Owner.
- f. Without limiting the generality of the foregoing, Broker agrees to:
 - i. Prepare and present in writing to Owner a marketing program within the first thirty (30) days of this Agreement. Owner reserves the right to edit, alter, change, and otherwise modify the program as it deems appropriate.
 - ii. Advertise, as appropriate, in newspapers, trade journals, and other publications as both parties agree in writing, with all advertisements to be approved by Owner prior to commitment.
 - iii. Prepare and produce an Offering Memorandum, subject to Owner's approval, for presentation to prospective purchasers.
 - iv. Prepare and produce detailed data as required to support and/or supplement the Offering Memorandum, which data is to be furnished to prospective purchasers displaying interest in the Property; such data and any modification(s) thereof are to be approved by Owner prior to distribution.
 - v. Provide written reports to Owner no later than the end of each calendar month, and biweekly oral reports describing the Broker's efforts, progress, and strategies.
 - vi. Communicate all purchase offers to Owner, and respond thereto as instructed by Owner.

3. INDEPENDENT CONTRACTOR

Broker is acting as an independent contractor in its capacity under this Agreement. Nothing contained in this Agreement or in the relationship of Owner and Broker shall be deemed to constitute a partnership, joint venture, employer/employee or any other relationship between Owner and Broker except

as limited by the terms of this Agreement. Broker's authority is limited to performing the Services in accordance with the terms in this Agreement. Broker does not have any authority to execute any contracts for or on behalf of Owner.

4. TERM

This Agreement shall be in effect for a period of 365 days commencing with the execution date first set forth hereinabove; provided, however, that after the initial 90 days of the term, Owner or Broker shall have the right and option to cancel this Agreement, with or without cause, by giving written notice to the other party and any such cancellation shall be effective thirty (30) days after the date of delivery of such notice.

5. BROKER COMMISSION

a. Except as provided below, Owner agrees to pay Broker a sales commission equal to six percent (6%) of the gross sales price of the Property. Said commission shall be earned if, during the term hereof (or thereafter as provided in paragraph 5(c) below), a Buyer is procured by Broker, Owner or anyone else, and the sale to such Buyer is subsequently consummated and closed. The provision for the commission to be paid when an outside cooperating broker is involved is detailed in paragraph 5b.

b. After the expiration of the initial forty-five (45) days of the term hereof, Broker agrees to cooperate with other real estate brokers who are validly registered with, and recognized by, Broker as representing prospective buyers. If the sale of the Property is achieved through such a cooperating broker, Owner will pay a total commission of six percent (6%) of the gross sales price. Broker will compensate the cooperating broker from the commission paid by Owner, provided that in no event shall the Broker's net compensation (after payment to the cooperating broker) be less than three percent (3%). For the purposes of this paragraph, if any agent or broker licensed with Broker (or its affiliate), other than those named in paragraph 2(c) hereinabove, represents the Buyer, such agent or broker shall be deemed to be a cooperating broker. Broker agrees to indemnify, defend and hold Owner harmless from any and all claims and expenses, to the limit of the sales commission, for additional brokers' or finders' fees arising from Broker's dealings in connection with this Agreement.

c. If within 270 days after the expiration or the earlier termination of this Agreement, all of or any part of the Property is sold, or Owner enters into a contract leading to the sale of all or any portion of the Property, Owner shall pay to Broker the commission specified above, provided (i) that Broker presented the Property to Buyer before the expiration or termination of the Agreement, (ii) that the Buyer was on a list of bona fide prospects furnished by Broker to Owner within ten (10) days following the expiration or earlier termination of the Agreement, and (iii) that the sale to such Buyer is actually consummated.

d. If the Property is sold, the commission provided for hereinabove shall be paid at closing (i.e., upon delivery of all closing documents and the transfer of title from Owner to Buyer) either directly from Owner's proceeds of sale or from other funds provided by Owner at closing. Should any proposed transaction under contract fail to be consummated as provided hereinabove for any reason other than the willful refusal of the Owner to close, Broker shall not be entitled to any commission or other compensation whatsoever.

e. If a sale takes place between the City of Clayton and George Chen for the three (3) parcels totaling 0.65 acres that make up the Crowside Terrace Development with parcel numbers 119-050-009, 119-050-008, 119-050-

034 in the City of Clayton, Contra Costa County, California, then no commission is due or payable to Transwestern.

6. DEFAULT AND REMEDIES

- a. A party's failure or refusal to perform or observe any obligation, covenant, or condition of this Agreement, which failure or refusal is not cured by such party within ten (10) days of its receipt of written notice from the other party detailing the existence and nature thereof, shall constitute an "Event of Default".
- b. Should an Event of Default occur, the non-defaulting party may, at its option, in addition to all other rights and remedies given under this Agreement or by law or in equity, terminate this Agreement immediately.
- c. No failure by a party to insist upon the strict performance of any obligation, covenant, agreement, term, or condition of this Agreement, or to exercise any right or remedy available upon a breach or any subsequent breach of such obligation, covenant, agreement, term, or condition, shall act as a waiver of any rights or remedies of such party under this Agreement. No obligation, covenant, agreement, term, or condition of this Agreement, and no breach of this Agreement shall be waived, altered, or modified, except by written instrument. No waiver of any breach shall affect or alter this Agreement, but each and every obligation, covenant, agreement, term, and condition of this Agreement shall continue in full force and effect with respect to any other then-existing or subsequent breach of this Agreement.

7. OWNER'S OBLIGATIONS

- a. Owner shall provide Broker with such material and information in its possession concerning the Property as is reasonably requested, including, without limitation, any environmental surveys, studies or reports.
- b. Owner shall promptly respond to any and all purchase offers presented to Owner by or through Brokers.
- c. Owner shall remain the sole Owner of the Property and shall not be or become a "foreign person", as defined in the Foreign Investment in Real Property Tax Act.
- d. Owner shall (i) refer promptly to Broker all inquiries and offers regarding the Property made directly to Owner by prospective purchasers or their cooperating brokers; (ii) identify in writing any proprietary information furnished to Broker's use only, which is not to be duplicated or shown to any other party; and (iii) permit inspection of the Property only by those accompanied by an authorized representative of the Broker.
- e. Owner shall disclose to all prospective purchasers of the Property the fact that Broker is the exclusive sales agent on the Property and as such shall have its name included in any sales contract. Owner shall deliver copies of any and all executed sales contracts to Broker.

8. INDEMNITY AND HOLD HARMLESS

- a. Broker agrees to indemnify, defend and hold harmless Owner from and against all demands, damages, expenses (including reasonable attorney's fees and costs), claims or causes of action brought or instituted by third parties against Owner (or its officers, members, partners, employees, agents or representatives) arising out of, caused by, or resulting from (i) the gross negligence, wrongful conduct or misrepresentation of Broker (and/or its agents, employees, or persons acting under Broker's control) in

performing the Services hereunder; or (ii) the acts of Broker which are in violation of, or beyond the lawful scope of, the Broker's authority under this Agreement.

- b. Owner agrees to indemnify, defend and hold harmless Broker from and against all demands, damages, expenses (including reasonable attorney's fees and costs), claims or causes of action brought or instituted by third parties against Broker (or its officers, employees, agents or representatives) arising out of, caused by, or resulting from (i) the proper and authorized acts and conduct of Broker (and/or its agents, employees, or persons acting under the Broker's controls) in performing the Services hereunder; or (ii) the gross negligence, wrongful conduct or misrepresentation of Owner (and/or its officers, members, partners, employees, agents and representatives).

9. NON-DISCLOSURE

Broker agrees that during the term of this Agreement and thereafter, it will not divulge to third parties without the consent of Owner (unless required by law) any non-public information obtained from or through Owner relating to the Property in connection with this Agreement.

10. NOTICE

Any notice in this Agreement provided or permitted to be given, made, or accepted by either party to the other, must be in writing and may be given or serviced by depositing the same in the United States mail, postpaid, registered or certified, return receipt requested, addressed to the party to be notified, or by delivering the same to an officer or agent of such party, or by delivering same by reputable overnight courier service, when appropriately addressed to the party to be notified. Notice deposited in the mail in the manner described in this Section 10 shall be effective from and after the expiration of three (3) days after it is so deposited. Notice given in any other manner shall be effective only if and when received by the party to be notified. Copies of all notices shall be fixed on the same day as they are mailed or sent out for delivery. For purposes of this Notice, the addresses of the parties, until changes are afterwards provided in writing, shall be as follows:

To Owner: City Hall
6000 Heritage Trail
Clayton, CA 94517
Attn: Gary A. Napper, City Manager
Fax: (925) 672-4917

To Broker: Transwestern Property
Company West, Inc. d/b/a
Transwestern ("Broker")
500 Ygnacio Valley Rd. Suite 100
Walnut Creek, CA 94596
Attn: Edward Del Beccaro, Managing Director
Fax: (925) 357-2001

11. NEGOTIATIONS

Broker shall have the right to negotiate the proposed terms and conditions of sale for the Property, provided Owner shall have the sole right to approve all such terms and conditions, it being specifically understood and agreed that Broker shall have no authority to bind Owner to proposed terms and conditions and that Owner reserves the sole right and option to accept or reject any proposed terms and conditions presented to Owner by Broker. Owner shall have no obligation to Broker for the commission provided for herein by reason of Owner's having rejected any proposed terms and conditions.

12. RECORDS AND AUDIT

Broker shall keep adequate files, books and records relating to performance of the Services under this Agreement, and all such books and records shall be available at reasonable times to Owner or its designated representatives during a period ending three (3) years following the date of expiration or earlier termination of this Agreement. Owner's representative shall have the right to copy all such files, books and records.

13. GOVERNING LAW

This Agreement, and its interpretation, construction and enforcement, shall be governed by the substantive laws of the state in which the Property is located.

14. OFAC REPRESENTATIONS, WARRANTIES, AND INDEMNIFICATION

Owner represents and warrants that (i) it is not, and none of its partners, members, managers, employees, officers, directors, representatives or agents is, a person or entity with whom U.S. persons or entities are restricted from doing business under regulations of the Office of Foreign Asset Control ("OFAC") of the Department of the Treasury (including those named on OFAC's Specially Designated and Blocked Persons List) or under any statute, executive order (including the September 24, 2001, Executive Order Blocking Property and Prohibiting Transactions with Persons Who Commit, Threaten to Commit, or Support Terrorism), or under any other law, rule, order, or regulation that is enforced or administered by OFAC (such persons and entities each being a "Prohibited Person"); (ii) it is not acting directly or indirectly, for or on behalf of any Prohibited Person; (iii) it is not engaged in this transaction, directly or indirectly, on behalf of, or instigating or facilitating this transaction, directly or indirectly, on behalf of any Prohibited Person; and (iv) it will not contract with or otherwise engage in any dealings or transactions or be otherwise associated with any Prohibited Person.

Owner hereby agrees to defend, indemnify, and hold harmless Broker from and against any and all claims, damages, losses, risks, liabilities, and expenses (including attorney's fees and costs) arising from or related to any breach of the foregoing representations and warranties.

15. ENTIRE AGREEMENT; BINDING EFFECT

This Agreement shall constitute the entire agreement between Broker and Owner and no change, modification or amendment shall be effective until and unless made in writing and signed by the parties hereto. This Agreement shall be binding upon any successors or assigns of Broker or Owner. The persons executing this Agreement for Owner and Broker each respectively represent and warrant to the other party that they are duly authorized to do so on behalf of such party.

Signatures on next page.

IN WITNESS WHEREOF, the undersigned parties have executed this Agreement, under seal, as of the date first set forth hereinabove.

CITY OF CLAYTON, CA ("Owner")

By: 
Name: GARY A. NAPPO 04-02-14
Title: CITY MANAGER

Edward Del Beccaro, Managing Director d/b/a
Transwestern ("Broker")

By: 
Name: Edward Del Beccaro
Title: MB Director

3-28-14

TRANSWESTERN



Edward Del Beccaro

**Senior Managing Director
Healthcare Advisory Services**

TRANSWESTERN ROLE

As Senior Managing Director of the Transwestern Walnut Creek East Bay and Silicon Valley offices, Ed manages a full service real estate operation with office, retail, industrial, medical, land investment, residential mixed-use land, multi-family, leasing and investment sales capabilities, construction, property management and project management. The Walnut Creek and San Jose offices now have 35 plus brokers, property management and staff.

CAREER HIGHLIGHTS

Ed's career spans 37 years in the real estate industry in the San Francisco Bay area. He originally started his career with Grubb & Ellis in 1977. Ed also worked in the development area with CYGNA Engineers and his own development company from 1983-1992. In 1999, Ed opened the Colliers Parrish International office in Walnut Creek, where he was instrumental in the growth and development of the transaction services and property management divisions. Ed was also a principal in a firm that developed residential and multi-family properties in San Francisco and East Bay. Ed's background includes brokerage, property development (commercial/residential) and property management including, property entitlement and consulting services. Ed is a specialist in office leasing/sales, distressed properties, land sales, commercial/residential mixed-use downtown projects, medical leasing, securing project entitlements, real estate valuation, and has leased/sold over five million square feet of office, mixed-use residential and medical properties. Ed is a frequent speaker on real estate, business development topics, work force issues and downtown suburban/urban redevelopment trends.

PROFESSIONAL AFFILIATIONS/RECOGNITION

- Vice Chair, Economic Alliance for Business (EDA); Executive Committee member since 1994 ; Co-chair of Legislative & Endorsement Committee
- Board of Directors, East Bay Leadership Council/Contra Costa Council; Past President, 1989-1991; Past Vice President, 1983-1988;
- California Jobs & Housing Coalition, Exec. Board Member; Oakland, 2010-present
- Member of International Council of Shopping Centers (ICSC); 1994-present
- I-Gate member 2012-present and NAIOP member 2010-present
- California Technology Council Board Member 2014-present
- Member of Walnut Creek, Oakland & Concord Chamber of Commerce
- Chamber Music San Francisco Board Member 2014-present
- California Shakespeare Theater, Vice President 2005; Board of Directors 2002-2012
- Saint Mary's College School of Education, Corporate Advisory Board 2005-2007
- Current BOD & Past President, Walnut Creek Library Foundation 2004-present
- Past Officer & Board Trustee of JFK University 2004-2009


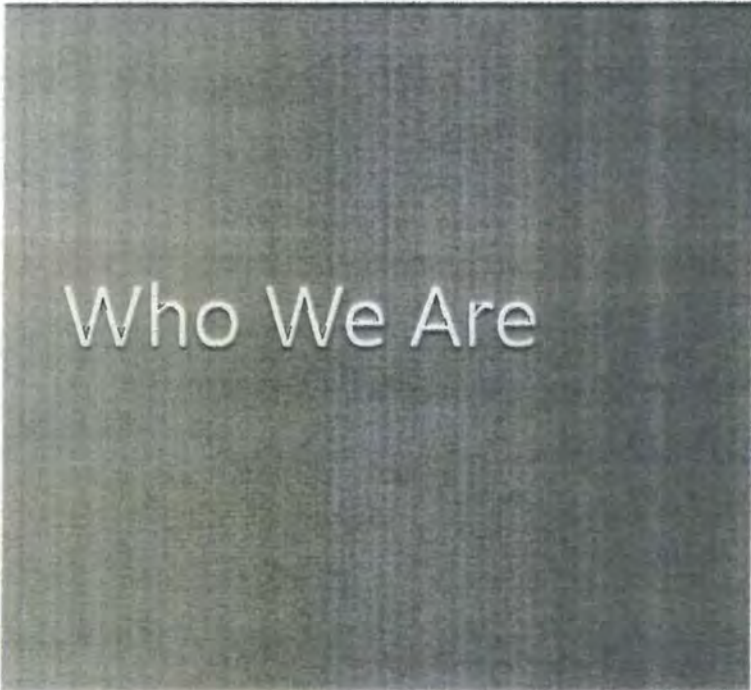
EDUCATION

Ed earned his bachelor's degree in philosophy from Stanford University. He is a licensed California broker (LIC #00642167).

What We
Believe In!



**Bringing a higher quality of life to
the senior residents and
communities we serve.**



Who We Are



Fulcrum Real Estate Development and Chronograph Properties are partners in the development and operations of assisted living and memory care communities.

We both bring strengths that include site acquisition, obtaining entitlements, permitting, construction and continued operations.

We are long term owners.

Our sole focus is senior housing.

Integrated Approach

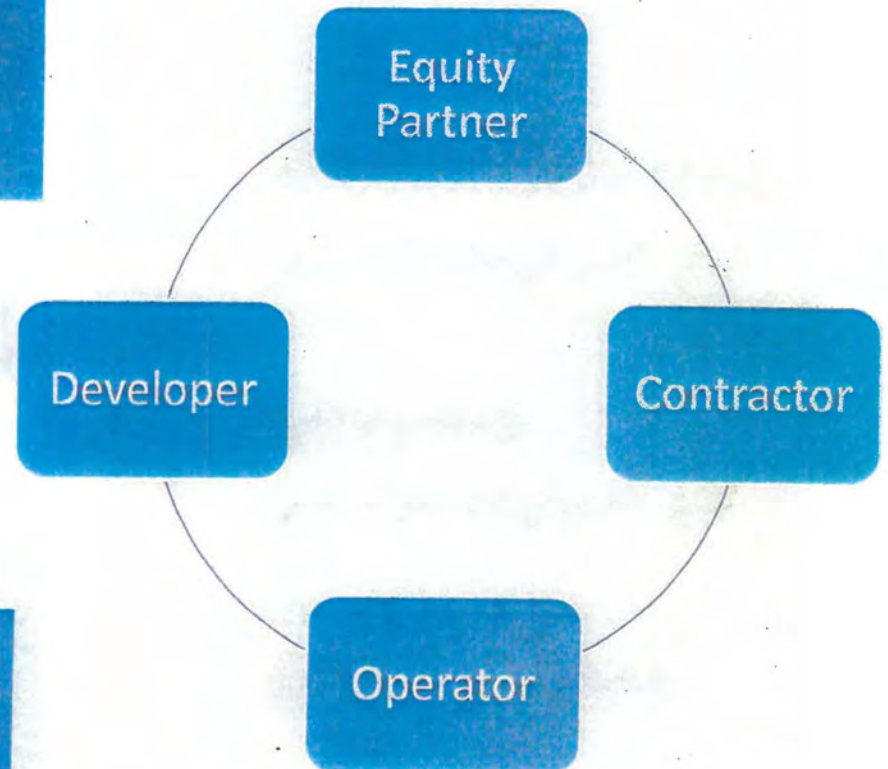


Developer

Equity Partner

Contractor

Operator




Equity and
Financing

MEYER[®]
CORPORATION

Equity In Place

No Qualifying for
Purchase

No Qualifying for
Construction Loan




Development Experience

David Ford – over 40 years experience in real estate and development. Responsible for over \$12B in assets within the Western Region.

Steve Ring – over 35 years experience in real estate and development. Responsible for over \$16B in assets and 27M square feet in Bay Area.

Jason Reyes – over 15 years experience in senior living operations and development in the Bay Area.



Operations
Experience

Jason Reyes – over 15 years experience in senior living operations and development in the Bay Area.





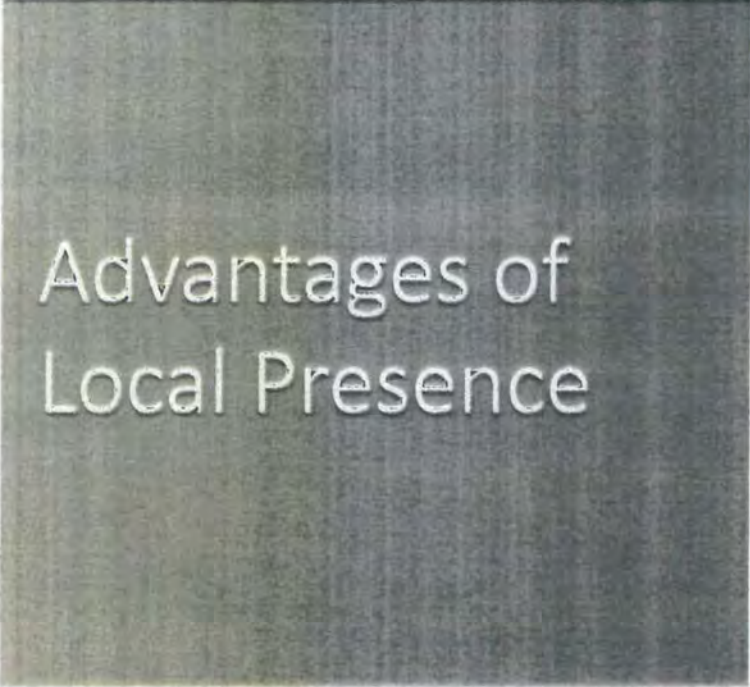
Chronograph Properties started as a family based operations in the Solano County region and has expanded throughout the Bay Area. Chronograph Properties has a regional management team with an average of 30 years experience in the industry.

Construction
Experience

BLUE MOUNTAIN
ENTERPRISES

Blue Mountain Enterprises – established in 1982 and based in Solano County is a renowned contractor specializing in Senior Living, Multi-Family, Single-Family, HVAC and other Construction Services. Pacing over \$217M in revenue for 2017.

BME is a wholly owned subsidiary of Meyer Corporation (www.meyer.com). A 100 year old company with \$1 billion revenue in 2016. Second largest manufacture and distributor of pots & pans in the WORLD.



Advantages of Local Presence

Current with Local Planning and
Development Standards

Long History of Working With
Local Vendors and Consultants

Long Term Relationships with
Architects, Project Managers,
Contractors

Helped Develop California Green
Codes, Title 24 and Sustainability

Access to Nearby Staffing and
Resources

Recent and Current History of
Local Construction



Operating Communities



Rockville Terrace
4625 Mangels Blvd., Fairfield CA 94534
148 Total Units -112 Assisted Living, 36 Memory Care
Opened September 2016
82% occupied

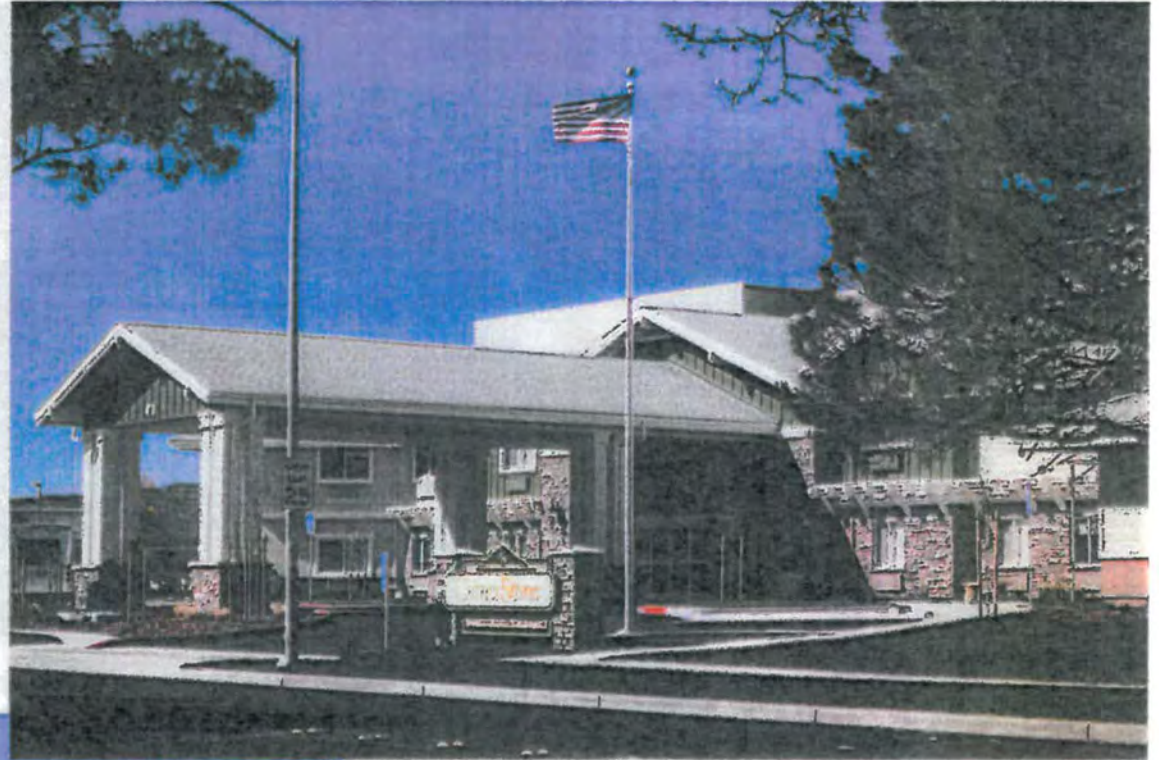


Rockville Terrace



Rockville Terrace

Operating Communities



Cornerstone Assisted Living
40 Orange Tree Circle, Vacaville CA 95687
112 Total Units – Assisted Living Only
Opened September 2014
98% occupied



Cornerstone Assisted Living

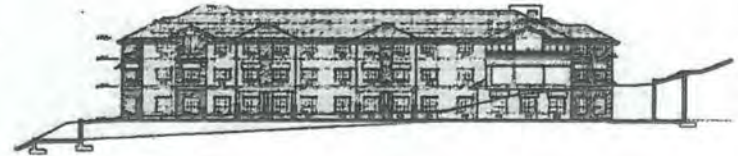
Communities Under Development



The Lodge at Glen Cove
Glen Cove Marina Road, Vallejo CA
Proposed 111,000 square feet - 140 Total Units
Projected Opening Date – Spring 2019



WEST ELEVATION



SOUTH ELEVATION



WEST ELEVATION

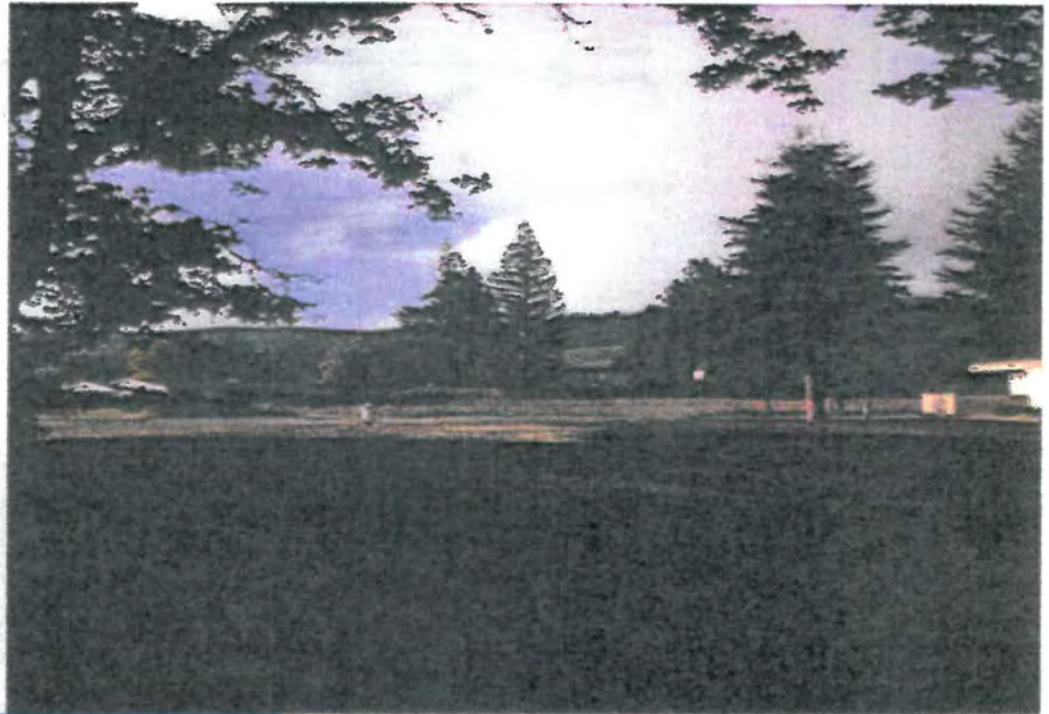


WEST ELEVATION

THE LODGE AT GLEN COVE
ARCHITECTS

The Lodge at Glen Cove

Communities Under Development



San Ramon Memory Care
19001 San Ramon Valley Blvd, San Ramon, CA
Proposed 25,000 square feet – 50 Units
Projected Opening Date – Spring 2019

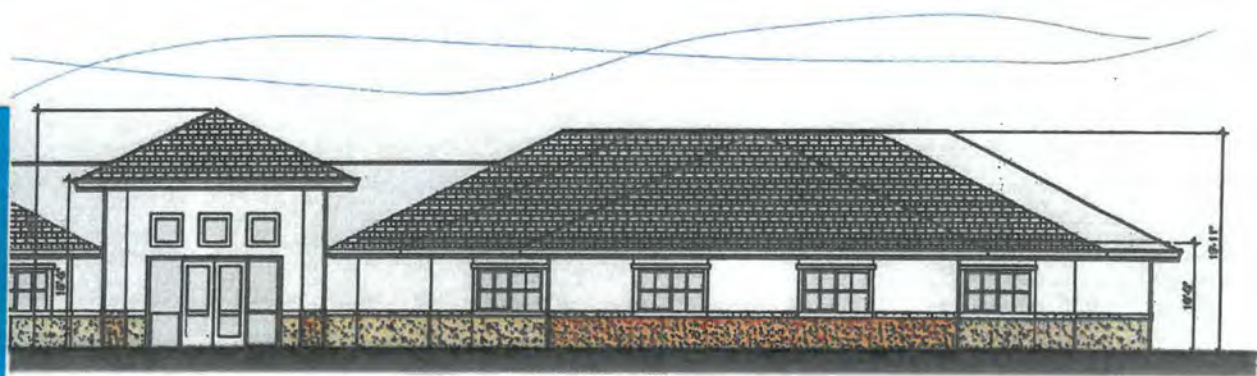


San Ramon Memory Care

Communities Under Development



Bakersfield Senior Village
5151 Knudsen Drive, Bakersfield, CA
Proposed 37,000 square feet – 68 Units
Projected Opening Date – Summer 2018



Bakersfield Senior Village

Communities Under Construction



Cornerstone Memory Care
80 Orange Tree Circle, Vacaville CA 95687
50 Memory Care Units
Projected Opening – February 2018

Community
Sites
Under Contract



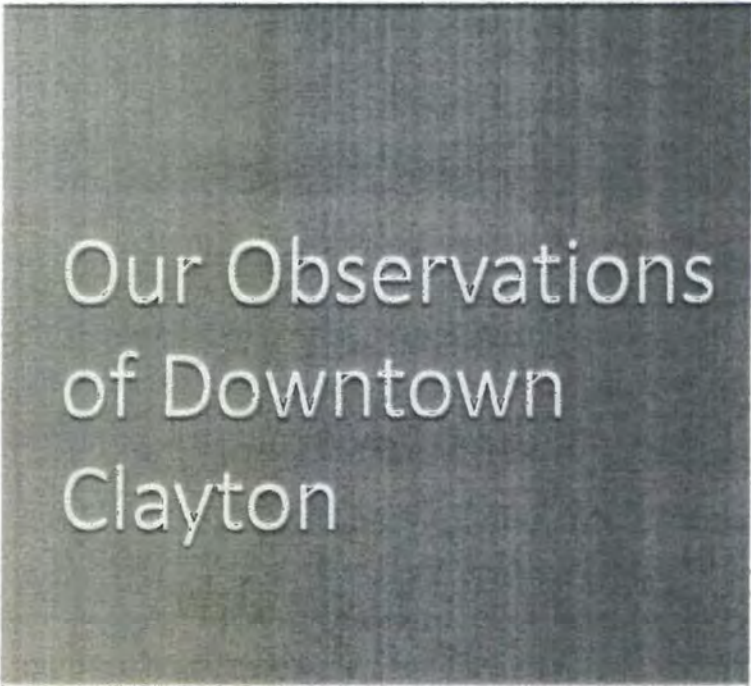
Los Gatos CA

El Dorado Hills CA

Sausalito CA

San Jose CA






Our Observations of Downtown Clayton




Sense of Small Town Community.

Limited Neighborhood Based Retail.

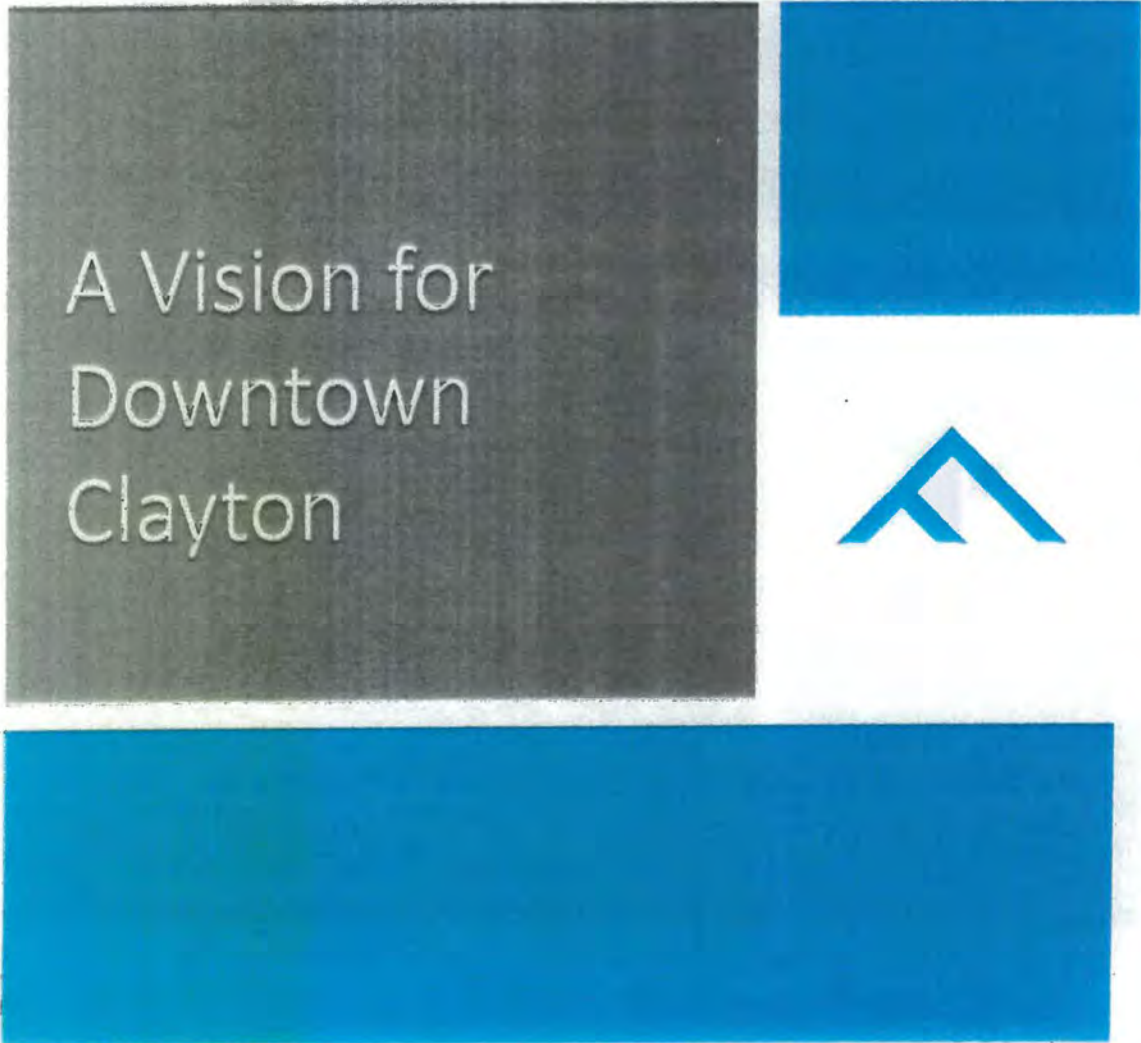
Bocci Courts and West End of downtown draws residents on warm evening and weekends.



Bike/walking path connects the City offices and Library to Main Street.



Currently, the subject parcel is used for overflow parking for events such as the City Christmas Tree Lighting.



A Vision for Downtown Clayton



Keep the Small Town Feeling.

Bring residents Downtown and invigorate the community during hours other than evenings and weekends.


Maintain a low traffic impact and create a walkable community.

Reinvigorate the bike/walking path so residents can use the library and City offices.

Create an outside sitting area for Clayton residents to enjoy. Patio tables and chairs and beverages.



Our Vision for The Grand Oak




Bringing needed assistance to over 100 Clayton senior citizens

Utilizing the walkability paths to the library or parks and trails that surround Main Street

Add additional retail to the area such as coffee and baked goods that will attract Clayton residents to mingle or stay downtown under patio umbrellas and tables.

Community based events at the *Grand Oak*.

Integrate more seniors into events and programs in Clayton.





Advantages of Our Team



Principals/Decision Markers are Northern California Based.

Nearly 100 Combined Years of Experience within the Bay Area.

Integrated Approach has Equity and Debt in Place from Day One.

Long Term Relationships with Local Architects, Project Managers, Contractors.

Accessibility to Nearby Staff & Resources.

"Best of" Awards For Level of Care in multiple communities.

Long-Term Holder of Real Estate.

Solely Focused on Senior Housing.



ENTITLED MIXED-USE DEVELOPMENT OPPORTUNITY

CREEKSIDE TERRACE

1005 - 1007 Oak Street, Clayton, CA

Edward F. Del Beccaro
Senior Managing Director
Walnut Creek, Oakland & Silicon Valley
925.357.2019
ed.delbeccaro@transwestern.com
uc 00642167

Matt Hatfield
Associate
925.357.2028
matt.hatfield@transwestern.com
uc 01937755



TRANSWESTERN®

www.transwestern.com/walnutcreek

CREEKSIDE TERRACE www.TowneCentreClayton.com
1005 - 1007 Oak Street, Clayton, CA

ENTITLEMENT

The proposed project involves the removal of two existing single-story modular structures and the construction of a two-story mixed-use building. The ground floor is proposed to consist of approximately 7,200 SF of retail space. The second floor of the building would consist of seven (7) residential units with a community room and laundry/storage room that overlooks Mitchell Creek to the west.

Entitlement expires January 2017.

PROPERTY HIGHLIGHTS

- **Condition: 2 existing single story modular structures:**
- 1005 Oak Street: $\pm 2,360$ SF
- 1007 Oak Street: $\pm 1,680$ SF
- Lot: $\pm 32,632$ SF (0.75 acres)
- APN: 119-050-009; 119-050-008; 119-050-034
- 2013 Combined Tax Assessment Value: \$532,740
- Potential flexibility for city-encouraged uses and development proposals

LOCATION HIGHLIGHTS

- Located adjacent to Clayton Road, which has $\pm 24,195$ AADT
- Approximately 15 minutes from downtown Walnut Creek and less than 50 minutes to downtown San Francisco
- Adjacent to public transportation; just one block from Contra Costa County bus line

FOR MORE INFORMATION

Edward F. Del Beccaro
Senior Managing Director
Walnut Creek, Oakland & Silicon Valley
925.357.2019
ed.delbeccaro@transwestern.com
LIC 00642167

Matt Hatfield
Associate
925.357.2028
matt.hatfield@transwestern.com
LIC 01937755



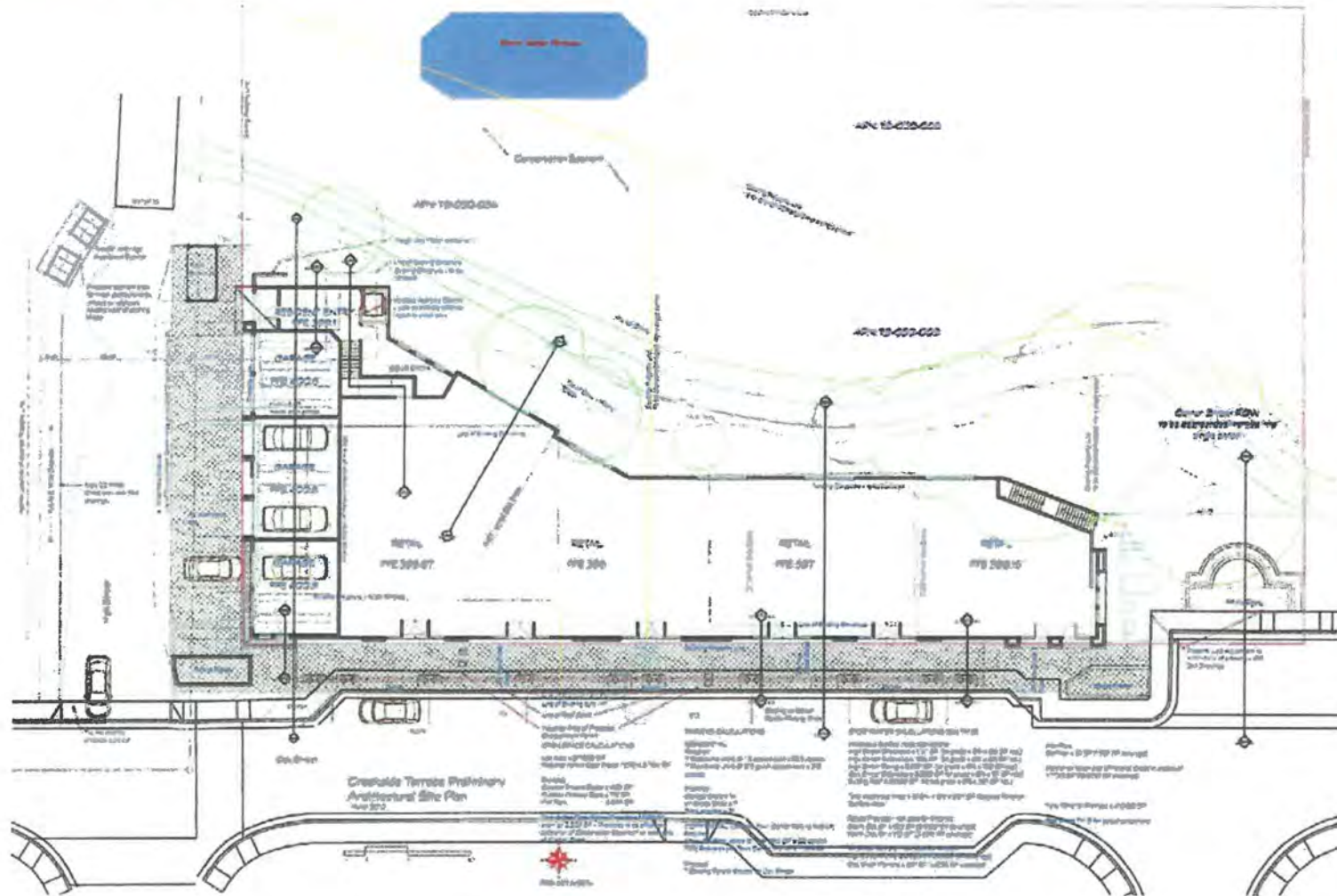
500 Ygnacio Valley Road, Ste. 100
Walnut Creek, CA 94596
CA BROKERAGE LIC 01263636
T 925.357.2000 F 925.357.2001

www.transwestern.com/walnutcreek

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CREEKSIDE TERRACE www.TowneCentreClayton.com
 1005 - 1007 Oak Street, Clayton, CA

SITE PLAN



FOR MORE INFORMATION
Edward F. Del Beccaro
 Senior Managing Director
 Walnut Creek, Oakland & Silicon Valley
 925.357.2019
ed.delbeccaro@transwestern.com
 Lic 00642167

Matt Hatfield
 Associate
 925.357.2028
matt.hatfield@transwestern.com
 Lic 01937755



500 Ygnacio Valley Road, Ste. 100
 Walnut Creek, CA 94596
 CA BROKERAGE LIC 01263636
 T 925.357.2000 F 925.357.2001

www.transwestern.com/walnutcreek

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CREEKSIDE TERRACE www.TowneCentreClayton.com
1005 - 1007 Oak Street, Clayton, CA



NEW DEVELOPMENTS

Downtown property owner Lester "Skip" Ipsen, in partnership with the Clayton Business and Community Association (local chamber of commerce) and community donors, have constructed a bocce court center in Downtown Clayton! The Ipsen Family Bocce Park, located directly across the street from Clayton Towne Centre, has become a great place for members and visitors of the community to compete, have fun, and meet new people. The attractive new courts and latest addition to downtown nightlife should complement any new development Downtown.

FOR MORE INFORMATION

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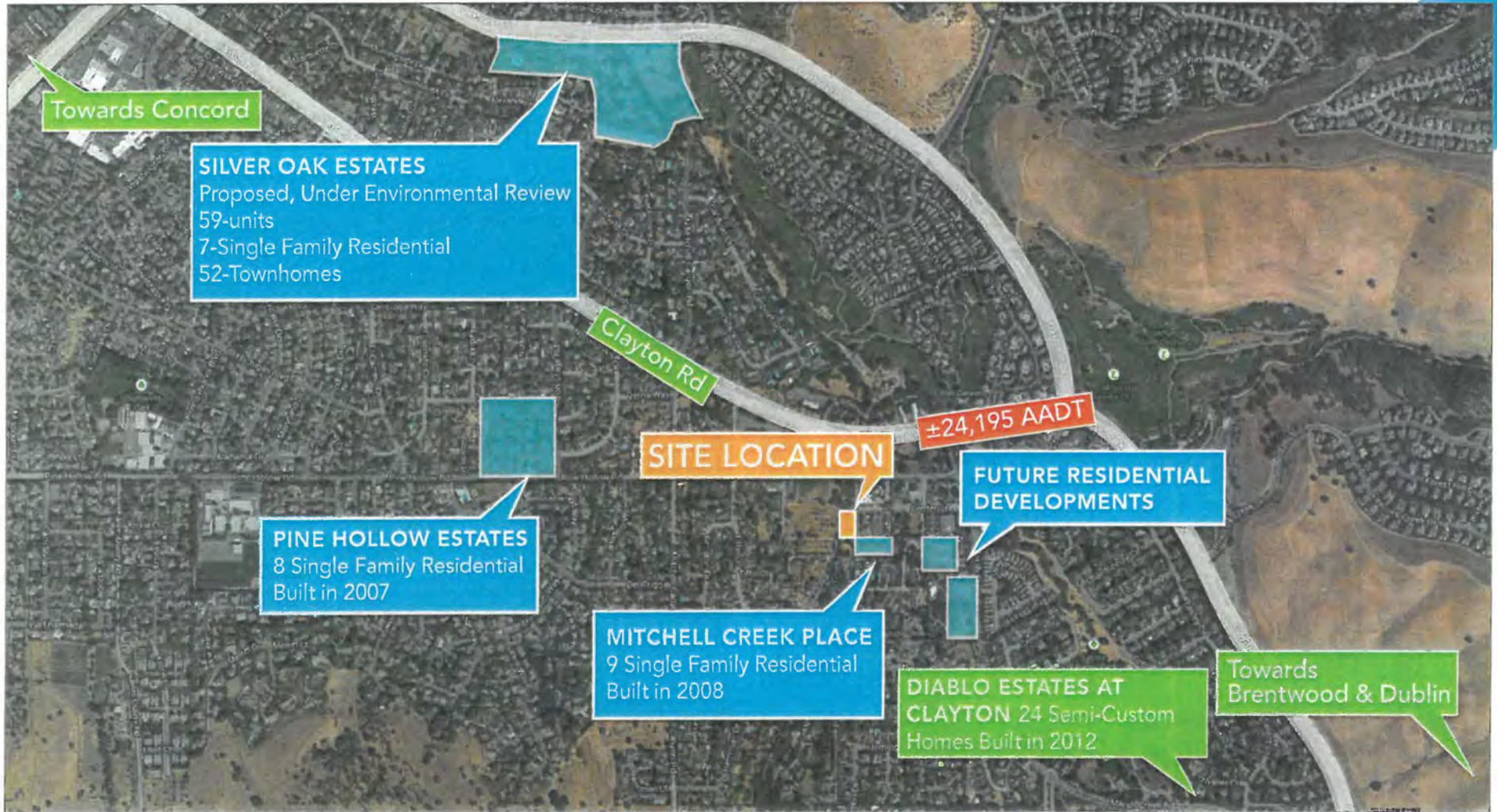
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www.transwestern.com/walnutcreek

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CREEKSIDE TERRACE www.TowneCentreClayton.com
1005 - 1007 Oak Street, Clayton, CA

AERIAL MAP



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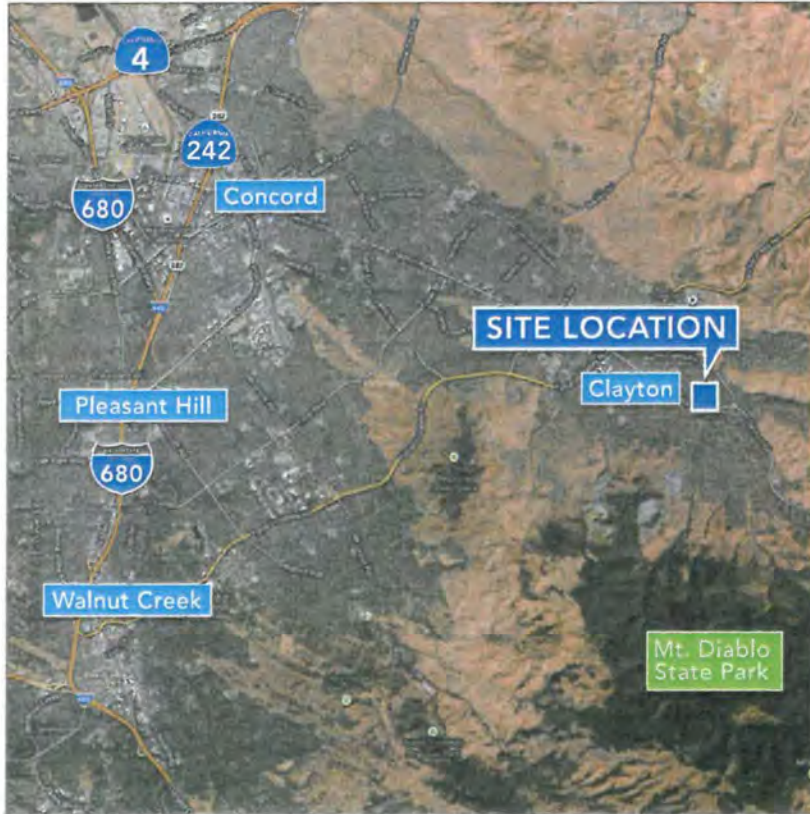
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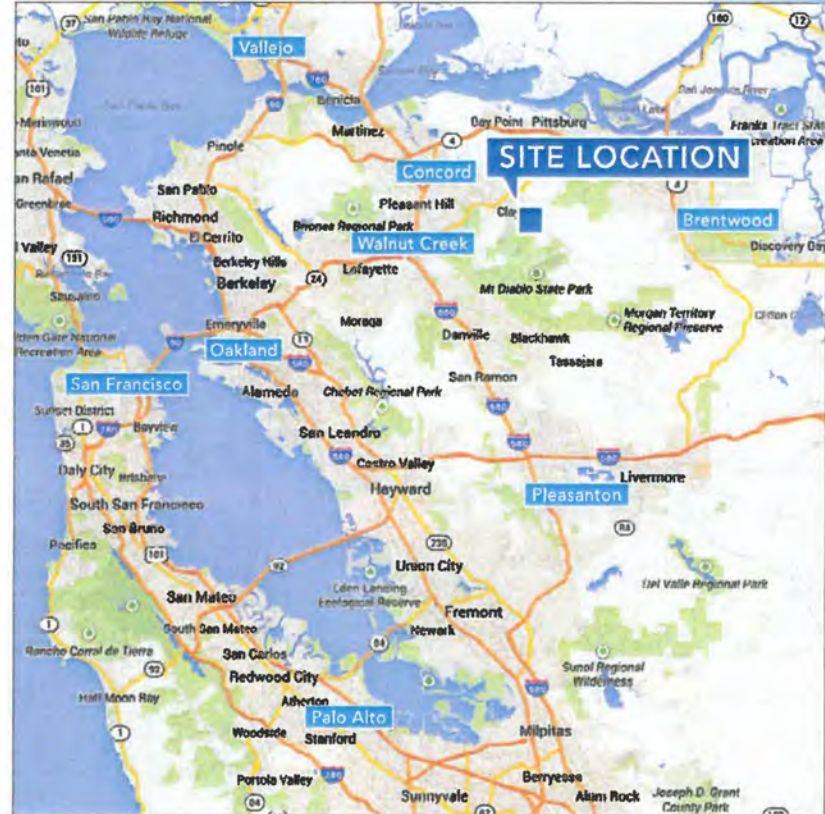
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EAST BAY LOCATION MAP



BAY AREA LOCATION MAP



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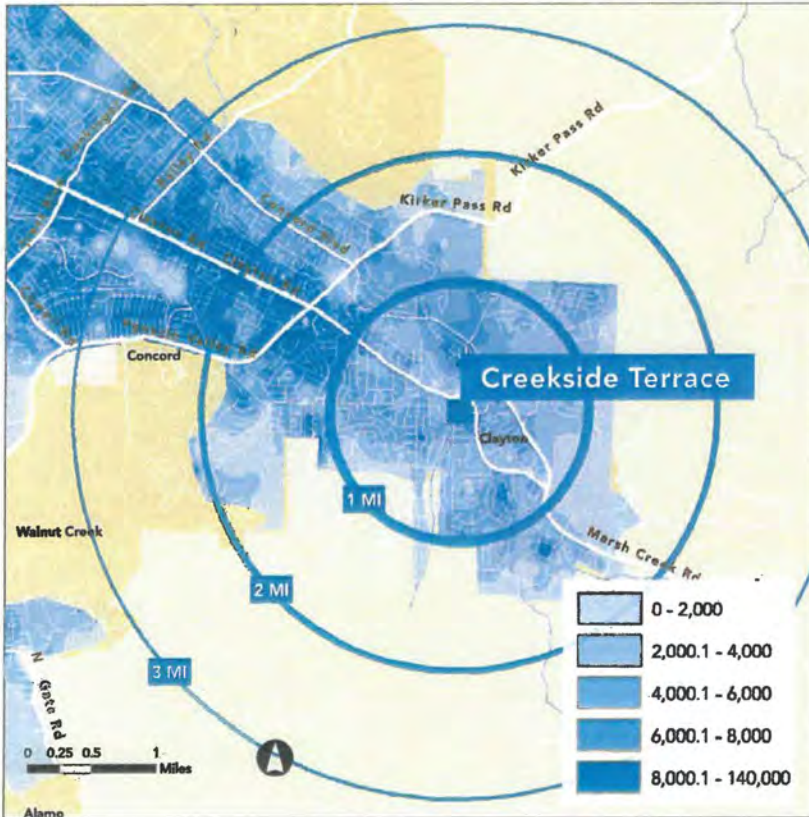
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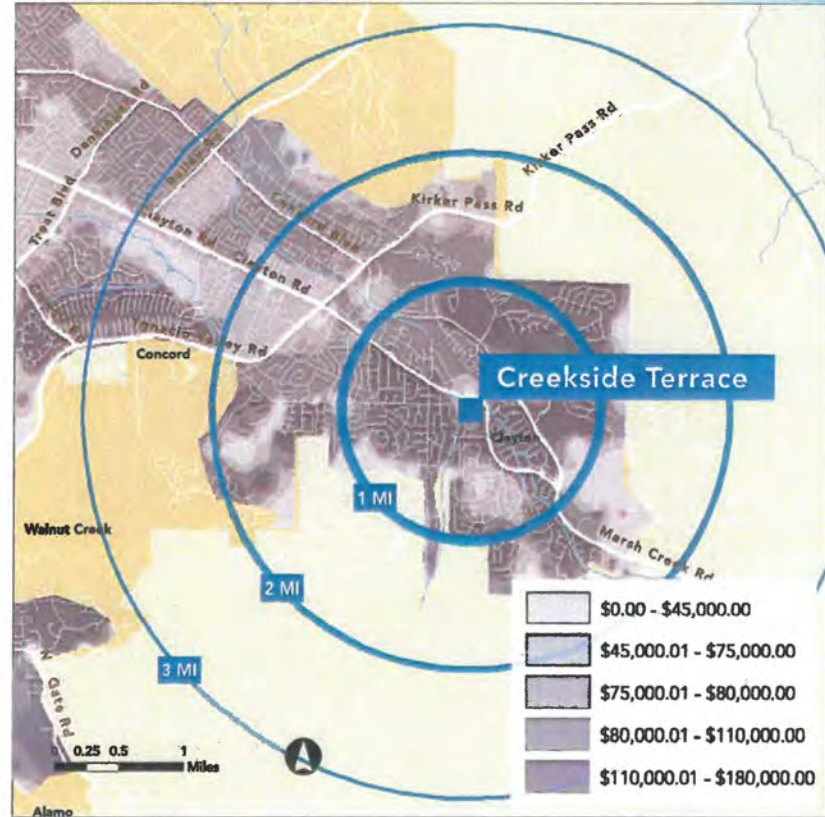
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DEMOGRAPHICS - POPULATION DENSITY



DEMOGRAPHICS - MEDIAN HOUSEHOLD INCOME



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Agenda Date: 1-16-2018

Agenda Item: 8a

Approved:


Gary A. Napper, City Manager

STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: Laura Hoffmeister, Asst. to the City Manager 

MEETING DATE: January 16, 2018

SUBJECT: Presentation and Acceptance of the 2016-17 Annual Citizens Oversight Report by the Trails and Landscape Committee for Measure B, Citywide Landscape Maintenance District

REQUESTS

1. Consider and accept the Annual Report for 2016-17 from the Citizens Oversight Committee [Trails and Landscape Committee (TLC)] as stipulated in Measure B as approved by the voters for the Community Facilities District Funding of the City of Clayton roadway landscaping, trail and openspace maintenance (Landscape Maintenance District).
2. Discuss and clarify the TLC's role as an "oversight" committee for the Landscape Maintenance District.

BACKGROUND

Measure B was passed by the voters of Clayton in June 2007 which established special district funding for the Citywide Landscape Maintenance District through June 31, 2017 (note: Measure H passed by the voters in June 2016, extended the LMD special tax through June 31, 2027). The measure called for the preparation of an Annual Report by a Citizens Oversight Committee to be prepared and submitted to the City Council. The Trails and Landscaping Committee (TLC) is the local name approved by the City Council to refer to the Citizens Oversight Committee called for in the measure.

The TLC has prepared the attached Annual Report for the City Councils consideration and acceptance. The TLC report shows that the revenue received by the special tax (Measure B) was spent for the Landscape Maintenance District activities as established by the voters. The TLC independently prepared the report and at its December 4, 2017 meeting, reviewed and unanimously approved the report to be forwarded to the City Council for its acceptance (vote 6-0).

The report provides information and highlights of the Fiscal Year 16-17 Landscape Maintenance District activities.

IMPLEMENTATION QUESTION

The current TLC is asking the City Council to review and discuss the TLC's role and responsibilities as an oversight committee. This topic has only recently arisen during the last couple of TLC meetings. Since its inception staff has consistently implemented its "oversight" role is advisory to review and make funding recommendations to the City Council on matters related to the LMD expenses through the budget adoption process; the annual CPI adjustment, and mid-year budget and review.

The TLC also serves as another avenue for citizens' concerns on LMD issues and for the TLC to make recommendations accordingly. The TLC, as the "Citizens Oversight Committee", is also responsible for compiling an independent Annual LMD Report regarding the revenues and expenses to verify that the special tax funds were collected and used for LMD operations and projects. The original intent was for the committee to be advisory, not direct management over the Districts operations, thereby establishing staff management of the operations. A citizen's advisory committee provides input on overall direction (i.e.: trails maintenance versus landscape projects), and the governing body of the special district retained by and elected accountable body (the City Council).

DISCUSSION

As stated in the TLC Annual Report Memo there are areas the Committee would like discussion and determination by the City Council:

- A. The TLC members *"believe that as part of the oversight responsibilities, the Committee needs to be involved with and approve any capital improvement scope of work. Greater transparency in capital expenditure scope of work would allow oversight of financial efficiency."*
- B. The TLC has asked *"to be included in defining the scope of work (i.e.: construction drawings) for the replacement of the downtown planter boxes before it goes out for bid."*
- C. The TLC has asked *"that the Council suspend approval of this work (replacement of Downtown planter boxes) until the TLC can review the scope of work which we expect will be forthcoming soon."*

City staff has always provided to the TLC a narrative scope of work for the project on several occasions which has been sufficient in past practice. However it became evident from discussions at the last TLC meeting that "oversight" and "scope of work" the TLC desires to have are different from staff's interpretation and historic interaction with the TLC.

For Example (current practice):

The Downtown Planter Boxes Replacement Project encompasses the renovation of all above ground river rock sided boxes on Main Street. The whole replacement will result in a uniform appearance and age, and includes irrigation piping and electrical conduit to each planter box and tree specie. This project was discussed at the TLC June 2017 meeting prior to City Council budget adoption. The TLC did not make any changes to the recommendation of staff for this project. The TLC review and their concurrence with the proposed LMD budget was conveyed by memo to the Finance Manager and reported to the City Council by then TLC committee member AJ Chippero. It should be noted that two of the current TLC committee members were not present at the June meeting. However there was a quorum and the TLC members present made no changes to the recommended project scope and estimated budget costs.

The TLC, upon reviewing the general scope of the capital project, after their initial approval in June 2017, now believes some of the planter boxes do not need to be replaced but could be repaired; and one may not need any work as the species is the crape myrtle and that is the new species that will be used.

The TLC's advisory input goes to the City Council for its determination of project scope. City staff does not automatically change the scope of a project based on TLC advice. The construction drawings of the approved capital improvement are not submitted for review/critique/alternative directions to staff.

The TLC wishes to direct staff on the specifics of District operations and maintenance, including details of capital projects. Staff does not, and cannot take direction from two masters, and City operations are managed by the City Manager. For a variety of reasons, it was never intended nor can it function, to have staff take directions from an advisory committee of citizens; inherent conflicts arise as to opposing viewpoints or management directions. As currently constituted in practice and intent the TLC may advise the City Council of its perspective by the City Council (as District governing board) is the ultimate authority to direct the City Manager on District operations.

The current TLC members would like to include the review and approval, or review and recommendation, of final construction and bid documents prior to going out to bid, as a part of their "oversight". It has been staffs interpretation and operational understanding since 2006 that the Committee is an advisory body and focus on larger policy and project issues, not at the level of construction and bid plan review.

Resolution 08-26 outlines the role of the TLC:

... "a permanent citizens' advisory committee to advise the City Council and City staff on matters related to the operation of the 1997 Citywide Landscape Maintenance District."

- a. Serve as the principal citizens' advisory group to the City Council and city manager pertaining to public roadway landscaping, trails system, the Clayton Fountain, and open space weed abatement services and infrastructure.
- b. Review and recommend policies and practices to the City Council and city manager concerning the care, maintenance, repair, replacement and improvement of the District's assets and infrastructures.
- c. Prepare a public Annual Report to the City Council regarding activities, maintenance and financial status of the District.
- d. Review and recommend an annual District Budget to the City Council prior to the commencement of each fiscal year (July – June).
- e. Assist the City and its staff in the development and recommendation to the City Council of landscaping and system improvements in the District.
- f. Consider and make recommendations to the City Council for the renewal or extension of the Citywide Landscape Maintenance District by the local electorate prior to the District's scheduled expiration in July 2007.
- g. Seek and consider citizen and business person input regarding the daily and future operations and maintenance practices of the District.

- h. Perform other such duties as may be assigned from time to time by the City Council

The above items do not indicate, nor has it been interpreted, that it is within the purview of the committee to direct staff, recommend any particular contracts, or define the scope of a Landscape Maintenance District project. These responsibilities remain under the authority of the City Manager, City Council, and professional staff.

This is consistent with how other local agencies advisory committees operate. Examples of Town of Moraga and City of Pleasant Hill are attached.

Attachments:

Citizens Oversight Committee FY 16-17 Annual Report for the Citywide Landscape Maintenance District

Resolution 38-2007: Appointing an eleven member TLC to serve as the Citizens Oversight Committee

Resolution 08-2006: Establishing and appointing a Citizens Advisory Committee entitled the TLC

Town of Moraga Oversight Committee

City of Pleasant Hill Oversight Committee

Laura/TLC annual report16-17 ccr

City of Clayton



Trails & Landscape Committee ***Draft Annual Report*** **FY 2016-2017**

Trails and Landscape Committee Annual Report FY 16-17

Index:

- Message from the Committee Chair
- TLC Members FY 2016-17
- Landscape Maintenance District Budget Fund 210 for FY 16-17
- Final FY 16 -17 LMD Budget and Adopted LMD FY 17- 18
- LMD Capital Project Status FY Summary
- LMD Maintenance Activity Reports
- Updated TLC Brochure

Report to Clayton City Council from the Trails and Landscape Citizens Oversight Committee

In 2016, the citizens of Clayton approved Measure "H" for renewal of the Landscape Maintenance District to collect tax revenues providing funds for the maintenance of landscaped road medians, trails, and open space. The approved measure stipulates that the expenditures are to be overseen by volunteer Clayton citizens via the Clayton Trails and Landscape Oversight Committee. This report is being provided in partial fulfillment of Committee duties.

Not much occurred during the period of July 2016 – June 2017. The Committee met only once during the period. The activities of the year were mainly maintenance of irrigation systems and trails, pruning and trimming trees and shrubs, and keeping weeds and brush low around open space borders with residential areas for fire risk suppression as needed. The wetter winter caused an increase in grass growth. Greater water availability also allowed more irrigation than in the previous drought years resulting in a 30% increase in water costs. The Keller Ridge tree and shrub replanting was the only capital expenditure completed during the year. The Committee recognizes that the City is short staffed following the departure of Maintenance Supervisor John Johnston and needing an additional Maintenance Worker position.

In August 2016, City Council approved one new full time dedicated Landscape Maintenance Worker bringing up to 6 full time maintenance workers; five are shared with other responsibilities of the city. The City was not at 100% full time maintenance staffing for the entire year due to the timing of some hires and injury/illness of full time staff in the department. Seasonal workers were used to offset and to augment full time staff shortages.

The Committee met again in September 2017 to review the expenditures for the July 2016- June 2017 period and finds that all expenditures are appropriate for the Trails and Landscape District in accordance with the law. Approved capital expenditures for the repair/replacement of the planter boxes on Main Street has not yet gone out for bid.

We find that the review and oversight process needs to be improved. All materials from staff in preparation for meetings should be made available to all Committee members at least two weeks prior to the meeting for ample time to review and clarify. In addition, we believe that as part of the oversight responsibilities, the Committee needs to be involved with and approve any capital improvement scope of work. Greater transparency in capital expenditure scope of work would allow oversight of financial efficiency.

There are two capital expenditure items to be implemented this year. One is a newly identified need for the removal of 18 large Eucalyptus trees in Regency, El Molino and Rachel Ranch trail that pose a threat to structures. The Committee agrees that the Eucalyptus trees should be removed and the bid process is ongoing. The other is to complete delayed implementation to repair and/or replace of the planter boxes on Main Street. The Committee has asked to be

included in defining the scope of work before it goes out for bid. We recommend that the Council suspend approval of this work until the TLC can review the scope of work which we expect will be forthcoming soon.

Finally, I would like to recognize the time and effort of Clayton citizens serving on the TLC fulfilling the requirements of the law to provide Oversight on the Landscape Maintenance District. I believe all members agree they love living in this town.

2016-2017 TLC Members

Citizens and their respective terms who served during the FY 2016-17 as members of the TLC:

Anthony Chippero	December 2015 - July 2017
Carol Herington	December 2015 - December 2017
Dane Horton	December 2015 - December 2017
Carlin Kaplan	December 2015 - December 2017
Howard Kaplan	December 2015 - December 2017
Nancy Morgan	December 2015 - December 2017
Maryann Carroll-Moser	December 2015 - December 2017

In addition the follow City Council Liaisons served during 2016-2017:

Ex-Officio Jim Diaz (Vice Mayor) – June 2016- December 2016
Ex-Officio Alternate Keith Haydon (Council Member) June 2016- December 2016
Ex-Officio Keith Haydon (Vice Mayor) January 2017- June 2017
Ex-Officio Alternate Tuija Catalano (Council Member) January 2017-June 2017

B. Citywide Landscape Maintenance District – Fund No. 210 FY 2016-17 Adopted Budget

In June 2007, Clayton voters approved a replacement real property special tax to continue funding the operation and maintenance of their citywide public landscaped areas. This voter action created the City of Clayton Landscape Maintenance Community Facility District 2007-1 (LMD). This annual tax is restricted to costs associated with: arterial and specified roadway medians and parkways, the trails system, the annual open space non-native invasive weed abatement in city-owned open space of the area hills, the annual open space and trails weed abatement for fire and public safety, landscape and turf irrigation and the monthly maintenance and special occasion/holiday operation of the “Clayton Fountain”.

Maintenance of City Parks is *not* included as an authorized expense under the LMD Act; park maintenance obligations fall to the City’s General Fund. *Citywide public landscaping services have always been funded by a special revenue tax levied on private properties throughout the City.* The LMD completed its 9th year of a 10 year approved operation (Measure B), and its trails and landscaping citizens’ oversight committee (TLC) meets periodically to ensure the promised maintenance standards and efficiencies are achieved and reviews the budget ensuring these special-purpose tax revenues are used for their intended purpose.

Pursuant to the terms of voter-approved Measure B, the special tax rate may be modified annually by the change in the CPI from April to April. In no event shall the tax rate be increased by more than 3% each year. The CPI change (from April 2015 to April 2016) posted at 2.70%.

Since 2008, the LMD has used \$878,711 of these special tax funds for public landscape and irrigation and trail system capital improvements. When including an additional \$407,000 of prior-approved projects rolled forward into FY 2016-17, the LMD will have invested over \$1.2 million into landscape related capital improvements in addition to maintaining current landscaping.

For FY 2016-17, the LMD has budgeted to fund the following prior approved landscape improvement projects (*Note the prior approved Cardinet Trail repair was completed in FY 2015-16*):

Entry-Ways Re-landscaping Project	\$ 300,000
Keller Ridge Tree Replacement Project	46,000
Downtown Planters Replacement Project	35,000
Replace Irrigation System Centra Control Field Panel	20,000
Jeffrey Ranch Median Island Re-landscaping Project	6,000
Subtotal	<u>407,000</u>
Subdivision/City Entry Sign Replacement Contingency	<u>2,000</u>
Grand Total	<u><u>\$ 409,000</u></u>

The proposed LMD budget is a balanced operational budget, utilizing fund balance to undertake non-annual capital improvement projects. This practice is consistent with prior year budgets as the LMD is pay-as-you-go for such improvements, responsibly drawing on fund balance as needed. The budget expenses are primarily adjusted for increased costs from outside agencies as well as for fuel, fertilizer, etc.

The LMD'S projected revenues have been increased by the 2.70% CPI to a total of \$1,057,550 for FY 2016-17. Measure B, approved by the voters, authorized an annual increase to the levy by the CPI, with not to exceed ceiling rate of 3.0%. This results in a modest increase to LMD revenues of \$27,799 over the prior year adopted budget. The CPI adjustment will result in an increase of \$6.34 per residential parcel over the prior year rate (last year's single family rate was \$234.84; including the CPI the new rate will be \$241.18).

Over the past year the LMD has generated a sufficient reserve balance to allow the consideration of new landscaping projects to be undertaken. Although ending fund balance of \$961,970 is projected, staff is not proposing additional capital projects in FY 2016-17 in order to allow sufficient time to complete prior approved projects.

The planned installation and commencement of these significant landscape restoration and improvement projects demonstrates the LMD'S success in managing the voter's preference for a "pay-as-you-go" ballot tax measure of capital improvements. The defeated Measure "O" (2005) would have issued a revenue bond in its initial year to address the public improvements sooner but conservative Clayton voters frowned on the higher annual assessment and bonded indebtedness to be shouldered by the LMD. Entering the District's 10th year of operation still allows the accumulation of modest reserves to accomplish many of the planned objectives.

Measure B is set to expire in June 2017. This is the only source of funds for the maintenance and operation of the LMD. To continue this sole funding a special parcel tax (Measure H) has been placed before the voters on June 7, 2016 ballot and needs to receive two-thirds (66.67%) voter approval. At this time funds are not budgeted for a November election, should the upcoming June 2016 ballot measure not pass. Should this occur staff will undertake a new measure process and recommend budget changes at that time to cover election costs (approx. \$10,000).

As new landscaping improvements are installed, each is accompanied by irrigation system upgrades with greater efficiencies in water application, which temper this expense allocation and cause operational savings. An enormous impact on LMD operations over the past five fiscal years has been the declared drought conditions and the severe water conservation reductions imposed by Contra Costa Water District (CCWD) as directed by the Governor's Executive Order Emergency declaration. While homeowners were placed under a 25% reduction plan, city and commercial irrigation water consumers were set at a massive 45% mandatory water reduction order. With irrigation cutbacks of that magnitude the LMD suspended the operation of the Clayton Fountain (even though it is a recirculating fountain) and reduced outside watering to two days per week. This has impacted some of the water intensive landscape in order to sustain the more valuable

plants and mature signature trees in the LMD. Capital improvement projects engaged during the drought have been hardscape-only oriented.

Although CCWD announced a relaxation of the water restrictions, allowing more additional outdoor water irrigation uses than in the prior year, there are still reductions that will occur to balance against water cost increases. The proposed budget for LMD water irrigation supply service incorporates a slight projected water cost increase, or about \$2,000 over last year's, bringing the total budgeted water supply expenditure to \$105,100. As this is below pre-drought historical costs, it is possible that CCWD's recent modification to water-use restrictions will result in actual water irrigation costs being higher than projected.

Personnel services for this labor-intensive work effort account for 28.65% of the LMD budget in FY 2016-17 (\$353,100). This is higher than the prior year's labor requirements ratio of 23.72% arising from increased labor demands connected with the installation of new landscaping and irrigation systems. Whenever possible, tasks within the LMD are assigned to temporary seasonal personnel that are less expensive labor (e.g. trimming), allowing full-time permanent City maintenance personnel (typically four) to focus on tasks requiring journeyman-level experience (e.g. irrigation line and system repairs).

As approved by Measure B voters, the LMD'S budget includes an annual expense of \$20,000 (Account 7316) for the purchase of replacement plants. The LMD further contributes an annual allocation to the City's Capital Equipment Replacement Fund (CERF) of \$14,500, from which maintenance vehicles and equipment are purchased for use in LMD operations. An expense of \$34,780 (3.27% of annual LMD revenue) is transferred to the City's General Fund to pay for administrative and overhead activities of the City (e.g. telephones; payroll processing; accounts payable; management) attributable to administering the LMD's annual operations.

With all of these actions, the LMD's ending fund balance on June 30, 2017 is projected to be **\$793,268**. The LMD's healthy reserve status is evidence the City does not siphon "surplus" monies into its General Fund but uses the special tax revenues for its intended voter purposes. Its monetary existence will be crucial once the drought is over and the LMD examines priorities to replace landscape lost (including adding in more hardscape treatments) from the extreme water conservation measures. The TLC held a meeting on May 23, 2016 to review the proposed LMD budget for FY 2016-17. After discussion and analysis with City staff, the TLC approved both the proposed CPI adjustment (2.70%) and the budget by a vote of 8-0.

City of Clayton
Landscape Mtn District CFD 2007-1 Fund 210
Adopted Budget 17-18

Account Number	Account Name	2015-16 Actual	2016-17 Original City Council Adopted Budget	2016-17 Adopted with city council approved amendments	2016-17 Actual Final	2017-18 Adopted Budget	
7111	Salaries/Regular	131,190	160,000	209,000	164,465	202,000	
7112	Temporary Help	71,218	87,000	87,000	126,766	149,000	one new dedicated LMD maintenance worker position added but not at full staff due to injuries, illness and vacancies due to injuries and departures and hiring time line more temporary worker hours used
7113	Overtime	460	1,000	1,000	474	1,000	
7218	LTD Insurance	1,147	1,600	1,600	1,588	3,500	
7220	PERS Retirement	48,288	24,680	24,680	20,683	23,300	
7221	PERS Retirement - Unfunded Liability	-	18,320	18,320	18,320	24,300	
7231	Workers Comp Insurance	10,931	13,300	13,300	11,934	12,700	
7232	Unemployment Insurance	2,562	4,200	4,200	2,251	5,000	
7233	FICA Taxes	4,814	9,000	9,000	4,337	10,500	
7246	Benefit Insurance	23,608	34,000	34,000	33,875	44,700	\$460,000 total labor and benefits of LMD as % of total budget 31.70%
7301	Recruitment/Pre-employment	1,193	1,000	1,000	-	1,000	
7311	General Supplies	31,901	49,100	49,100	44,245	50,100	See breakdown below
7316	Landscape Replacement Material	1,127	20,000	20,000	17,896	40,000	
7335	Gas & Electric Serv.	17,281	22,700	22,700	29,072	30,000	
7338	Water Service	98,283	105,100	105,100	139,832	130,000	
7341	Buildings/Grounds Maintenance	-	19,800	19,800	10,304	20,000	See breakdown below
7342	Machinery/Equipment Maint.	11,199	21,900	21,900	10,402	19,000	See breakdown below
7343	Vehicle Maintenance	13,424	17,400	17,400	19,128	18,000	
7344	Vehicle Gas, Oil, and Supplies	10,140	11,300	11,300	12,594	13,000	
7381	Property Tax Admin Cost	3,735	3,900	3,900	3,735	4,000	
7382	Election Services	13,910	-	-	-	-	
7389	Misc Expense	3,419	-	-	-	-	Move Adopt-a-trail to 601 project
7411	Professional Services Retainer (Legal)	4,702	1,500	1,500	1,996	2,000	Legal services contract review & ballot measure
7419	Other Prof. Services	124,460	6,360	6,360	5,829	6,560	See breakdown below
7429	Animal/Pest Control Services	-	5,000	5,000	3,095	5,000	New from 7419
7440	Tree Trimming Services	-	25,000	25,000	29,300	25,000	New from 7419
7445	Weed Abatement Services	-	107,000	107,000	106,560	122,000	See breakdown below
7486	CERF Charges/Depreciation	13,500	14,500	14,500	14,500	14,500	Per CERF allocation spreadsheet
7520	Project/Program costs	197,753	409,000	427,200	77,739	483,000	See breakdown below
7615	Property Taxes	2,658	2,900	2,900	2,709	2,800	
8101	LMD Admin - Transfer to GF	33,863	34,780	34,780	34,780	36,095	% of budget for admin cost to manage the LMD 3.27%
8111	Transfer to CIP Fund	891	-	-	-	-	
8113	Transfer to Stormwater Fund	912	912	912	1,008	1,008	LMD bioplantier annual inspections
Total Expenditures		878,549	1,232,252	1,299,452	952,874	1,499,063	
4604	Clayton LMD Special Parcel Tax	1,029,544	1,057,550	1,057,550	1,058,798	1,089,277	
5601	Interest	11,533	6,000	6,000	14,454	12,000	
5606	Unrealized Inv Gain/Loss	8,038	-	-	(11,061)	-	
Total Revenue		1,049,115	1,063,550		1,062,191	1,101,277	
Increase (Decrease) in Fund Balance		170,566	(168,702)	(168,702)	109,317	(397,786)	
Beginning Fund Balance		816,202	961,970	961,970	986,768	1,096,085	
Ending Fund Balance		986,768	793,268	793,268	1,096,085	698,299	

General Supplies

Alpine Awards	-	-	400	-	outgoing LMD members plaques/bench replacement donor/memory plaques
Bay Area Barricade	4,479	4,000	4,000	4,953	4,000
Cole Supply	1,821	1,600	1,600	1,671	1,600
Concord Garden Equipment	421	500	500	294	500
Contra Costa Topsoil	-	-	-	1,775	-
Crop production services	4,068	4,000	4,000	6,998	4,000
Fertilizer	3,496	5,000	5,000	-	5,000
Graybar	-	-	-	-	-
Herbicides	-	8,000	8,000	-	8,000
Irrigation	-	8,000	8,000	-	8,000
Site One Landscape	2,882	8,000	8,000	19,558	8,000
Zee Medical Supply	-	-	-	-	-
Misc Supplies (Calcard - US Bank)	14,734	10,000	10,000	8,596	11,000
	31,901	49,100	49,100	44,245	50,100

Regulating/Cross-Is Maintenance

Martell Water Systems (Well pump repairs)	-	5,000	5,000	-	5,000
Pond M Solutions (\$650x12 water feature maintenance)	-	7,800	7,800	7,800	8,000
Pond M Solutions (extra repairs)	-	5,000	5,000	1,354	5,000
Spraytec Maintenance (wastewater)	-	2,000	2,000	979	2,000
Misc. Supplies (Calcard, etc.)	-	-	-	171	-
	-	19,800	19,800	10,304	20,000

Machinery/Equipment Maintenance

Concord Garden Equip/Supplies	3,958	5,200	5,200	6,803	7,000
Concord Trailer World	-	-	-	1,648	5,000
Contra Costa Tractor	4,214	14,600	14,600	287	5,000
Site One Landscape	-	-	-	532	-
Spraytec - pump repairs/maintenance	1,488	-	-	-	-
US Bank (Calcard)	1,539	2,100	2,100	1,132	2,000
	11,199	21,900	21,900	10,402	19,000

Other Professional Services

CCC Fire Protection - Operation Permit	-	600	600	-	600
Advertising for TEMP labor/Live Scans	-	-	-	-	-
CalPERS GASB 68 Actuary (share)	-	260	260	260	260
EBCRSA-Radio Mtn PW radio's	1,300	1,500	1,500	1,300	1,500
Envirotech Enterprises (non-native invasive weed abatement)	51,020	-	-	-	-
Martell Water Systems (Well pump repairs)	2,915	-	-	-	-
NBS Admin Fees+Del letters	4,066	4,000	4,000	4,259	4,200
PMT Pest Control - Rodent Control	-	-	-	-	-
Rock & Waterfall Water Feature \$650x12 (maintenance)	2,600	-	-	-	-
Rock & Waterfall -Water Feature Extra + repair conting	-	-	-	-	-
Spraytec - maint- waste water treatment	1,496	-	-	-	-
Warner Bros Svc 1 x per yr+2 x trails	38,413	-	-	-	-
Warner Brothers -Tree trimming	20,250	-	-	-	-
Misc. Services (Calcard, etc.)	2,400	-	-	10	-
	124,460	6,360	6,360	5,829	6,560

Weed Abatement Services

Envirotech Enterprises (non-native invasive weed abatement - Oakhurst Mitigation EIR)	-	62,000	62,000	57,560	62,000
Warner Bros Svc 1 x per yr+2 x trails (Fire Protection)	-	45,000	45,000	49,000	60,000
	-	107,000	107,000	106,560	122,000

Project/Program costs

Upgrade irrigation controllers (annual until all complete)	29,679	20,000	20,000	-	20,000
Sub Division/City Entry Signs (contingency)	-	2,000	2,000	-	2,000
Adopt-a-Trail Expense - 4003	(6,945)	-	-	-	-
Warner Bros. - Extra Open Space Fire Prevention	-	-	-	-	-
LMD2015-1 - Downtown Planters	-	35,000	35,000	19,069	270,000
LMD2015-2 - Jeffrey Ranch Re-landscaping	-	6,000	6,000	-	6,000
LMD2015-3 - Keller Ridge Tree replanting	1,891	46,000	64,000	58,670	-
LMD2015-4 bridge renovation project (trails)	81,355	-	-	-	-
LMD2016-1 - Entry Ways Re-Landscaping Project	-	300,000	-	-	-
LMD2016-2 - Lower Easley trail repaving	71,973	-	-	-	-
LMD2016-3 - Mt. Diablo elem Hillside trail repaving	19,800	-	-	-	-
LMD 2018-1 - Removal of 18 Eucalyptus trees in Open Space	-	-	-	-	185,000
	197,753	409,000	64,000	77,739	483,000

Notes:

Extra to run pump for fountain
 10 events (31 days @ \$160=\$4960.)
 Art n Wine, Memorial Day, 4th of July, Halloween Parade/Ghost Walk, Veterans Day, Xmas Tree Lighting,
 Presidents Day, Thanksgiving, Garden Tours, Oktoberfest
 2014: note Halloween/Ghost walk no longer done

Landscape Maintenance District Levy History CFD 2007-1 (approved Nov 2007 for 10 yrs 2007/08-2016/17; renewed by voters for 2017/18-2026/27)												
	close out of old CFD	start new CFD										tax renewed
Year		2007/08	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18
levy amount (per res parcel and non res per acre or fraction thereof)		\$ 196.76	\$ 202.44	\$ 204.06	\$ 207.56	\$ 213.42	\$ 217.86	\$ 223.04	\$ 229.29	\$ 234.84	\$ 241.18	\$ 248.42
actual cpi		n/a	2.88%	0.8%	1.72%	2.82%	2.08%	2.38%	2.78%	2.44%	2.70%	3.78%
cpi amount increase		n/a	2.88%	0.8%	1.72%	2.82%	2.08%	2.38%	2.78%	2.44%	2.70%	3.00%
\$ amount increase		n/a	\$ 5.68	\$ 1.62	\$ 3.50	\$ 5.86	\$ 4.44	\$ 5.18	\$ 6.22	\$ 5.58	\$ 6.34	\$ 7.24
<i>note: levy limited to annual increase of CPI not to exceed 3%</i>												

Replacement Projects Landscape Maintenance District (Measure B 2007-08 through 2016-17; Measure H 2017-18 through 2026-27)	amount -apx.	year -apx
Completed:		
Landscaping		
mediain tree replacement clayton road mitchell cyn to Atchinson stage (14 sycamore trees) donations paid for these	\$ 2,500	2008
Oakhurst Drive decorative pavers in narrow median noses, redo irrigation and replanting	\$ 70,000	2010
Clayton Water Feature replanting/redo irrigation	\$ 114,000	2010
March Creek Circle landscape berm mitigation irrigation upgrades replanting	\$ 19,400	2011
Clayton Road median (Oakhurst to Mitchell Cyn) and retaining wall from CVS to Daffodil Hill irrigation installation and new landscaping	\$ 328,011	2012
Daffodil Hill new irrigation and new planting (\$27,500 donated by CBCA)	\$ 29,000	2012
Deferred Tree Trimming City Wide (\$20,000 annually)	\$ 140,000	2010-2017
Peacock Creek Dr. Median Tree replacment (partial cost of LMD remainder from traffic accident/insurance recovery fund)	\$ 2,000	2016
Keller Ridge Drive street tree replacements	\$ 58,670	2016
Peacock Creek entry sign replanting project	\$ 11,100	2016
	subtotal \$774,681	
Trails:		
Peacock Creek install new headboards, apply new 1/4 x dust gravel and compact, install waterboard weir drainage	\$ 20,000	2008
Upper Easley - Bruce Lee - Trail from old Marsh Ck to Center Street ; and Lower Easley - El Molino- from old Marsh Ck rd to Weatherly_	\$ 60,000	2013
trail crack sealing/repair	\$ 10,000	2013
Lower Easley old Marsh Ck to Village Oaks	\$ 30,000	2015
Mt Diablo Elem School Hill Trail	\$ 19,800	2015
pedestrial Trail Bridge surface replacement	\$ 79,000	2015
Cardinet Trail erosion repair	\$ 75,000	2016
	subtotal \$ 293,800	
Other:		
Purchase New Irrigation Control Vehicle (Capital Equipment and Replacment Fund)	\$ 35,000	2007/08
open space tree canopy trim and lifting	\$ 30,000	2012/13-15
Purchase new Tractor \$75,000 with 50% from LMD)	\$ 37,500	2016
Master Remote Computer Controller for all Irrigation Systems	\$ 30,000	2012/13
replace irrigation system central control field panel	\$ 20,000	2016
	subtotal \$ 152,500	
Adopt a Trail (from donations only) project suspended by TLC in July 2017		
trail sponsorship signs and plaques (incl posts/signs and installation)	\$ 3,827	2009
installation of new uplights and electrical at oak trees - cardinet trail east side of library	\$ 4,400	2011/12
	subtotal \$ 8,227	
To be done:		
Landscaping		
Jeffry Ranch/Caulfield Ct island replant/hardscape	\$ 6,000	2018
various subdivision entry redesign relandscape including hardscape	\$ -	project postponed
downtown Main St planter boxes	\$ 300,000	2018
deferred Tree Trimming City Wide 2018 (\$20,000 annually)	\$ 20,000	2018
general various replacement planting	\$ 40,000	2018
	subtotal \$ 366,000	
Other:		
replace irrigation system central control field panel	\$ 20,000	2018
replace subdivision/city entry sign if needed (contingency)	\$ 2,000	
euclyptus tree removal in various open space	\$ 185,000	2018
	subtotal \$ 205,000	
total reinvestment to Landscape Maintenance District through 6/30/17	\$ 1,229,208	
total additional reinvestment planned through 2017-18	\$ 571,000	
total est reinvestment through 6/30/18	\$ 1,800,208	



Memo

To: Trails and Landscaping Committee
From: Maintenance Department
Meeting Date: June 15, 2017
Re: Landscape Maintenance District Project Updates

This is an update for the following projects within the Clayton Landscape District;

Subdivision Entry Landscape

1. City Staff has drawn up some design concepts for review of the Subdivision Entry Landscape Project. This project had been recommended and approved by the Trails and Landscape Committee in a previous meeting to be the next landscape improvement project within the District. The City Council approved the design concepts; now the formal plans and specification need to be drawn up for project bidding. Due need to field identify all underground utilities and irrigation in order to prepare construction plans and lack of availability of landscape architects to undertake this project in the near term, this project has been postponed and funding reassigned for FY 17-18 Budget for unanticipated needed removal of Eucalyptus trees near Regency/El Molino and along path behind Rachel Ranch Ct.

Downtown Planter Boxes

2. City Engineer has prepared the specifications for the needed repairs to the downtown planter boxes and will be putting them out to bid in the next two months. The new specifications include power and irrigation to each reconstructed planter box located on Main Street.

Keller Ridge Drive Tree Re-Planting

3. The Keller Ridge Tree Re-Plant Project has been completed with 54 new trees planted by the contractor Diablo Lawnscape. Maintenance staff upgraded all the irrigation control valves along the tree replant area, made repairs to the sprinklers, planted over 240 five gallon shrubs within the bare planters running along Keller Ridge Drive, and then bark the newly planted areas.

Jeffry Ranch Place and Caulfield Court cul-de-sac replanting

4. The two Jeffry Ranch Pl and Caulfield Ct., center cul-de-sac median planters with lawns are now in the process of getting the irrigation upgraded by Maintenance Staff; this includes moving the heads in from the pavement and installing 12 inch pop up heads instead of the existing 4 inch sprinkler heads. Maintenance will then plant the area with shrubs. Since this area is classified as a median under the state water conservation law the area cannot have lawn irrigated; only shrubs. The completion is forecasted by the end of June.



WORK UPDATE

TRAILS & LANDSCAPING

5/23/2016 to 6/15/2017

- Spot spray and pull weeds in the Landscape District Citywide on a continuing basis.
- Turn on Irrigation Systems City wide and making repairs to systems as needed.
- Continued with the Cities semi-annual trimming of the Landscape throughout the City.
- The annual weed abatement for fire protection that is contracted out each year was just completed for the season.
- Safety trimmed numerous trees along Marsh Creek Road, Clayton Road, and Oakhurst Drive. Removed 13 dead trees in the landscaping that had died from the drought conditions. Removed numerous tree branches and trees along the Clayton Trails and open space during the fall. During the storms over the past year the City held up well until the April 6 storm that blew over 12 trees and too many to count branches that broke off in the high winds from trees all over the City.



TRAILS & LANDSCAPING MAINTENANCE DISTRICT ACTIVITY REPORT

6/15/2017 to 9/25/2017

- **Spot spray and pull weeds in the Landscape District Citywide on a continuing basis.**
- **Repairing irrigation system throughout the district from broken sprinkler heads, mainline breaks, to controller wiring.**
- **Continued with the Cities semi-annual trimming of the Landscape throughout the City.**
- **Safety trimmed numerous trees along Marsh Creek Road and Clayton Road. Trimmed Oak Trees in the downtown area, started to trim Ash Trees along Clayton Road outbound from Mitchell Canyon Rd. Trimmed Pears along Center Street, removed dead wood from Privet and Ash trees on Eagle Peak Dr. Removed a few dead trees in open space along trails and behind houses.**
- **The Maintenance Department over the last few months with the City Clerk/HR completed recruitment for two positions. One position is Senior Maintenance Worker (this position was formerly the second Maintenance Supervisor position where the city had a resignation in November 2016). The other is Maintenance Worker I position where a recent hire left the city. Both new employees just started on Monday September 18th. Another recent hire for a vacant position is off work due to an injury. That employee will not be able to return until the doctor clears. So overall current staff is short one full time permanent employee.**

WHAT IS YOUR TRAILS AND LANDSCAPE COMMITTEE?

The TLC (Trails and Landscape Committee) consists of up to 11 volunteers, your neighbors & friends - all residents of Clayton. The TLC was formed by the Clayton City Council in August 2007 to help the City implement the voter-approved funds to manage the current and future needs of the City-wide Landscape Maintenance District (the CCLMD).

The TLC serves as the financial oversight committee and provides guidance to the City Staff and City Council regarding the spending of the special voter approved funds that can only be used for spending within and for the Landscape Maintenance District.

The Landscape Maintenance District consists of the roadway edge and roadway median landscaping, trail maintenance and fire abatement on trails and open space. City parks & the running of the Clayton Fountain are not included in the District.

The TLC in Action!

The Trails and Landscape Committee meets twice a year and on an as needed basis, usually on a 3rd Monday evening of a month (7pm) at the City Library (Hoyer Hall Meeting Room) 6125 Clayton Road. Residents of Clayton are encouraged to attend these meetings to hear status reports and to provide input and get their questions answered, or send questions or concerns via email through the City web site.

Meeting agendas are posted on: City web site: www.ci.clayton.ca.us
City Hall, 6000 Heritage Trail;
Clayton Library, 6125 Clayton Road; Ohm's Bulletin Board, 1028 Diablo St

Please direct any questions or concerns to the City of Clayton via the website address above, or contact City Offices at 673-7300.

Your Trails and Landscape Committee Members

Maryann Carroll-Moser
Carol Herington
Dane Horton
Carin Kaplan
Howard Kaplan
Nancy Morgan

IMPORTANT INFORMATION

FROM YOUR CLAYTON TRAILS and LANDSCAPE COMMITTEE



2017

WHAT are the STANDARDS and PRIORITIES of the District and the TLC?

- Firebreaks are Mandatory.
- Weeds are cut along major trails and creeks twice yearly.
- Trees are trimmed for safety purposes first.
- Irrigation breaks are repaired as needed.
- Public roadway landscaping is trimmed twice yearly.
- Landscape areas are fertilized one time a year as needed.
- Limited funds for targeted improvements or replanting of \$20,000 each year.

TLC'S STRATEGIC FOCUS

- Take Care of what we have before planting something new
- Remove unwanted expenditures and control costs with strict oversight.
- Create Equity in the District.
- Implement Cost-Effective measures to improve irrigation and infrastructure and functions.
- Invest in improved equipment as a means to increase maintenance efficiency and effectiveness.
- Implement Seasonal and situational based labor to minimize costs.

HOW IS THE DISTRICT FUNDED ?

The District is funded by a 10-year special parcel tax "Measure H" passed by 77% of the Clayton voters in June 2016 that is currently \$ 248.42 per year that appears on your property tax bill. This assessment can only be increased for inflation with a maximum annual increase cap of 3% per year. This is the only source of funding for the Landscape District supplies, electricity, irrigation, water, and labor. All funds are kept separate and only used for the voter approved Landscape District expenses. *(The operation of the Clayton Fountain Water Feature beyond the few special event dates was not approved by voters to be included in the District).*



HISTORY OF THE DISTRICT

In 1997, Clayton residents realized that the City's modest General Fund budget was unable to adequately provide for our public landscaping, trails and open space maintenance. Recognizing their importance in how it defines our community, a Community Facilities District was established, known as the Trails and Landscape Maintenance District, to provide for maintenance costs for the trails, open space and roadside landscaping. A 10-year special parcel tax was approved by the voters to establish a reliable funding source for this District.

In 2007, as the special parcel tax neared its end, Clayton residents, approved a 10 year extension of the special parcel tax along with the establishment of a citizens advisory committee, known as the Trails and Landscape Committee. In June 2016 the Clayton voters approved another 10-year extension of the special parcel tax, with the continuation of the advisory Trails and Landscape Committee.

QUICK FACTS of Your Landscape Maintenance DISTRICT Your "FRONT YARD"

- The District landscape covers over 2,000,000 sq. ft.
- There are 40,700 sq. ft. of lawns and flowerbeds.
- There are over 2,871 trees in the City.
- There is 515 acres of open space.
- There are 7 miles of creek side trails and 20 miles of open space trails.
- There are about 50 street islands and medians.
- The District uses equivalent of only three full time staff and includes the use of some seasonal and volunteer workers as needed.
- During 2008-2009 the Contra Costa Water District had mandatory water reductions of 45% for the Landscape District. The District priorities were to preserve trees, then shrubs and to eliminate watering of lawns and groundcovers to stay within the limits and to avoid financial penalties through even higher water costs.

SOME COMPLETED PROJECTS FUNDED BY THE DISTRICT

- Redesign of the Clayton Fountain Water Feature with new irrigation and drought tolerant plants.
- Clayton Towne Center sign entry way landscaping with joint funding by the Clayton Business and Community Association (CBCA).
- Redesign and replanted medians on Clayton and Oakhurst Roads.
- Replaced all seven pedestrian trail bridge surfaces.
- Repaved all previously paved trails.
- Constructed a trail connection from downtown to CVS along Clayton Rd
- Drainage and trail repaving on the Mt Diablo Elementary School hill.



RESOLUTION NO. 38- 2007

**A RESOLUTION APPOINTING THE ELEVEN MEMBER TRAILS
AND LANDSCAPING COMMITTEE TO SERVE AS THE CITIZENS'
OVERSIGHT COMMITTEE TO THE CITYWIDE LANDSCAPE
MAINTENANCE DISTRICT (CFD 2007-1)**

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

WHEREAS, by Resolution No. 08-2006 adopted on 21 February 2006, the Clayton City Council established and appointed a permanent citizens' advisory committee entitled "Trails and Landscaping Committee" for the 1997 Citywide Landscape Maintenance District (CFD 1997-1); and

WHEREAS, said citizens committee met regularly during 2006 and into 2007 reviewing matters related to priorities, public outreach, maintenance standards, citizen complaints, and related operations of the Landscape Maintenance District and did recommend to the City Council a ballot measure for replacement of the expiring 1997 District; and

WHEREAS, the proposed local ballot measure (Measure "B") was subsequently placed before the Clayton electorate at a special municipal election held on 05 June 2007 for voter consideration of a replacement Citywide Landscape Maintenance District (CFD 2007-1) for a period of ten (10) years (July 2007 through June 2017); and

WHEREAS, city voters overwhelmingly approved Measure "B" by an 83% affirmative vote and provisions of the replacement Citywide Landscape Maintenance District (CFD 2007-1) specify a citizens' oversight committee shall be constituted by the Clayton City Council to advise the City Council and staff concerning budget, priorities and proper level of landscape care and maintenance for the District; and

WHEREAS, following the successful passage of Measure "B" in June 2007, four (4) members of the existing Trails and Landscaping Committee opted to either allow their term of appointed office to expire on 30 June 2007 or to end their lengthy participation on the citizens advisory committee; and

WHEREAS, it is necessary for the Clayton City Council to formally and officially appoint the remaining eleven (11) members of the Trails and Landscaping Committee as the incumbent citizens' oversight committee for the Citywide Landscape Maintenance District (CFD 2007-1) and to establish terms of office thereof.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Clayton, California does hereby appoint the existing Trails and Landscaping Committee comprised of up to eleven (11) citizen members as the citizens oversight committee for the Citywide Landscape Maintenance District (CFD 2007-1); and

BE IT FURTHER RESOLVED that the City Council does herewith confirm the appointment of the following citizens to the Trails and Landscaping Committee, to serve at the pleasure of the City Council without stipend or compensation, with an overlapping two (2) year term of office for each of the eleven (11) positions:

<u>Member</u>	<u>Term of Office Expires</u>
JoAnn Caspar	30 June 2008
Victor Geisler	30 June 2008
Jerry Kosel	30 June 2008
Kelly Marshall	30 June 2008
Jerry Zimmerman	30 June 2008
Candace Bass	30 June 2009
David Disend	30 June 2009
David Johnson	30 June 2009
Dan Richardson	30 June 2009
Virginia Siegel	30 June 2009
Bill Vineyard	30 June 2009

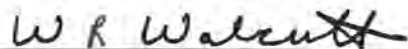
The Vice Mayor of the Clayton City Council shall continue to serve as the City Council's non-voting representative to the Committee in an ex-officio liaison capacity; and

BE IT FURTHER RESOLVED that all assigned duties and oversight responsibilities of the Trails and Landscaping Committee as outlined in City Resolution No. 08-2006 and in Measure B (CFD 2007-1) do hereby remain in full force and effect.

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California at a regular public meeting thereof held the 7th day of August 2007 by the following vote:

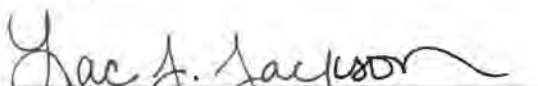
AYES: Mayor Walcutt, Vice Mayor Manning, Councilmembers Pierce and Stratford.
NOES: None.
ABSTAIN: None.
ABSENT: Councilmember Shuey.

THE CITY COUNCIL OF CLAYTON, CA



William R. Walcutt, Mayor

ATTEST:



Laci J. Jackson, City Clerk

RESOLUTION NO. 08-2006

**A RESOLUTION ESTABLISHING AND APPOINTING A PERMANENT
CITIZENS' ADVISORY COMMITTEE ENTITLED "TRAILS AND
LANDSCAPING COMMITTEE" FOR THE 1997 CITYWIDE
LANDSCAPE MAINTENANCE DISTRICT**

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

WHEREAS, in 1997 the voters of Clayton, California approved the formation of Community Facilities District 1997-1 to provide special parcel tax revenues for the maintenance of public roadway landscaping, open space and trail system improvements within the City of Clayton; and

WHEREAS, this District known as the "Citywide Landscape Maintenance District" was authorized by voters for a time period of ten (10) years to expire in 2007 unless otherwise approved or re-authorized by another affirmative vote of the local electorate; and

WHEREAS, in December 2003 the Clayton City Council created an ad-hoc citizens' advisory committee of fifteen (15) members for *"... the express purpose of developing and recommending to the City Council a strategic plan to guide the Citywide Landscape Maintenance District functions in the remaining four (4) years of its inaugural existence and to recommend modifications and/or options to sustain and enhance the District's operations presently and in preparation for voter reauthorization..."* of the District; and

WHEREAS, the Blue Ribbon Landscape Committee did subsequently tender a written Strategic Plan to the City Council in January 2005 that culminated in the submittal of Measure "M" to the local electorate on the November 2005 ballot for renewal of the District for an additional fifteen (15) years at an increased per parcel special tax rate; and

WHEREAS, city voters rejected Measure "M" in 2005 yet the Citywide Landscape Maintenance District remains in purpose until July 2007 and its operations and functions can still benefit from citizens' perspectives, critiques and input concerning its current standard of maintenance, improvement and reauthorization status; and

WHEREAS, with its assigned mission accomplished the ad-hoc Blue Ribbon Landscape Committee has now been disbanded the City Council in favor of establishing a permanent citizens' advisory committee to advise the City Council and City staff on matters related to the operation of the 1997 Citywide Landscape Maintenance District.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Clayton, California does hereby establish a permanent citizens advisory committee for the 1997 Citywide Landscape Maintenance District with a membership of up to fifteen (15) members appointed by the City Council and to be known as the "Trails and Landscaping Committee"; and

BE IT FURTHER RESOLVED that the Trails and Landscaping Committee will serve in an advisory capacity to the City Council on matters related to the operation and renewal of the 1997 Citywide Landscape Maintenance District to include, but not be limited to, the following assigned duties and responsibilities:

- a. Serve as the principal citizens' advisory group to the City Council and city manager pertaining to public roadway landscaping, trails system, the Clayton Fountain, and open space weed abatement services and infrastructure.
- b. Review and recommend policies and practices to the City Council and city manager concerning the care, maintenance, repair, replacement and improvement of the District's assets and infrastructures.
- c. Prepare a public Annual Report to the City Council regarding activities, maintenance and financial status of the District.
- d. Review and recommend an annual District Budget to the City Council prior to the commencement of each fiscal year (July – June).
- e. Assist the City and its staff in the development and recommendation to the City Council of landscaping and system improvements in the District.
- f. Consider and make recommendations to the City Council for the renewal or extension of the Citywide Landscape Maintenance District by the local electorate prior to the District's scheduled expiration in July 2007.
- g. Seek and consider citizen and business person input regarding the daily and future operations and maintenance practices of the District.
- h. Perform other such duties as may be assigned from time to time by the City Council; and

BE IT FURTHER RESOLVED that the City Council does herewith appoint the following individuals to the Trails and Landscaping Committee to serve at the pleasure of the City Council without stipend or compensation during the specified terms of office:

<u>Member</u>	<u>Term of Office Expires</u>
Candace Bass	30 June 2007
Ben Jay	30 June 2007
Howard Kaplan	30 June 2007
Linda Pinder	30 June 2007
Dan Richardson	30 June 2007
Bill Vineyard	30 June 2007
Memory Woodard	30 June 2007
JoAnn Caspar	30 June 2008
Jerry Kosel	30 June 2008
Ve'Laine Manion	30 June 2008
Sandra Watson	30 June 2008
Jerry Zimmerman	30 June 2008

The Vice Mayor of the Clayton City Council shall also serve as the City Council's representative to the Committee in an ex-officio liaison capacity; and

BE IT FURTHER RESOLVED that the City Manager is hereby instructed to provide staffing and support services appropriate to the Committee and to schedule regular Committee meetings as often as necessary to assist in and facilitate the Committee's deliberations and fulfillment of its assigned duties and responsibilities.

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California at a regular meeting thereof held the 21st day of February 2006 by the following vote:


- AYES:** Councilmember Laurence, Manning, Pierce, Vice Mayor Walcutt and Mayor Shuey.
- NOES:** None.
- ABSTAIN:** None.
- ABSENT:** None.

THE CITY COUNCIL OF CLAYTON, CA



DAVID T. SHUEY, Mayor

ATTEST:



Rhonda K. Basore, City Clerk



YOU ARE HERE: [Local Sales Tax Oversight Committee](#)

Local Sales Tax Oversight Committee

In November 2012, the voters of Moraga overwhelmingly passed Measure K with 70.5% (5,993 yes votes; 2,503 no votes) in support of the measure. Pursuant to [Ordinance No. 238 Section 3.20.140 – Oversight, Annual Audit and Public Report](#), the Town Council created a new Town of Moraga Local Sales Tax Oversight Committee to foster an objective and transparent review of the use of Measure K revenue.

The final [charter](#) dictates that the committee shall consist of seven members, all residents of the Town of Moraga, appointed by the Town Council. Generally, terms will be limited to three, consecutive two-year terms for a total of six consecutive years. The committee is expected to meet between two and four times per year or as reasonably determined by the Local Sales Tax Oversight Committee or the Town Council. The Town recruited for and received a number of excellent applications from individuals with expertise in the following areas as requested by the Town Council: finance and accounting (including public sector finance); pavement management and engineering; capital project management; and public affairs and communications.

The Local Sales Tax Oversight Committee is charged with the annual review and report to the Town Council on the revenue and expenditures of the Local Sales Tax (also referred to as 'Transactions and Use Tax'). The Committee shall sunset in 2033. The committee's specific duties are listed in the charter as follows:

1. Annually, review revenue receipts and expenditures of the Local Sales Tax.
2. Annually, review status and performance of the programs and services, funded wholly or partially with proceeds from the Local Sales Tax.
3. Annually, prepare an independent report to the Town Council regarding the revenue and expenditures of the Local Sales Tax.
4. It is not within the purview of the committee to direct staff, recommend any particular contracts, or define the scope of a road repair project. These responsibilities remain under the authority of the Town Manager, Town Council, and professional staff.

To learn more about Measure K Funding Measure, please visit [Information on Measure K](#) page.

FY2017-2018	FY2016-2017	FY2015-2016	FY2014-2015	FY2013-2014	FY2012-2013
Meeting Date	Agenda				Minutes
01/09/2018	Agenda				
11/06/2017	Agenda				
08/10//2017	Agenda				

The FY2016-17 meetings schedule is as follows:

Monday, November 14, 2016 - 5:00 p.m.

Monday, January 30, 2017 - 5:00 p.m.

Important Documents



Measure K

Measure K, a half-cent transactions & use tax (or sales tax), was approved by Pleasant Hill voters at the November 8, 2016 election. The tax took effect April 1, 2017 for a 20-year period. The measure will generate over \$4 million each year in additional revenue for the City.

This additional revenue will be used for important City services including:

- Repaving and maintaining neighborhood streets
- Maintaining and upgrading the City's storm drains
- Adding new sidewalks, and walking and bike paths
- Constructing a new community library; and
- Funding other city projects and services that Pleasant Hill residents and the City Council identify as key priorities.

Measure K Oversight Committee and Mandatory Financial Audits

Measure K established a Citizens' Oversight Committee to ensure that all voter-approved funds are spent appropriately. In addition, the measure requires mandatory financial audits and yearly reports to the community regarding all revenue collected and spent on City projects and services.

PURPOSE:

The Measure K Oversight Committee (Committee) will review semi-annual revenue and expenditure reports, and other relevant reports and information regarding the tax. The Committee will provide an annual report to the City Council on whether revenues were expended efficiently and effectively, and make recommendations if needed.

the Committee shall perform the following duties:

- a) Review semi-annual revenue and expenditure reports produced by the City and other relevant reports and information regarding the Transactions and Use Tax; and
- b) Provide to the City Council an annual report on whether revenues were expended efficiently and effectively and recommendations, if any, of ways to ensure that future revenues are expended efficiently and effectively.
- c) In order to preserve the integrity and independence of the oversight process, Committee members shall not play a role in contracting or project management for projects funded through revenue from Measure K.
- d) The committee is not charged with decision-making on spending priorities, schedules, project details, or financing plans.



Agenda Date: 1-16-2018

Agenda Item: 8b

Approved 

Gary A. Napper
City Manager

STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: MAINTENANCE SUPERVISOR

DATE: JANUARY 16, 2018

SUBJECT: CONCEPT DESIGN OPTIONS FOR REPLACEMENT AND IMPROVEMENT OF NORTH VALLEY PARK PLAYGROUND

RECOMMENDATION

It is recommend the City Council review and provide direction to staff on its preference for the type of new and replacement playground equipment at North Valley Park.

BACKGROUND

North Valley Park is a neighborhood park located at the corner of Keller Ridge Drive and Golden Eagle Place. The park was constructed as part of the Oakhurst Development that was developed in the early 1990s. The park comprises mostly of grass and tress built on a hillside; within the park are large sloping areas and a large level area. Located within the level area are an existing play structure and two unshaded picnic tables which make up the current amenities of North Valley Park. The play structure and rubber play surface under the play structure were installed at the same time in the late 1990s, which make them approximately 20 years old. The two picnic tables were installed when the park was built and have been replaced with new tables and benches within the last five years.

Over the last two years City Staff has noted the decline of the rubber play surface that is located under the play structure. During this time there also have been several residents calling the City with concerns about the state of the play surface. City Staff invited a playground representative to come out and take a look at the rubber play surface and to make recommendations to City Staff on what would be our best course of action.

The professional conclusion was full replacement of the surface instead of repairs since the surface was well past its useful life. This input then brought up the issue of the play structure: should it also be replaced with new equipment at the same time as the rubber play

surface is being replaced, or reinstall the 20-year old apparatus on top of a new play surface?

After consultation with several public playground installers that have worked previously with the City, each concurred it would be prudent to replace the play structure at the same time based on its age. The current play structure has two larger slides, one small slide, climbing wall, climbing bars, and two decks that the slides and climbing wall are attached to.

During Staff's review of the overall public park it was also noted there is not much shade for park users when using the existing picnic tables. A discussion took place about installing some kind of shade structure over the two existing picnic tables like the ones installed at Clayton Community Park when installation occurred of its new play equipment. Another topic that came up during discussion about the park was planting additional trees around the park grounds for added shade.

DISCUSSION

City Staff solicited installers the City previously used on past projects for playground equipment installation requesting preliminary proposals for different types of replacement equipment and for costs estimates for budgeting purposes. The scope of the proposal was to look for play equipment that would fit within the existing footprint, cost to replace the rubber play surface, and the installation of two shade structures at the existing picnic benches. The following are the different suggestions given to the City by these installers;

- Option 1 Play structure from NSP3 was for a three level deck design, three large slides (one being an enclosed tube slide), climbing wall, and numerous other climbing and hanging apparatus attached to the decking for ages 5-12. Estimated cost \$105,664 including new rubber play surface.
- Option 2 Play structure from NSP3 was a close replacement of the existing playstructure with two decks, three slides with two larger slides plus a short slide, rock wall, and a climbing and hanging apparatus attached to the decking for ages 5-12. Estimated cost \$73,196 including new rubber play surface.
- Option 3 play structures is from Miracle Playsystems that used a different concept of incorporating a play deck with slide surrounded by natural looking climbing rocks for ages 5-12. Estimated cost \$114,400 including new rubber play surface.

There were two different proposals for a type of shade structure to use over the existing picnic benches in the park:

- Option 1 shade structure would be for a 12x12x10 foot cantilever umbrella made of fabric; the total estimated cost for two shade structures would be \$24,397 (\$12,198.50 each), engineered and installed.

- Option 2 shade structures would also be for a 12x12x10 foot metal structure like what is located at the Clayton Community Park. The estimated total cost would be \$24,000 (\$12,000.00 each), engineered and installed.

The third staff-proposed improvement to the park would be the installation of twenty to twenty-five new trees throughout the park to replace trees lost over the years from drought and disease. These trees would be spaced around the park to provide additional shade for park users. Some species of trees that can be planted for shade and grow within an irrigated area are Oaks, Ash, and Chinese Pistache. These trees would grow well within a lawn area when there is regular water; when drought conditions reappear they could survive on irregular watering cycle after the trees have been established.

FISCAL IMPACTS

The final cost of the project is unknown until the types of equipment are selected and bids are generated using the State of California purchasing agreement (CMAS) or some other like kind government purchasing agreement.

The total amount budgeted in the 2017/18 fiscal year City Budget for the replacement and installation of new park equipment is \$165,800, which should cover all the equipment improvements to the park listed above.

There is also \$59,000 that is earmarked for tree plantings within the City that came from developer in-lieu fees. This amount more than covers the purchase and planting costs of the twenty to twenty five tree recommend by City Staff to be planted within North Valley Park, either by using outside contracting or City personnel.

Attachments:

Option 1 - 3pgs

Option 2 - 3pgs

Option 3 - 2pgs

Pictures of existing Park Equip. - 6

Picture Community Park shade - 1

**NORTH VALLEY PARK
SITE PLAN**

ADA ACCESSIBILITY GUIDELINE - ADAAG CONFORMANCE

ELEVATED	ACCESSIBLE	RAMP	ACCESSIBLE GROUND	TYPES
12	12/6	0	4/4	4/3

R5

**FOR KIDS
AGES
5-12**

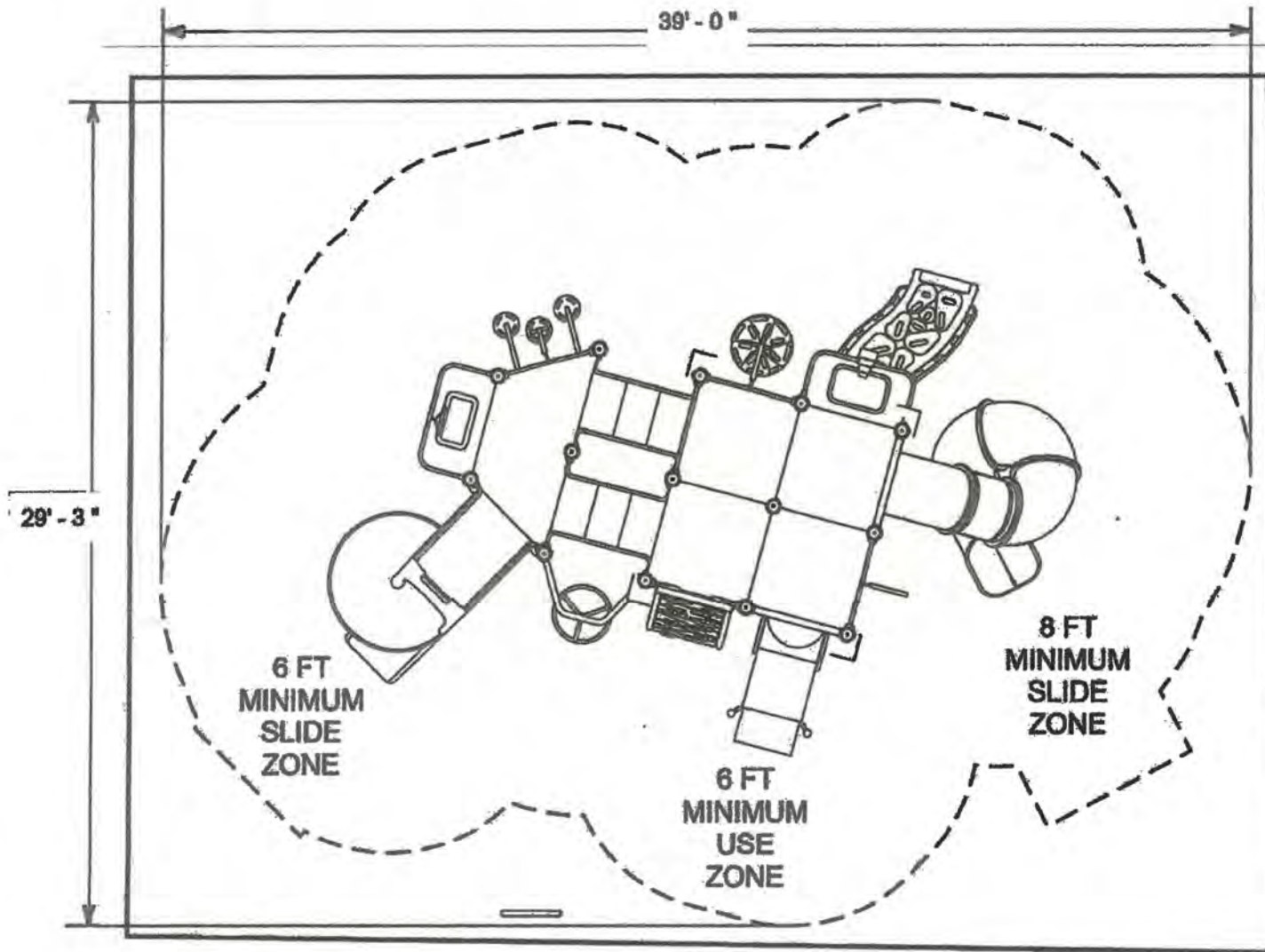
OPTION 1 - PLAY STRUCTURES

GENERAL NOTES:

This Preliminary Site Plan is based on measurements that were provided in the initial planning phase. All dimensions must be verified prior to the submission of a purchase order. Krauss Craft, Inc. will not be held responsible for any discrepancies between actual dimensions and dimensions submitted in the planning phase.

The Minimum Use Zone for a play structure is based on the product design at the time of proposal. Components and structure designs may be subject to change which may affect dimensions. Therefore, before preparing the site, we strongly recommend obtaining final drawings from the factory (available after the order is placed and included in the Assembly Manual).

WARNING: Accessible safety surfacing material is required beneath and around this equipment that has a critical height value (Fall Height) appropriate for the highest accessible part of this equipment. Refer to the CPSC's Handbook For Public Playground Safety, Section 4: Surfacing.



PROJECT#: NSP17693C8A
DATE: 6/16/2017 | DRAWN BY: JDE

MIN. USE ZONE: 40' x 30'

PLAYCRAFT REP:
NSP3

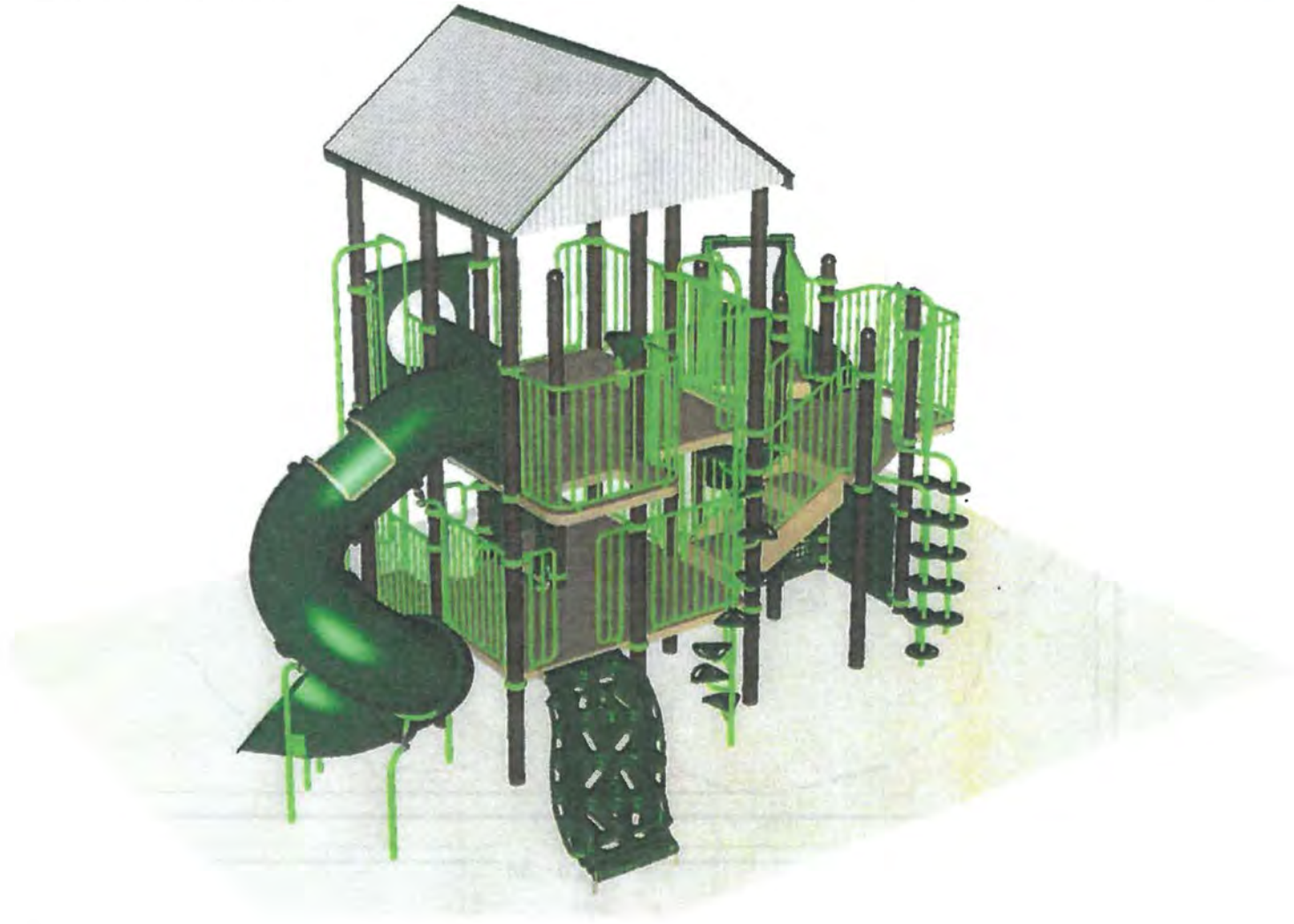


NORTH VALLEY PARK
NE VIEW

R5

FOR KIDS
AGES
5-12

OPTION 1 - PLAY STRUCTURES



STRUCTURE#: R506B6F3A
PROJECT#: NSP17693C8A
DATE: 6/16/2017 | DRAWN BY: JDE



NORTH VALLEY PARK
SW VIEW

R5

FOR KIDS
AGES
5-12

OPTION 1 - PLAY STRUCTURES



STRUCTURE#: R506B6F3A
PROJECT#: NSP17693C8A
DATE: 6/16/2017 | DRAWN BY: JDE



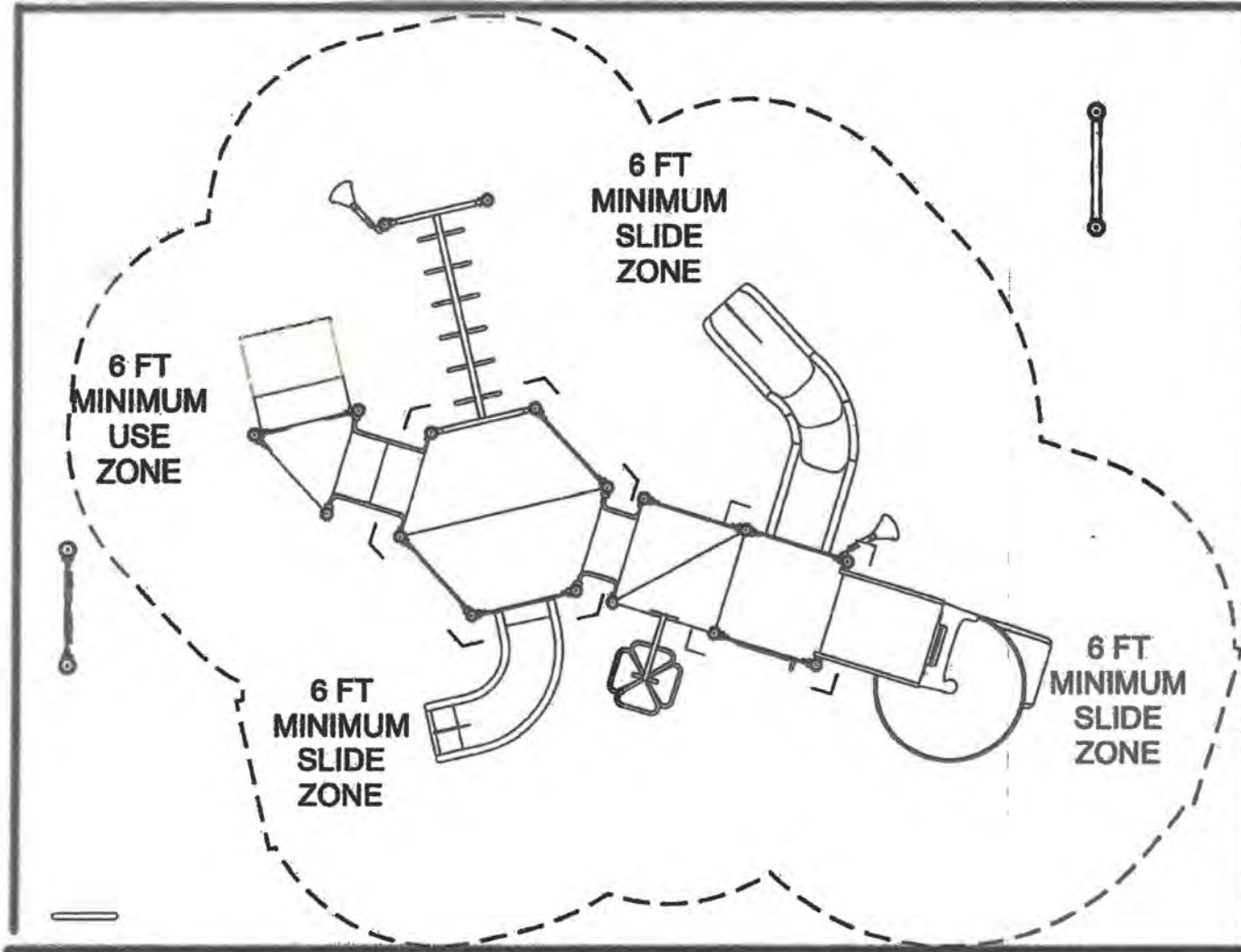
**NORTH VALLEY PARK
SITE PLAN**

ADA ACCESSIBILITY GUIDELINE - ADAAG CONFORMANCE

ELEVATED	ACCESSIBLE	RAMP ACCESSIBLE	GROUND	TYPES
6	5/3	0	4/2	3/2

Mixed Types FOR KIDS AGES 5-12

OPTION 2 - PLAY STRUCTURES



GENERAL NOTES:

This Preliminary Site Plan is based on measurements that were provided in the initial planning phase. All dimensions must be verified prior to the submission of a purchase order. Krauss Craft, Inc. will not be held responsible for any discrepancies between actual dimensions and dimensions submitted in the planning phase.

The Minimum Use Zone for a play structure is based on the product design at the time of proposal. Components and structure designs may be subject to change which may affect dimensions. Therefore, before preparing the site, we strongly recommend obtaining final drawings from the factory (available after the order is placed and included in the Assembly Manual).

WARNING: Accessible safety surfacing material is required beneath and around this equipment that has a critical height value (Fall Height) appropriate for the highest accessible part of this equipment. Refer to the CPSC's Handbook For Public Playground Safety, Section 4: Surfacing.

PROJECT#: NSP17693C8A-2
DATE: 6/16/2017 | DRAWN BY: CSH

MIN. USE ZONE: 39' x 31'

PLAYCRAFT REP:
NSP3



**NORTH VALLEY PARK
NE VIEW**

R35

**FOR KIDS
AGES
5-12**

OPTION 2 - PLAY STRUCTURES



STRUCTURE#: R3599F7FA
PROJECT#: NSP17693C8A-2
DATE: 6/16/2017 | DRAWN BY: CSH



**NORTH VALLEY PARK
SW VIEW**

R35

**FOR KIDS
AGES
5-12**

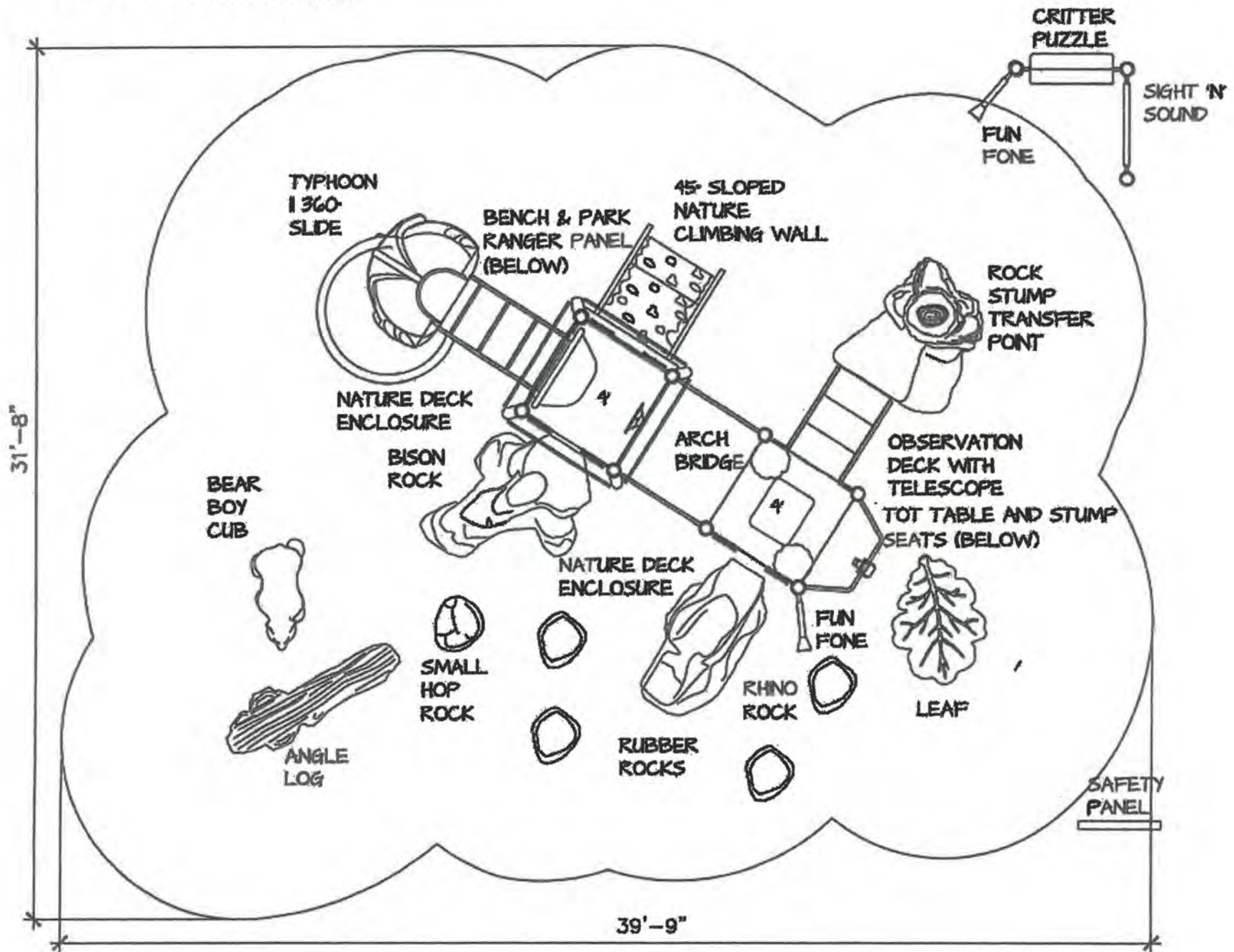
OPTION 2 - PLAY STRUCTURES



STRUCTURE#: R3599F7FA
PROJECT#: NSP17693C8A-2
DATE: 6/16/2017 | DRAWN BY: CSH



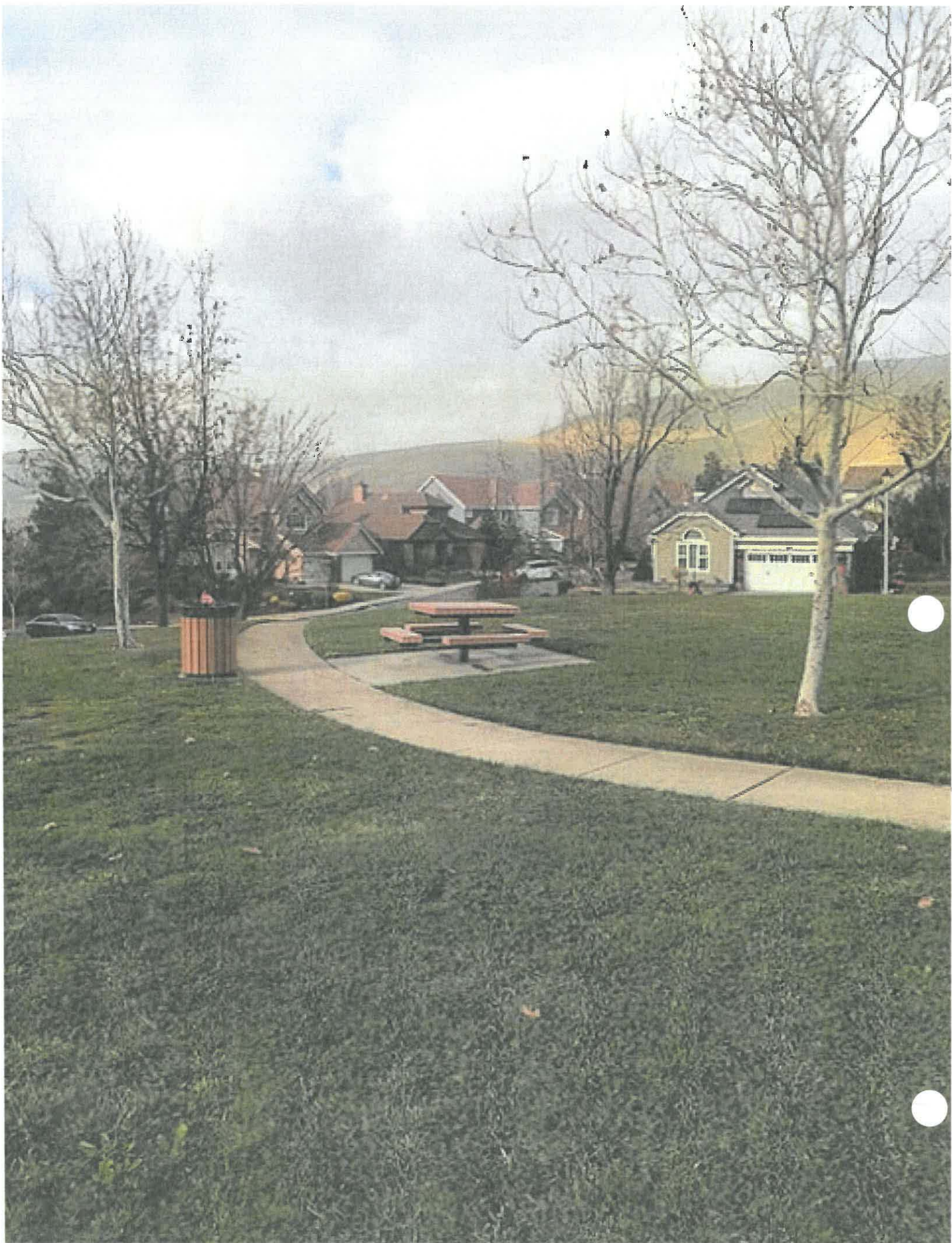
OPTION 3 - PLAY STRUCTURES

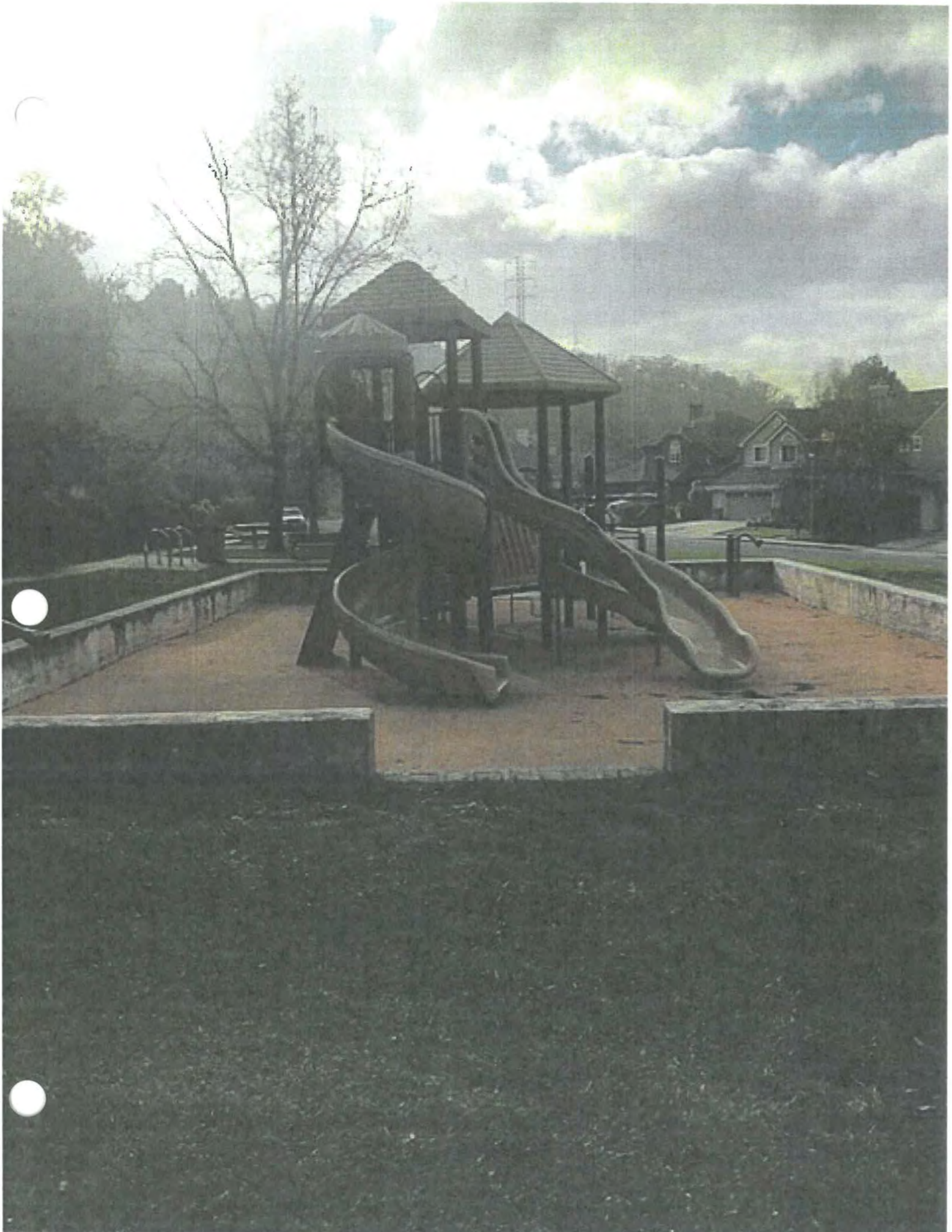


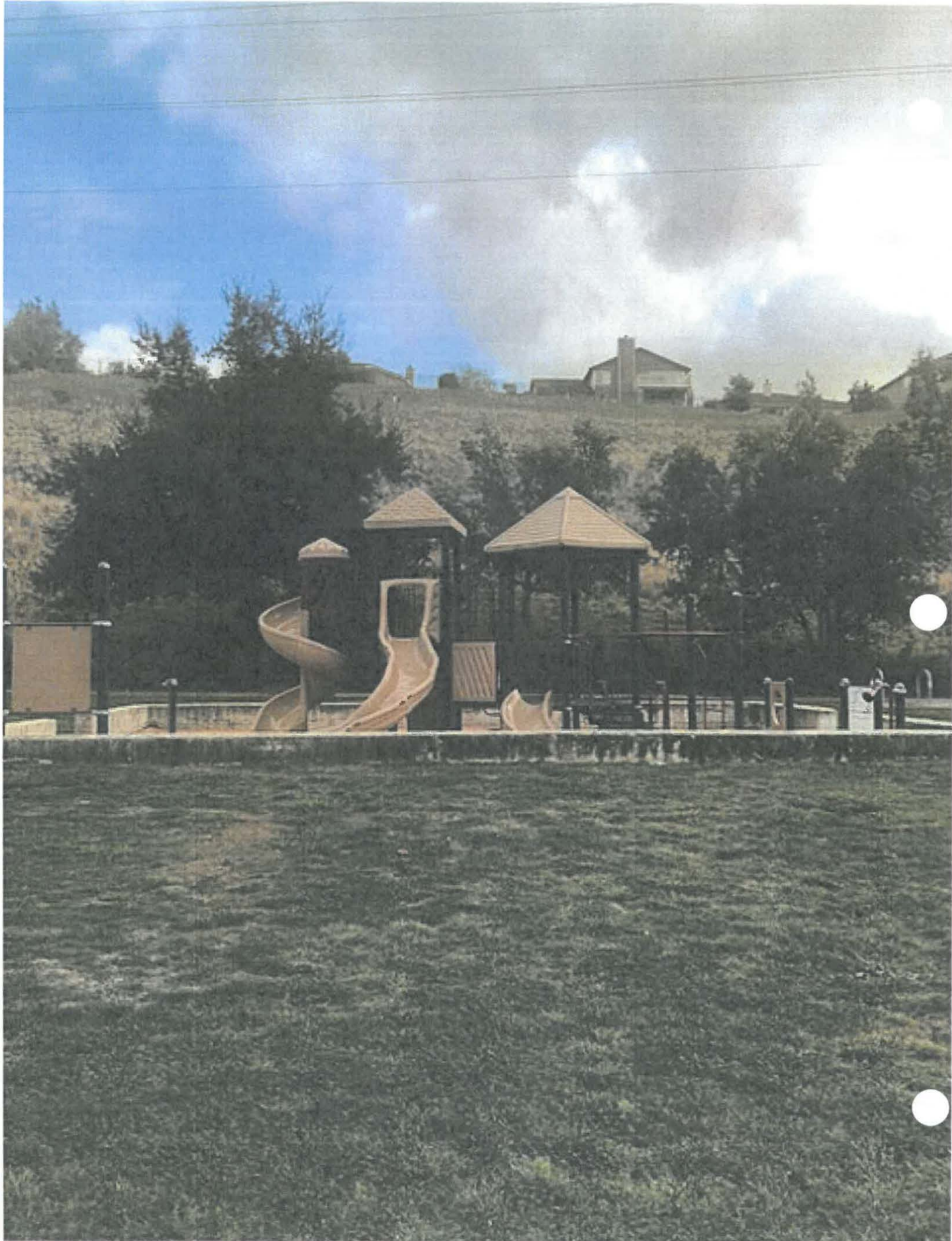
OPTION 3 - PLAY STRUCTURES

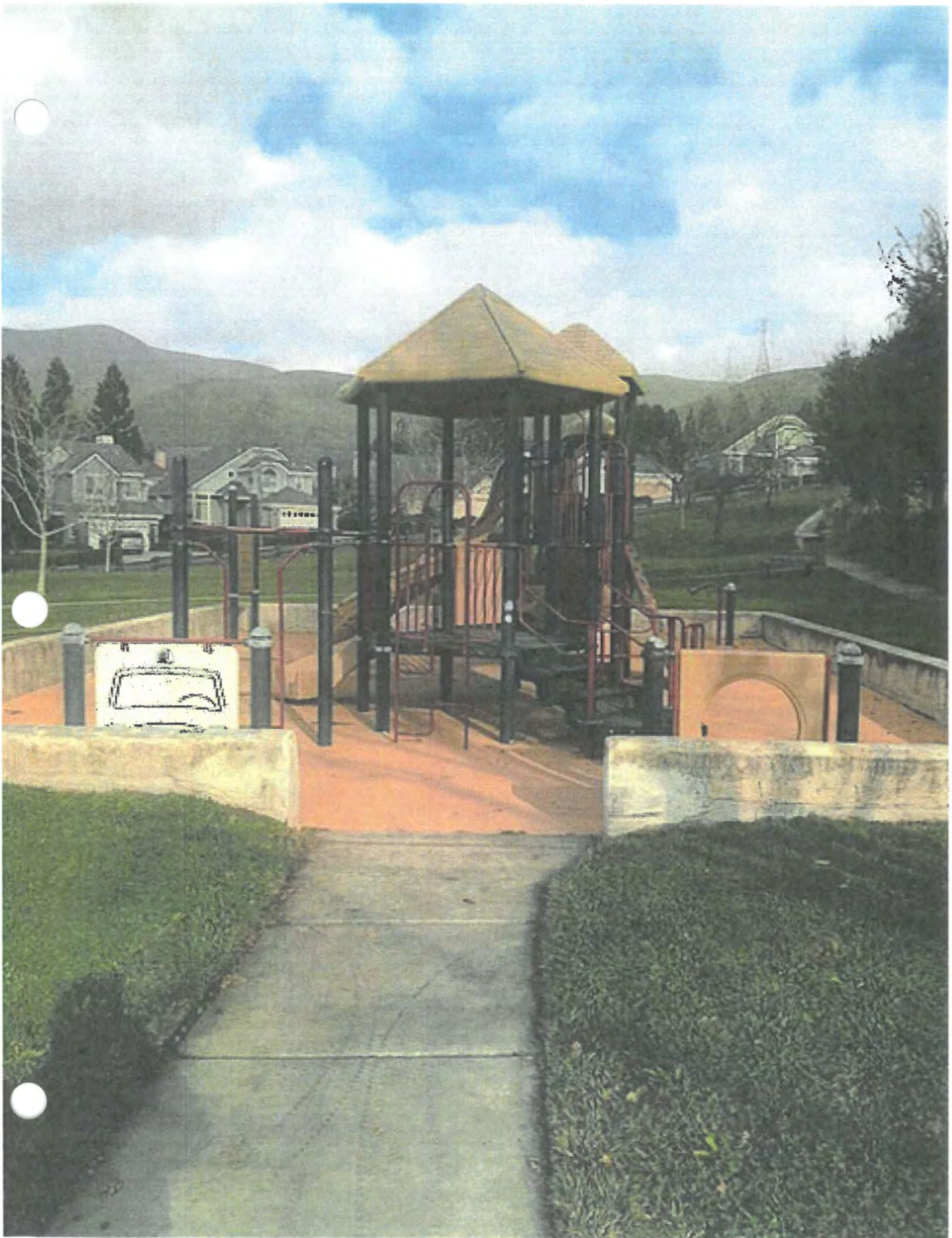


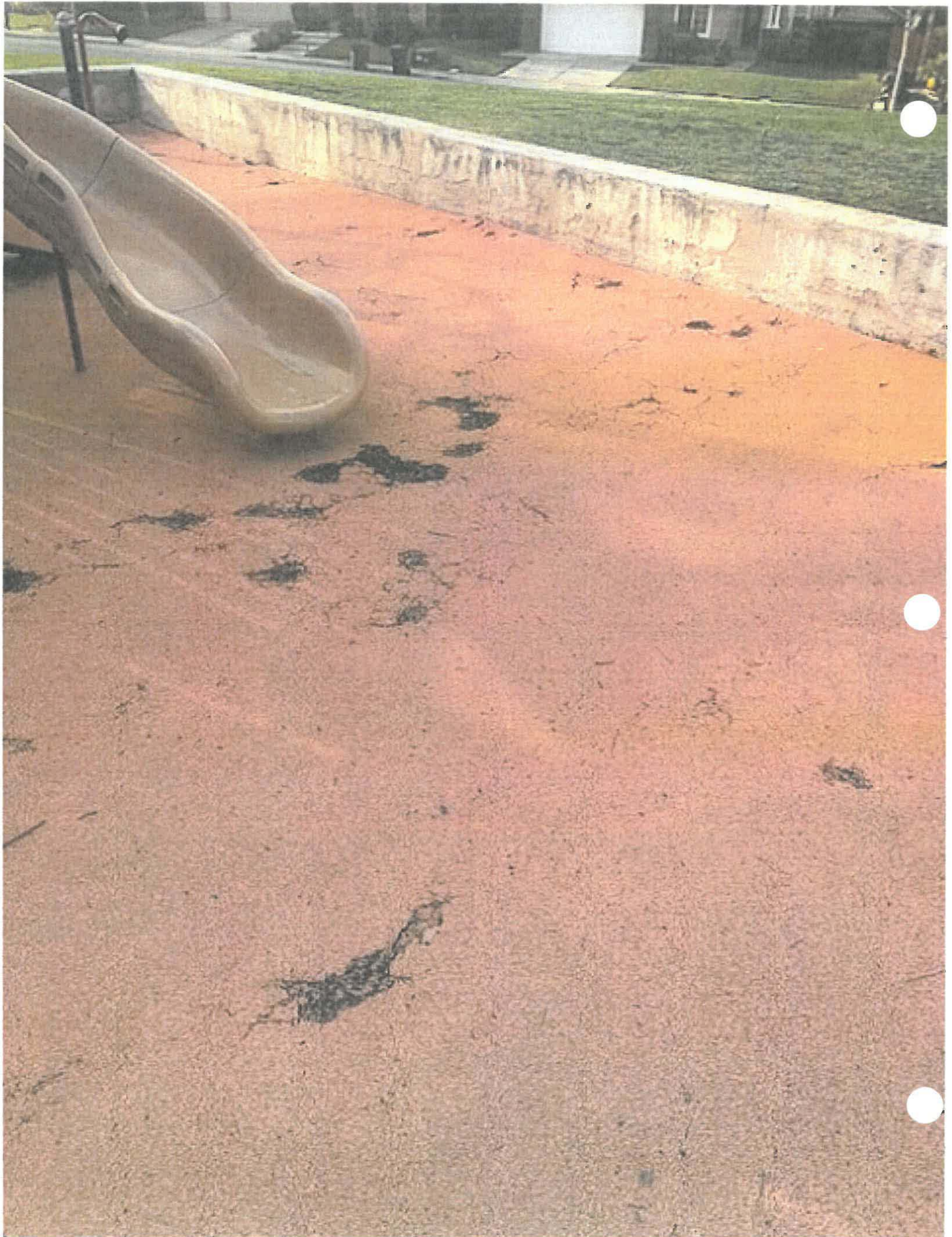


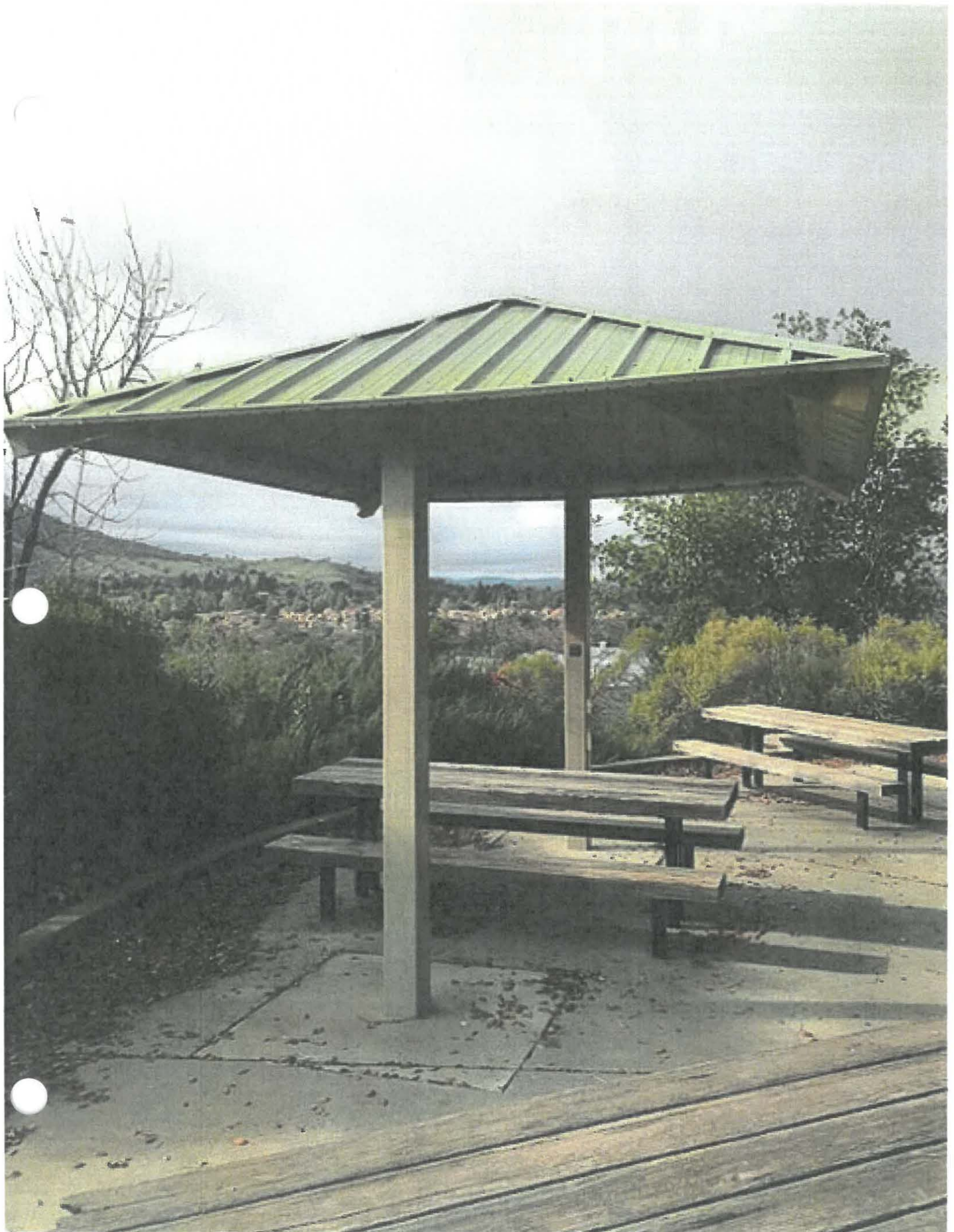














Agenda Date: 1-16-2018

Agenda Item: 8c

Approved:

Gary A. Napper
City Manager

STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: KEVIN MIZUNO, FINANCE MANAGER

DATE: JANUARY 16, 2018

SUBJECT: CONSIDER USE OF FY 2016-17 EXCESS GENERAL FUND MONIES TO ADDRESS IDENTIFIED ONE-TIME EXPENSE UNMET FINANCIAL NEEDS

RECOMMENDATION

It is recommended, following staff presentation and opportunity for public comments, the City Council approve the assignment of \$299,000 in excess General Fund monies from the close of the fiscal year ending June 30, 2017 (FY 2016-17) as proposed for the one-time unmet priority needs of the City.

BACKGROUND

Concurrent with the receipt of a "clean" opinion from the City's independent auditing firm of Cropper Accountancy Corporation presented to the City Council on October 17, 2017, the City learned FY 2016-17 operations closed with an overage in fund balance of \$299,222 in the General Fund, as evidenced on page 29 of the City's audited Comprehensive Annual Financial Report (CAFR). In this same CAFR, the City's General Fund reported a total positive fund balance of \$5,917,281, of which \$5,429,524 is reported as "unassigned" and available for appropriation. The General Fund unassigned reserve balance at June 30, 2017 exceeded appropriations of the adopted FY 2017-18 General Fund operating budget by 1.21 times. In contrast, this same ratio of reserves to operating budget for Lafayette and Moraga is 0.69 and 0.27 respectively. This means that, unlike these fine neighboring cities, the City of Clayton could operate for one fiscal year entirely on reserves alone.

With the General Fund primarily shouldering the bulk of essential public services to our community and for the operations of the municipality (e.g. personnel services), it is often difficult to incorporate larger ticket items into the annual budget while maintaining the City Council's policy of producing an annually-balanced budget with operating surplus. Therefore, the General Fund reserve is multipurpose in its function as the City's "savings account", not only for emergency and disaster purposes but also to underwrite one-time

expenditure items that are merely too large and non-recurring in nature to tuck into a normal balanced operating budget.

While the word "excess" is used to describe these monies, it does not equate to the same definition of "surplus" relative to the City's budgets. "Excess" describes the financial reality that more revenues came into the City treasury during that fiscal year than forecast one year ago, and/or operations of the City cost less than anticipated. The existence of an annual General Fund "excess" does not mean all unmet needs of the City were addressed that fiscal year; should the City have no unmet needs, then the monies could be construed as truly "surplus." In reality, the list of City unmet needs are significantly larger than the proposed expenditure list as well as the \$299,222 realized in FY 2016-17.

Given the healthy position of the City of Clayton's General Fund reserves and the ever-present urgency to address non-recurring operational needs of the City, the City Council has twice previously directed staff to utilize recent General Fund excesses for specific purposes. Some specific critical technological, infrastructural, and operational needs previously approved by the City Council have included, but are not limited to: purchase of a mini-excavator for the Maintenance Department; repainting, concrete, and interior flooring improvements for Endeavor Hall; replacement of outdoor grills and concrete improvements at Clayton Community Park; re-designing the City's website to accept applications and payments online; etc. Since the specific needs approved by the City Council would not be sustainable in an ordinary balanced operating budget, the utilization of recent General Fund operating excesses has been a responsible use of built-up reserves, presuming there remains a sufficient balance to cover next year's General Fund operational budget in an emergency situation. Categorized as being non-recurring and non-operational in nature, expenditures pertaining to the completion of these authorized projects are not reported as part of the operational budget but tracked separately.

PREVIOUS EXPENDITURE USES

The following is a summary of previous actions taken by the City Council to earmark the General Fund excesses for specific purposes.

1. Earmark of FY 2014-15 General Fund Excess

During FY 2015-16, on February 3, 2016, the City Council took action to utilize the General Fund excess (\$389,895) reported in the FY 2014-15 audited financial statements to address pressing one-time needs of the City. As reported in the City's audited FY 2015-16 CAFR, \$278,853 of the General Fund's fund balance was reported as "assigned," which represented the unspent balance the reserve balance earmarked by the City Council on February 3, 2016. Accordingly, this unspent balance was carried forward into FY 2016-17 to address the remaining specifically identified one-time needs identified by the City Council. By the close of FY 2016-17, ten of the fourteen original projects approved by the City Council had been completed by City staff, leaving a residual balance of **\$220,168** rolling into FY 2017-18 for completion.

The following table summarizes the current status of each of the one-time projects authorized by the City Council on February 2, 2016:

Project Description	Total Authorized	Amount		Current Status
		Rolled to FY 2017-18 to		
1. Exterior repaint of City Hall	\$ 6,900	\$ -		Complete
2. Exterior/interior repaint of Endeavor Hall	12,240	-		Complete
3. Refinish oak wood floor at Endeavor Hall	5,473	-		Complete
4. Reseal Endeavor Hall concrete walkway	1,250	-		Complete
5. Ten (10) additional trash receptacles at CC	18,322	-		Complete
6. Replace three (3) grills at CCP	1,724	-		Complete
7. Clean/reseal two (2) restroom floors at CC	4,900	-		Complete
8. Purchase new public works mini-excavator	46,243	-		Complete
9. Keller outhouse demolition	20,000	18,668		Complete
10. Police cameras at City entry/exit points	132,983	132,817		In Progress
11. Police labor overlap and training for attritio	38,237	-		Complete
12. Upgrade City website and IT services	47,000	15,346		In Progress
13. Electronic records management (laserfiche)	48,337	48,337		In Progress
14. Searchable online municipal code	5,000	5,000		In Progress
	<u>\$ 388,609</u>	<u>\$ 220,168</u>		

2. Earmark of FY 2015-16 General Fund Excess

During FY 2016-17, on February 21, 2017, the City Council took action to utilize the General Fund excess (\$203,325) reported in the FY 2015-16 audited CAFR to address an updated priority list of pressing one-time needs of the City. Both of the two projects approved by the City Council to be financed with these excess reserves were in progress by the close of FY 2016-17. Accordingly, the unspent balance of **\$195,072** rolled into FY 2017-18 for completion.

The following table summarizes the current status of each of the one-time projects authorized by the City Council on February 21, 2017:

Project Description	Total Authorized	Amount		Current Status
		Rolled to FY 2017-18 to		
1. Pension Rate Stabilization Fund	\$ 110,000	\$ 110,000		Complete
2. Replace City Hall HVAC & Boiler	93,325	85,072		Complete
	<u>\$ 203,325</u>	<u>\$ 195,072</u>		

DISCUSSION

At its public meeting on October 17, 2017, in conjunction with the presentation of the audited CAFR, staff informed the City Council of its interest in presenting an updated schedule of potential one-time project costs that may be addressed utilizing the reported FY 2016-17

General Fund excess. Members of the City Council endorsed this suggestion directing staff to agendaize this discussion of unmet needs at an upcoming public meeting for further discussion. Pursuant to input from City department heads and a management brainstorming session, staff has compiled a priority listing of current one-time need attached hereto (Exhibit A).

Consequently, the attached compilation classifies, by order of priority, those recognized needs worthy of identification and potential funding, either now or in the near future. In harmony with the City's prudent fiscal policy of not creating or developing new facilities, infrastructures or organizational purchases that will obligate or consume recurring expenditures to support absent operational revenue offsets, the list naturally leans to maintaining or upgrading existing assets or technology, addressing upcoming state and federal mandates, and funding restricted-use sinking fund accounts (i.e. CERF, Pension Rate Stabilization, and Self-Insurance funds). In addition, the City Council may have one-time expense items it wishes to add to this list. This list largely contains items that are not eligible for funds from sources other than the City's General Fund (e.g. Restricted-Use Funds).

Most of the needs listed in Exhibit A are not accompanied by actual quotes but rather staff estimates at this point and are each therefore subject to further refinement. Needs marked with an asterisk (*) are estimates representing the professional judgement of staff as to a likely "ballpark figure", but actual expense is subject to further research and refinement by staff. Rather than staff spending time investigating each listing, it is recommended the City Council discuss and provide to staff its acceptance of the listed items, which would then be immediately pursued or further explored by obtaining third party cost estimates in accordance with the City's Procurement Policy. Needs selected by the City Council to pursue for which only estimates are currently available will result in staff returning to the City Council at a future date with a staff report summarizing the result of further analysis and competitive bid procedures if applicable.

FISCAL IMPACT

Consistent with similar actions taken previously, any direction of the City Council to earmark the FY 2016-17 General Fund excess, or portion thereof, would be incorporated into the current budget year (FY 2017-18) as an appropriation amendment for specified non-recurring needs. Action to earmark said excess General Fund reserves at June 30, 2017 will not be accompanied and offset by an increase in current year revenues.

Exhibit A - List of Unmet Priorities for use of FY 2017 General Fund Excess

UNMET PRIORITIES FOR USE OF FY 2017 GENERAL FUND EXCESS

January 2018

EXHIBIT A

\$299,222

PRIORITY NEED (GF)	ESTIMATED COST	COMMENTS
Replace Mobile Data Terminals in all Patrol Cars (9)	\$ 96,000	Data Lux System + Panasonic Toughbook. Must stay compatible with Concord PD
Install new AT&T business line to Police Station for DOJ data connect	\$ 25,000	DOJ security reqs. Includes one-time \$10k firewall expense + Concord IT time
Consultant Studies to set Affordable Housing In-lieu Fee and Re-evaluate existing Open Space developer impact fees	\$ 25,000 * (Both studies total cost of \$50,000*)	Charge \$25k* Affordable Housing study cost to Successor Housing Agency fund (\$600k)
Green Infrastructure Plan	\$ 50,000 *	Unfunded state mandate by Regional Water Quality Control Bd. Insufficient stormwater monies available.
Update Local Hazard Mitigation Plan	\$ 45,000 *	Necessary for eligibility to recover from FEMA local disaster-expended funds
Augment Pension Rate Stabilization Fund	\$ 58,000	Buffer against CalPERS actuary actions and lowered discount rate
Sub-Total	\$ 299,000	Recommended Tier
Emergency Operations Training	\$ 39,000 *	Training of City staff/update Plan
Replenish Capital Equipment Replacement Fund (CERF)	\$ 100,000	GF replacement vehicles costing more than annual GF contribution
Replace Tot Lot Surfaces - Community Park	\$ 80,000 *	Could defer for several years
Body Cameras for Police Officers (12 cameras)	\$ 3,000	Additional \$2k-\$4k/year for data storage support expenses
Electronic Records Retention	\$?	Needs comprehensive game plan (\$48,337 allocated in FY 2015 monies)
Augment Self-Insurance Fund	\$ 25,000	Current Fund balance at \$43k; pays for self-insurance claim deductibles
Replace City Hall circuit breakers (age; plus tripped during HVAC installation)	\$?	Circuit panel keeps tripping – disrupts City Hall computer operations and tasks
TOTAL	\$ 546,000 +	

* denotes estimated expense; actual cost subject to requests for proposals



Agenda Date: 1-16-2018

Agenda Item: 8d

Approved:

Gary A. Napper
City Manager

AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: CITY MANAGER

DATE: 16 JANUARY 2018

SUBJECT: CONSIDER THE PROPOSED ADJUSTMENTS TO THE SALARY RANGES OF CERTAIN MANAGEMENT POSITIONS OF THE CITY

RECOMMENDATION

Following staff report presentation and opportunity for public comment, it is recommended the City Council adopt the attached Resolution approving and authorizing the adjustments to the salary ranges of certain management employment positions of the City, namely the chief of police, community development director, finance manager, and the assistant to the city manager.

BACKGROUND

Over the last decade the City organization has found itself in constant advertisement mode for interested and qualified individuals willing to work in and remain employed at the smallest municipality in Contra Costa County, the City of Clayton. This cycle of perpetual recruitments has been burdensome on the organization staff and occurs at all levels of employment positions. Each time it transpires, often with concurrent openings, remaining City staff is usually overburdened with the temporary performance or coverage of additional tasks and workloads, which cycle is wearisome on existing employees and does cause interruptions to the higher quality of public services expected by the public and by the public entity itself. In addition, learned institutional knowledge walks out the City Hall doors with the departing employee.

In particular, significant strain is felt at the management level of the City organization when certain key positions become vacant due to retirements or better employment offers in competing cities and counties. Most notably, the epidemic turnovers in Clayton's chiefs of police and community development directors have resulted in organizational delays, leadership vacuums, work productivities and task disruptions as the City weathers the ups and downs of interim personnel coupled with short-term management personnel. In each case when the City conducted employment recruitments for certain key management positions, the pool of interested and qualified candidates diminished in the subsequent advertisements, and largely due to the waning City compensation packages approved for these management opportunities. As a low property tax city (6.6% of the 1% assessed value

property tax paid) coupled with being primarily residential without large commercial or industrial sectors, the City's financial capacity is severely constrained to pay enticing employment salary ranges to attract meaningful pools of applicants. We have often been fortunate to find "the one" highly-qualified professional wishing to fill the vacancy, that individual attracted to Clayton as a premier work environment and condition. Unfortunately, low management pay scales do not stem the bleeding of employees [at all levels] leaving Clayton employment to accept higher salaries [and often benefits] in neighboring cities and counties.

CURRENT MANAGEMENT STAFFING

Fortuitously, the City organization is presently staffed in its management positions with very fine and qualified professionals performing critical functional posts, namely chief of police (expect permanent employee arrival on February 12th), community development director, finance manager, and assistant to the city manager. Retaining these individuals with the City of Clayton is now largely predicated on the personal timing of these incumbents and chosen quality of life factors; yet, not a workday goes by without the pressing thought that any one of them, or several, could present a written notice to leave Clayton's employment for "greener pastures," thereby triggering once again the endless cycle of advertisement, recruitment, attraction, and hopeful retention of quality public management personnel.

During my tenure the City has never conducted an expensive and comprehensive salary study of comparative pay scales in neighboring or similar cities. Why not? Simply because the expense would be startling but the results not at all; and it would not generate significant upward movements in prevailing wage bumps due to the omnipresent resource constraints of the City. Clayton, as the smallest city with the smallest municipal budget in the county of Contra Costa, expectantly pays its public employees at the bottom end of the market. Furthermore, while the City has endeavored to keep pace with cost of living adjustments (COLAs) during its employee negotiations, it has fallen behind in comparative salary schedules with other public entities which often do offer more than COLAs to its employees to remain competitive in the public market place, to retain its qualified employees who have been invested with city training, and have become even more valued in their respective management positions with tenure in place.

Section 2.10.070 F., Powers and Duties in the Clayton Municipal Code, specifies one of the following responsibilities of the city manager:

"Conduct studies and effect such administrative organization and reorganization of offices, positions and units under his/her direction as are in the interest of efficient, effective, and economical conduct of the City's business."

It is within this context of management responsibility, both in financial effort and largely heartfelt gesture to retain existing personnel, and to attract future personnel when it becomes necessary, it is proposed the City Council approve a recommended and permanent adjustment to the salary ranges of four (4) management positions of the City:

Chief of Police
Finance Manager

Community Development Director
Assistant to the City Manager

ADJUSTMENT PROPOSAL

To achieve the intended objectives, and to address internal salary range compaction issues, it is proposed the existing salary ranges of the chief of police, community development director, and the assistant to the city manager be adjusted by a five percent (5%) increase, effective with the adoption of the accompanying Resolution. In addition, it is proposed the salary range of the finance manager be elevated to the same salary range of the community development director to denote parity in organizational importance and value.

The outcome of this proposal for each selected management position is outlined below. For comparative purpose, listed are the current salary ranges for similar management positions in the next smallest cities in Contra Costa (Moraga, 16,676 pop.; and Orinda, 18,935 pop.):

Chief of Police	
Current Monthly Salary Range	\$ 8,679.84 - \$ 10,550.40
5% Proposed Increase	\$ 9,114.00 - \$ 11,078.00
With 3% COLA in July 2018 *	\$ 9,388.00 - \$ 11,410.00
Moraga Chief of Police	\$ 13,068 - \$ 15,884
Orinda Chief of Police	contracts with County Sheriff

* Position subject to a 3% cost-of-living adjustment negotiated in current bargaining group contract

Community Development Director	
Current Monthly Salary Range	\$ 8,070.19 - \$ 9,809.37
5% Proposed Increase	\$ 8,474.00 - \$ 10,300.00
With 3% COLA in July 2018 *	\$ 8,729.00 - \$ 10,609.00
Moraga Planning Director	\$ 11,231 - \$ 13,651
Orinda Director of Planning	\$ 8,871 - \$ 11,149

* Position subject to a 3% cost-of-living adjustment negotiated in current bargaining group contract

Finance Manager	
Current Monthly Salary Range	\$ 7,121.55 - \$ 8,656.29
Proposed Increase	\$ 8,474.00 - \$ 10,300.00
With 3% COLA in July 2018 *	\$ 8,729.00 - \$ 10,609.00
Moraga Dir. of Admin. Services *	\$ 11,357 - \$ 13,804
Orinda Director of Finance	\$ 10,047 - \$ 12,627

* Position subject to a 3% cost-of-living adjustment negotiated in current bargaining group contract

* Position handles both finance and personnel management functions

Assistant to the City Manager	
Current Monthly Salary Range	\$ 6,007.96 - \$ 7,296.64
5% Proposed Increase	\$ 6,304.00 - \$ 7,662.00
With 3% COLA in July 2018 *	\$ 6,492.00 - \$ 7,892.00
Moraga Ass't. to Town Mgr *	\$ 8,029 - \$ 9,759
Orinda Senior Mgt. Analyst	\$ 7,157 - \$ 8,995

* Position subject to a 3% cost-of-living adjustment negotiated in current bargaining group contract

* Position also serves as City Clerk

As policy makers for the City of Clayton, the City Council establishes and approves the salary range [schedule] for each employment position of the City. It is the City Manager's assigned responsibility to place individuals at one of the five appropriate compensation steps (A - E) within the approved salary range according to merit and performance.

While it evident the proposed adjustments do not achieve compensation equity with one's management position counterpart in the next smallest populated cities, it will make a difference in the existing professional and personal lives of the incumbents while remaining employed with the City of Clayton (pop. 11,284).

FINANCIAL IMPACT

If approved as recommended, the implementation of the proposal would become effective immediately, commencing 17 January 2018. Pursuant to detailed calculations performed by the Finance Manager, the totality of the adjustments for the remainder of Fiscal Year 2017-18 will be \$10,302.48 (note: amount includes salary adjustments plus salary-related benefit increases). (Reference: Attachment 2).

Effective July 2018, along with the previously-authorized 3% COLA, the full year of financial impact in FY 2018-19 will be \$29,168.10 (Reference: Attachment 3).

Each of this actions will primarily impact the General Fund, although the full expense of \$39,470.58 over the next 18 months (through 30 June 2019) will be slightly lessened when each management position charges-out specific time worked on tasks or projects associated with other enterprise or separate funds (e.g. Landscape District; Stormwater Fund; developer deposit accounts).

Reflecting on past trends and present analyses of the City's General Fund status, the proposed salary adjustments are sustainable. This matter has also been reviewed with and considered by the City Council Budget Sub-Committee (Mayor Haydon & Council Member Catalano), which supports its approval.

- Attachments: 1. Resolution with Exhibit A – new salary schedule [3 pp.]
 2. Spreadsheet for mid-January 2018 expense [1 pg.]
 3. Spreadsheet for FY 2018-19 expense [1 pg.]

CITY RESOLUTION NO. – 2018

**A RESOLUTION APPROVING VARIOUS PERCENTAGE ADJUSTMENTS
TO AND ESTABLISHING NEW SALARY RANGES FOR FOUR (4)
MANAGEMENT JOB CLASSIFICATIONS OF THE CITY**

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

WHEREAS, the governing body of a municipality is charged with establishing and approving its salary ranges for the various job classifications of a city; and

WHEREAS, by previous actions the City Council of Clayton has established and approved a salary range schedule each of its job classifications employed by the City of Clayton, which salary schedule is and has been posted on the City's public website; and

WHEREAS, Section 2.10.070 F., Powers and Duties, of the Clayton Municipal Code charges its city manager with the responsibility to "*Conduct studies and effect such administrative organization and reorganization of offices, positions and units under his/her direction as are in the interest of efficient, effective, and economical conduct of the City's business;*" and

WHEREAS, at its regular public meeting held on 16 January 2018, in the interest of the City to recruit, attract and retain qualified individuals in certain management positions of the municipal organization, the Clayton City Manager presented a staff report and proposal to increase in varying amounts the currently approved salary ranges for the job classifications of chief of police, community development director, finance manager, and the assistant to the city manager; and

WHEREAS, by implementing the proposed salary adjustments it is the professional perspective of the City Manager that the qualified incumbents presently serving in each of those key management positions would be further encouraged to remain employed with the City of Clayton and not seek, in the foreseeable future, employment in other competing public entities whose salaries and benefits vastly exceed those of the smallest city in the county of Contra Costa; and

WHEREAS, should individuals serving in these four (4) job classifications personally decide to accept employment or experiences in other public entities, the salary ranges of the vacated positions will have been elevated beyond the normal processes of this City to hopefully attract other qualified professionals to become employed with and serve the public needs of the Clayton community;

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

Section 1. The City Council does hereby find and determine the above recitals are true and correct statements and facts and, coupled with the City Manager's written and verbal staff report on this matter at its public meeting on 16 January 2018, along with other public and City Council comments and input, do constitute in part the findings for the City Council's approval of the actions herein.

Section 2. The City Council does hereby approve, effective 17 January 2018, a five percent (5%) adjustment to the current salary ranges of the job classifications for chief of police, community development director, and assistant to the city manager; and does hereby further approve, effective 17 January 2018, an 18.99% adjustment to the current salary range for the job classification of finance manager, with the specifically approved monthly salary ranges as set forth in Exhibit A, attached hereto and incorporated herein as if fully set forth, which is herewith approved as the new Salary Schedule for these four management job classifications through 30 June 2019.

Section 3. The City Clerk/HR Manager is hereby instructed to forthwith incorporate the new salary ranges of these four management job classifications, as contained in Exhibit A, into the City Council approved Salary Range Schedule and further post the revised Salary Range Schedule in its entirety on the City's public website.

Section 4. The City Manager is hereby authorized to order the implementation of these approved and adjusted salary ranges for chief of police, community development director, finance manager, and assistant to the city manager pursuant to the personnel practices and regulations of the City commencing 17 January 2018.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Clayton, California at a regular public meeting thereof held on the 16th day of January 2018 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

THE CITY COUNCIL OF CLAYTON, CA

Keith Haydon, Mayor

ATTEST:

Janet Brown, City Clerk

EXHIBIT A**FY 2017-18 Existing Per MOU (Monthly)**

	A	B	C	D	E
Assistant to the City Manager	\$ 6,002.96	\$ 6,303.11	\$ 6,618.26	\$ 6,949.18	\$ 7,296.64
Finance Manager	\$ 7,121.55	\$ 7,477.63	\$ 7,851.51	\$ 8,244.08	\$ 8,656.29
Community Development Director	\$ 8,070.19	\$ 8,473.70	\$ 8,897.39	\$ 9,342.26	\$ 9,809.37
Chief of Police	\$ 8,679.84	\$ 9,113.83	\$ 9,569.52	\$ 10,048.00	\$ 10,550.40

January 1, 2018 Hypothetical Change to Salary Ranges (Monthly)

	A	B	C	D	E
Assistant to the City Manager	\$ 6,304.00	\$ 6,619.00	\$ 6,950.00	\$ 7,297.00	\$ 7,662.00
Finance Manager	\$ 8,474.00	\$ 8,898.00	\$ 9,343.00	\$ 9,810.00	\$ 10,300.00
Community Development Director	\$ 8,474.00	\$ 8,898.00	\$ 9,343.00	\$ 9,810.00	\$ 10,300.00
Chief of Police	\$ 9,114.00	\$ 9,570.00	\$ 10,048.00	\$ 10,550.00	\$ 11,078.00

FY 2018-19 Assuming New Hypothetical Ranges (Monthly)

	A	B	C	D	E
Assistant to the City Manager	\$ 6,492.00	\$ 6,817.00	\$ 7,158.00	\$ 7,516.00	\$ 7,892.00
Finance Manager	\$ 8,729.00	\$ 9,165.00	\$ 9,623.00	\$ 10,104.00	\$ 10,609.00
Community Development Director	\$ 8,729.00	\$ 9,165.00	\$ 9,623.00	\$ 10,104.00	\$ 10,609.00
Chief of Police	\$ 9,388.00	\$ 9,857.00	\$ 10,350.00	\$ 10,867.00	\$ 11,410.00

FY 2018-19 Existing Per MOU (Monthly)

	A	B	C	D	E
Assistant to the City Manager	\$ 6,183.05	\$ 6,492.20	\$ 6,816.81	\$ 7,157.65	\$ 7,515.54
Finance Manager	\$ 7,335.20	\$ 7,701.96	\$ 8,087.05	\$ 8,491.41	\$ 8,915.98
Community Development Director	\$ 8,312.30	\$ 8,727.91	\$ 9,164.31	\$ 9,622.52	\$ 10,103.65
Chief of Police	\$ 8,940.23	\$ 9,387.24	\$ 9,856.61	\$ 10,349.44	\$ 10,866.91

ATTACHMENT 2

July 1, 2017 - December 31, 2017 (FY 2018 Negotiations)

Position	Step	Adjusted Hry Rate	Per Pay Period Salary	Total Annual Salary	Medicare & FICA	PERS - Safety	PERS - Miscellaneous	LTD/STD	Workers' Comp EFFECTIVE RATE	Total Comp	Ratio Benefit/ Salary
							15.418%				
					1.450%		7.200%				
					7.650%	11.990%	6.533%	1.1370%	4.516%		
ACM	E	42.10	3,368.00	87,568.00	1,269.74		13,525.41	995.65	3,954.15	121,976.41	39.29%
FM	E	49.94	3,995.20	103,875.20	1,506.19		6,810.35	1,181.06	4,690.51	138,131.47	32.98%
CDD	E	56.59	4,527.20	117,707.20	1,706.75		8,499.10	1,338.33	5,315.10	158,774.62	34.89%
COP	E	60.87	4,869.60	126,609.60	1,835.84	15,348.40		1,439.55	5,717.09	156,848.68	23.88%
			\$ 16,760.00	\$ 435,760.00	\$ 6,318.52	\$ 15,348.40	\$ 28,834.86	\$ 4,954.59	\$ 19,676.85	\$ 575,731.18	

January 1, 2018 (Hypothetical Change)

ACM	E	44.20	3,536.00	91,936.00	1,333.07		14,198.87	1,045.31	4,151.39	127,328.11	38.50%
FM	C	53.90	4,312.00	112,112.00	1,625.62		7,348.46	1,274.71	5,062.45	147,491.40	31.56%
CDD	E	59.42	4,753.60	123,593.60	1,792.11		8,922.92	1,405.26	5,580.90	165,502.93	33.91%
COP	D	60.87	4,869.60	126,609.60	1,835.84	15,348.40		1,439.55	5,717.09	156,848.68	23.88%
			\$ 17,471.20	\$ 454,251.20	\$ 6,586.64	\$ 15,348.40	\$ 30,470.25	\$ 5,164.84	\$ 20,511.83	\$ 597,171.11	

Annualized Increase \$ 18,491.20 \$ 268.12 \$ - \$ 1,635.39 \$ 210.24 \$ 834.97 \$ 21,439.93

1/2 Year Increase \$ 9,245.60 \$ 134.06 \$ - \$ 817.69 \$ 105.12 \$ 417.49 \$ 10,719.97

1/18 - 6/30/18 (1/2 yr) Increase (Excluding WC) \$ 10,302.48

ATTACHMENT 3

FY 2019 Negotiations

Position	Step	Adjusted Hrly Rate	Per Pay Period Salary	Total Annual Salary	Medicare & FICA	PERS - Safety	PERS - Miscellaneous	Life/AD&D for \$50k Coverage	LTD/STD	Workers' Comp EFFECTIVE RATE	Total Comp
					1.450%		15.892%				
					7.650%	12.141%	6.842%				
ACM	E	43.36	3,468.80	90,188.80	1,307.74		14,356.98	130.41	1,076.72	4,276.12	125,876.03
FM	E	51.44	4,115.20	106,995.20	1,551.43		7,344.79	130.41	1,277.36	5,072.96	142,316.12
CDD	E	58.29	4,663.20	121,243.20	1,758.03		9,279.89	130.41	1,447.46	5,748.51	163,691.43
COP	E	62.69	5,015.20	130,395.20	1,890.73	16,000.55		130.41	1,556.72	6,182.43	161,930.04
			\$ 17,262.40	\$ 448,822.40	\$ 6,507.92	\$ 16,000.55	\$ 30,981.66	\$ 521.64	\$ 5,358.27	\$ 21,280.02	\$ 593,813.62
											\$ 623,504.31


FY 2019 Hypothetical Change

ACM	E	45.53	3,642.40	94,702.40	1,373.18		15,074.29	130.41	1,130.60	4,490.13	131,440.27
FM (7/1 - 12/9)	C	55.52	4,441.60	51,158.35	741.80		3,524.43	130.41	610.75	2,425.57	78,535.27
FM (12/9 - 6/30/17)	D	58.29	4,663.20	67,532.46	979.22		4,620.57	130.41	806.24	3,201.92	77,270.82
CDD	E	61.21	4,896.80	127,316.80	1,846.09		9,743.54	130.41	1,519.97	6,036.47	170,677.23
COP (7/1/18 - 2/15/18)	D	62.69	5,015.20	82,148.98	1,191.16	10,142.98		130.41	980.74	3,894.93	98,489.19
COP (2/16/19-6/30/19)	E	65.83	5,266.40	50,662.77	734.61	6,260.24		130.41	604.84	2,402.07	66,568.94
			\$ 27,925.60	\$ 473,521.76	\$ 6,866.07	\$ 16,403.21	\$ 32,962.84	\$ 782.46	\$ 5,653.14	\$ 22,451.09	\$ 622,981.72
Annualized Increase			\$ 24,699.36	\$ 358.14	\$ 402.66	\$ 1,981.17	\$ 260.82	\$ 294.87	\$ 1,171.07	\$ 29,168.10	



Agenda Date: 1-16-2018

Agenda Item: 8e

Approved: 
Gary A. Napper
City Manager

AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: CITY MANAGER
DATE: 16 JANUARY 2018
SUBJECT: DETERMINATION OF COUNCIL COMMITTEE ASSIGNMENTS

RECOMMENDATION

It is recommended the City Council approve Mayor Haydon's proposed changes to the various Council ad-hoc and committee assignments for the ensuing year of 2018.

BACKGROUND

In addition to its primary role as elected officials of the City of Clayton, members of the City Council hold a variety of ad-hoc and committee assignments that involve the direct participation of its members in a host of local and regional issues and intergovernmental organizations. Pursuant to its adopted *Council Guidelines and Procedures*, the Mayor assigns the Council ad-hoc and committee appointments annually, usually each December. Due to the cancellation of its 2nd meeting in December 2017, this action item appears on this Agenda. Consideration of this matter presents an opportunity to review the established committees and determine continued relevance, need to create new ones, or abolish existing ones. In making the assignments, the Mayor is encouraged to seek individual input from members of the City Council regarding appointment preferences.

Attached are two (2) lists:

1. Mayor Haydon's list of proposed assignment changes, highlighted in **green font**.
2. The current list of City Council sub-committees and associated assignments during 2017. The list has been updated (*in red font*) to reflect the elections made at the Council Reorganization Meeting held on December 5, 2017 relative to the chair and vice chair of the Oakhurst Geological Hazard Abatement District (GHAD). The Clayton Financing Authority (CFA) chair and vice chair are automatically filled by the mayor and vice mayor of the City, respectively, per its By-Laws.

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

Attachments: 1. Mayor Haydon's proposed assignment changes for 2018 [2 pp.]
2. City Council current Committee Assignments – 2017 [2 pp.]
3. *Council Guidelines and Procedures* [2 pp.]

CITY COUNCIL ASSIGNMENTS
STANDING/AD-HOC COMMITTEES/LIAISONS
MAYOR HAYDON'S ASSIGNMENT CHANGES

CITY OF CLAYTON
2018

Association of Bay Area Governments (ABAG)	Julie Pierce Alternate: David Shuey
Budget/Audit Committee	Keith Haydon; Tuija Catalano Alternate: Jim Diaz
Citizens Corps Council (CERT)	Keith Haydon Alternate: Jim Diaz
Clayton Financing Authority [CFA]* *[offices automatically go to Mayor & Vice Mayor, per Bylaws]	President – Keith Haydon Vice President – David Shuey
Contra Costa Water District [CCWD] Liaison	Jim Diaz Alternate: Keith Haydon
Central Contra Costa Transit Authority [CCCTA]	Keith Haydon Alternate: Tuija Catalano
“Do The Right Thing” Program	David Shuey
Downtown Activities Committee	Julie Pierce, Jim Diaz
East Bay Division - League of California Cities	Julie Pierce Alternate: Keith Haydon
East Contra Costa County Habitat Conservancy	Keith Haydon Alternate: Tuija Catalano
Economic Development Committee	Julie Pierce, David Shuey Alternate: Tuija Catalano

Endeavor Hall Marketing Committee

Jim Diaz, Keith Haydon

Garbage & Recycling Committee

David Shuey, **Tuija Catalano**

Interview Committees:

- a. Planning Commission applicants
- b. Trails and Landscaping Committee applicants

City Council

Vice Mayor
Tuija Catalano

Clayton Library Foundation Liaison

Tuija Catalano
Alternate: Jim Diaz

Mayors' Conference – Contra Costa County

Mayor & Council

Mt. Diablo School District Liaison Committee

David Shuey, **Tuija Catalano**
Alternate: **Julie Pierce**

Oakhurst Geological Hazard Abatement District [GHAD]

Chair – Tuija Catalano
Vice Chair – Jim Diaz

Trails and Landscaping Committee (TLC) Liaison

Vice Mayor
Alternate: Tuija Catalano

TRANSPAC

Julie Pierce
Alternate: **Jim Diaz**

“Unsung Heroes” Program Committee

Keith Haydon; David Shuey

* * * * *

Revised: 05 December 2017
Original Adoption: 17 December 2004

CITY COUNCIL ASSIGNMENTS STANDING/AD-HOC COMMITTEES/LIAISONS

CITY OF CLAYTON 2018

Association of Bay Area Governments (ABAG)	Julie Pierce Alternate: David Shuey
Budget/Audit Committee	Keith Haydon; Tuija Catalano Alternate: Jim Diaz
Citizens Corps Council (CERT)	Keith Haydon Alternate: Jim Diaz
Clayton Financing Authority [CFA]* *[offices automatically go to Mayor & Vice Mayor, per Bylaws]	President – Keith Haydon Vice President – David Shuey
Contra Costa Water District [CCWD] Liaison	Jim Diaz Alternate: Keith Haydon
Central Contra Costa Transit Authority [CCCTA]	Jim Diaz Alternate: Tuija Catalano
“Do The Right Thing” Program	David Shuey
Downtown Activities Committee	Julie Pierce, Jim Diaz
East Bay Division - League of California Cities	Jim Diaz Alternate: Keith Haydon
East Contra Costa County Habitat Conservancy	Keith Haydon Alternate: Tuija Catalano
Economic Development Committee	Julie Pierce, Dave Shuey Alternate: Tuija Catalano

Endeavor Hall Marketing Committee	Jim Diaz, Keith Haydon
Garbage & Recycling Committee	Keith Haydon, David Shuey
Interview Committees:	
a. Planning Commission applicants	City Council
b. Trails and Landscaping Committee applicants	Vice Mayor Tuija Catalano
Clayton Library Foundation Liaison	Keith Haydon Alternate: Jim Diaz
Mayors' Conference – Contra Costa County	Mayor & Council
Mt. Diablo School District Liaison Committee	Julie Pierce, David Shuey Alternate: Tuija Catalano
Oakhurst Geological Hazard Abatement District [GHAD]	Chair – Tuija Catalano Vice Chair – Jim Diaz
Trails and Landscaping Committee (TLC) Liaison	Vice Mayor Alternate: Tuija Catalano
TRANSPAC	Julie Pierce Alternate: Keith Haydon
“Unsung Heroes” Program Committee	Keith Haydon; David Shuey

* * * * *

Revised: *05 December 2017*
Original Adoption: 17 December 2004

4. Council Members exhibit care and respect for each other as persons.
5. Council Members promote care and respect for each other's point of view. Each Member has a right to be heard.
6. Opinions are expressed honestly, openly, civilly and with integrity.
7. Humor is an important tool.
8. Traditions are respected but not always binding.

C. COUNCIL INTERACTION AND COMMUNICATION

1. The Mayor makes Council sub-committee appointments annually in December; the Mayor is encouraged to seek input from Council regarding appointment preferences.
2. Members will take seriously the responsibility of reporting to Council on sub-committees and other regional, state and national board/agency/group activities in which they are involved.
3. Each Council Member has the responsibility to initiate resolution of problems as soon as possible.
4. Members shall recall and abide by the Brown Act when giving information to each other outside of public meetings.
5. Cheap shots at each other are not allowed by Members during public meetings, in the media, or at any other time.
6. Relationships are informal, but Council Members need to be aware of impact on and perception of the public.
7. Council Members will be flexible in covering Council responsibilities for each other.
8. **Council Sub-Committees.**
 - a. **Sub-committee areas belong to the Council as a whole; they are not seen as territorial.**
 - b. **Sub-committees shall keep the rest of the Council fully informed. The rest of the Council is responsible for letting a sub-committee know if they want more information or to give input.**
 - c. **Before sub-committees start moving in new directions, they will obtain direction from the rest of the Council.**

- d. Sub-committee reports will be made under “Council Reports” at Council meetings, when appropriate.
- e. Sub-committee memos will be sent on an interim basis to update other Council Members on:
 - 1). Issues being discussed.
 - 2). Options being considered.
 - 3). Progress.
- f. Appropriate reports will also be included in the City Manager’s “Weekly Report”.
- g. Council may contact Department Heads or the City Manager to be briefed on any sub-committee work.
- h. Council shall review the performance of citizen committees no less frequently than every six months.
- i. Sub-committees are task oriented with scheduled dates of completion.

D. COUNCIL INTERACTION AND COMMUNICATION WITH STAFF

- 1. City Manager.
 - a. Council Members should always feel free to communicate with the City Manager.
 - b. When a Council Member is unhappy about the performance of a Department, he/she should discuss this with the City Manager, not any other employee [the City Manager will inform the Mayor of any serious violations of this norm].
 - c. Concerns about the performance of Department Heads must be taken to the City Manager and/or Mayor first for resolution through proper channels.
 - d. In passing along critical information, the City Manager will inform all Council Members.
 - e. Council will provide ongoing feedback, information and perceptions to the City Manager, including some response to the “Weekly Report”.
 - f. Council will page the City Manager if there is an emergency and he/she cannot be reached by phone.



Approved: 
Gary A. Napper
City Manager

AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: CITY MANAGER
DATE: 16 JANUARY 2018
SUBJECT: SET DATE FOR CITY COUNCIL SPECIAL MEETING
COUNCIL - MANAGER GOALS AND OBJECTIVES FOR 2018

RECOMMENDATION

After discussion it is recommended the City Council, by motion, determine a specific date, time and location for a City Council special meeting for the purpose of discussing progress and the relevance of existing goals, plus the setting of any new goals and/or objectives for Calendar Year 2018.

BACKGROUND

The Clayton City Council meets at least once a year with its City Manager to discuss progress on its Council – Manager Goals and Objectives set in motion the previous year(s), and to establish new and/or modified goals for the ensuing calendar year.

A separate special meeting has usually been called for this purpose as it allows sole attention and focus specifically on the achievements and progress, plus the establishment of City goals and objectives for the current calendar year.

Attached are calendars for the months of January and February 2018 with notations as to known meetings. For past reference as to the selection of a date and time for the actual special meetings, a table of past meetings is listed below. This meeting has usually been held in the 3rd Floor Conference Room of Clayton City Hall. Often, previous meetings were held prior to a City Council regular public meeting later that same evening:

<u>Calendar Year</u>	<u>Past Meetings Held/Time</u>	<u>Before a Reg. Mtg?</u>
2017	Tues., February 7 th , 5:00 p.m.	Yes
2016	Mon., January 25 th , 4:30 p.m.	No
2015	Tues., January 20 th , 5:00 p.m.	Yes
2014	Tues., January 21 st , 5:00 p.m.	Yes
2013	Tues., February 5 th , 5:00 p.m.	Yes
2012	Mon., January 30 th , 4:00 p.m.	No

FISCAL IMPACT

No direct fiscal impact. The lack of clearly defined goals and objectives may actually cost the City and its community money over the short and long-term operations of the public entity due to misdirection and/or absence of priorities.

January 2018

◀ Dec 2017

Feb 2018 ▶

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1 New Year's Day (City Holiday)	2 City Council Meeting (Canceled)	3	4	5	6
7	8	9 Planning Commission Meeting	10	11 CCC Mayors' Conference - Pinole	12	13
14	15 Martin Luther King (City Holiday)	16 City Council Meeting	17	18	19	20
21	22	23 Planning Commission Meeting	24	25 CBCA General Membership Meeting	26	27
28	29	30	31			

February 2018

◀ Jan 2018

Mar 2018 ▶

Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5	6 City Council Meeting	7	8 CCC Mayors' Conference – San Pablo	9	10
11	12	13 Planning Commission Meeting	14	15	16	17
18	19 Presidents Day (City Holiday)	20 City Council Meeting	21	22 CBCA General Membership Meeting	23	24
25	26	27 Planning Commission Meeting	28			

*** CLAYTON SUCCESSOR and SUCCESSOR HOUSING AGENCIES ***

January 16, 2018

1. **CALL TO ORDER AND ROLL CALL** – Chairman Haydon.

2. **CONSENT CALENDAR**

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

(a) Approve the minutes of the regular meeting of December 20, 2016. ([View Here](#))

(b) *Adopt a Resolution approving the Successor Agency's 12th Recognized Obligation Payment Schedule for the time period covering July 1, 2018 through June 30, 2019 (ROPS 2018-19), as required by the CA Department of Finance (DOF).* ([View Here](#))

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

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

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

4. **PUBLIC HEARINGS** – None.

5. **ACTION ITEMS** – None.

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

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

#

**MINUTES
OF THE
REGULAR MEETING**

Agenda Date: 1-16-2018

Agenda Item: 2a SA

CLAYTON SUCCESSOR and SUCCESSOR HOUSING AGENCIES

December 20, 2016

1. **CALL TO ORDER & ROLL CALL** - the meeting was called to order at 7:52 p.m. by Chairman Shuey in Hoyer Hall of the Clayton Community Library, 6125 Clayton Road, Clayton, CA. Board Members present: Chairman Shuey, Vice Chair Catalano, Board Members Diaz and Haydon. Board Members absent: Boardmember Pierce. Staff present: City Manager Gary Napper, City Attorney Katy Wisinski, and City Clerk/Secretary Janet Brown.

2. **CONSENT CALENDAR-** It was moved by Board Member Haydon, seconded by Vice Chair Catalano, to approve the Consent Calendar as submitted (Passed; 4-0 vote).
 - (a) Approved the minutes of the regular public meeting of December 6, 2016.
 - (b) Adopted Resolution No. 03-2016 granting fee title to real property known as "The Grove Park" (APN 119-015-007) to the City of Clayton for its continued use as a governmental purpose asset (public park).
 - (c) Adopted Resolution No. 04-2016 approving the Successor Agency's 11th Recognized Obligation Payment Schedule for the time period covering July 1, 2017 through June 30, 2018 (ROPS 2017-18), as required by the CA Department of Finance (DOF).

3. **PUBLIC COMMENT ON NON-AGENDA ITEMS** – None.

4. **PUBLIC HEARINGS** – None.

5. **ACTION ITEMS** – None.

6. **BOARD ITEMS** – None.

7. **ADJOURNMENT** – on call by Chairman Shuey the meeting adjourned at 7:53 p.m.

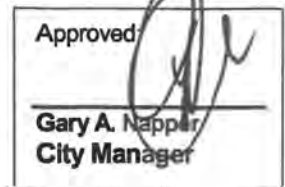
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Respectfully submitted,

Janet Brown, Secretary

Approved by the Board of Directors
Clayton Successor & Successor Housing Agencies

David T. Shuey, Chairman



STAFF REPORT

TO: CITY OF CLAYTON SUCCESSOR AGENCY BOARD
FROM: KEVIN MIZUNO, FINANCE MANAGER, CPA
DATE: JANUARY 16, 2018
SUBJECT: CONSIDER A RESOLUTION TO APPROVE AND ADOPT THE 12TH RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS 2018-2019), PURSUANT TO THE DISSOLUTION ACT

RECOMMENDATION

It is recommended the Successor Agency Board adopt the attached Resolution approving the 12th Recognized Obligation Payment Schedule (ROPS 2018-2019) covering the timeframe July 1, 2018 through June 30, 2019 pursuant to Section 31471(h) and 34177(l)(1) of the California Redevelopment Law – the Dissolution Act, [ABx1 26 and AB 1484].

BACKGROUND

Under the Dissolution Act, “enforceable obligations” of the former redevelopment agency (e.g. Clayton Redevelopment Agency) include the following financial arrangements (the ROPS of a city or county):

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

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

DISCUSSION

Prior Recognized Obligation Payment Schedule

A DOF Determination Letter dated March 17, 2017 accepted the Clayton Oversight Board-approved ROPS 2017-2018 with no modifications. This resulted in the Clayton Successor Agency receiving \$594,439 in June 2017 for enforceable obligations through the six month period ending December 31, 2017. Pursuant to the determination letter the Clayton Successor Agency also received \$125,000 in January 2018 for enforceable obligations through the six month period ending June 30, 2018.

Current Recognized Obligation Payment Schedule

Included herein, as Attachment 1 to this staff report, is the 12th Recognized Obligation Payment Schedule (ROPS 2018-2019). Pursuant to *California Health & Safety Code* section 34177(o)(1), commencing with the ROPS 2016-2017 and thereafter, agencies shall now submit an Oversight Board approved annual ROPS to the State Department of Finance (DOF) and the CAC by February 1, 2016 and each February 1, thereafter. The DOF will make its determination by April 15, 2016, and each April 15 thereafter.

On this annual ROPS, the Successor Agency is requesting redevelopment property tax trust fund (RPTTF) monies to pay for obligations totaling \$548,106 and \$140,184 for the six month periods ending December 31, 2018 and June 30, 2019, respectively. In addition to RPTTF, the Successor Agency is requesting authorization to use post-due diligence review (DDR) reserves and other unencumbered balances to make payments on enforceable obligations consistent with the DOF's March 17, 2017 determination letter.

For the six month period ending December 31, 2018 the Successor Agency is requesting authorization to make payments on the following enforceable obligations:

- Principal and interest on the 2014 Refunding Tax Allocation Bonds,
- Trustee and other professional service fees directly related to the bonds,
- Second of four scheduled repayments on the SERAF loan from the Successor Housing Fund (No. 616) to Successor Agency Fund (No. 615), and
- Administrative costs under *California Health & Safety Code* section 34171(b).

Immediately thereafter, for the six month period ending June 30, 2019, the Successor Agency is requesting authorization to make payments on the following enforceable obligations:

- Interest on the 2014 Refunding Tax Allocation Bonds, and
- Administrative costs under *California Health & Safety Code* section 34171(b).

SERAF Loan

During FY 2009-10, as part of the State of California's emergency measures to address its own budgetary issues they imposed a two year raid on local redevelopment agencies in the form of SERAF demands. To the former Agency, this meant an astounding \$2,371,940 in SERAF payments was required to be made to the CAC between FY 2009-10 and FY 2010-11. In order to meet this massive obligation, an intra-agency loan of \$592,412 was established from the low-moderate income fund to the non-housing fund on May 19, 2010. The principal amount of this loan was originally scheduled for repayment in four equal installments of \$148,103 commencing FY 2011-12 and ending in FY 2014-15. With the state-imposed dissolution of redevelopment agencies effective February 1, 2012 and the rigorous new restrictions on SERAF loan repayments established through AB1484, the full principal balance the SERAF loan is currently outstanding and unpaid.

SERAF loans became eligible for repayment starting in the six month period ending December 31, 2014, provided that the following three circumstances are met: (1) The Successor Agency has completed its DDRs; (2) the results of the DDRs are reviewed by the Oversight Board; and (3) the Successor Agency has received a Notice of Completion by the DOF. As the Successor Agency has met each of these requirements, the previous ROPS (2016-2017) included a request for repayment of the SERAF loan in full in the six month period ending June 30, 2017. Repayment of the SERAF loan is an inter-fund transaction between the Successor Agency and Successor Housing Agency, and has no impact to the City of Clayton General Fund. As noted previously, this obligation was fully disallowed by the DOF, making reference to *California Health & Safety Code* section 34171(d)(1)(G) requiring an Oversight Board-approved repayment schedule.

On September 20, 2016 the Clayton Successor Agency Board adopted Resolution No. 02-2016SA approving an agreement and repayment schedule for the SERAF loan in accordance with *California Health & Safety Code* section 34171(d)(1)(G). Consistent with the Oversight Board's original approval of the SERAF loan repayment terms on April 26, 2012, the balance of the SERAF loan will be payable to the Successor Housing Agency in four equal principal installments of \$148,103 beginning in the fiscal year 2017-18 and ending in the fiscal year 2020-21 ROPS period. Accordingly, the ROPS 2018-2019 includes the second SERAF loan repayment of \$148,103 in the six month period ending December 31, 2018.

FISCAL IMPACT

Once approved by the DOF, ROPS 2018-2019 will be in place for the Successor Agency to make payments on agreements and other obligations of the former Redevelopment Agency for the period

of time July 1, 2018 through June 30, 2019. Absence this approval the Successor Agency is not permitted to make such payments.

Respectively submitted,



Kevin Mizuno, CPA
Finance Manager

Attachments:

1. Successor Agency Resolution approving the 12th ROPS 2018-2019 Resolution (3 pp.)
 - o Exhibit A: 12th Recognized Obligation Payment Schedule 2018-2019 (4 pp.)

RESOLUTION NO. 01- 2018SA

**A RESOLUTION APPROVING AND ADOPTING THE
11th RECOGNIZED OBLIGATION PAYMENT SCHEDULE
(ROPS 2018-2019) FOR THE TIME PERIOD OF
JULY 01, 2018 THROUGH JUNE 30, 2019,
PURSUANT TO SECTION 31471(h) AND 34177(I)(1)
OF THE CALIFORNIA REDEVELOPMENT LAW**

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

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

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

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

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

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

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

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

WHEREAS, November 30, 2017 the California Department of Finance (DOF) posted instructions for completing the 12th Recognized Obligation Payment Schedule (ROPS 2018-2019) covering the time period of July 1, 2018 through June 30, 2019, including the requirement that the ROPS 2018-2019 must be approved by its Oversight Board and submitted electronically to the DOF by February 1, 2018; and

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

WHEREAS, the City of Clayton Successor Agency Board has reviewed and duly considered the Staff Report, the proposed 12th Recognized Obligation Payment Schedule (ROPS 2018-2019), plus documents and other written evidence presented at the meeting.

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

BE IT FURTHER RESOLVED that the Successor Agency Board does hereby approve and adopt the 12th Recognized Obligation Payment Schedule (ROPS 2018-2019), attached hereto as "Exhibit A" and incorporated herein as if fully set forth in this Resolution.

BE IT FURTHER RESOLVED that the Successor Agency Board authorizes and directs its City Manager or the City Manager's designee to: (1) post the 12th Recognized Obligation Payments Schedule (Exhibit A) on the City's website; (2) designate a City representative to whom all questions related to the 12th Recognized Obligation Payment Schedule can be directed; (3) notify, by mail or electronic means, the County Auditor-Controller, the State Department of Finance, and the State Controller of the Oversight Board's action to adopt the 12th Recognized Obligation Payment Schedule (ROPS 2018-2019), and to provide those persons with the internet website location of the posted schedule and the contact information for the City's designated contact; and (4) take such other actions and execute such other documents as are appropriate to effectuate the intent of this Resolution and to implement the Recognized Obligation Payment Schedule on behalf of the Successor Agency and City.

BE IT FURTHER RESOLVED that if any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Resolution or of Exhibit A, or any part thereof is for any reason held to be unconstitutional, invalid or ineffective, such decision shall not affect the validity or effectiveness of the remaining portions of this Resolution, Exhibit A

or any part thereof. The Successor Agency Board hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase of this Resolution or of Exhibit A irrespective of the fact that one or more sections, subsections, subdivision, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective. To this end the provisions of this Resolution and of Exhibit A are declared to be severable.

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

PASSED, APPROVED AND ADOPTED by the Successor Agency Board of Clayton, California at a regular public meeting thereof held on the 16th day of January 2018 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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

Keith Haydon, Mayor

ATTEST:

Janet Brown, City Clerk

Recognized Obligation Payment Schedule (ROPS 18-19) - Summary
 Filed for the July 1, 2018 through June 30, 2019 Period

Successor Agency: Clayton
County: Contra Costa

Current Period Requested Funding for Enforceable Obligations (ROPS Detail)	18-19A Total (July - December)	18-19B Total (January - June)	ROPS 18-19 Total
A Enforceable Obligations Funded as Follows (B+C+D):	\$ 158,487	\$ 11,726	\$ 170,213
B Bond Proceeds	36,490	11,726	48,216
C Reserve Balance	-	-	-
D Other Funds	121,997	-	121,997
E Redevelopment Property Tax Trust Fund (RPTTF) (F+G):	\$ 548,106	\$ 140,184	\$ 688,290
F RPTTF	423,106	15,184	438,290
G Administrative RPTTF	125,000	125,000	250,000
H Current Period Enforceable Obligations (A+E):	\$ 706,593	\$ 151,910	\$ 858,503

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

 Name Title
 /s/ _____
 Signature Date

Clayton Recognized Obligation Payment Schedule (ROPS 18-19) - ROPS Detail

July 1, 2018 through June 30, 2019

(Report Amounts in Whole Dollars)

A Item #	B Project Name/Debt Obligation	C Obligation Type	D Contract/Agreement Execution Date	E Contract/Agreement Termination Date	F Payee	G Description/Project Scope	H Project Area	I Total Outstanding Debt or Obligation	J Retired	K ROPS 18-19 Total	18-19A (July - December)					Q 18-19A Total	18-19B (January - June)					W 18-19B Total
											Fund Sources						Fund Sources					
											L	M	N	O	P		R	S	T	U	V	
											Bond Proceeds	Reserve Balance	Other Funds	RPTTF	Admin RPTTF		Bond Proceeds	Reserve Balance	Other Funds	RPTTF	Admin RPTTF	
3	City Loan entered into on 5/19/10	SERAF/ERAF	5/19/2010	6/30/2017	Successor Agency LMI	Inter-loan for SERAF payment to State	All	\$ 3,653,524	N	\$ 858,503	\$ 36,490	\$ -	\$ 121,997	\$ 423,108	\$ 125,000	\$ 706,593	\$ 11,726	\$ -	\$ -	\$ 15,184	\$ 125,000	\$ 151,910
4	Contract for Consulting Services	Fees	11/1/1996	8/31/2024	US Bank	Paying Agent Fees	All	444,309	N	\$ 145,103	-	-	121,997	23,106	-	\$ 145,103	-	-	-	-	-	\$ -
7	Successor Agency Functions	Admin Costs	1/1/2014	8/30/2017	City of Clayton	Expenses for Successor Agency Operation	All	250,000	N	\$ 250,000	-	-	-	-	125,000	\$ 125,000	-	-	-	-	125,000	\$ 125,000
11	Contract for Consulting Services	Fees	6/7/1988	9/10/2019	NBS Local Government Solutions	RDA Arbitrage Reporting	All	-	Y	\$ -	-	-	-	-	-	\$ -	-	-	-	-	-	\$ -
16	Refunding Tax Allocation Bonds 2014	Refunding Bonds Issued After 6/27/12	6/25/2014	8/1/2024	US Bank	Bonds issued to refund the 1996 and 1999 non-housing RDA Tax Allocation Bonds	All	2,967,235	N	\$ 461,420	34,510	-	-	400,000	-	\$ 434,510	11,726	-	-	15,184	-	\$ 26,910
21									N	\$ -						\$ -						\$ -
22									N	\$ -						\$ -						\$ -
23									N	\$ -						\$ -						\$ -
24									N	\$ -						\$ -						\$ -

Clayton Recognized Obligation Payment Schedule (ROPS 18-19) - Report of Cash Balances
July 1, 2015 through June 30, 2016
(Report Amounts in Whole Dollars)

Pursuant to Health and Safety Code section 34177 (l), Redevelopment Property Tax Trust Fund (RPTTF) may be listed as a source of payment on the ROPS, but only to the extent no other funding source is available or when payment from property tax revenues is required by an enforceable obligation. For tips on how to complete the Report of Cash Balances Form, see [INSERT URL LINK TO CASH BALANCE TIPS SHEET]								
A	B	C	D	E	F	G	H	I
		Fund Sources						Comments
		Bond Proceeds		Reserve Balance		Other	RPTTF	
Cash Balance Information for ROPS 15-16 Actuals (07/01/15 - 06/30/16)		Bonds issued on or before 12/31/10	Bonds issued on or after 01/01/11	Prior ROPS period balances and DDR RPTTF balances retained	Prior ROPS RPTTF distributed as reserve for future period(s)	Rent, grants, interest, etc.	Non-Admin and Admin	
1	Beginning Available Cash Balance (Actual 07/01/15)	274,093	-	1,325,017	-	111,832	8,921	
2	Revenue/Income (Actual 06/30/16) RPTTF amounts should tie to the ROPS 15-16 total distribution from the County Auditor-Controller during June 2015 and January 2016.	14	-	368,286	-	24,332	588,829	E2- \$368,286 pertains to receipt from City General Fund pursuant to DOF final approval of All Other Funds DDR.
3	Expenditures for ROPS 15-16 Enforceable Obligations (Actual 06/30/16)	85,413	-	1,632,608	-	-	591,700	E3- Includes payment to County Auditor Controller's Office of \$1,256,182 pursuant to the DOF Determination Letter on the All Other Funds DDR. Also includes repayment to City of Clayton on the 2% Election Agreement of \$376,424.
4	Retention of Available Cash Balance (Actual 06/30/16) RPTTF amount retained should only include the amounts distributed as reserve for future period(s)	-	-	-	-	-	-	
5	ROPS 15-16 RPTTF Balances Remaining	No entry required						
6	Ending Actual Available Cash Balance (06/30/16) C to G = (1 + 2 - 3 - 4), H = (1 + 2 - 3 - 4 - 5)	\$ 188,694	\$ -	\$ 60,697	\$ -	\$ 136,164	\$ 6,050	

