



AGENDA

REGULAR MEETING

* * *

CLAYTON CITY COUNCIL

* * *

TUESDAY, April 5, 2022

7:00 P.M.

***** NEW LOCATION*****

This meeting is being held in accordance with AB 361, given the proclaimed state of emergency and the Contra Costa County Health Officer's recommendation for social distancing for public meetings, which is also consistent with Cal OSHA requirements for social distancing, the City Council will be participating in meetings via phone/video conferencing. The public is invited to watch and participate via the methods listed below:

Mayor: Peter Cloven
Vice Mayor: Holly Tillman

Council Members

Jim Diaz
Jeff Wan
Carl Wolfe

- A complete packet of information containing staff reports and exhibits related to each public item is available for public review on the City's website at www.claytonca.gov
- Agendas are posted at: 1) City Hall, 6000 Heritage Trail; 2) Library, 6125 Clayton Road; 3) Ohm's Bulletin Board, 1028 Diablo Street, Clayton; and 4) City Website at www.claytonca.gov
- Any writings or documents provided to a majority of the City Council after distribution of the Agenda Packet and regarding any public item on this Agenda is available for review on the City's website at www.claytonca.gov
- 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) 673-7300.

Instructions for Virtual City Council Meeting – April 5

To protect our residents, officials, and staff, and aligned with the Governor’s executive order to Shelter-at-Home, this meeting is being conducted utilizing teleconferencing means consistent with State order that that allows the public to address the local legislative body electronically.

To follow or participate in the meeting:

1. **Videoconference:** to follow the meeting on-line, click here to register:

https://us02web.zoom.us/webinar/register/WN_06q0GcosRnmvy4dNOutGlw

After clicking on the URL, please take a few seconds to submit your first and last name, and e-mail address then click “Register”, which will approve your registration and a new URL to join the meeting will appear.

Phone-in: Once registered, you will receive an e-mail with instructions to join the meeting telephonically, and then dial Telephone: 877 853 5257 (Toll Free)

2. using the *Webinar ID* and *Password* found in the e-mail.

E-mail Public Comments: If preferred, please e-mail public comments to the City Clerk, Ms. Calderon at janetc@claytonca.gov by 5 PM on the day of the City Council meeting. All E-mail Public Comments will be forwarded to the entire City Council.

For those who choose to attend the meeting via videoconferencing or telephone shall have 3 minutes for public comments.

Location:

Videoconferencing Meeting (this meeting via teleconferencing is open to the public)

To join this virtual meeting on-line click here:

https://us02web.zoom.us/webinar/register/WN_06q0GcosRnmvy4dNOutGlw

To join on telephone, you must register in the URL above, which sends an e-mail to your inbox, and then dial (877) 853-5257 using the *Webinar ID* and *Password* found in the e-mail.

*** CITY COUNCIL ***

April 5, 2022

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

2. **MEETING PROTOCOL VIDEO**– City Clerk

3. **PLEDGE OF ALLEGIANCE** – led by Councilmember Diaz.

4. **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, discussion or alternative action may request so through the Mayor.

- (a) Approve the minutes of the City Council's regular meeting of March 15, 2022. (City Clerk) ([view here](#))
- (b) Approve the Financial Demands and Obligations of the City. (Finance) ([view here](#))
- (c) Adopt a Resolution of the City Council of the City of Clayton Allowing for Video and Teleconference Meetings as Needed during the COVID-19 State of Emergency Under AB 361. (City Manager) ([view here](#))
- (d) Biennial Review of Conflict of Interest Code. (City Clerk) ([view here](#))
- (e) City Council Adoption by Minute Order of City Council Goals for FY2022/23. (City Manager) ([view here](#))
- (f) Resolution Approving Three Contracts for the Purchase and Outfitting of One (1) New 2022 Ford Police Interceptor Utility Patrol Vehicle to Replace Existing Ford Patrol Vehicle, and Declaring One (1) 2015 Ford Interceptor Utility Patrol Vehicle (Unit Numbers 1737) as Surplus to City's Needs and Appropriating \$68,056 from the Capital Equipment Replacement Fund for the Purchase. (Police Chief) ([view here](#))

5. **RECOGNITIONS AND PRESENTATIONS**

- (a) Information Only – No Action Requested.
 - Arab-American Heritage Month (April)
 - Autism Acceptance Month (April)
- (b) Proclamation declaring April 3-9, 2022 as "Clayton Library Week" in the City of Clayton. (Mayor Cloven) ([view here](#))

- (c) Proclamation declaring April 24 as “Armenian Genocide Remembrance Day” in the City of Clayton. (Mayor Cloven) ([view here](#))

6. REPORTS

- (a) City Manager/Staff
(b) City Council - Reports from Council liaisons to Regional Committees, Commissions and Boards.

7. PUBLIC COMMENT ON NON - AGENDA ITEMS

Members of the public may address the City Council on items within the Council's jurisdiction, (which are not on the agenda) at this time. To assure an orderly meeting and an equal opportunity for everyone, each speaker is limited to 3 minutes, enforced at the Mayor's discretion. In accordance with State Law, no action may take place on any item not appearing on the posted agenda. The Council may respond to statements made or questions asked, or may at its discretion request Staff to report back at a future meeting concerning the matter.

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

8. PUBLIC HEARINGS – None.

9. ACTION ITEMS

- (a) Adopt a Resolution Approving Amending and Reporting the Use of American Rescue Plan Act (ARPA) Funds in Compliance with the US Treasury Department's Final Rule for Fiscal Year 2021/22. (Finance Director and City Manager) ([view here](#))
(b) Resolution of the City Council of the City of Clayton Opposing California Statewide Ballot Initiative 21-0042A1 Sponsored by the California Business Roundtable. (City Manager) ([view here](#))

10. CLOSED SESSION – None.

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

12. ADJOURNMENT - the next regularly scheduled City Council meeting will be April 5, 2022.

#

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

TUESDAY, March 15, 2022

1. **CALL TO ORDER THE CITY COUNCIL** – The meeting was called to order at 7:00 p.m. by Mayor Cloven on a virtual web meeting and telephonically (877) 853-5257. Councilmembers present: Mayor Cloven, Vice Mayor Tillman, and Councilmembers Diaz, Wan, and Wolfe. Councilmembers absent: None. Staff present: City Manager Reina Schwartz, City Attorney Mala Subramanian, Finance Director Katherine Korsak, Community Development Director Dana Ayers, and City Clerk/HR Manager Janet Calderon.
2. **MEETING PROTOCOL VIDEO** – City Clerk.
3. **PLEDGE OF ALLEGIANCE** – led by Councilmember Diaz.
4. **CONSENT CALENDAR**

It was moved by Councilmember Diaz, seconded by Councilmember Wolfe, to approve the Consent Calendar items 4(a) – 4(f) as submitted. (Passed 5-0).

 - (a) Approved the minutes of the City Council’s regular meeting of March 1, 2022. (City Clerk)
 - (b) Approved the Financial Demands and Obligations of the City. (Finance)
 - (c) Adopted Resolution No. 20-2022 of the City Council of the City of Clayton Allowing for Video and Teleconference Meetings during the COVID-19 State of Emergency Under AB 361. (City Manager)
 - (d) Adopted Resolution No. 21-2022 of the City Council of the City of Clayton: 1) Identifying Various Facilities and Equipment Replacement and Installations for the Application to the California Department of Parks and Recreation’s Office of Grants and Local Services (OGAL), for Receipt of Grant Funds Pursuant to the Proposition 68 Recreational Infrastructure Revenue Enhancement (RIRE) Grant Program; 2) Establishing a Capital Improvement Project (CIP) for The Grove Facilities Enhancements (CIP 10455) in a Total Amount of \$250,000; 3) Accepting and Appropriating to CIP 10455 \$250,000 in Proposition 68 RIRE Grant Funds; and 4) Directing the City Manager to File a Notice of Exemption from the California Environmental Quality Act for the Project (Community Development Director)
 - (e) Adopted Resolution No. 22-2022 Establishing 2022/23 ERU Assessment Rate for Federal and State Mandated National Pollution Discharge Elimination System (NPDES) Program (Storm Water Pollution Prevention)

(Assistant to the City Manager)

- (f) Approval of 2022 “Classic Car Show & DJ” Wednesday Series at the City Parking Lot on Main Street. (Councilmember Diaz)

5. RECOGNITIONS AND PRESENTATIONS

- (a) Proclamation declaring March as “Red Cross Month” in the City of Clayton.
(Mayor Cloven)

Stan Massie, Volunteer/ Board Member, Red Cross briefly spoke about the efforts of the Red Cross.

Mayor Cloven read the proclamation declaring March as “Red Cross Month” in the City of Clayton.

6. REPORTS

- (a) City Manager/Staff

City Manager Reina Schwartz advised on March 7 the Trails and Landscaping Committee met and will be meeting again in May, and advised the Balancing Act Software is still available to the community on the City’s website.

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

Councilmember Wan attended the Budget/Audit Subcommittee meeting, called and emailed constituents.

Councilmember Wolfe met with the Mayor, met with the City Manager, met with Planning Commissioner Miller, signed “Do The Right Thing” certificates, and attended Bob Hoyer’s 101st birthday celebration.

Councilmember Diaz attended the 56th Fire Academy Graduation, the East Bay Regional Communications Authority meeting, the Clayton Business and Community Association Art and Wine Committee meeting, the Cemex Ad-Hoc Committee meeting, the San Ramon Valley Exchange Club, the Clayton Business and Community Association Special meeting, the Clayton Business and Community Association BBQ Committee meeting, and met with the City Manager.

Vice Mayor Tillman met with the City Manager and attended the Budget/Audit Subcommittee meeting.

Mayor Cloven attended the Contra Costa County Mayors’ Conference, the Cemex ad-hoc committee meeting, the Clayton Business and Community Association Special meeting, the meeting of Transportation Partnership and Cooperation for Central Contra Costa (TRANSPAC), called and emailed constituents, and spoke with several American Rescue Plan Act funding beneficiaries.

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

8. **PUBLIC HEARINGS** – None.

9. **ACTION ITEMS**

- (a) Accounting Action Plan to Correct FY2020/21 Audit Findings.
(Finance Director)

Finance Director Korsak presented the report.

Following questions by the City Council, Mayor Cloven opened the item to public comment.

Terri Denslow expressed her support for this item.

Mayor Cloven closed public comment.

No Action Required.

- (b) Adopted Resolution No. 23-2022 Appropriating American Rescue Plan Act (ARPA) funds for the Purchase and Implementation of the ClearGov Budget and Performance Management Software Platform
(Finance Director)

Finance Director Korsak presented the report.

Following questions by the City Council, Mayor Cloven opened the item to public comment.

Terri Denslow expressed her support for this item.

Gary Hood would support this platform in the future, as he has concerns with the current financial deficiencies.

Mayor Cloven closed public comment.

It was moved by Councilmember Wolfe, seconded by Vice Mayor Tillman, to adopt Resolution No. 23-2022 Appropriating American Rescue Plan Act Funds for Purchase and Implementation of the ClearGov Budget and Performance Management Software Platform. (Passed 3-2; Diaz and Wan, No).

- (c) FY2021/22 Mid-year Budget Review and Adopted Resolution No. 24-2022 Authorizing the Creation of a Separate Fund (232) for American Rescue Plan Act (ARPA) Revenues and Expenses.
(Finance Director)

Finance Director Korsak presented the report.

Following questions by the City Council, Mayor Cloven opened the item to public comment; no comments offered.

It was moved by Councilmember Wan, seconded by Councilmember Diaz, to adopt Resolution No. 24-2022 Authorizing the Creation of a Separate Fund (232) for American Rescue Plan Act Revenues and Expenses. (Passed 5-0).

- (d) Adopted Resolution No. 25-2022 Approving a Professional Services Agreement with Anchor CM Through June 30, 2023 with up to Four One-year Renewals, for City Engineering Services, Authorizing the City Manager to Execute the Agreement and Appointing Larry Theis, PE As City Engineer for the City of Clayton.
(City Manager)

City Manager Schwartz presented the report.

Larry Theis, PE Anchor CM introduced himself and provided a brief overview of the services provided by Anchor CM.

Following questions by the City Council, Mayor Cloven opened the item to public comment; no comments offered.

It was moved by Councilmember Diaz, seconded by Councilmember Wolfe, to adopt Resolution No. 25-2022 Approving A Professional Services Agreement with Anchor CM Through June 30, 2023 with Up to Four One-year Renewals, For City Engineering Services, Authorizing the City Manager to Execute the Agreement and Appointing Larry Theis, PE As City Engineer for the City of Clayton. (Passed 5-0).

- (e) Update on the Contra Costa County Land Use Permit Revision Application Pertaining to the Amendment of the CEMEX Clayton Quarry Reclamation Plan and Availability of the Draft Environmental Impact Report (EIR) Prepared for the Project.
(Community Development Director)

Community Development Director Ayers presented the report.

Following questions by the City Council, Mayor Cloven opened the item to public comment; no comments offered.

No Action Required.

10. CLOSED SESSION – None.

11. COUNCIL ITEMS

Mayor Cloven requested a future agenda item to include an “Otter Day” proclamation in honor of Dana Hills swim team.

12. ADJOURNMENT– on call by Mayor Cloven, the City Council adjourned its meeting at 9:36 p.m.

The next regularly scheduled meeting of the City Council will be April 5, 2022.

#

Respectfully submitted,

Janet Calderon, City Clerk

APPROVED BY THE CLAYTON CITY COUNCIL

Peter Cloven, Mayor

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STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: KATHERINE KORSAK, FINANCE DIRECTOR
JENNIFER GIANTVALLEY, ACCOUNTING TECHNICIAN

DATE: 04/05/2022

SUBJECT: FINANCIAL DEMANDS AND OBLIGATIONS OF THE CITY

RECOMMENDATION:

It is recommended the City Council, by minute action, approve the financial demands and obligations of the City for the purchase of services and goods in the ordinary course of operations.

Attached Report	Purpose	Date	Amount
Open Invoice Report	Accounts Payable	4/1/2022	\$ 340,792.07
Open Invoice Report - Clayton Cares Program	Accounts Payable	3/30/2022	\$ 140,000.00
Payroll Reconciliation Summary	Payroll, Taxes	3/24/2022	\$ 92,379.27
	Total Required		\$ 573,171.34

Attachments:

1. Open Invoice Report, dated 4/1/22 (7 pages)
2. Open Invoice Report ARPA, dated 3/30/22 (2 pages)
3. Payroll Reconciliation Summary report PPE 03/20/22 (2 pages)

City of Clayton

Open Invoice Report

Obligations

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
Ace Sierra Tow								
Ace Sierra Tow	4/5/2022	2/22/2022	61607	PD veh tow	\$140.00	\$0.00		\$140.00
				<i>Totals for Ace Sierra Tow</i>	<i>\$140.00</i>	<i>\$0.00</i>		<i>\$140.00</i>
Irwin Acosta								
Irwin Acosta	4/5/2022	3/28/2022	CAP0385	Deposit refund	\$3,000.00	\$0.00		\$3,000.00
				<i>Totals for Irwin Acosta</i>	<i>\$3,000.00</i>	<i>\$0.00</i>		<i>\$3,000.00</i>
All City Management Services, Inc.								
All City Management Services, Inc.	4/5/2022	2/23/2022	75597	School crossing guard svcs 2/6/22-2/19/22	\$2,084.94	\$0.00		\$2,084.94
All City Management Services, Inc.	4/5/2022	3/9/2022	75984	School crossing guard svcs 2/20/22-3/5/22	\$2,084.94	\$0.00		\$2,084.94
				<i>Totals for All City Management Services, Inc.</i>	<i>\$4,169.88</i>	<i>\$0.00</i>		<i>\$4,169.88</i>
American Fidelity Assurance Company								
American Fidelity Assurance Company	4/5/2022	3/31/2022	D431050	Supplemental insurance March 2022	\$752.80	\$0.00		\$752.80
American Fidelity Assurance Company	4/5/2022	3/18/2022	6047781	FSA PPE 3/20/22	\$115.00	\$0.00		\$115.00
American Fidelity Assurance Company	4/5/2022	3/4/2022	6046755	FSA PPE 3/6/22	\$115.00	\$0.00		\$115.00
				<i>Totals for American Fidelity Assurance Company</i>	<i>\$982.80</i>	<i>\$0.00</i>		<i>\$982.80</i>
AT&T (CalNet3)								
AT&T (CalNet3)	4/5/2022	3/22/2022	17944238	Phones 2/22/22-3/21/22	\$1,230.32	\$0.00		\$1,230.32
				<i>Totals for AT&T (CalNet3)</i>	<i>\$1,230.32</i>	<i>\$0.00</i>		<i>\$1,230.32</i>
Bank of America								
Bank of America	4/5/2022	2/28/2022	022822	Monthly svc chg February 2022	\$538.07	\$0.00		\$538.07
				<i>Totals for Bank of America</i>	<i>\$538.07</i>	<i>\$0.00</i>		<i>\$538.07</i>
BCP Concrete								
BCP Concrete	4/5/2022	3/11/2022	CAP0441	Deposit refund	\$1,000.00	\$0.00		\$1,000.00
				<i>Totals for BCP Concrete</i>	<i>\$1,000.00</i>	<i>\$0.00</i>		<i>\$1,000.00</i>
Best Best & Kreiger LLP								
Best Best & Kreiger LLP	4/5/2022	3/22/2022	930204	PD Litigation legal svcs February 2022	\$1,038.00	\$0.00		\$1,038.00
Best Best & Kreiger LLP	4/5/2022	3/22/2022	930203	Legal svcs February 2022	\$9,938.00	\$0.00		\$9,938.00
				<i>Totals for Best Best & Kreiger LLP</i>	<i>\$10,976.00</i>	<i>\$0.00</i>		<i>\$10,976.00</i>
CalPERS Health								
CalPERS Health	4/5/2022	3/14/2022	16745888	Medical April 2022	\$36,517.56	\$0.00		\$36,517.56
				<i>Totals for CalPERS Health</i>	<i>\$36,517.56</i>	<i>\$0.00</i>		<i>\$36,517.56</i>
CalPERS Retirement								
CalPERS Retirement	4/5/2022	3/6/2022	030622	Retirement PPE 3/6/22	\$19,250.42	\$0.00		\$19,250.42
CalPERS Retirement	4/5/2022	3/20/2022	032022	Retirement PPE 3/20/22	\$19,279.75	\$0.00		\$19,279.75
				<i>Totals for CalPERS Retirement</i>	<i>\$38,530.17</i>	<i>\$0.00</i>		<i>\$38,530.17</i>

City of Clayton

Open Invoice Report

Obligations

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
CCWD								
CCWD	4/5/2022	3/7/2022	I series	Water 1/6/22-3/2/22	\$17,592.23	\$0.00		\$17,592.23
				<i>Totals for CCWD.</i>	<u>\$17,592.23</u>	<u>\$0.00</u>		<u>\$17,592.23</u>
Cintas Corporation								
Cintas Corporation	4/5/2022	12/16/2021	4104893342	PW uniforms through 12/16/21	\$49.00	\$0.00		\$49.00
Cintas Corporation	4/5/2022	12/9/2021	4104201650	PW uniforms through 12/9/21	\$49.00	\$0.00		\$49.00
Cintas Corporation	4/5/2022	12/23/2021	4105677301	PW uniforms through 12/23/21	\$49.00	\$0.00		\$49.00
Cintas Corporation	4/5/2022	3/10/2022	4113070170	PW uniforms through 3/10/22	\$49.00	\$0.00		\$49.00
Cintas Corporation	4/5/2022	3/17/2022	4113764431	PW uniforms through 3/17/22	\$49.00	\$0.00		\$49.00
				<i>Totals for Cintas Corporation</i>	<u>\$245.00</u>	<u>\$0.00</u>		<u>\$245.00</u>
City of Antioch								
City of Antioch	4/5/2022	3/1/2022	AR165908	PD service veh 1735	\$500.00	\$0.00		\$500.00
City of Antioch	4/5/2022	1/28/2022	AR166030	PD service veh 1744, 1745	\$1,279.95	\$0.00		\$1,279.95
City of Antioch	4/5/2022	3/1/2022	AR165912	PD service veh 1736	\$578.58	\$0.00		\$578.58
City of Antioch	4/5/2022	3/1/2022	AR165910	PD service veh 1737	\$242.65	\$0.00		\$242.65
City of Antioch	4/5/2022	3/1/2022	AR165911	PD service veh 1738	\$948.65	\$0.00		\$948.65
				<i>Totals for City of Antioch</i>	<u>\$3,549.83</u>	<u>\$0.00</u>		<u>\$3,549.83</u>
City of Concord								
City of Concord	4/5/2022	3/1/2022	92022	Dispatch svcs April 2022	\$25,639.87	\$0.00		\$25,639.87
				<i>Totals for City of Concord</i>	<u>\$25,639.87</u>	<u>\$0.00</u>		<u>\$25,639.87</u>
Comcast Business (PD)								
Comcast Business (PD)	4/5/2022	3/1/2022	140781511	PD Internet February 2022	\$935.42	\$0.00		\$935.42
				<i>Totals for Comcast Business (PD)</i>	<u>\$935.42</u>	<u>\$0.00</u>		<u>\$935.42</u>
Comcast Business (The Grove Park)								
Comcast Business (The Grove Park)	4/5/2022	3/10/2022	031022	Internet for The Grove Park 3/15/22-4/14/22	\$113.24	\$0.00		\$113.24
				<i>Totals for Comcast Business (The Grove Park)</i>	<u>\$113.24</u>	<u>\$0.00</u>		<u>\$113.24</u>
Concord Uniforms								
Concord Uniforms	4/5/2022	2/16/2022	19227	PD uniform	\$54.82	\$0.00		\$54.82
Concord Uniforms	4/5/2022	3/1/2022	19277	PD uniform	\$35.07	\$0.00		\$35.07
Concord Uniforms	4/5/2022	2/28/2022	19270	PD uniform	\$65.52	\$0.00		\$65.52
Concord Uniforms	4/5/2022	3/2/2022	19287	PD uniform	\$1,751.56	\$0.00		\$1,751.56
Concord Uniforms	4/5/2022	3/2/2022	19286	PD uniform	\$1,455.18	\$0.00		\$1,455.18
Concord Uniforms	4/5/2022	3/1/2022	19279	PD uniform	\$1,751.56	\$0.00		\$1,751.56
Concord Uniforms	4/5/2022	2/28/2022	19264	PD uniform	\$1,751.56	\$0.00		\$1,751.56
Concord Uniforms	4/5/2022	3/7/2022	19307	PD uniform	\$1,751.56	\$0.00		\$1,751.56
Concord Uniforms	4/5/2022	3/4/2022	19303	PD uniform	\$1,751.56	\$0.00		\$1,751.56
Concord Uniforms	4/5/2022	3/8/2022	19309	PD uniform	\$557.09	\$0.00		\$557.09
				<i>Totals for Concord Uniforms</i>	<u>\$10,925.48</u>	<u>\$0.00</u>		<u>\$10,925.48</u>

City of Clayton
Open Invoice Report
Obligations

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Expires On	Net Amount Due
Contra Costa County - Office of the Sheriff								
Contra Costa County - Office of the She	4/5/2022	3/7/2022	CLPD-2202	Toxicology February 2022	\$100.00	\$0.00		\$100.00
<i>Totals for Contra Costa County - Office of the Sherif</i>					<i>\$100.00</i>	<i>\$0.00</i>		<i>\$100.00</i>
Contra Costa County Public Works Dept								
Contra Costa County Public Works Dept	4/5/2022	3/23/2022	704817	Traffic signal maintenance February 2022	\$13,317.58	\$0.00		\$13,317.58
<i>Totals for Contra Costa County Public Works Dep</i>					<i>\$13,317.58</i>	<i>\$0.00</i>		<i>\$13,317.58</i>
CR Fireline, Inc								
CR Fireline, Inc	4/5/2022	2/14/2022	120775	EH Fire sprinkler inspection	\$200.00	\$0.00		\$200.00
CR Fireline, Inc	4/5/2022	2/14/2022	120776	CH Fire sprinkler inspection	\$200.00	\$0.00		\$200.00
<i>Totals for CR Fireline, Inc</i>					<i>\$400.00</i>	<i>\$0.00</i>		<i>\$400.00</i>
De Lage Landen Financial Services, Inc.								
De Lage Landen Financial Services, Inc.	4/5/2022	3/23/2022	75863840	Copier lease April 2022	\$1,004.48	\$0.00		\$1,004.48
<i>Totals for De Lage Landen Financial Services, Inc.</i>					<i>\$1,004.48</i>	<i>\$0.00</i>		<i>\$1,004.48</i>
Dillon Electric Inc								
Dillon Electric Inc	4/5/2022	3/18/2022	4627	Install pole for camera on Marsh Creek Rd	\$2,299.31	\$0.00		\$2,299.31
Dillon Electric Inc	4/5/2022	3/3/2022	4619	Street light repairs 3/2/22	\$1,148.80	\$0.00		\$1,148.80
Dillon Electric Inc	4/5/2022	3/4/2022	4622	Street light repairs 3/3/22	\$849.28	\$0.00		\$849.28
<i>Totals for Dillon Electric Inc</i>					<i>\$4,297.39</i>	<i>\$0.00</i>		<i>\$4,297.39</i>
Evans & Son Masonry								
Evans & Son Masonry	4/5/2022	3/7/2022	0522	Fountain retaining wall repair	\$4,270.00	\$0.00		\$4,270.00
<i>Totals for Evans & Son Masonry</i>					<i>\$4,270.00</i>	<i>\$0.00</i>		<i>\$4,270.00</i>
Geoconsultants, Inc.								
Geoconsultants, Inc.	4/5/2022	3/15/2022	19281	Well monitoring February 2022	\$1,546.50	\$0.00		\$1,546.50
Geoconsultants, Inc.	4/5/2022	1/28/2022	19260	Well monitoring January 2022	\$1,546.50	\$0.00		\$1,546.50
Geoconsultants, Inc.	4/5/2022	3/28/2022	19282	Well monitoring March 2022	\$1,546.50	\$0.00		\$1,546.50
<i>Totals for Geoconsultants, Inc.</i>					<i>\$4,639.50</i>	<i>\$0.00</i>		<i>\$4,639.50</i>
Globalstar LLC								
Globalstar LLC	4/5/2022	3/16/2022	29307417	Sat Phone 3/16/22-4/15/22	\$110.55	\$0.00		\$110.55
<i>Totals for Globalstar LLC</i>					<i>\$110.55</i>	<i>\$0.00</i>		<i>\$110.55</i>
Hammons Supply Company								
Hammons Supply Company	4/5/2022	2/23/2022	119113	The Grove Park janitorial supplies	\$165.11	\$0.00		\$165.11
Hammons Supply Company	4/5/2022	3/18/2022	119309	CH janitorial supplies	\$790.54	\$0.00		\$790.54
Hammons Supply Company	4/5/2022	3/18/2022	119308	Library janitorial supplies	\$376.25	\$0.00		\$376.25
Hammons Supply Company	4/5/2022	3/18/2022	119310	The Grove Park janitorial supplies	\$341.75	\$0.00		\$341.75
<i>Totals for Hammons Supply Company</i>					<i>\$1,673.65</i>	<i>\$0.00</i>		<i>\$1,673.65</i>

Harris & Associates, Inc.

City of Clayton

Open Invoice Report

Obligations

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
Harris & Associates, Inc.	4/5/2022	3/18/2022	51934	Engineering inspections February 2022	\$4,001.25	\$0.00		\$4,001.25
Harris & Associates, Inc.	4/5/2022	3/11/2022	51852	CIP engineering svcs February 2022	\$8,472.50	\$0.00		\$8,472.50
Harris & Associates, Inc.	4/5/2022	3/11/2022	51853	Engineering svcs February 2022	\$9,707.00	\$0.00		\$9,707.00
Harris & Associates, Inc.	4/5/2022	3/11/2022	51847	Project engineering svcs February 2022	\$5,635.00	\$0.00		\$5,635.00
<i>Totals for Harris & Associates, Inc.</i>					<i>\$27,815.75</i>	<i>\$0.00</i>		<i>\$27,815.75</i>
ITC Service Group								
ITC Service Group	4/5/2022	3/29/2022	CAP0340	Deposit refund	\$6,718.83	\$0.00		\$6,718.83
<i>Totals for ITC Service Group</i>					<i>\$6,718.83</i>	<i>\$0.00</i>		<i>\$6,718.83</i>
J&R Floor Services								
J&R Floor Services	4/5/2022	3/1/2022	Two2022	Janitorial svcs February 2022	\$5,128.00	\$0.00		\$5,128.00
J&R Floor Services	4/5/2022	4/1/2022	Three2022	Janitorial svcs March 2022	\$4,988.00	\$0.00		\$4,988.00
<i>Totals for J&R Floor Services</i>					<i>\$10,116.00</i>	<i>\$0.00</i>		<i>\$10,116.00</i>
JJR Enterprises, Inc								
JJR Enterprises, Inc	4/5/2022	3/18/2022	3459784	Copier usage 2/18/22-3/17/22	\$216.09	\$0.00		\$216.09
<i>Totals for JJR Enterprises, Inc</i>					<i>\$216.09</i>	<i>\$0.00</i>		<i>\$216.09</i>
Management Partners								
Management Partners	4/5/2022	4/5/2022	INV09862	ARPA Inv Plan Assistance 2021	\$10,000.00	\$0.00		\$10,000.00
Management Partners	4/5/2022	4/5/2022	INV10082	ARPA Inv Plan Assistance 2021	\$4,400.00	\$0.00		\$4,400.00
<i>Totals for Management Partners</i>					<i>\$14,400.00</i>	<i>\$0.00</i>		<i>\$14,400.00</i>
Amanda McCall								
Amanda McCall	4/5/2022	3/15/2022	032622	Refund, cancelled event @ CCP	\$108.00	\$0.00		\$108.00
<i>Totals for Amanda McCall</i>					<i>\$108.00</i>	<i>\$0.00</i>		<i>\$108.00</i>
Metropolitan Transportation Commission								
Metropolitan Transportation Commissio	4/5/2022	3/18/2022	AR028282	P-TAP Round 23 Assistance for MTC	\$3,000.00	\$0.00		\$3,000.00
<i>Totals for Metropolitan Transportation Commissior.</i>					<i>\$3,000.00</i>	<i>\$0.00</i>		<i>\$3,000.00</i>
Mission Square Retirement								
Mission Square Retirement	4/5/2022	3/20/2022	032022	457 Plan contributions PPE 3/20/22	\$3,154.76	\$0.00		\$3,154.76
Mission Square Retirement	4/5/2022	3/6/2022	030622	457 Plan contributions PPE 3/06/22	\$3,154.76	\$0.00		\$3,154.76
<i>Totals for Mission Square Retirement</i>					<i>\$6,309.52</i>	<i>\$0.00</i>		<i>\$6,309.52</i>
Moore Iacofano Golstman, Inc								
Moore Iacofano Golstman, Inc	4/5/2022	3/3/2022	73823	Housing Element svcs January 2022	\$7,047.50	\$0.00		\$7,047.50
<i>Totals for Moore Iacofano Golstman, Inc</i>					<i>\$7,047.50</i>	<i>\$0.00</i>		<i>\$7,047.50</i>
Mt Diablo Landscape Centers Inc								
Mt Diablo Landscape Centers Inc	4/5/2022	3/2/2022	78414-C	Compost	\$152.25	\$0.00		\$152.25
<i>Totals for Mt Diablo Landscape Centers Inc</i>					<i>\$152.25</i>	<i>\$0.00</i>		<i>\$152.25</i>

City of Clayton

Open Invoice Report

Obligations

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
Nationwide								
Nationwide	4/5/2022	3/20/2022	032022	457 Plan contribution PPE 3/20/22	\$500.00	\$0.00		\$500.00
Nationwide	4/5/2022	3/6/2022	030622	457 Plan contribution PPE 3/06/22	\$500.00	\$0.00		\$500.00
				<i>Totals for Nationwide</i>	<i>\$1,000.00</i>	<i>\$0.00</i>		<i>\$1,000.00</i>
NBS Govt. Finance Group								
NBS Govt. Finance Group	4/5/2022	3/9/2022	1221001218	Delinquency mgmt svcs	\$193.71	\$0.00		\$193.71
NBS Govt. Finance Group	4/5/2022	3/20/2022	1221000958	CFD Admin Q4 FY22	\$5,046.76	\$0.00		\$5,046.76
				<i>Totals for NBS Govt. Finance Group</i>	<i>\$5,240.47</i>	<i>\$0.00</i>		<i>\$5,240.47</i>
Neopost (add postage)								
Neopost (add postage)	4/5/2022	3/9/2022	030922	Postage added	\$300.00	\$0.00		\$300.00
				<i>Totals for Neopost (add postage)</i>	<i>\$300.00</i>	<i>\$0.00</i>		<i>\$300.00</i>
nfpAccounting Technologies, Inc								
nfpAccounting Technologies, Inc	4/5/2022	3/16/2022	MIP	Finance support - FE Recons	\$600.00	\$0.00		\$600.00
				<i>Totals for nfpAccounting Technologies, Inc</i>	<i>\$600.00</i>	<i>\$0.00</i>		<i>\$600.00</i>
Nutrien Ag Solutions, Inc								
Nutrien Ag Solutions, Inc	4/5/2022	9/16/2021	46738101	Landscape chemicals	\$398.30	\$0.00		\$398.30
				<i>Totals for Nutrien Ag Solutions, Inc</i>	<i>\$398.30</i>	<i>\$0.00</i>		<i>\$398.30</i>
Dominic O'Donovan								
Dominic O'Donovan	4/5/2022	3/29/2022	CAP0339	Deposit refund	\$500.00	\$0.00		\$500.00
				<i>Totals for Dominic O'Donovan</i>	<i>\$500.00</i>	<i>\$0.00</i>		<i>\$500.00</i>
Pacific Telemanagement Svc								
Pacific Telemanagement Svc	4/5/2022	3/24/2022	2085331	Courtyard pay phone April 2022	\$70.00	\$0.00		\$70.00
				<i>Totals for Pacific Telemanagement Svc</i>	<i>\$70.00</i>	<i>\$0.00</i>		<i>\$70.00</i>
Paylocity Corporation								
Paylocity Corporation	4/5/2022	3/25/2022	109942615	Payroll fees February 2022	\$492.50	\$0.00		\$492.50
				<i>Totals for Paylocity Corporation</i>	<i>\$492.50</i>	<i>\$0.00</i>		<i>\$492.50</i>
PG&E								
PG&E	4/5/2022	3/23/2022	032322	Energy 2/18/22-3/21/22	\$5,362.93	\$0.00		\$5,362.93
PG&E	4/5/2022	3/22/2022	032222	Energy 2/18/22-3/21/22	\$24,157.81	\$0.00		\$24,157.81
				<i>Totals for PG&E</i>	<i>\$29,520.74</i>	<i>\$0.00</i>		<i>\$29,520.74</i>
Precision Civil Engineering (PCE)								
Precision Civil Engineering (PCE)	4/5/2022	3/16/2022	26374	Pre-Approved ADU Plans	\$490.00	\$0.00		\$490.00
				<i>Totals for Precision Civil Engineering (PCE)</i>	<i>\$490.00</i>	<i>\$0.00</i>		<i>\$490.00</i>
Prestige Printing & Graphics								
Prestige Printing & Graphics	4/5/2022	2/26/2022	35362	Business cards	\$72.85	\$0.00		\$72.85

City of Clayton

Open Invoice Report

Obligations

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
<i>Totals for Prestige Printing & Graphics</i>					\$72.85	\$0.00		\$72.85
Rent-A-Fence.com								
Rent-A-Fence.com	4/5/2022	2/23/2022	12198-9563	The Grove fencing	\$3,146.01	\$0.00		\$3,146.01
<i>Totals for Rent-A-Fence.com</i>					\$3,146.01	\$0.00		\$3,146.01
Rex Lock & Safe, Inc.								
Rex Lock & Safe, Inc.	4/5/2022	3/4/2022	132111	Replace damaged mortise cylinder	\$321.05	\$0.00		\$321.05
<i>Totals for Rex Lock & Safe, Inc.</i>					\$321.05	\$0.00		\$321.05
Roto-Rooter Sewer/Drain Service								
Roto-Rooter Sewer/Drain Service	4/5/2022	3/1/2022	510-23815074	Repair toilet Library	\$427.00	\$0.00		\$427.00
<i>Totals for Roto-Rooter Sewer/Drain Service</i>					\$427.00	\$0.00		\$427.00
Site One Landscape Supply, LLC								
Site One Landscape Supply, LLC	4/5/2022	3/14/2022	116909129-001	Irrigation parts	\$1,434.59	\$0.00		\$1,434.59
<i>Totals for Site One Landscape Supply, LLC</i>					\$1,434.59	\$0.00		\$1,434.59
Sprint Comm (PD)								
Sprint Comm (PD)	4/5/2022	3/1/2022	703335311-243	PD cell phones 1/26/22-2/25/22	\$710.32	\$0.00		\$710.32
<i>Totals for Sprint Comm (PD)</i>					\$710.32	\$0.00		\$710.32
Stericycle Inc								
Stericycle Inc	4/5/2022	4/1/2022	3005947114	Medical waste disposal	\$68.25	\$0.00		\$68.25
<i>Totals for Stericycle Inc</i>					\$68.25	\$0.00		\$68.25
Swenson's Mobile Fleet Repair								
Swenson's Mobile Fleet Repair	4/5/2022	1/12/2022	I004172	PW veh svc '99 F450	\$125.00	\$0.00		\$125.00
Swenson's Mobile Fleet Repair	4/5/2022	3/22/2022	I004466	PW veh svc Groundsmaster 325-D	\$140.00	\$0.00		\$140.00
Swenson's Mobile Fleet Repair	4/5/2022	3/11/2022	I004426	PW veh svc '06 Ranger	\$255.00	\$0.00		\$255.00
<i>Totals for Swenson's Mobile Fleet Repair</i>					\$520.00	\$0.00		\$520.00
Verizon Wireless								
Verizon Wireless	4/5/2022	3/1/2022	9900787229	PW cell phones 2/2/22-3/1/22	\$193.24	\$0.00		\$193.24
<i>Totals for Verizon Wireless</i>					\$193.24	\$0.00		\$193.24
Wally's Rental Center, Inc.								
Wally's Rental Center, Inc.	4/5/2022	3/11/2022	222349-3	Rental - Rototiller	\$163.48	\$0.00		\$163.48
Wally's Rental Center, Inc.	4/5/2022	3/18/2022	222501-3	Rental - Sod Cutter	\$543.24	\$0.00		\$543.24
<i>Totals for Wally's Rental Center, Inc.</i>					\$706.72	\$0.00		\$706.72
Warner Brothers Tree Service								
Warner Brothers Tree Service	4/5/2022	3/17/2022	15965	Tree work Clayton Rd (OMC/Regency)	\$11,520.00	\$0.00		\$11,520.00
Warner Brothers Tree Service	4/5/2022	3/17/2022	15966	Tree work Clayton Rd (Mitchell Canyon/Mai	\$7,920.00	\$0.00		\$7,920.00
Warner Brothers Tree Service	4/5/2022	3/17/2022	15967	Tree work Creek @ end of Zinfandel Cir	\$1,080.00	\$0.00		\$1,080.00

City of Clayton

Open Invoice Report

Obligations

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
Warner Brothers Tree Service	4/5/2022	3/17/2022	15968	Tree work 435 Zinfandel Cir	\$1,800.00	\$0.00		\$1,800.00
				<i>Totals for Warner Brothers Tree Service</i>	<i>\$22,320.00</i>	<i>\$0.00</i>		<i>\$22,320.00</i>
Western Exterminator								
Western Exterminator	4/5/2022	3/2/2022	59379C	Pest Control March 2022	\$461.70	\$0.00		\$461.70
				<i>Totals for Western Exterminator</i>	<i>\$461.70</i>	<i>\$0.00</i>		<i>\$461.70</i>
Wex Bank-Fleet Cards								
Wex Bank-Fleet Cards	4/5/2022	3/25/2022	79825241	Fuel - stmt end 3/25/22	\$4,996.93	\$0.00		\$4,996.93
				<i>Totals for Wex Bank-Fleet Cards</i>	<i>\$4,996.93</i>	<i>\$0.00</i>		<i>\$4,996.93</i>
Workers.com								
Workers.com	4/5/2022	3/4/2022	132206	Seasonal workers week-end 2/27/22	\$836.40	\$0.00		\$836.40
Workers.com	4/5/2022	3/11/2022	132252	Seasonal workers week-end 3/6/22	\$2,091.02	\$0.00		\$2,091.02
Workers.com	4/5/2022	3/18/2022	132292	Seasonal workers week-end 3/13/22	\$2,091.02	\$0.00		\$2,091.02
				<i>Totals for Workers.com</i>	<i>\$5,018.44</i>	<i>\$0.00</i>		<i>\$5,018.44</i>
GRAND TOTALS:					\$340,792.07	\$0.00		\$340,792.07

City of Clayton

Open Invoice Report

ARPA Obligations

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
Patricia Ann Ayres								
Patricia Ann Ayres	4/4/2022	3/30/2022	ARPA	Clayton Cares Program	\$10,000.00	\$0.00		\$10,000.00
				<i>Totals for Patricia Ann Ayres</i>	<i>\$10,000.00</i>	<i>\$0.00</i>		<i>\$10,000.00</i>
Paul or Sandra Decker								
Paul or Sandra Decker	4/4/2022	3/30/2022	ARPA	Clayton Cares Program	\$10,000.00	\$0.00		\$10,000.00
				<i>Totals for Paul or Sandra Decker</i>	<i>\$10,000.00</i>	<i>\$0.00</i>		<i>\$10,000.00</i>
Dr Keith Bradburn, DDS								
Dr Keith Bradburn, DDS	4/4/2022	3/30/2022	ARPA	Clayton Cares Program	\$10,000.00	\$0.00		\$10,000.00
				<i>Totals for Dr Keith Bradburn, DDS</i>	<i>\$10,000.00</i>	<i>\$0.00</i>		<i>\$10,000.00</i>
Chelsea Little								
Chelsea Little	4/4/2022	3/30/2022	ARPA	Clayton Cares Program	\$10,000.00	\$0.00		\$10,000.00
				<i>Totals for Chelsea Little</i>	<i>\$10,000.00</i>	<i>\$0.00</i>		<i>\$10,000.00</i>
Jeff or Deborah McCarthy								
Jeff or Deborah McCarthy	4/4/2022	3/30/2022	ARPA	Clayton Cares Program	\$10,000.00	\$0.00		\$10,000.00
				<i>Totals for Jeff or Deborah McCarthy</i>	<i>\$10,000.00</i>	<i>\$0.00</i>		<i>\$10,000.00</i>
Rene McEuen								
Rene McEuen	4/4/2022	3/30/2022	ARPA	Clayton Cares Program	\$10,000.00	\$0.00		\$10,000.00
				<i>Totals for Rene McEuen</i>	<i>\$10,000.00</i>	<i>\$0.00</i>		<i>\$10,000.00</i>
Mobile Legal Documents, LLC								
Mobile Legal Documents, LLC	4/4/2022	3/30/2022	ARPA	Clayton Cares Program	\$10,000.00	\$0.00		\$10,000.00
				<i>Totals for Mobile Legal Documents, LLC</i>	<i>\$10,000.00</i>	<i>\$0.00</i>		<i>\$10,000.00</i>
Nail 2001								
Nail 2001	4/4/2022	3/30/2022	ARPA	Clayton Cares Program	\$10,000.00	\$0.00		\$10,000.00
				<i>Totals for Nail 2001.</i>	<i>\$10,000.00</i>	<i>\$0.00</i>		<i>\$10,000.00</i>
Patriot Food Services								
Patriot Food Services	4/4/2022	3/30/2022	ARPA	Clayton Cares Program	\$10,000.00	\$0.00		\$10,000.00
				<i>Totals for Patriot Food Services</i>	<i>\$10,000.00</i>	<i>\$0.00</i>		<i>\$10,000.00</i>
Debera Jane Robles								
Debera Jane Robles	4/4/2022	3/30/2022	ARPA	Clayton Cares Program	\$10,000.00	\$0.00		\$10,000.00
				<i>Totals for Debera Jane Robles</i>	<i>\$10,000.00</i>	<i>\$0.00</i>		<i>\$10,000.00</i>
Douglas or Pamela Rogers								
Douglas or Pamela Rogers	4/4/2022	3/30/2022	ARPA	Clayton Cares Program	\$10,000.00	\$0.00		\$10,000.00
				<i>Totals for Douglas or Pamela Rogers</i>	<i>\$10,000.00</i>	<i>\$0.00</i>		<i>\$10,000.00</i>
Lynwem Royet								

City of Clayton

Open Invoice Report

ARPA Obligations

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
Lynwem Royet	4/4/2022	3/30/2022	ARPA	Clayton Cares Program	\$10,000.00	\$0.00		\$10,000.00
				<i>Totals for Lynwem Royet</i>	<i>\$10,000.00</i>	<i>\$0.00</i>		<i>\$10,000.00</i>
Dana Salerno								
Dana Salerno	4/4/2022	3/30/2022	ARPA	Clayton Cares Program	\$10,000.00	\$0.00		\$10,000.00
				<i>Totals for Dana Salerno</i>	<i>\$10,000.00</i>	<i>\$0.00</i>		<i>\$10,000.00</i>
Joseph Tedesco								
Joseph Tedesco	4/4/2022	3/30/2022	ARPA	Clayton Cares Program	\$10,000.00	\$0.00		\$10,000.00
				<i>Totals for Joseph Tedesco</i>	<i>\$10,000.00</i>	<i>\$0.00</i>		<i>\$10,000.00</i>
GRAND TOTALS:					\$140,000.00	\$0.00		\$140,000.00

Payroll Summary

City of Clayton

Check Date: 03/25/2022

Process: 2022032501

Pay Period: 03/07/2022 to 03/20/2022

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Payroll Totals

Payroll Checks	Check Type	Count	Net Check	Dir Dep Amount	Net Amount	
	Regular	26	0.00	68,089.96	68,089.96	
	Totals	26	0.00	68,089.96	68,089.96	→ 68,089.96

Payroll Checks	Check Type	Agency Type	Count	Net Check	Dir Dep Amount	Net Amount	
	Agency	EFSDU	1	0.00	358.15	358.15	
	Agency	Regular	1	0.00	663.50	663.50	
	Totals		2	0.00	1,021.65	1,021.65	→ 1,021.65
	Total Net Payroll Liability			0.00	69,111.61	69,111.61	→ 69,111.61

Tax Liability

CA and Related Taxes	Tax Id	Rate	Frequency	Wage	Cap Wages	EE Amount	ER Amount	
CA SDI - Employee			Semi-Weekly	102,896.09	102,896.09			
California SITW			Semi-Weekly	99,741.33	99,741.33	5,478.88		
Totals						5,478.88	0.00	→ 5,478.88

CASUI and Related Taxes	Tax Id	Rate	Frequency	Wage	Cap Wages	EE Amount	ER Amount	
CA Edu & Training		0.001000	Quarterly	102,896.09	487.82		0.49	
California SUI		0.020000	Quarterly	102,896.09	487.82		9.76	
Totals						0.00	10.25	→ 10.25

FITW and Related Taxes	Tax Id	Rate	Frequency	Wage	Cap Wages	EE Amount	ER Amount	
Federal Income Tax			Semi-Weekly	99,741.33	99,741.33	14,791.62		
Medicare			Semi-Weekly	102,896.09	102,896.09	1,491.99		
Medicare - Employer			Semi-Weekly	102,896.09	102,896.09		1,491.99	
Totals						16,283.61	1,491.99	→ 17,775.60

FUTA and Related Taxes	Tax Id	Rate	Frequency	Wage	Cap Wages	EE Amount	ER Amount	
Fed Unemployment			Quarterly	102,896.09	487.82		2.93	
Totals						0.00	2.93	→ 2.93

Total Tax Liability						21,762.49	1,505.17	→ 23,267.66
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Total Payroll Liability						92,379.27		→ 92,379.27
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Paylocity Corporation
(888) 873-8205

Payroll Summary

City of Clayton

Check Date: 03/25/2022

Process: 2022032501

Pay Period: 03/07/2022 to 03/20/2022

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Billing

Invoice	Date	Gross	Discount	Tax	Adjustment	Amount
	3/25/2022	492.50				492.50
Totals		492.50		0.00		492.50 → 492.50

Transfers

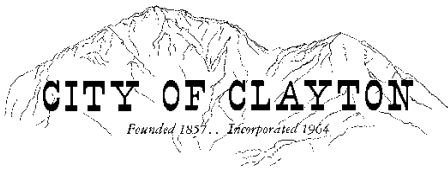
Type	Date	Source Account	Amount
Billing	3/25/2022		492.50
Dir Dep	3/24/2022		68,089.96
Tax	3/24/2022		23,267.66
Trust Agency	3/24/2022		1,021.65
Totals Transfers			92,871.77 → 92,871.77

Tax Deposits

Required Tax Deposits	Tax	Due On	Amount
(Deposit made by Service Bureau)	California SITW	3/30/2022	5,478.88
(Deposit made by Service Bureau)	Federal Income Tax	3/30/2022	17,775.60
(Deposit made by Service Bureau)	California SUI	5/2/2022	10.25
(Deposit made by Service Bureau)	Fed Unemployment	5/2/2022	2.93
	Total Tax Deposits		23,267.66



Paylocity Corporation
(888) 873-8205



AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: CITY MANAGER

DATE: April 5, 2022

SUBJECT: Adopt a Resolution of the City Council of the City of Clayton Allowing for Video and Teleconference Meetings as Needed during the COVID-19 State of Emergency Under AB 361

RECOMMENDATION

Adopt a Resolution of the City Council allowing for video and teleconference meetings as needed during the COVID-19 state of emergency under AB 361.

BACKGROUND

Last year, the State Legislature passed and Governor Newsom signed AB 361 which continues many of the provisions related to the Brown Act that were in place under Executive Orders, which expired September 30, 2021 that allowed for video and teleconferencing during the state of emergency. Since AB 361 has been signed into law, the City can continue to meet virtually until such time as the Governor declares the State of Emergency due to COVID-19 over and measures to promote social distancing are no longer recommended by the County Health Officer.

On September 20, 2021, February 2, 2022 and March 1, 2022, the Contra Costa County Health Officer issued recommendations for safely holding public meetings and continues to strongly recommend on-line meetings over in-person public meetings. If in-person meetings need to occur, the County Health Officer recommends physical distancing of six feet of separation between all attendees. The proposed resolution provides that the City Council and all subsidiary City boards and commissions may choose to hold fully virtual video and teleconference meetings while the state of emergency is still in effect and physical distancing is recommended.

In order to continue to be able to hold video and teleconference meetings as needed, the City Council will need to review and make findings every thirty days that the state of emergency

continues to directly impact the ability of the members to meet safely in person and that state or local officials continue to impose or recommend measures to promote physical distancing.

FISCAL IMPACT

None.

Attachment:

Resolution of the City Council Allowing for Video and Teleconference Meetings during the COVID-19 State of Emergency Under AB 361

RESOLUTION NO. ##-2022

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLAYTON
ALLOWING FOR VIDEO AND TELECONFERENCE MEETINGS DURING THE
COVID-19 STATE OF EMERGENCY UNDER AB 361**

WHEREAS, on March 4, 2020, the Governor of the State of California proclaimed a State of Emergency for COVID-19;

WHEREAS, AB 361 was recently passed by the State Legislature and signed by Governor Newsom and went into effect immediately and allows the City to continue to meet virtually until such time as the Governor declares the State of Emergency due to COVID-19 over and measures to promote physical distancing are no longer recommended;

WHEREAS, on September 20, 2021, February 2, 2022 and March 1, 2022, the Contra Costa County Health Officer issued recommendations for safely holding public meetings and strongly recommends on-line meetings and if in person meetings occur then recommends physical distancing of six feet of separation and masking for all attendees;

WHEREAS, in light of this recommendation, the City Council desires for itself and for all other City legislative bodies that are subject to the Brown Act to be able to choose to meet via video and/or teleconference as necessary; and

WHEREAS, pursuant to AB 361 the City Council will review the findings required to be made at least every 30 days.

NOW THEREFORE BE IT RESOLVED the City Council hereby finds on behalf of itself and all other City legislative bodies: (1) a state of emergency has been proclaimed by the Governor; (2) the state of emergency continues to directly impact the ability of the City's legislative bodies to meet safely in person; and (3) local health officials continue to recommend measures to promote physical distancing.

BE IT FURTHER RESOLVED that the City Council and all other City legislative bodies may continue to meet via video and/or teleconference as needed during the COVID-19 emergency.

PASSED AND ADOPTED by the Clayton City Council, State of California, on this 5th day of April 2022, by the following vote.

AYES:

NOES:

ABSENT:

ABSTAIN:

**THE CITY COUNCIL OF CLAYTON,
CA**

Peter Cloven, Mayor

ATTEST:

Janet Calderon, City Clerk



AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: Janet Calderon, City Clerk

DATE: April 5, 2022

SUBJECT: Biennial Review of Conflict of Interest Code

RECOMMENDATION

By minute action, direct the City Clerk to review Clayton's Conflict of Interest Code and submit a notice to the City Council no later than October 1, 2022 indicating whether or not amendments are required or that no amendments are necessary.

BACKGROUND

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

Therefore, the City Council must, no later than July 1, 2022, officially instruct its city organization to review its code and submit a notice to the City Council that either amendments are required or that no amendments are necessary. This action constitutes the initiation of the procedure required by State law.

FISCAL IMPACT

None.



AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: Reina J. Schwartz, City Manager

DATE: April 5, 2022

SUBJECT: CITY COUNCIL ADOPTION BY MINUTE ORDER OF CITY COUNCIL GOALS FOR FY2022/23

RECOMMENDATION

Staff recommends the City Council by motion order approve the City Council Goals for FY2022/23.

BACKGROUND

On March 21, 2022, the City Council met in a Special Meeting to discuss City Council operations and priorities for FY2022/23.

DISCUSSION

At the meeting on March 21st, the City Council reviewed the Priority Areas that had been adopted for FY2021/22 and progress toward meeting those goals. In addition, the Council discussed and agreed on three primary goals for FY2022/23. These goals are:

- Pursue a structurally sustainable budget
- Identify what it takes to support staff in terms of technology and tools to bring the City into the 21st century
- Present a compliant Housing Element to HCD

While new items may come up during the course of the next year and as a result, priorities may shift, adoption of the Goals provides a common foundation for budgetary and policy discussions going forward. The goals will also guide staff priorities and projects over the coming year.

FISCAL IMPACTS

While individual policies, programs and projects will have fiscal impacts, adoption of the list of priority areas does not on its own have a fiscal impact.



AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: Elise Warren, Chief of Police

DATE: April 5, 2022

SUBJECT: RESOLUTION APPROVING THREE CONTRACTS FOR THE PURCHASE AND OUTFITTING OF ONE (1) NEW 2022 FORD POLICE INTERCEPTOR UTILITY PATROL VEHICLE TO REPLACE EXISTING FORD PATROL VEHICLE, AND DECLARING ONE (1) 2015 FORD INTERCEPTOR UTILITY PATROL VEHICLE (UNIT NUMBERS 1737) AS SURPLUS TO CITY'S NEEDS AND APPROPRIATING \$68,056 FROM THE CAPITAL EQUIPMENT REPLACEMENT FUND FOR THE PURCHASE

RECOMMENDATION

It is recommended the City Council adopt the attached Resolution awarding various contracts for the purchase and outfitting of one (1) new 2022 Ford Police Interceptor Utility Patrol vehicle (police replacement vehicle) as follows:

1. Purchase of one (1) 2022 Ford Police Interceptor from Folsom Lake Ford; \$42,792.40, matching the State of California's competitive bid process price, Contract #1-18-23-14B;
2. Purchase of emergency equipment from LEHR, and labor to outfit the vehicle; \$24,483.03
3. Decals, striping and associated lettering from FASTSIGNS; \$780.50.

The total proposed expenditure is to be \$68,055.93 from the Capital Equipment Replacement Fund (CERF).

BACKGROUND

The City of Clayton's Police Department currently has a fleet of eight (8) patrol vehicles. In the past, the police department has typically replaced one (1) vehicle each year with a new police "interceptor" vehicle which is specifically designed to serve as a patrol vehicle.

The newest vehicle usually replaces the most unserviceable vehicle in the police department's fleet. On this occasion, the unserviceable vehicle is a 2015 Ford Interceptor PIU (unit number 1737), which has over 90,032 miles on it.

Typically, when a new patrol vehicle is placed into service, all available equipment from the outgoing vehicle is reused to help control costs.

DISCUSSION

In Model year 2020, Ford started production of the totally re-designed Police Interceptor Utility (PIU). This was the first major redesign of the vehicle since it was first offered in 2013. The Ford PIU has served Clayton well, with no known problems.

The City's minimum staffing is typically two officers on patrol at any given time. The Police Department also routinely staffs "special events" where numerous officers are on duty at the same time. Patrol vehicles also need routine maintenance and can suffer unexpected mechanical, communication and emergency equipment failures. By maintaining a fleet of eight (8) vehicles, the City can maintain adequate capability to support all these missions simultaneously. Additionally, vehicles are utilized by police staff as a visual deterrent in response to criminal activity and for traffic calming purposes.

After a competitive statewide bid process, Folsom Lake Ford was selected as the supplier of Ford vehicles to the State of California. Folsom Ford of Folsom met the competitively-bid contract price and will deliver the vehicle upon completion.

Our patrol vehicles are up-fitted with police and emergency equipment by LEHR. This includes the installation of mobile computers, radios, and emergency/specialty equipment.

The City typically orders replacement vehicles in the Spring of any given year, for expected delivery in early Fall. Generally, it takes about 6-8 months to receive a vehicle after it has been ordered.

FISCAL IMPACTS

Monies for the purchase of this vehicle in the amount of \$68,055.93 are set aside in the Capital Equipment Replacement Fund (CERF). The Finance Director has confirmed that the CERF's cash balance has sufficient funds to cover the expenditure of these monies.

The purchase will require the expenditure of monies as follows:

1. Purchase of new vehicle from Future Ford	\$ 42,792.40
2. Parts and labor to outfit the new car	\$ 24,483.03
3. Graphics, striping and decals	<u>\$ 780.50</u>
	\$68,055.93

Surplus patrol vehicles are typically disposed of at public auction. Many factors impact what a used vehicle will sell for. The surplus vehicles are expected to sell for \$2,000-\$3,000 each.

All proceeds from the sale of the surplus vehicles belong to the taxpayers (City) and will be placed into the City's Equipment Replacement Fund (CERF).

ATTACHMENTS

Resolution

Quote from Folsom Lake Ford

Quote from LEHR

Quote from Fast Signs

RESOLUTION NO. ##- 2022

RESOLUTION APPROVING THREE CONTRACTS FOR THE PURCHASE AND OUTFITTING OF ONE (1) NEW 2022 FORD POLICE INTERCEPTOR UTILITY PATROL VEHICLE TO REPLACE EXISTING FORD PATROL VEHICLE, AND DECLARING ONE (1) 2015 FORD INTERCEPTOR UTILITY PATROL VEHICLE (UNIT NUMBERS 1737) AS SURPLUS TO CITY'S NEEDS AND APPROPRIATING \$68,056 FROM THE CAPITAL EQUIPMENT REPLACEMENT FUND FOR THE PURCHASE

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

WHEREAS, the City of Clayton Police Department uses patrol vehicles to perform the patrol function and provide law enforcement services to the community: and

WHEREAS, patrol vehicles need to be replaced on a regular basis to assure each is in operable and dependable condition for public safety and first responder services; and

WHEREAS, patrol vehicles are equipped with specific emergency lights, sirens, radios; and

WHEREAS, by necessity the City contracts with various service providers for the purchase and installation of emergency equipment and decal/signage on its police patrol vehicles; and

WHEREAS, monies are budgeted by the City Council in the City's FY 2021/22 Capital Equipment Replacement Fund (CERF) for the replacement of a patrol vehicle used by the City of Clayton Police Department.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Clayton, California does hereby formally approve as follows:

Section 1.

Approves and authorizes the competitive bid purchase of one (1) new 2022 Ford Police Interceptor Utility vehicle from Folsom Lake Ford (matching the State of California's competitive bid price, contract #1-18-23-14B) for the amount of \$42,792.40 including sales tax and fees.

Section 2.

Approves and authorizes a contract in the amount of \$24,483.03 with LEHR for the purchase of law enforcement emergency equipment and the outfitting of the new patrol vehicle to Clayton Police Vehicle Specifications.

Section 3.

Approves and authorizes the expenditure of \$780.50 to FASTSIGNS for the official police vehicle striping, lettering and decals.

Section 4.

Approves and authorizes the appropriation of \$68,055.93 from the FY 2021/22 Capital Equipment Replacement Fund (CERF) for the noted three (3) purchase and installation contracts related to the acquisition of one (1) new 2022 Ford Police Interceptor for the use by the Clayton Police Department.

Section 5.

Does herewith declare one (1) existing 2015 Ford Police Interceptor (vehicle unit number's 1737) as surplus to the City's need and authorizes the City Manager to dispose of said vehicle by public auction.

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California at a regular public meeting thereof held the 5th day of April 2022 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

THE CITY COUNCIL OF CLAYTON, CA

Peter Cloven, Mayor

ATTEST:

Janet Calderon, City Clerk

FOLSOM LAKE

FORD



THE FORD SOURCE

12755 FOLSOM BOULEVARD
FOLSOM, CA 95630 • (916) 353-2000

2022 ORDER-26-28 WEEKS

STATE CONTRACT 1-18-23-14B

DANIEL A. RAIMONDI

Fleet Director

(916) 353-2000, Ext.376
Toll Free 1-800-655-0555
Cell (916) 825-1622
Fax (916) 353-2078
danr@folsomlakeford.com

2/23/2022

K8A 4DR AWD POLICE
.119.09" WB
UM AGATE BLACK
9 CLTH BKTS/VNL R
6 EBONY
500A EQUIP GRP
.AM/FM STEREO
99B 3.3L V6 TIVCT
44U 10SPD AUTO TRAN
52P DR LOCK PLUNGER
CA BOARD FEES
17T CARGO DOME LAMP
19K H8 AGM BATTERY
19V R CAM ON DEMAND
21L FRONT AUX LIGHT
425 50 STATE EMISS
43A REAR AUX LIGHTS
43D COURTESY DISABL
47A ENGINE IDLE
51S DUAL LED LAMPS
52T T/TOW CLASS III
55B BLIND SPOT INFO
59B KEY CODE 1284X
60R NOISE SUPPRESS
63B SD MARKER LGHTS
63L QTR GLASS LIGHT
63V CARGO VAULT
66A FRONT HDLMP PKG
.GRILL WIRING
66C REAR LIGHT PKG
68B PERIMETER ALERT
76D DEFLECTOR PLATE
76P PRE COLL ASSIST
76R REVERSE SENSING
85R RR MOUNT PLATE
86T RR TAILLAMP HSG
87R CAMERA IN MIRROR

\$39,523.00
\$ 3,260.65
\$ 8.75 CA TIRE FEE

\$42,792.40 DELIVERED

LESS \$500.00 DISCOUNT
20 DAY PAYMENT

DELIVERED

INCLUDES PAINTED WHITE
ROOF AND 4 DOORS

*APPROVED TO PLACE ORDER
CANNOT TAKE DELIVERY PRIOR
TO JULY 2022.
V. MARINOT GTR
3-3-22*



Sales Quote

Page: 1

661 Garcia Avenue Pittsburg, CA 94565
Phone: 925-370-2144 Fax: 925-370-2087

Quote Number: 35094
Document Date: 3/18/2022
Terms: Net 30
Payment Method:

Sell Clayton Police Department
To: 6000 Heritage Trail
Clayton, CA 94517
USA
Phone:

Ship Clayton Police Department
To: Attention Tim Marchut
6000 Heritage Trail
Clayton, CA 94517
Phone:

Ship Via Installation at Lehr
Tax Ident. Type Legal Entity

Customer ID 1656
SalesPerson Mike McGee

Vehicle Information:

2022 FORD UTILITY

PRICES ARE VALID FOR 30 DAYS FROM DATE OF QUOTE UNLESS OTHERWISE SPECIFIED

Item No.	Description	Manufacturer Name	Quantity	Unit Price	Total Price
<hr/>					
	Front End Equipment				
<hr/>					
	OEM - 66A				
	OEM - WIG WAG				
MCRNTB	MICRON BLUE STUD MOUNT	Whelen	1	82.55	82.55
MCRNTR	MICRON RED STUD MOUNT	Whelen	1	82.55	82.55
NP3BB	NANO-3 PIONEER BAIL MT 12V BLK	Whelen	2	145.60	291.20
EX0011	PATROL POWER HARNESS FRT MNT PI UTIL 2020	Patrol Power	1	725.60	725.60
C3100X	SPEAKER ONLY	Code 3	2	148.915	297.83
SPKR-BKT-DS-PIU20	C3100 SPEAKER BKT D/S 2020 UTIL	Code 3	1	29.55	29.55
SPKR-BKT-PS-PIU20	C3100 SPEAKER BKT P/S 2020 UTIL	Code 3	1	29.55	29.55
I	INSTALLATION CHARGES	Labor Items	10	105.00	1,050.00
<hr/>					
	Side Equipment				
<hr/>					
	OEM - 63B MIRROR BEAMS				
I	INSTALLATION CHARGES	Labor Items	1	105.00	105.00
<hr/>					
	Roof Equipment				
<hr/>					
P47-CLAYTON	47" DUAL LEVEL	Code 3	1	2,165.00	2,165.00
ADJBKT011-B	LIGHTBAR MOUNT KIT PIU20	Code 3	1		
	CSM - MODEM ANTENNA				
LGMM-EXT-R	LGMM THICK PANEL ANTENNA ADAPTER KIT-UTILITY	Panorama	1	40.80	40.80
MB8U	CABLE 17' RG58U SOLID CENTER	Misc Radio Parts	1	16.50	16.50
QW800	806-896MHZ 1/4 WAVE ANTENNA	Misc Radio Parts	1	12.00	12.00



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Item No.	Description	Manufacturer Name	Quantity	Unit Price	Total Price
I	INSTALLATION CHARGES	Labor Items	3	105.00	315.00
	Drivers Compartment				
CC-UV20-L-18	18" L-SHAPE CONS, 8" SLP, 10" LVL 2020 PI SUV	Troy Products	1	368.25	368.25
FP-C3-Z3	FACE PLATE 4"	Troy Products	1		
FP-MXTL2500	FACE PLATE 3"	Troy Products	1		
AC-INBHG	4" INTERNAL DUAL BEVERAGE HOLDER	Troy Products	1	39.00	39.00
FP-BLNK1	FACE PLATE 1" BLANK	Troy Products	3		
FP-BLNK2	FACE PLATE 2" BLANK	Troy Products	1		
FP-AP12-3	FACE PLATE W/3 HOLES 2"	Troy Products	1		
L3-AP1SET	DC OUTLET PLUG	Troy Products	2	9.00	18.00
1016B	DUAL USB SOCKET	Blue Sea Systems	1	25.29	25.29
MMSU-1	MAGNETIC MIC KIT	Magnetic Mic	2	34.95	69.90
AC-MCM	MIC BRACKET ONLY	Troy Products	1	4.50	4.50
AC-TB-ARMMNT-58	CONSOLE MOUNTED HEIGHT ADJ SWIVEL ARM REST	Troy Products	1	131.25	131.25
7160-1336	2020 FORD POLICE INT UTIL VEH BASE	Gamber Johnson	1	130.50	130.50
7160-0178	7" UPPER CENTER POLE	Gamber Johnson	1	71.25	71.25
7160-0230	SUPPORT BRACE- SHORT	Gamber Johnson	1	62.25	62.25
7170-0514	TABLET DISPLAY MNT	Gamber Johnson	1	596.25	596.25
DS-LOWER-9	9" LOWER POLE ASSY	Gamber Johnson	1	60.75	60.75
HLN7002A	TRUNNION KIT	Misc Radio Parts	1	43.75	43.75
HKN6188B	POWER CABLE CONTROLHEAD REMOTE MOUNT 20'	Misc Radio Parts	1	52.25	52.25
	CSM - POLICE RADIO				
	CSM - GJ DOCK				
	CSM - DOCK POWER				
	CSM - KEYBOARD				



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2022 FORD UTILITY

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Item No.	Description	Manufacturer Name	Quantity	Unit Price	Total Price
CO400	CO2 ALARM	Misc Parts	1	23.00	23.00
B-ECL556-A	ECOLock-2020 UTILITY	Intermotive	1	589.82	589.82
ECVDMLTALDC	LED DOME LIGHT WHT/RED WITH WHT LENS	Sound Off	1	81.25	81.25
GK11191B1SSCA	DUAL T-RAIL GUN MT 1 BLAC-RAC LOCK/1 SHOTGUN LOCK	Setina	1	751.20	751.20
806-0022-00	DSR 2 ANTENNA RADAR	Stalker Radar	1	3,300.00	3,300.00
200-1379-00	DASH COMBO MOUNT RADAR/DISPLAY FORD 2020 UTILITY	Stalker Radar	1	95.00	95.00
200-1378-00	REAR RADAR MOUNT, FORD 2020 UTILITY	Stalker Radar	1	120.00	120.00
155-2211-00	REMOTE DISPLAY INTERCONNECT CABLE	Stalker Radar	1	90.00	90.00
MMSU-1	MAGNETIC MIC KIT	Magnetic Mic	1	34.95	34.95
I	FOR RADAR REMOTE				
	INSTALLATION CHARGES	Labor Items	17.5	105.00	1,837.50
Prisoner Compartment					
PK1134ITU20TM	#8XL 1/2 COATED 1/2 VINYL MESH TALL MAN	Setina	1	655.20	655.20
QK2121ITU20	REPL SEAT SMART BELT W/CENTER PULL SEAT BELT	Setina	1	1,086.75	1,086.75
PK0123ITU202ND	#12VS VINYL COATED EXP METAL REAR PARTITION	Setina	1	391.20	391.20
3SC0CDCR	COMPARTMENT LIGHT	Whelen	2	52.50	105.00
I	INSTALLATION CHARGES	Labor Items	8.5	105.00	892.50
Back End Equipment					
TK0241ITU20	CARGO BOX DSC-DRAWER/SLD/COMBO BSN-BASE/SLD/NO LK	Setina	1	1,189.15	1,189.15
TPA9289	CARGO BOX RADIO TRAY	Setina	1	330.65	330.65
HB6PAK-PI-RB	CODE 3 TWIST LOCK HIDE-A-BLAST 6-LED SPLIT R/B	Code 3	2	87.53	175.06
MR6-W	MR6 LIGHT WHT	Code 3	2	84.68	169.36



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2022 FORD UTILITY

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Item No.	Description	Manufacturer Name	Quantity	Unit Price	Total Price
CW0411	BACK UP LTS COMPARTMENT LHT REAR HATCH CSM - MODEM	Code 3	1	94.90	94.90
DC-568P-25BLMB	25' CAT6 SNAGLESS CABLE-BLUE	IT Misc Parts	1	16.95	16.95
Z3SXP-1	Z3 SERIAL SIREN W/BANSHEE BUILT IN, PUSH BUTTON	Code 3	1	1,184.83	1,184.83
B500T	FIRE EXTINGUISHER 5LB ABC DRY CHEMICAL	National Fire System	1	131.28	131.28
I	INSTALLATION CHARGES	Labor Items	17	105.00	1,785.00
INSTALL	INSTALL MATERIALS	Service Items	1	195.00	195.00
F	Shipping Charges	Service Items	1	295.00	295.00

Agency Approval

Name: _____

Auth. Signature: _____

Amount Subject to Sales Tax
22241.87

Amount Exempt from Sales Tax
295.00

Subtotal: 22,536.87
Total Sales Tax: 1946.16

Total: 24,483.03

PLEASE READ: No returns without approval and an RMA# will be accepted. All shortages, damage, or return claims must be made within 10 days of invoice date. NO EXCEPTIONS. A copy of the invoice and RMA paperwork must be shipped with returns. All return orders or cancellations are subject to a 25% restocking fee plus freight. Any change orders made 60 days prior to the installation date may be subject to a production delay and pricing changes. PRICES ARE SUBJECT TO CHANGE WITHOUT NOTICE.



More than fast. More than signs.™

PLEASANT HILL FASTSIGNS

3381 Vincent Rd. Suite J
Pleasant Hill, CA 94523
Email: 16@fastsigns.com

Phone: (925) 476-5163
Fax: (925) 933-2679

Page 1 of 1

ESTIMATE:

PH 30771

Estimate Date:

3/2/2022 1:02:16PM

Salesperson:

Lisa Whitehouse

Entered By:

Lisa Whitehouse

Date Printed:

3/2/2022 1:02:56PM

Project Description: INSTALLED - POLICE CAR GRAPHICS 2022 Ford Explorer Police Interceptor Ut

Customer: CLAYTON POLICE

Ordered by: TIM MARCHUT

Phone: (925) 437-2103

6000 HERITAGE TRAIL

CLAYTON, CA 94517

Email: TIM.MARCHUT@CLAYTONPD.CO

Dear TIM:

THIS ESTIMATE MAY CHANGE WITH ADDITIONS OR CHANGES TO ITEMS QUOTED.

Sincerely,

Lisa Whitehouse

PRODUCT	DESCRIPTION	QTY	SIDES	H x W	UNIT COST	TOTALS
RTA	* RTA Lettering (Based on Total Area, Height by Width) Side graphics follow the vehicle contour, not level with ground Color: SAPPHIRE/WHITE Text: POLICE EMBLEM ON BOTH SIDES OF CAR SPANNING ACROSS FRONT & REAR DOORS LETTERING ON TRUNK LIP, #1748. SMALL VEHICLE IDENTIFICATION #'S (4-SETS) X1) 1748 (ROOF) RTA	1	1	1 x 1	\$375.00	\$375.00
MISC	* 3M Scotchgard Clear Paint Protection for rear doors #1748	1	1	30 x 6	\$125.00	\$125.00
Installation	* On-Site professional installation Text: INSTALLATION # 1748	1	1	0 x 0	\$225.00	\$225.00

TERMS: Payment due upon completion of order.

ESTIMATE RECEIVED/APPROVED BY:

X

/ /

CUSTOMER SIGNATURE

DATE

P.O./Credit Card #

Exp: /

Line Item Total:	\$725.00
Tax Exempt Amt:	\$125.00
Subtotal:	\$725.00
Taxes:	\$55.50
Total:	\$780.50

Deposit Required: \$390.25

Bill To: CLAYTON POLICE
Attention: TIM MARCHUT
6000 HERITAGE TRAIL
CLAYTON, CA 94517

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**declaring
the week of April 3 – 9, 2022
as
"Clayton Community Library Week"**

WHEREAS, libraries are accessible and inclusive places that foster a sense of connection and build community; and

WHEREAS, libraries connect people to technology, providing access to broadband internet, computers, and training that are critical for accessing education and employment opportunities; and

WHEREAS, libraries offer opportunities for everyone to connect with new ideas and become their best selves through access to multimedia content, programs, and classes – in addition to books; and

WHEREAS, today's libraries and their services extend far beyond the four walls of a building and everyone is welcome to use their resources; and

WHEREAS, in times of crisis, libraries and library professionals play an invaluable role in supporting their communities both in person and virtually; and

WHEREAS, libraries strive to develop and maintain programs and collections that are as diverse as the populations they serve and ensure equity of access for all; and

WHEREAS, to adapt to our changing world, libraries are expanding their resources and continuing to meet the needs of their patrons; and

WHEREAS, libraries have long served as trusted and treasured institutions for all members of the community regardless of race, ethnicity, creed, ability, sexual orientation, gender identity, or socioeconomic status; and

WHEREAS, libraries are cornerstones of democracy, promoting the free exchange of information and ideas for all; and

WHEREAS, libraries, librarians, and library workers are joining library supporters and advocates across the nation to celebrate National Library Week.

NOW, THEREFORE, be it resolved that I, Peter Cloven, Mayor, and on behalf of the entire Clayton City Council, proclaim National Library Week, April 3-9, 2022. During this week, we encourage all residents to connect with their library by visiting online or in person to access resources and services.

declaring

April 24

as

"Armenian Genocide Remembrance Day"

WHEREAS, human rights advocates and historians from around the world recognize and mourn the 1.5 million Armenians who perished in the Armenian Genocide as ordered by the government of the Ottoman Empire, which began on April 24, 1915 with the arrest, exile and murder of hundreds of Armenian intellectuals, political, religious, and business leaders; and

WHEREAS, during the 1915-1923 Genocide, Armenian survivors were forced to witness the slaughter of their relatives and the loss of their ancestral land and property in what is now known as the "First Genocide of the 20th Century"; and

WHEREAS, the government of the Ottoman Empire claimed the lives of 1.5 million Armenians and forced 500,000 more from their homeland. The Armenian Genocide was a terrible breach of human rights and an event that has outraged the world; and

WHEREAS, the atrocities carried out against the Armenian people were grave and unimaginable, as they were subjected to deportation, abduction, torture, starvation, and more. And as with any violent conflict, Armenian women and children suffered the worst abuses. The bulk of the Armenian population that was displaced from their homes was forced to escape to neighboring areas as well as faraway countries including the United States; and

WHEREAS, the United States is honored to be a home to a vibrant growing Armenian-American population. This thriving community is a proud reminder of survival and determination even in the face of extreme injustice; and

WHEREAS, as Americans, it is our duty to raise awareness of the Armenian Genocide and to participate in the remembrance and mourning of the loss of innocent lives more than a century ago; and

WHEREAS, the failure to learn from the past allows history to repeat itself as the world saw during the 2020 Nagorno-Karabagh war when the military forces of Azerbaijan and Turkey attacked the Armenian civilian population of Nagorno-Karabagh and its churches and civic buildings, resulting in casualties and loss of ancestral land and property, motivated by the same genocidal campaign that their ancestors suffered 106 years earlier.

Now, Therefore, I, Peter Cloven, Mayor, and on behalf of the entire Clayton City Council, proclaim April 24, as "Armenian Genocide Remembrance Day" in Clayton, CA and I call this observance to the attention of all of our citizens.



STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

**FROM: REINA SCHWARTZ, CITY MANAGER
KATHERINE KORSAK, FINANCE DIRECTOR**

DATE: April 5, 2022

SUBJECT: Adopt a Resolution Approving Amending and Reporting the Use of American Rescue Plan Act (ARPA) Funds in Compliance with the US Treasury Department's Final Rule for Fiscal Year 2021/22

RECOMMENDATION

Adopt a Resolution approving amending and reporting the use of American Rescue Plan Act (ARPA) Funds in compliance with the US Treasury Department's Final Rule for Fiscal Year 2021/22.

BACKGROUND

On March 11, 2021, President Biden signed into law HR 1319, the American Rescue Plan Act of 2021 ("ARPA"), which provides a total of \$1.9 trillion in financial assistance to individuals, businesses, and state and local government agencies to assist in the economic recovery from the COVID-19 pandemic. ARPA included a provision entitled "Coronavirus State and Local Fiscal Recovery Funds" ("SLFRF") that includes \$350 billion in funding for state and local governments of which \$65 billion was dedicated to local government agencies.

ARPA provided flexibility for each government to meet local needs in four areas: 1) supporting public health response to and economic impacts from the pandemic; 2) provide premium pay for essential workers; 3) replace lost public sector revenues; and 4) invest in water, wastewater and broadband infrastructure; and

The City is classified as a non-entitlement unit within the provisions of SLFRF and will receive a total of \$2,934,049, in federal relief funds divided in two equal payments (or "tranches") of approximately \$1,467,025. The City received its first payment in July 2021 and the second payment will be received on or before the same time this year.

In the fall of 2021, the City Council embarked on a process to identify investment opportunities of the one-time ARPA funds and approved an agreement with Management Partners to engage the community and provide an analysis of such investment opportunities for Council consideration. As a result of that outreach and analysis, the City Council has approved a series of programs related to COVID recovery.

The programs approved by the City Council have included appropriating the initial tranche of \$1,467,025 for the Clayton Cares program to provide relief to businesses and community members and related administrative expenses. Subsequently, in January 2022 the City Council reappropriated \$242,000 of these funds to provide one-time essential worker premium pay to City employees. Additionally, in March, the City Council approved the use of \$49,500 in ARPA funding for the purchase and implementation of a 3-year license of the ClearGov budget software platform. The City Council also recently approved the creation of the American Rescue Plan Act special revenue fund (#232) for purposes of tracking revenues and expenditures associated with ARPA funds.

DISCUSSION

The US Treasury Department ("Treasury") is responsible for administering the provisions of the SLFRF. They issued an Interim Final Rule (IFR) on the use and reporting of SLFRF funds in May 2021, and issued their Final Ruling (FR) on January 6, 2022, the latter of which becomes effective April 1, 2022. Treasury also issued compliance and reporting guidelines on February 28, 2022 that assist local agencies in understanding the reporting requirements under the legislation.

One of the key changes that occurred in the FR is that Treasury determined that they would allow a standard revenue loss allowance for each agency of up to \$10 million, rather than having to rely on the formula originally contained in the Interim Rule. Under this category known as the "Revenue Replacement" category, any agency can stipulate to this \$10 million revenue loss amount and claim up to that amount based on the funds they received. In practice, agencies that received less than \$10 million (like Clayton) are allowed to report their use of ARPA funds as revenue replacement to streamline reporting of the use of the funds to Treasury.

By assigning the use of ARPA funds for the purpose of reporting to Treasury under this category, the City may demonstrate use of those funds through the provision of "general government services", which the FR defines as any service normally provided by the local government. As such, the City will be able to report use of all of its ARPA funds under this revenue replacement category based on the expenditures incurred in the City's General Fund (which well exceed the ARPA funds received in any fiscal year).

The benefits of claiming ARPA funds in the Revenue Replacement category is that the reporting of the use of those funds to Treasury is simplified thus greatly reducing the administrative burden of the reporting requirements. The other expenditure categories mentioned earlier come with significant reporting requirements such as how and to whom the funds were distributed, detailed information about the capital projects where the funds were expended, and the use of "evidence-based" research to demonstrate the "before-and-after" effects of the use of those funds. The Single Audit reporting

requirements also become significantly more burdensome that would require many hours of Finance and operating department staff time to track, report, and comply with the audit requirements.

The replenishment/inflow of these one-time revenues in the General Fund will allow the City Council to designate the resulting unanticipated surplus from these funds into a "Pandemic Recovery Reserve Fund" (Fund 111) which will then capture the ultimate uses of the ARPA funds. The City Council will have the ultimate discretion to invest these funds for purposes already identified such as the Clayton Cares program, premium pay for City essential works and the ClearGov software. The Council will also have the discretion to program any funds remaining from the first tranche of ARPA funding and an amount equal to the second tranche of the funding.

The Clayton Cares program and the prior decisions to expend funds for premium pay and the ClearGov budget software are not affected by this change other than where the expenditures are tracked. This also does not change the City Council's future decision-making in how to invest the one-time surpluses resulting from the revenue replenishment that will benefit the City's General Fund. The City can continue to identify opportunities for the investment of these funds to assist the community in recovering from the pandemic faced since 2020 or for whatever other municipal purposes that the City Council identifies as priority uses for these one-time revenues.

Adoption of the attached resolution will allow the City Manager or designee to file the necessary reports to the Treasury Department to demonstrate full use of the ARPA funds for the provision of City governmental services and will establish a Pandemic Recovery Reserve (Fund 111) in the City's General Fund of the entire amount, which the City Council can then separately determine how to expend at a future date. Fund 111 will then be used to capture and track ARPA funds appropriated in prior resolutions consistent with the intent of those uses of funds.

FISCAL IMPACT

The City will recognize revenues from the ARPA funds in its American Rescue Plan Act fund (232) totaling \$1,467,025, and will transfer an equal amount to the General Fund in recognition of the provision of general government services based on expenditures substantiated from July 1, 2021 to March 31, 2022 for Treasury reporting purposes.

Subsequently, a "Pandemic Recovery Reserve" fund of \$1,467,025 will be established as an assigned fund balance in the General Fund (Fund 111) with expenditure categories reflecting programmatic decisions already made by the City Council as follows:

- Clayton Cares program grants (\$1,025,500);
- Administrative costs (\$150,025);
- One-time premium pay for essential workers (\$242,000); and
- Purchase of a 3-year license of the ClearGov budget software (\$49,500).

Ultimately this shift to reflecting the use of the City's ARPA funds as a transfer to the General Fund for general government services and the establishment of a Pandemic Recovery Reserve from which the programmatic expenses will be made will align Clayton's spending with the US Treasury

Subject: Resolution Appropriating Reporting the Use of American Rescue Plan Act (ARPA) Funds in Compliance with the US Treasury Department's Final Rule for Fiscal Year 2021/22
Date: April 5, 2022
Page: 4 of 4

Department's Final Rule and significantly streamline reporting requirements and reduce the administrative burden of the programs.

It should be noted, that for the Clayton Cares program, a total of 42 business grants and 25 individual household grants have been processed through April 5, 2022. This leaves approximately \$350,000 available for additional grants from the first tranche. The initial estimate of potential demand for grants was approximately three-quarters of the available funding for business grants and one-quarter for household grants. We have had higher than anticipated demand in the household grant category meaning that the ultimate split between business and household grants will likely shift away from the 75%/25% split initially anticipated. While we will continue to track grants by category between business and household, the remaining grant funds available will be processed on a first come first serve basis until exhausted regardless of category.

RESOLUTION NO. ##-2022

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLAYTON
APPROVING AMENDING AND REPORTING THE USE OF AMERICAN RESCUE
PLAN ACT (ARPA) FUNDS IN COMPLIANCE WITH THE US TREASURY
DEPARTMENT'S FINAL RULE FOR FISCAL YEAR 2021/22**

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

WHEREAS, on March 11, 2021, President Biden signed into law HR 1319, the American Rescue Plan Act of 2021 ("ARPA"), which provides financial assistance to individuals, businesses, and state and local government agencies to assist in the economic recovery from the COVID-19 pandemic; and

WHEREAS, ARPA includes a provision entitled "Coronavirus State and Local Fiscal Recovery Funds" ("SLFRF") that includes \$350 billion in funding for state and local governments of which \$65 billion is dedicated to local government agencies; and

WHEREAS, the provisions in SLFRF provide flexibility for each government to meet local needs in four areas: 1) supporting public health response to and economic impacts from the pandemic; 2) provide premium pay for essential workers; 3) replace lost public sector revenues; and 4) invest in water, wastewater and broadband infrastructure; and

WHEREAS, the City of Clayton (the "City") is classified as a non-entitlement unit within the provisions of SLFRF and will receive a total of \$2,934,049 in federal relief funds divided in two equal payments (or "tranches") of approximately \$1,467,025, the first payment of which was received in July 2021 and the second payment will be received in July 2022; and

WHEREAS, the City Council approved Resolution 24-2022 creating a separate fund for the American Rescue Plan Act (Fund #232) to account for all ARPA revenues and expenditures; and

WHEREAS, the City Council approved Resolution 65-2021 creating the Clayton Cares program and appropriating \$1,467,025 in ARPA funds to establish the program and pay for the program and administrative costs associated with the program; and

WHEREAS, the City Council approved Resolution 06-2022 reappropriating \$242,000 from the Clayton Cares program to provide one-time essential worker premium pay for City employees; and

WHEREAS, the City Council approved Resolution 23-2022 appropriating \$49,500 in ARPA funds for the purchase and implementation of the ClearGov Budget and Performance Management Software Platform; and

WHEREAS, the US Treasury Department (“Treasury”) is responsible for administration and distribution of SLFRF funds and issued its Interim Final Rule (“IFR”) on May 10, 2021, its Final Rule (“FR”) on January 6, 2022, and its Compliance and Reporting Guidance for State and Local Fiscal Recovery Funds (“CRG”) version 3.0 on February 28, 2022, that establishes the provisions and reporting requirements for the use of the SLFRF funds; and

WHEREAS, the FR specifies that every local agency is eligible to claim a minimum allowance of Ten Million Dollars (\$10,000,000) for revenue replacement resulting from revenue losses incurred during the pandemic, without regard to actual revenue losses so incurred, that reduces the reporting and compliance requirements on the local agency; and

WHEREAS, it is in the City’s best interest to stipulate to the standard allowance of revenue loss in that the standard allowance exceeds the City’s federal relief funds received under the SLFRF allocated to the City; and

WHEREAS, the City Council desires to reserve the one-time replenishment of revenues lost as a result of the pandemic in a Pandemic Recovery Reserve for further appropriation.

NOW, THEREFORE, BE IT RESOLVED the City Council of Clayton, California does hereby approve the following:

Section 1. The City shall report the use of ARPA SLFRF funds to the US Treasury Department in the “Revenue Replacement – 6.1 Provision of Government Services” expenditure category based upon the cost of general government expenditures incurred in the City’s General Fund from the period on or after March 1, 2021 through December 31, 2024 until all such funds are exhausted.

Section 2. The City Manager or designee is authorized to file all necessary reports with the US Treasury Department in compliance with the IFR, FR and the CRG.

Section 3. The FY 2021/22 budget is amended as follows:

- A. Revenues of \$1,467,025 to be recognized for FY 2021/22 in the City’s American Rescue Plan Act Fund (232).

- B. Appropriate a transfer from the City's American Rescue Plan Act Fund (232) to the City's General Fund (101) in an amount of \$1,467,025 substantiated by an equal amount of expenditures incurred in the City's General Fund from July 1, 2021 to March 31, 2022 for the provision of general government services as defined in the FR;
- C. Establish a "Pandemic Recovery Reserve" (Fund 111) in the City's General Fund (101) totaling \$1,467,025 that represents discretionary funds available for City Council appropriation.
- D. Appropriate \$1,467,025 from the Pandemic Recovery Reserve for:
 - a. Clayton Cares program grants of \$1,025,500;
 - b. Administrative expenses related to all ARPA funded programs of \$150,025;
 - c. Expenses for the provision of one-time essential worker premium pay for City employees in the amount of \$242,000; and
 - d. ClearGov Budget and Performance Management Software Platform in the amount of \$49,500.

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California held on the 5th day of April, 2022 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

THE CITY COUNCIL OF CLAYTON, CA

Peter Cloven, Mayor

ATTEST:

Janet Calderon, City Clerk



AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: Reina Schwartz, City Manager

DATE: April 5, 2022

SUBJECT: Resolution of the City Council of the City of Clayton Opposing California Statewide Ballot Initiative 21-0042A1

RECOMMENDATION

Recommend adoption of a Resolution Opposing California Statewide Ballot Initiative 21-0042A1.

BACKGROUND

The California Business Roundtable, an association representing California's wealthiest corporations – including oil, insurance, banks, and drug companies – is seeking to put a proposition on the November 2022 statewide ballot that would create new loopholes that allow corporations to avoid paying their fair share of costs and restrict the ability of local governments to raise needed revenue and thus jeopardize vital local services.

DISCUSSION

In 2018, the "Tax Fairness, Transparency and Accountability Act" was circulated to qualify for the November 2018 statewide ballot. That initiative would have drastically limited local revenue authority. However, through successful work and advocacy of the League of California Cities and a local government coalition, the measure's proponents withdrew the initiative from the ballot.

On January 4, 2022, the California Business Roundtable filed the "Taxpayer Protection and Government Accountability Act" and is currently in the process of gathering signatures for the placement of that measure (Initiative 21-0042A1) on the November general election ballot. This measure is far more detrimental to cities than the measure filed in 2018, as it would decimate vital local and state revenues.

The proposed measure would limit voters' authority, adopt new and more strict rules for raising taxes and fees, and make it more challenging to hold violators of state and local laws accountable.

Specifically, the measure would:

1. Limit voter authority and accountability

- Limits voter input. Prohibits local voters from providing direction on how local tax dollars should be spent by prohibiting local advisory measures.
- Invalidates the Upland decision that allows a simple majority of local voters to pass special taxes if they are proposed by initiative. Under this proposed initiative, taxes proposed by the initiative process would be subject to the same rules as taxes placed on the ballot by a city council.
- All local tax measures passed between January 2022 and November 2022 would be invalidated unless reenacted within 12 months, costing taxpayers more for additional elections.

2. Restrict local fee authority to provide local services

- Impacts franchise fees. Sets new standard for fees and charges paid for local and state government property use. The standard may significantly restrict the amount that oil companies, utilities, gas companies, railroads, garbage companies, cable companies, and other corporations pay for the use of local public property, including roads.
- Rentals or sale of local government property must be "reasonable" which must be proved by "clear and convincing evidence."
- Places new restrictions on setting local fees and charges for services under threat of legal challenge. Major examples of affected fees and charges are:
 - Nuisance abatement charges for things such as weeds, rubbish, code enforcement, etc.
 - Emergency response fees such as in connection with DUI.
 - Transit fees, parking fees, and facility use charges for parks or recreation centers.

3. Restrict the authority of state and local governments to issue fines and penalties for violations of law.

- Requires voter approval of fines, penalties, and levies for corporations and property owners that violate state and local laws unless a new, undefined adjudicatory process is used to impose the fines and penalties.

4. Restrict local tax authority to provide local services
 - Requires voter approval to expand existing taxes to new territory (e.g., annexation).
 - New taxes can only be collected for a specified time period.
5. Other changes
 - No fee, charge, or exaction regulating vehicle miles traveled can be imposed as a condition of property development or occupancy, potentially severely limiting steps to curb greenhouse gas emissions in response to global warming.

The League of California Cities (CalCities), along with a broad coalition of local governments, labor and public safety leaders, infrastructure advocates, and businesses, strongly oppose this initiative. Cal Cities requests local leaders to take a stand against an affront to local control and adopt a resolution to demonstrate how harmful this measure would be to local communities.

FISCAL IMPACTS

This measure puts billions of dollars of currently dedicated state and local revenues at risk, potentially forcing cuts to city services and other essential public services such as public schools, fire and emergency response, law enforcement, and code enforcement.

ATTACHMENTS

Attachment 1 – Resolution

Attachment 2 – Information materials from CalCities and California City Finance

Attachment 3 – Initiative Text

RESOLUTION NO. ##-2022

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF CLAYTON, CA OPPOSING CALIFORNIA
STATEWIDE BALLOT INITIATIVE 21-0042A1**

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

WHEREAS, an association representing California's wealthiest corporations is behind a damaging proposition aimed for the November 2022 statewide ballot; and

WHEREAS, the measure creates new constitutional loopholes that allow corporations to pay less than their fair share for the impacts they have on our communities, including local infrastructure, environment, water quality, air quality, and natural resources; and

WHEREAS, the measure includes undemocratic provisions that would make it more difficult for local voters to pass measures needed to fund local services and infrastructure and would limit voter input by prohibiting local advisory measures where voters provide direction on how they want their local tax dollars spent; and

WHEREAS, the measure makes it much more difficult for state and local regulators to issue fines and levies on corporations that violate laws intended to protect our environment, public health and safety, and our neighborhoods; and

WHEREAS, the measure puts billions of dollars currently dedicated to state and local services at risk and could force cuts to public schools, fire and emergency response, law enforcement, public health, parks, libraries, affordable housing, services to support homeless residents, mental health services, and more; and

WHEREAS, the measure would also reduce funding for critical infrastructures like streets and roads, public transportation, drinking water, new schools, sanitation, and utilities.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of Clayton, California opposes California Statewide Ballot Initiative 21-0042A1.

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California, at a regular public meeting thereof held on the 5th day of April, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

THE CITY COUNCIL OF CLAYTON, CA

Peter Cloven, Mayor

ATTEST:

Janet Calderon, City Clerk

Stop the Corporate Loopholes Scheme

Deceptive Proposition Allows Major Corporations to Avoid Paying their Fair Share and Evade Enforcement when they Violate Environmental, Health & Safety Laws

An association representing California's wealthiest corporations — including oil, insurance, banks and drug companies — is behind a deceptive proposition aimed for the November 2022 statewide ballot. Their measure would create major new loopholes that allow corporations to avoid paying their fair share for the impacts they have on our communities; while also allowing corporations to evade enforcement when they violate environmental, health, safety and other state and local laws. Here's why a broad coalition of local governments, labor and public safety leaders, infrastructure advocates, and businesses **oppose** the Corporate Loophole Scheme:

Gives Wealthy Corporations a Major Loophole to Avoid Paying their Fair Share - Forcing Local Residents and Taxpayers to Pay More

- The measure creates new constitutional loopholes that **allow corporations to pay far less than their fair share for the impacts they have on our communities**, including local infrastructure, our environment, water quality, air quality, and natural resources – shifting the burden and making individual taxpayers pay more.

Allows Corporations to Dodge Enforcement When They Violate Environmental, Health, Public Safety and Other Laws

- The deceptive scheme creates new loopholes that makes it much more difficult for state and local regulators to issue fines and levies on corporations that violate laws intended to protect our environment, public health and safety, and our neighborhoods.

Jeopardizes Vital Local and State Services

- This far-reaching measure **puts at risk billions of dollars currently dedicated to critical state and local services**.
- It could **force cuts** to public schools, fire and emergency response, law enforcement, public health, parks, libraries, affordable housing, services to support homeless residents, mental health services and more.
- It would also **reduce funding for critical infrastructure** like streets and roads, public transportation, drinking water, new schools, sanitation, utilities and more.

Opens the Door for Frivolous Lawsuits, Bureaucracy and Red Tape that Will Cost Taxpayers and Hurt Our Communities

- The measure will encourage **frivolous lawsuits, bureaucracy and red tape that will cost local taxpayers millions** — while significantly **delaying and stopping investments in infrastructure and vital services**.

Undermines Voter Rights, Transparency, and Accountability

- This misleading measure changes our constitution to make it more difficult for local voters to pass measures needed to fund local services and local infrastructure.
- It also includes a hidden provision that **would retroactively cancel measures that were passed by local voters** — effectively undermining the rights of voters to decide for themselves what their communities need.
- It would **limit voter input** by prohibiting local advisory measures, where voters provide direction to politicians on how they want their local tax dollars spent.

Fiscal and Program Effects of Initiative 21-0042A1 on Local Governments

If Initiative 21-0042A1 is placed on the ballot and passed by voters, it will result in:

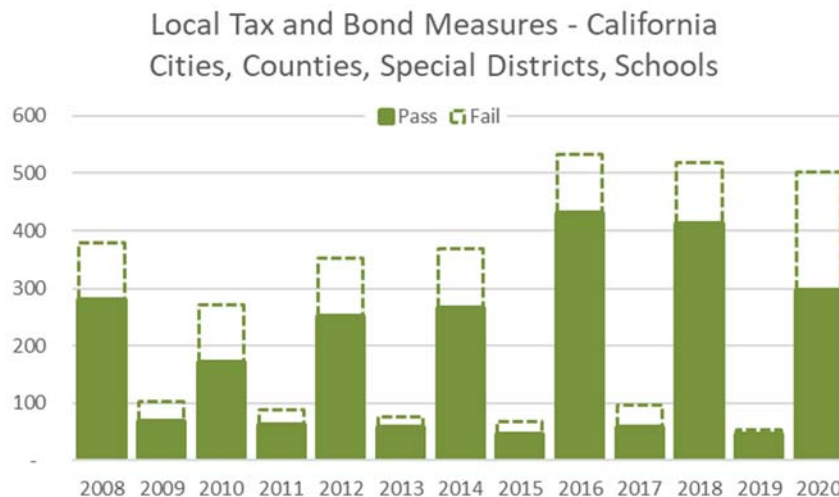
- Billions of local government fee and charge revenues placed at heightened legal peril. Related public service reductions across virtually every aspect of city, county, special district, and school services especially for transportation, and public facility use.
- Hundreds of millions of dollars of annual revenues from dozens of tax and bond measures approved by voters between January 1, 2022 and November 9, 2022 subject to additional voter approval if not in compliance with the initiative.
- Indeterminable legal and administrative burdens and costs on local government from new and more empowered legal challenges, and bureaucratic cost tracking requirements.
- The delay and deterrence of municipal annexations and associated impacts on housing and commercial development.
- Service and infrastructure impacts including in fire and emergency response, law enforcement, public health, drinking water, sewer sanitation, parks, libraries, public schools, affordable housing, homelessness prevention and mental health services.

1. Local Government Taxes and Services Threatened

With regard to taxes, Initiative 21-0042A1:

- Prohibits advisory, non-binding measures as to use of tax proceeds on the same ballot.
 - Voters may be less informed and more likely to vote against measures.
- Eliminates the ability of special tax measures proposed by citizen initiative to be enacted by majority voter approval (*Upland*).
 - Because the case law regarding citizen initiative special taxes approved by majority vote (*Upland*) is so recent, it is unknown how common these sorts of measures might be in the future. This initiative would prohibit such measures after the effective date of the initiative. Any such measures adopted after January 1, 2022 through November 8, 2022 would be void after November 9, 2023.
- Requires that tax measures include a specific duration of time that the tax will be imposed. This seems to require that all tax increases or extensions contain a sunset (end date).
 - This would require additional tax measures to extend previously approved taxes at additional cost to taxpayers.
- Requires that a tax or bond measure adopted after January 1, 2022 and before the effective date of the initiative (November 9, 2022) that was not adopted in accordance with the measure be readopted in compliance with the measure or will be void twelve months after the effective date of the initiative (November 9, 2023).
 - If past election patterns are an indication, dozens of tax and bond measures approving hundreds of millions of annual revenues may not be in compliance and would be subject to reenactment. Most will be taxes without a specific end date. Because there is no regularly scheduled election within the 12 months following the effective date of the initiative, measures not in compliance would need to be placed on a special election ballot for approval before November 9, 2023 or the tax will be void after that date. General tax measures would require declaration of emergency and unanimous vote of the governing board.

- Requires voter approval to expand an existing tax to new territory (annexations). This would require additional tax measures and would deter annexations and land development in cities.
 - If a tax is "extended" to an annexed area without a vote after January 1, 2022, it will be void 12 months later until brought into compliance. Because there is no regularly scheduled election within the 12 months following the effective date of the initiative, such extensions for general taxes would, under current law, each require unanimous vote of the agency board to be placed on a special election ballot or would be void after November 9, 2023.



1.a. Number of Measures and Value of Local Taxes at Risk¹

In 2020, voters in California approved 293 local tax and bond measures for cities, counties, special districts and schools (95 in March and 198 in November). The approved measures enacted \$3.85 billion in new annual taxes including \$1.3 billion for cities, \$302 million for counties, \$208 million for special districts (fire, wastewater, open space and transit districts), and \$2.037 billion for schools (including for school bonds).

Most tax measures go to the ballot during a presidential or gubernatorial primary or general election in an even year. However, some tax measures are decided at other times. During 2019, there were 45 approved tax and bond measures (24 city, 14 special district, 7 school) adopting \$154.0 million in new annual taxes (\$124.0 million city, \$10.5 million special district and \$19.2 million school).

Most tax and bond measures comply with the new rules in Initiative 21-0042Amdt#1 except:

- Dozens of taxes would require end dates. This would require additional measures in future years to extend the taxes further. Very few extensions of existing local taxes fail.
- Majority vote general tax measures could not be accompanied on the same ballot with an advisory, non-binding measure as to use of tax proceeds.
- Special taxes placed on the ballot via citizen initiative would require two-thirds voter approval.

Bond measures have fixed terms. Historically, about 20 percent of other tax measures have included specific durations (i.e. sunsets). Advisory measures as to use of revenues are uncommon. I do not expect the provisions of 21-0042A1 to have any substantial effect on passage rates. However, some 2022 approved measures would likely have to put back on the ballot.

Based on history, a reasonable estimate of the annualized tax revenues estimated to be approved by

¹ Source: Compilation and summary of data from County elections offices.

voters in 2022 and placed at risk by this initiative is at least **\$1.5 billion, including \$1.0 billion from cities and \$500 million from counties and special districts.**²

1.b. Additional Costs and Public Service Effects of the Tax Provisions

In addition to service delays and disruption due to new tax revenues placed at greater legal risk, there will be substantial additional costs for legal defense. The deterrence of taxes for annexations will delay and deter municipal annexations.

2. “Exempt Charges” (fees and charges that are not taxes) and Services Threatened

With regard to fees and charges adopted after January 1, 2022, Initiative 21-0042A1:

- Subjects new fees and charges for a product or service to a new "actual cost" test defined as "(i) the minimum amount necessary to reimburse the government for the cost of providing the service to the payor, and (ii) where the amount charged is not used by the government for any purpose other than reimbursing that cost. In addition, subjects these same charges to a new, undefined, "reasonable" standard.
- Subjects fees and charges for entrance to local government property; and rental and sale of local government property to a new, undefined, "reasonable" test.
- Subjects a challenged fee or charge to new, higher burdens of proof if legally challenged.
- Prohibits a levy, charge or exaction regulating or related to vehicle miles traveled, imposed as a condition of property development or occupancy.

2.a. Value on New Local Government Fees and Charges at Risk³

Virtually every city, county, and special district must regularly (e.g., annually) adopt increases to fee rates and charges and revise rate schedules to accommodate new users and activities. Most of these would be subject to new standards and limitations under threat of legal challenge. Based on the current volume of fees and charges imposed by local agencies and increases in those fees simply to accommodate inflation, the amount of local government fee and charge revenue placed at risk is about **\$1 billion per year including those adopted since January 1, 2022. Of this \$1 billion, about \$570 million is for special districts, \$450 million is cities, and \$260 million is counties.**⁴

Major examples of affected fees and charges are:

1. Nuisance abatement charges - such as for weed, rubbish and general nuisance abatement to fund community safety, code enforcement, and neighborhood cleanup programs.
2. Commercial franchise fees.
3. Emergency response fees - such as in connection with DUI.
4. Advanced Life Support (ALS) transport charges.
5. Document processing and duplication fees.
6. Transit fees, tolls, parking fees, public airport and harbor use fees.
7. Facility use charges, fees for parks and recreation services, garbage disposal tipping fees.

In addition to fees and charges, the measure puts fines and penalties assessed for the violation of state and

² This does not include citizen initiative special tax approved by majority but not two-thirds. Because this approach is new, the number of these measures and amount of revenue involved cannot be estimated.

³ Source: California State Controller Annual Reports of Financial Transactions concerning cities, counties and special districts, summarized with an assumed growth due to fee rate increases (not population) of 2 percent annually.

⁴ School fees are also affected but the amount is negligible by comparison.

local law at risk, making them taxes subject to voter approval under certain circumstances.

2.b. Additional Costs and Public Service Effects of the Fee/Charge Provisions

In addition to service delays and disruptions due to fee and charge revenues placed at greater legal risk, there would be substantial additional costs for legal defense. The risk to fees and charges will make infrastructure financing more difficult and will deter new residential and commercial development.

mc

BELL, McANDREWS & HILTACHK, LLP

ATTORNEYS AND COUNSELORS AT LAW

455 CAPITOL MALL, SUITE 600

SACRAMENTO, CALIFORNIA 95814

(916) 442-7757

FAX (916) 442-7759

www.bmhlaw.com

21 - 0042 Amdt. # 1

January 4, 2022

RECEIVED

JAN 04 2022

INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

Anabel Renteria
Initiative Coordinator
Office of the Attorney General
State of California
PO Box 994255
Sacramento, CA 94244-25550

Re: Initiative 21-0042 - Amendment Number One

Dear Initiative Coordinator:

Pursuant to subdivision (b) of Section 9002 of the Elections Code, enclosed please find Amendment #1 to Initiative No. 21-0042 "The Taxpayer Protection and Government Accountability Act." The amendments are reasonably germane to the theme, purpose or subject of the initiative measure as originally proposed.

I am the proponent of the measure and request that the Attorney General prepare a circulating title and summary of the measure as provided by law, using the amended language.

Thank you for your time and attention processing my request.

Sincerely,



Thomas W. Hiltachk

The Taxpayer Protection and Government Accountability Act

[Deleted codified text is denoted in ~~strikeout~~. Added codified text is denoted by *italics and underline.*]

Section 1. Title

This Act shall be known, and may be cited as, the Taxpayer Protection and Government Accountability Act.

Section 2. Findings and Declarations

(a) Californians are overtaxed. We pay the nation's highest state income tax, sales tax, and gasoline tax. According to the U.S. Census Bureau, California's combined state and local tax burden is the highest in the nation. Despite this, and despite two consecutive years of obscene revenue surpluses, state politicians in 2021 alone introduced legislation to raise more than \$234 *billion* in new and higher taxes and fees.

(b) Taxes are only part of the reason for California's rising cost-of-living crisis. Californians pay billions more in hidden "fees" passed through to consumers in the price they pay for products, services, food, fuel, utilities and housing. Since 2010, government revenue from state and local "fees" has more than doubled.

(c) California's high cost of living not only contributes to the state's skyrocketing rates of poverty and homelessness, they are the pushing working families and job-providing businesses out of the state. The most recent Census showed that California's population dropped for the first time in history, costing us a seat in Congress. In the past four years, nearly 300 major corporations relocated to other states, not counting thousands more small businesses that were forced to move, sell or close.

(d) California voters have tried repeatedly, at great expense, to assert control over whether and how taxes and fees are raised. We have enacted a series of measures to make taxes more predictable, to limit what passes as a "fee," to require voter approval, and to guarantee transparency and accountability. These measures include Proposition 13 (1978), Proposition 62 (1986), Proposition 218 (1996), and Proposition 26 (2010).

(e) Contrary to the voters' intent, these measures that were designed to control taxes, spending and accountability, have been weakened and hamstrung by the Legislature, government lawyers, and the courts, making it necessary to pass yet another initiative to close loopholes and reverse hostile court decisions.

Section 3. Statement of Purpose

(a) In enacting this measure, the voters reassert their right to a voice and a vote on new and higher taxes by requiring any new or higher tax to be put before voters for approval. Voters also intend that all fees and other charges are passed or rejected by the voters themselves or a governing body elected by voters and not unelected and unaccountable bureaucrats.

(b) Furthermore, the purpose and intent of the voters in enacting this measure is to increase transparency and accountability over higher taxes and charges by requiring any tax measure placed on the ballot—

either at the state or local level—to clearly state the type and rate of any tax, how long it will be in effect, and the use of the revenue generated by the tax.

(c) Furthermore, the purpose and intent of the voters in enacting this measure is to clarify that any new or increased form of state government revenue, by any name or manner of extraction paid directly or indirectly by Californians, shall be authorized only by a vote of the Legislature and signature of the Governor to ensure that the purposes for such charges are broadly supported and transparently debated.

(d) Furthermore, the purpose and intent of the voters in enacting this measure is also to ensure that taxpayers have the right and ability to effectively balance new or increased taxes and other charges with the rapidly increasing costs Californians are already paying for housing, food, childcare, gasoline, energy, healthcare, education, and other basic costs of living, and to further protect the existing constitutional limit on property taxes and ensure that the revenue from such taxes remains local, without changing or superseding existing constitutional provisions contained in Section 1(c) of Article XIII A.

(e) In enacting this measure, the voters also additionally intend to reverse loopholes in the legislative two-thirds vote and voter approval requirements for government revenue increases created by the courts including, but not limited to, *Cannabis Coalition v. City of Upland*, *Chamber of Commerce v. Air Resources Board*, *Schmeer v. Los Angeles County*, *Johnson v. County of Mendocino*, *Citizens Assn. of Sunset Beach v. Orange County Local Agency Formation Commission*, and *Wilde v. City of Dunsmuir*.

Section 4. Section 3 of Article XIII A of the California Constitution is amended to read:

Sec. 3(a) Every levy, charge, or exaction of any kind imposed by state law is either a tax or an exempt charge.

(b)(1) (a) Any change in state statute law which results in any taxpayer paying a new or higher tax must be imposed by an act passed by not less than two-thirds of all members elected to each of the two houses of the Legislature, and submitted to the electorate and approved by a majority vote, except that no new ad valorem taxes on real property, or sales or transaction taxes on the sales of real property, may be imposed. Each Act shall include:

(A) A specific duration of time that the tax will be imposed and an estimate of the annual amount expected to be derived from the tax.

(B) A specific and legally binding and enforceable limitation on how the revenue from the tax can be spent. If the revenue from the tax can be spent for unrestricted general revenue purposes, then a statement that the tax revenue can be spent for "unrestricted general revenue purposes" shall be included in a separate, stand-alone section. Any proposed change to the use of the revenue from the tax shall be adopted by a separate act that is passed by not less than two-thirds of all members elected to each of the two houses of the Legislature and submitted to the electorate and approved by a majority vote.

(2) The title and summary and ballot label or question required for a measure pursuant to the Elections Code shall, for each measure providing for the imposition of a tax, including a measure proposed by an elector pursuant to Article II, include:

(A) The type and amount or rate of the tax;

(B) The duration of the tax; and

(C) The use of the revenue derived from the tax.

(c) Any change in state law which results in any taxpayer paying a new or higher exempt charge must be imposed by an act passed by each of the two houses of the Legislature. Each act shall specify the type of exempt charge as provided in subdivision (e), and the amount or rate of the exempt charge to be imposed.

(d) ~~(b)~~ As used in this section and in Section 9 of Article II, "tax" means every ~~any~~ levy, charge, or exaction of any kind imposed by the State ~~state law that is not an exempt charge~~, except the following:

(e) As used in this section, "exempt charge" means only the following:

~~(1) a charge imposed for a specific benefit conferred or privilege granted directly to the payor that is not provided to those not charged, and which does not exceed the reasonable costs to the State of conferring the benefit or granting the privilege to the payor.~~

~~(1) (2) A reasonable charge imposed for a specific government service or product provided directly to the payor that is not provided to those not charged, and which does not exceed the reasonable actual costs to the State of providing the service or product to the payor.~~

~~(2) (3) A charge imposed for the reasonable regulatory costs to the State incident to issuing licenses and permits, performing investigations, inspections, and audits, enforcing agricultural marketing orders, and the administrative enforcement and adjudication thereof.~~

~~(3) A levy, charge, or exaction collected from local units of government, health care providers or health care service plans that is primarily used by the State of California for the purposes of increasing reimbursement rates or payments under the Medi-Cal program, and the revenues of which are primarily used to finance the non-federal portion of Medi-Cal medical assistance expenditures.~~

~~(4) A reasonable charge imposed for entrance to or use of state property, or the purchase, rental, or lease of state property, except charges governed by Section 15 of Article XI.~~

~~(5) A fine, or penalty, or other monetary charge including any applicable interest for nonpayment thereof, imposed by the judicial branch of government or the State, as a result of a state administrative enforcement agency pursuant to adjudicatory due process, to punish a violation of law.~~

~~(6) A levy, charge, assessment, or exaction collected for the promotion of California tourism pursuant to Chapter 1 (commencing with Section 13995) of Part 4.7 of Division 3 of Title 2 of the Government Code.~~

~~(f) (e) Any tax or exempt charge adopted after January 1, 2022 2010, but prior to the effective date of this act, that was not adopted in compliance with the requirements of this section is void 12 months after the effective date of this act unless the tax or exempt charge is reenacted by the Legislature and signed into law by the Governor in compliance with the requirements of this section.~~

~~(g) (1) (d) The State bears the burden of proving by a preponderance of the clear and convincing evidence that a levy, charge, or other exaction is an exempt charge and not a tax. The State bears the burden of proving by clear and convincing evidence that the amount of the exempt charge is reasonable and that the amount charged does not exceed the actual cost of providing the service or product to the payor, that the amount is no more than necessary to cover the reasonable costs of the governmental activity and~~

that the manner in which those costs are allocated to a payor bear a fair or reasonable relationship to the payor's burdens on, or benefits received from, the governmental activity

(2) The retention of revenue by, or the payment to, a non-governmental entity of a levy, charge, or exaction of any kind imposed by state law, shall not be a factor in determining whether the levy, charge, or exaction is a tax or exempt charge.

(3) The characterization of a levy, charge, or exaction of any kind as being voluntary, or paid in exchange for a benefit, privilege, allowance, authorization, or asset, shall not be a factor in determining whether the levy, charge, or exaction is a tax or an exempt charge.

(4) The use of revenue derived from the levy, charge or exaction shall be a factor in determining whether the levy, charge, or exaction is a tax or exempt charge.

(h) As used in this section:

(1) "Actual cost" of providing a service or product means: (i) the minimum amount necessary to reimburse the government for the cost of providing the service or product to the payor, and (ii) where the amount charged is not used by the government for any purpose other than reimbursing that cost. In computing "actual cost" the maximum amount that may be imposed is the actual cost less all other sources of revenue including, but not limited to taxes, other exempt charges, grants, and state or federal funds received to provide such service or product.

(2) "Extend" includes, but is not limited to, doing any of the following with respect to a tax or exempt charge: lengthening its duration, delaying or eliminating its expiration, expanding its application to a new territory or class of payor, or expanding the base to which its rate is applied.

(3) "Impose" means adopt, enact, reenact, create, establish, collect, increase or extend.

(4) "State law" includes, but is not limited to, any state statute, state regulation, state executive order, state resolution, state ruling, state opinion letter, or other legal authority or interpretation adopted, enacted, enforced, issued, or implemented by the legislative or executive branches of state government. "State law" does not include actions taken by the Regents of the University of California, Trustees of the California State University, or the Board of Governors of the California Community Colleges.

Section 5. Section 1 of Article XIII C of the California Constitution is amended, to read:

Sec. 1. Definitions. As used in this article:

(a) "Actual cost" of providing a service or product means: (i) the minimum amount necessary to reimburse the government for the cost of providing the service or product to the payor, and (ii) where the amount charged is not used by the government for any purpose other than reimbursing that cost. In computing "actual cost" the maximum amount that may be imposed is the actual cost less all other sources of revenue including, but not limited to taxes, other exempt charges, grants, and state or federal funds received to provide such service or product.

(b) "Extend" includes, but is not limited to, doing any of the following with respect to a tax, exempt charge, or Article XIII D assessment, fee, or charge: lengthening its duration, delaying or eliminating its expiration, expanding its application to a new territory or class of payor, or expanding the base to which its rate is applied.

(c) (a) "General tax" means any tax imposed for general governmental purposes.

(d) "Impose" means adopt, enact, reenact, create, establish, collect, increase, or extend.

(e) (b) "Local government" means any county, city, city and county, including a charter city or county, any special district, or any other local or regional governmental entity, or an elector pursuant to Article II or the initiative power provided by a charter or statute.

(f) "Local law" includes, but is not limited to, any ordinance, resolution, regulation, ruling, opinion letter, or other legal authority or interpretation adopted, enacted, enforced, issued, or implemented by a local government.

(g) (c) "Special district" means an agency of the State, formed pursuant to general law or a special act, for the local performance of governmental or proprietary functions with limited geographic boundaries including, but not limited to, school districts and redevelopment agencies.

(h) (d) "Special tax" means any tax imposed for specific purposes, including a tax imposed for specific purposes, which is placed into a general fund.

(i) (e) As used in this article, and in Section 9 of Article II, "tax" means every ~~any~~ levy, charge, or exaction of any kind, imposed by a local government law that is not an exempt charge, ~~except the following:~~

(i) As used in this section, "exempt charge" means only the following:

(1) ~~A charge imposed for a specific benefit conferred or privilege granted directly to the payor that is not provided to those not charged, and which does not exceed the reasonable costs to the local government of conferring the benefit or granting the privilege.~~

(1) (2) A reasonable charge imposed for a specific local government service or product provided directly to the payor that is not provided to those not charged, and which does not exceed the reasonable actual costs to the local government of providing the service or product.

(2) (3) A charge imposed for the reasonable regulatory costs to a local government for issuing licenses and permits, performing investigations, inspections, and audits, enforcing agricultural marketing orders, and the administrative enforcement and adjudication thereof.

(3) (4) A reasonable charge imposed for entrance to or use of local government property, or the purchase, rental, or lease of local government property.

(4) (5) A fine, or penalty, or other monetary charge including any applicable interest for nonpayment thereof, imposed by the judicial branch of government or a local government administrative enforcement agency pursuant to adjudicatory due process, as a result of to punish a violation of law.

(5) (6) A charge imposed as a condition of property development. No levy, charge, or exaction regulating or related to vehicle miles traveled may be imposed as a condition of property development or occupancy.

(6) (7) ~~An Assessments and property related fees~~ assessment, fee, or charge imposed in accordance with the provisions of subject to Article XIII D, or an assessment imposed upon a business in a tourism marketing district, a parking and business improvement area, or a property and business improvement district.

(7) A charge imposed for a specific health care service provided directly to the payor and that is not provided to those not charged, and which does not exceed the reasonable costs to the local government of providing the health care service. As used in this paragraph, a "health care service" means a service licensed or exempt from licensure by the state pursuant to Chapters 1, 1.3, or 2 of Division 2 of the Health and Safety Code.

The local government bears the burden of proving by a preponderance of the evidence that a levy, charge, or other exaction is not a tax, that the amount is no more than necessary to cover the reasonable costs of the governmental activity and that the manner in which those costs are allocated to a payor bear a fair or reasonable relationship to the payor's burdens on, or benefits received from, the governmental activity.

Section 6. Section 2 of Article XIII C of the California Constitution is amended to read:

Sec. 2. Local Government Tax Limitation. Notwithstanding any other provision of this Constitution:

(a) Every levy, charge, or exaction of any kind imposed by local law is either a tax or an exempt charge. All taxes imposed by any local government shall be deemed to be either general taxes or special taxes. Special purpose districts or agencies, including school districts, shall have no power to levy general taxes.

(b) No local ~~law government, whether proposed by the governing body or by an elector,~~ may impose, extend, or increase any general tax unless and until that tax is submitted to the electorate and approved by a majority vote. A general tax shall not be deemed to have been increased if it is imposed at a rate not higher than the maximum rate so approved. The election required by this subdivision shall be consolidated with a regularly scheduled general election for members of the governing body of the local government, except in cases of emergency declared by a unanimous vote of the governing body.

(c) ~~Any general tax imposed, extended, or increased, without voter approval, by any local government on or after January 1, 1995, and prior to the effective date of this article, shall continue to be imposed only if approved by a majority vote of the voters voting in an election on the issue of the imposition, which election shall be held within two years of the effective date of this article and in compliance with subdivision (b).~~ (d) No local ~~law government, whether proposed by the governing body or by an elector,~~ may impose, ~~extend, or increase~~ any special tax unless and until that tax is submitted to the electorate and approved by a two-thirds vote. A special tax shall not be deemed to have been increased if it is imposed at a rate not higher than the maximum rate so approved.

(d) The title and summary and ballot label or question required for a measure pursuant to the Elections Code shall, for each measure providing for the imposition of a tax, include:

(1) The type and amount or rate of the tax;

(2) the duration of the tax; and

(3) The use of the revenue derived from the tax. If the proposed tax is a general tax, the phrase "for general government use" shall be required, and no advisory measure may appear on the same ballot that would indicate that the revenue from the general tax will, could, or should be used for a specific purpose.

(e) Only the governing body of a local government, other than an elector pursuant to Article II or the initiative power provided by a charter or statute, shall have the authority to impose any exempt charge. The governing body shall impose an exempt charge by an ordinance specifying the type of exempt charge

as provided in Section 1(j) and the amount or rate of the exempt charge to be imposed, and passed by the governing body. This subdivision shall not apply to charges specified in paragraph (7) of subdivision (j) of Section 1.

(f) No amendment to a Charter which provides for the imposition, extension, or increase of a tax or exempt charge shall be submitted to or approved by the electors, nor shall any such amendment to a Charter hereafter submitted to or approved by the electors become effective for any purpose.

(g) Any tax or exempt charge adopted after January 1, 2022, but prior to the effective date of this act, that was not adopted in compliance with the requirements of this section is void 12 months after the effective date of this act unless the tax or exempt charge is reenacted in compliance with the requirements of this section.

(h)(1) The local government bears the burden of proving by clear and convincing evidence that a levy, charge or exaction is an exempt charge and not a tax. The local government bears the burden of proving by clear and convincing evidence that the amount of the exempt charge is reasonable and that the amount charged does not exceed the actual cost of providing the service or product to the payor.

(2) The retention of revenue by, or the payment to, a non-governmental entity of a levy, charge, or exaction of any kind imposed by a local law, shall not be a factor in determining whether the levy, charge, or exaction is a tax or exempt charge.

(3) The characterization of a levy, charge, or exaction of any kind imposed by a local law as being paid in exchange for a benefit, privilege, allowance, authorization, or asset, shall not be factors in determining whether the levy, charge, or exaction is a tax or an exempt charge.

(4) The use of revenue derived from the levy, charge or exaction shall be a factor in determining whether the levy, charge, or exaction is a tax or exempt charge.

Section 7. Section 3 of Article XIII D of the California Constitution is amended, to read:

Sec. 3. Property Taxes, Assessments, Fees and Charges Limited

(a) No tax, assessment, fee, ~~or~~ charge, or surcharge, including a surcharge based on the value of property, shall be assessed ~~by any agency~~ upon any parcel of property or upon any person as an incident of property ownership except:

(1) The ad valorem property tax ~~imposed pursuant to~~ described in Section 1(a) of Article XIII and Section 1(a) of Article XIII A, and described and enacted pursuant to the voter approval requirement in Section 1(b) of Article XIII A.

(2) Any special non-ad valorem tax receiving a two-thirds vote of qualified electors pursuant to Section 4 of Article XIII A, or after receiving a two-thirds vote of those authorized to vote in a community facilities district by the Legislature pursuant to statute as it existed on December 31, 2021.

(3) Assessments as provided by this article.

(4) Fees or charges for property related services as provided by this article.

(b) For purposes of this article, fees for the provision of electrical or gas service shall not be deemed charges or fees imposed as an incident of property ownership.

Section 8. Sections 1 and 14 of Article XIII are amended to read:

Sec. 1 Unless otherwise provided by this Constitution or the laws of the United States:

(a) All property is taxable and shall be assessed at the same percentage of fair market value. When a value standard other than fair market value is prescribed by this Constitution or by statute authorized by this Constitution, the same percentage shall be applied to determine the assessed value. The value to which the percentage is applied, whether it be the fair market value or not, shall be known for property tax purposes as the full value.

(b) All property so assessed shall be taxed in proportion to its full value.

(c) All proceeds from the taxation of property shall be apportioned according to law to the districts within the counties.

Sec. 14. All property taxed by state or local government shall be assessed in the county, city, and district in which it is situated. Notwithstanding any other provision of law, such state or local property taxes shall be apportioned according to law to the districts within the counties.

Section 9. General Provisions

A. This Act shall be liberally construed in order to effectuate its purposes.

B. (1) In the event that this initiative measure and another initiative measure or measures relating to state or local requirements for the imposition, adoption, creation, or establishment of taxes, charges, and other revenue measures shall appear on the same statewide election ballot, the other initiative measure or measures shall be deemed to be in conflict with this measure. In the event that this initiative measure receives a greater number of affirmative votes, the provisions of this measure shall prevail in their entirety, and the provisions of the other initiative measure or measures shall be null and void.

(2) In furtherance of this provision, the voters hereby declare that this measure conflicts with the provisions of the "Housing Affordability and Tax Cut Act of 2022" and "The Tax Cut and Housing Affordability Act," both of which would impose a new state property tax (called a "surcharge") on certain real property, and where the revenue derived from the tax is provided to the State, rather than retained in the county in which the property is situated and for the use of the county and cities and districts within the county, in direct violation of the provisions of this initiative.

(3) If this initiative measure is approved by the voters, but superseded in whole or in part by any other conflicting initiative measure approved by the voters at the same election, and such conflicting initiative is later held invalid, this measure shall be self-executing and given full force and effect.

C. The provisions of this Act are severable. If any portion, section, subdivision, paragraph, clause, sentence, phrase, word, or application of this Act is for any reason held to be invalid by a decision of any court of competent jurisdiction, that decision shall not affect the validity of the remaining portions of this Act. The People of the State of California hereby declare that they would have adopted this Act and each and every portion, section, subdivision, paragraph, clause, sentence, phrase, word, and application not

declared invalid or unconstitutional without regard to whether any portion of this Act or application thereof would be subsequently declared invalid.

D. If this Act is approved by the voters of the State of California and thereafter subjected to a legal challenge alleging a violation of state or federal law, and both the Governor and Attorney General refuse to defend this Act, then the following actions shall be taken:

(1) Notwithstanding anything to the contrary contained in Chapter 6 of Part 2 of Division 3 of Title 2 of the Government Code or any other law, the Attorney General shall appoint independent counsel to faithfully and vigorously defend this Act on behalf of the State of California.

(2) Before appointing or thereafter substituting independent counsel, the Attorney General shall exercise due diligence in determining the qualifications of independent counsel and shall obtain written affirmation from independent counsel that independent counsel will faithfully and vigorously defend this Act. The written affirmation shall be made publicly available upon request.

(3) A continuous appropriation is hereby made from the General Fund to the Controller, without regard to fiscal years, in an amount necessary to cover the costs of retaining independent counsel to faithfully and vigorously defend this Act on behalf of the State of California.

(4) Nothing in this section shall prohibit the proponents of this Act, or a bona fide taxpayers association, from intervening to defend this Act.