



AGENDA

REGULAR MEETING

* * *

CLAYTON CITY COUNCIL

* * *

TUESDAY, April 7, 2020

7:00 P.M.

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

Mayor: Julie K. Pierce

Vice Mayor: Jeff Wan

Council Members

Tuija Catalano

Jim Diaz

Carl Wolfe

- A complete packet of information containing staff reports and exhibits related to each public item is available for public review in City Hall located at 6000 Heritage Trail and on the City's Website at least 72 hours prior to the Council meeting.
- Agendas are posted at: 1) City Hall, 6000 Heritage Trail; 2) Library, 6125 Clayton Road; 3) Ohm's Bulletin Board, 1028 Diablo Street, Clayton; and 4) City Website at www.ci.clayton.ca.us
- Any writings or documents provided to a majority of the City Council after distribution of the Agenda Packet and regarding any public item on this Agenda will be made available for public inspection in the City Clerk's office located at 6000 Heritage Trail during normal business hours.
- If you have a physical impairment that requires special accommodations to participate, please call the City Clerk's office at least 72 hours in advance of the meeting at (925) 673-7300.

Virtual Instructions for 4/7 CC Mtg

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://zoom.us/webinar/register/WN_tzggK98xRIKM1rpH7uPbnQ . After clicking on the URL, please take a few seconds to submit your first and last name, and e-mail address then click "Register", which will approve your registration and a new URL to join the meeting will appear.
2. **Phone-in:** Once registered, you will receive an e-mail with instructions to join the meeting telephonically, dial (877) 853-5257 with the *Webinar ID* and *Password* found in the e-mail.

E-mail Public Comments: If preferred, please e-mail public comments to City Clerk, Ms. Calderon at jcalderon@ci.clayton.ca.us by 5 PM – April 7, 2020. In addition, emailed public comments may be received during the meeting and up until the public comment period on the relevant agenda item is closed. Public comments of no more than 3 minutes will be read into the record by staff. To be read into the record, e-mail must contain in the subject line "Public Comment – Not on the Agenda" or Public Comment – Agenda item #."

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://zoom.us/webinar/register/WN_tzggK98xRIKM1rpH7uPbnQ

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

*** CITY COUNCIL ***

April 7, 2020

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

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

3. **CONSENT CALENDAR**

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

- (a) Approve the minutes of the City Council's regular meeting of March 17, 2020 and City Council's special meeting of March 17, 2020. (City Clerk) ([View Here](#))
- (b) Approve the Financial Demands and Obligations of the City. (Finance) ([View Here](#))
- (c) Resolution Directing the Preparation of an Engineer's Report for the Diablo Estates Benefit Assessment District. (City Engineer) ([View Here](#))
- (d) Award of Multi-Year Contract to Waraner Brothers Tree Service for Annual Weed Abatement Services on Public Properties within the Landscape Maintenance District. (Maintenance Supervisor) ([View Here](#))

4. **RECOGNITIONS AND PRESENTATIONS** – None.

5. **REPORTS**

- (a) Planning Commission – Commissioner Terri Denslow.
- (b) Trails and Landscaping Committee – No meeting held.
- (c) City Manager/Staff:
 - Police Report
 - Introduction of new:
 - Finance Manager
 - Community Development Director
- (d) City Council - Reports from Council liaisons to Regional Committees, Commissions and Boards.
- (e) Other

6. PUBLIC COMMENT ON NON - AGENDA ITEMS

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

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

7. PUBLIC HEARINGS – None.

8. ACTION ITEMS

- (a) Resolution Allocating \$34,048 Measure J Program 28-A Co-Op Funds and \$36,163 Measure J LDM 2.09% Off-Year Funds to Capital Improvement Project #10448 School Intersection Project, Establishing Project Scope and Authorizing the Project to Be Built. (City Engineer) ([View Here](#))
- (b) Discuss and Consider Draft Letter to the County Regarding Notice of Preparation (NOP) Comments on the CEMEX Clayton Quarry Reclamation Plan Amendment (Councilmember Catalano) ([View Here](#))

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

10. CLOSED SESSION – None.

11. ADJOURNMENT

The next regularly scheduled meeting of the City Council will be April 21, 2020.

#

MINUTES

OF THE SPECIAL MEETING CLAYTON CITY COUNCIL

TUESDAY, March 17, 2020

1. **CALL TO ORDER & ROLL CALL** – The meeting was called to order at 6:46 p.m. by Mayor Pierce in the Third Floor Conference Room, Clayton City Hall, 6000 Heritage Trail, Clayton, CA. Councilmembers present: Mayor Pierce, Vice Mayor Wan, Councilmembers Catalano, Diaz, and Wolfe. Councilmembers absent: None. Staff present: City Manager Ikani Taumoepeau, City Attorney Mala Subramanian, and City Clerk/Human Resources Manager Janet Calderon.

2. **PUBLIC COMMENTS** – None.

3. **ACTION ITEM**

- (a) Adoption of a City Council Resolution Proclaiming a Local Emergency in City of Clayton Regarding Novel Corona Virus (COVID-19).

City Manager Ikani Taumoepeau presented the staff report.

City Attorney Mala Subramanian added two additional resolves were added.

Councilmember Catalano requested the City Manager provide a list of Financial Demands and Obligations report to the City Council.

Mayor Pierce requested a copy of the Financial Demands and Obligations report to be received ahead of time to address any potential concerns before authorization.

It was moved by Councilmember Diaz, seconded by Councilmember Wolfe to adopt Resolution No. 06-2020 Proclaiming a Local Emergency in the City of Clayton Regarding Novel Corona Virus (COVID-19). (Passed 5-0 vote).

- (b) Adoption of a City Council Resolution to Authorize the City Manager to Approve the Financial Demands and Obligations of City during the Local Emergency.

City Manager Ikani Taumoepeau presented the staff report, noting the City Manager will provide the Financial Demands and Obligations report before authorization.

Vice Mayor Wan inquired on the enforcement of the “Shelter in Place” order.

Mr. Taumoepeau advised there is a Penal Code for Enforcement and will forward information.

It was moved by Councilmember Wolfe, seconded by Councilmember Diaz to adopt Resolution No. 07-2020 Authorizing the City Manager to Approve Financial Demands and Obligations of the City Declared Local Emergency. (Passed 5-0 vote).

5. **ADJOURNMENT**— on call by Mayor Pierce the meeting adjourned at 6:58 p.m.

#

Respectfully submitted,

Janet Calderon, City Clerk

APPROVED BY CLAYTON CITY COUNCIL

Julie Pierce, Mayor

#

MINUTES
OF THE
REGULAR MEETING
CLAYTON CITY COUNCIL
TUESDAY, March 17, 2020

1. **CALL TO ORDER & ROLL CALL** – The meeting was called to order at 7:01 p.m. by Mayor Pierce in the Third Floor, Clayton City Hall, 6000 Heritage Trail, Clayton, CA. Councilmembers present: Mayor Pierce, Vice Mayor Wan and Councilmembers Catalano, Diaz and Wolfe. Councilmembers absent: None. Staff present: City Manager Ikani Taumoepeau, City Attorney Mala Subramanian, Interim Community Development Director Dana Ayers and City Clerk/HR Manager Janet Calderon.

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

3. **CONSENT CALENDAR**

Councilmember Catalano advised there is a typo in the Letter of Support and requested the current Clayton population to be included and the change the word County to City.

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

- (a) Approved the minutes of the City Council's regular meeting of March 3, 2020.
- (b) Approved Financial Demands and Obligations of the City.
- (c) Consider Approving the Letter of Support Asking the California State University System to locate a New and Larger Cal State Campus Within the Concord Naval Weapons Station Project.
- (d) Public Records Retention Schedule Amendment – Update Police Department.
- (e) Adopt the 2019 General Plan Implementation and Housing Element Annual Progress Report.

4. **RECOGNITIONS AND PRESENTATIONS** – None.

5. **REPORTS**

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

City Manager Taumoepeau advised due the Contra Costa County Health Order the City of Clayton is Sheltering in Place and aligned with the county and other cities. He further noted essential employees and workers to be on site and everyone else to work from home. The Police Department are very essential, the Finance Department will focus on payroll and critical invoices only, Maintenance will be coming in periodically, our Administrative Assistant is receiving main city phone line phone calls are rolled over to a city issued cell phone, everyone else is working on projects from home with the Maintenance Department maintaining a maximum 30-minute response time.

Mayor Pierce recommended the City Manager look into Zoom for future meetings.

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

Councilmember Diaz attended East Bay Regional Communication System Authority meeting, the TRANSPAC board meeting, weekly City Manager meeting, announced the official cancellation of the Clayton Business and Community Associations Annual Art & Wine Festival, and was on several conference calls regarding the COVID-19.

Councilmember Catalano was on the Contra Costa County conference call, and announced the Clayton Business and Community Association Scholarship applications are due by March 28, 2020.

Vice Mayor Wan indicated "No Report".

Councilmember Wolfe emailed constituents, assisted and attended the Clayton Community Library Birthday celebration.

Mayor Pierce attended several Contra Costa Transportation Authority meetings, the Contra Costa County Mayors' Conference, several Association of Bay Area Governments meeting, the National Association of Regional Councils regarding Technology, the Redefining Mobility Summit hosted by the Transportation Authority, and attended the Clayton Community Library Anniversary.

- (e) Other – None.

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

7. **PUBLIC HEARINGS** – None.

8. **ACTION ITEMS** – None.

9. **COUNCIL ITEMS** – None.

10. **CLOSED SESSION** – None.

11. **ADJOURNMENT**– on call by Mayor Pierce, the City Council adjourned its meeting at 7:23 p.m. in memory of James (Jim) McCormick former City Council Member who served on the Clayton City Council in the early 1980's who passed away recently.

The next regularly scheduled meeting of the City Council will be April 7, 2020.

#

Respectfully submitted,

Janet Calderon, City Clerk

APPROVED BY THE CLAYTON CITY COUNCIL

Julie Pierce, Mayor

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STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: JENNIFER GIANTVALLEY, ACCOUNTING TECHNICIAN

DATE: 04/07/2020

SUBJECT: FINANCIAL DEMANDS AND OBLIGATIONS OF THE CITY

RECOMMENDATION:

It is recommended the City Council, by minute motion, 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	03/31/20	\$ 153,581.59
Cash Requirements Report	Payroll, Taxes	03/25/20	71,094.22
	Total Required		<u>\$ 224,675.81</u>

Attachments:

1. Open Invoice Report, dated 3/31/20 (4 pages)
2. Cash Requirements report PPE 3/22/20 (1 page)

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
All City Management Services, Inc.								
All City Management Services, Inc.	3/11/2020	3/11/2020	67434	School crossing guard services 2/23-3/7/20	\$1,317.60	\$0.00		\$1,317.60
				<i>Totals for All City Management Services, Inc.</i>	<i>\$1,317.60</i>	<i>\$0.00</i>		<i>\$1,317.60</i>
AT&T (CalNet3)								
AT&T (CalNet3)	3/22/2020	3/22/2020	14504941	Phones 2/22/20-3/21/20	\$1,203.99	\$0.00		\$1,203.99
				<i>Totals for AT&T (CalNet3)</i>	<i>\$1,203.99</i>	<i>\$0.00</i>		<i>\$1,203.99</i>
Authorize.net								
Authorize.net	3/3/2020	3/3/2020	Feb2020	Online bankcard gateway fee February 2020	\$32.40	\$0.00		\$32.40
				<i>Totals for Authorize.net</i>	<i>\$32.40</i>	<i>\$0.00</i>		<i>\$32.40</i>
Best Best & Kreiger LLP								
Best Best & Kreiger LLP	3/18/2020	3/18/2020	872744	Legal services February 2020	\$9,470.00	\$0.00		\$9,470.00
Best Best & Kreiger LLP	3/18/2020	3/18/2020	872745	Supplemental Legal svcs February 2020	\$12,672.00	\$0.00		\$12,672.00
Best Best & Kreiger LLP	3/18/2020	3/18/2020	872746	Supplemental Legal svcs February 2020	\$516.70	\$0.00		\$516.70
Best Best & Kreiger LLP	3/18/2020	3/18/2020	872747	Supplemental Legal svcs February 2020	\$65.80	\$0.00		\$65.80
				<i>Totals for Best Best & Kreiger LLP</i>	<i>\$22,724.50</i>	<i>\$0.00</i>		<i>\$22,724.50</i>
Amy Callahan								
Amy Callahan	3/13/2020	3/13/2020	032720	Deposit, rental refund	\$312.00	\$0.00		\$312.00
				<i>Totals for Amy Callahan</i>	<i>\$312.00</i>	<i>\$0.00</i>		<i>\$312.00</i>
CalPERS Health								
CalPERS Health	4/10/2020	3/16/2020	15986482	Medical April 2020	\$33,799.73	\$0.00		\$33,799.73
				<i>Totals for CalPERS Health</i>	<i>\$33,799.73</i>	<i>\$0.00</i>		<i>\$33,799.73</i>
CCWD								
CCWD	3/5/2020	3/5/2020	I series	Water services 1/3/20-3/3/20	\$14,630.66	\$0.00		\$14,630.66
				<i>Totals for CCWD.</i>	<i>\$14,630.66</i>	<i>\$0.00</i>		<i>\$14,630.66</i>
City of Antioch								
City of Antioch	3/25/2020	3/25/2020	3520	Vehicle maint #1728	\$242.65	\$0.00		\$242.65
City of Antioch	3/25/2020	3/25/2020	3920	Vehicle maint #1740	\$262.65	\$0.00		\$262.65
City of Antioch	3/25/2020	3/25/2020	32520	Vehicle maint #1741	\$773.45	\$0.00		\$773.45
City of Antioch	3/25/2020	3/25/2020	32520	Vehicle maint #1742	\$552.65	\$0.00		\$552.65
				<i>Totals for City of Antioch</i>	<i>\$1,831.40</i>	<i>\$0.00</i>		<i>\$1,831.40</i>
City of Concord								
City of Concord	3/6/2020	3/6/2020	83281	Livescans, Maintenance	\$96.00	\$0.00		\$96.00
				<i>Totals for City of Concord</i>	<i>\$96.00</i>	<i>\$0.00</i>		<i>\$96.00</i>
Clayton Theatre Company								
Clayton Theatre Company	3/13/2020	3/13/2020	AP-Spring	Refund for alcohol permit	\$63.00	\$0.00		\$63.00
				<i>Totals for Clayton Theatre Company</i>	<i>\$63.00</i>	<i>\$0.00</i>		<i>\$63.00</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
Clean Street								
Clean Street	1/31/2020	1/31/2020	96451	Sweep fee January 20	\$4,500.00	\$0.00		\$4,500.00
				<i>Totals for Clean Street</i>	<u>\$4,500.00</u>	<u>\$0.00</u>		<u>\$4,500.00</u>
Contra Costa County - Office of the Sheriff								
Contra Costa County - Office of the She	3/4/2020	3/4/2020	CLPD-419	Blood withdrawals Q2 FY20	\$212.10	\$0.00		\$212.10
				<i>Totals for Contra Costa County - Office of the Sherif.</i>	<u>\$212.10</u>	<u>\$0.00</u>		<u>\$212.10</u>
CSI Forensic Supply								
CSI Forensic Supply	2/27/2020	2/27/2020	1841	NIK tests	\$67.09	\$0.00		\$67.09
				<i>Totals for CSI Forensic Supply</i>	<u>\$67.09</u>	<u>\$0.00</u>		<u>\$67.09</u>
Dept of Motor Vehicles								
Dept of Motor Vehicles	3/12/2020	3/12/2020	2020	3-2020 Vehicle Code books	\$58.22	\$0.00		\$58.22
				<i>Totals for Dept of Motor Vehicles</i>	<u>\$58.22</u>	<u>\$0.00</u>		<u>\$58.22</u>
Kevin Dern								
Kevin Dern	3/13/2020	3/13/2020	HH	Refund HH rental fees	\$112.00	\$0.00		\$112.00
				<i>Totals for Kevin Dern</i>	<u>\$112.00</u>	<u>\$0.00</u>		<u>\$112.00</u>
Dillon Electric Inc								
Dillon Electric Inc	3/10/2020	3/10/2020	4113	Streetlight repairs 3/5/20	\$386.11	\$0.00		\$386.11
				<i>Totals for Dillon Electric Inc</i>	<u>\$386.11</u>	<u>\$0.00</u>		<u>\$386.11</u>
Environtech Enterprises								
Environtech Enterprises	2/29/2020	2/29/2020	A001B-2B-20	Weed abatement	\$11,900.00	\$0.00		\$11,900.00
Environtech Enterprises	2/29/2020	2/29/2020	A001-A1-20	Weed abatement	\$6,540.00	\$0.00		\$6,540.00
				<i>Totals for Environtech Enterprises</i>	<u>\$18,440.00</u>	<u>\$0.00</u>		<u>\$18,440.00</u>
Geoconsultants, Inc.								
Geoconsultants, Inc.	3/26/2020	3/26/2020	19062	Well monitoring February 2020	\$1,546.50	\$0.00		\$1,546.50
Geoconsultants, Inc.	3/26/2020	3/26/2020	19066	Well monitoring March 2020	\$1,546.50	\$0.00		\$1,546.50
				<i>Totals for Geoconsultants, Inc.</i>	<u>\$3,093.00</u>	<u>\$0.00</u>		<u>\$3,093.00</u>
Globalstar LLC								
Globalstar LLC	3/16/2020	3/16/2020	11069823	Sat phone 2/16/20-3/15/20	\$107.12	\$0.00		\$107.12
				<i>Totals for Globalstar LLC</i>	<u>\$107.12</u>	<u>\$0.00</u>		<u>\$107.12</u>
Hammons Supply Company								
Hammons Supply Company	3/10/2020	3/10/2020	110833	The Grove janitorial supplies	\$154.58	\$0.00		\$154.58
Hammons Supply Company	3/10/2020	3/10/2020	110839	Library janitorial supplies	\$481.13	\$0.00		\$481.13
Hammons Supply Company	3/10/2020	3/10/2020	110837	CH janitorial supplies	\$683.97	\$0.00		\$683.97
Hammons Supply Company	3/10/2020	3/10/2020	110835	CCP janitorial supplies	\$495.59	\$0.00		\$495.59
Hammons Supply Company	3/12/2020	3/12/2020	111066	Library janitorial supplies	\$127.12	\$0.00		\$127.12
				<i>Totals for Hammons Supply Company</i>	<u>\$1,942.39</u>	<u>\$0.00</u>		<u>\$1,942.39</u>

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
Health Care Dental Trust								
Health Care Dental Trust	3/16/2020	3/16/2020	276132	Dental April 2020	\$1,922.63	\$0.00		\$1,922.63
				<i>Totals for Health Care Dental Trust</i>	<u>\$1,922.63</u>	<u>\$0.00</u>		<u>\$1,922.63</u>
J&R Floor Services								
J&R Floor Services	4/1/2020	4/1/2020	Three 2020	Janitorial services March 2020	\$4,850.00	\$0.00		\$4,850.00
				<i>Totals for J&R Floor Services</i>	<u>\$4,850.00</u>	<u>\$0.00</u>		<u>\$4,850.00</u>
Sandy Johnson								
Sandy Johnson	3/17/2020	3/17/2020	3/17/20	Petty cash-Training fees	\$90.00	\$0.00		\$90.00
				<i>Totals for Sandy Johnson</i>	<u>\$90.00</u>	<u>\$0.00</u>		<u>\$90.00</u>
NBS Govt. Finance Group								
NBS Govt. Finance Group	3/20/2020	3/20/2020	32000160	CFD Admin fees Q4 FY 20	\$4,789.73	\$0.00		\$4,789.73
				<i>Totals for NBS Govt. Finance Group</i>	<u>\$4,789.73</u>	<u>\$0.00</u>		<u>\$4,789.73</u>
Paychex								
Paychex	3/25/2020	3/25/2020	2020032301	Payroll fees PPE 3/22/20	\$191.15	\$0.00		\$191.15
				<i>Totals for Paychex.</i>	<u>\$191.15</u>	<u>\$0.00</u>		<u>\$191.15</u>
Paysafe Payment Processing								
Paysafe Payment Processing	2/29/2020	2/29/2020	Feb2020	OTC Bankcard fees February 20	\$129.64	\$0.00		\$129.64
Paysafe Payment Processing	2/29/2020	2/29/2020	Feb20	Online Bankcard fees Februrary 20	\$144.10	\$0.00		\$144.10
				<i>Totals for Paysafe Payment Processing</i>	<u>\$273.74</u>	<u>\$0.00</u>		<u>\$273.74</u>
PG&E								
PG&E	4/9/2020	3/24/2020	032420	Energy 2/22/20-3/23/20	\$4,233.96	\$0.00		\$4,233.96
PG&E	4/3/2020	3/17/2020	031720	Energy 2/14/20-3/16/20	\$19,924.40	\$0.00		\$19,924.40
				<i>Totals for PG&E.</i>	<u>\$24,158.36</u>	<u>\$0.00</u>		<u>\$24,158.36</u>
Riso Products of Sacramento								
Riso Products of Sacramento	3/20/2020	3/20/2020	206204	Copier usage 2/20/20-3/19/20	\$44.20	\$0.00		\$44.20
				<i>Totals for Riso Products of Sacramento</i>	<u>\$44.20</u>	<u>\$0.00</u>		<u>\$44.20</u>
Roto-Rooter Sewer/Drain Service								
Roto-Rooter Sewer/Drain Service	3/20/2020	3/20/2020	50821688279	Library sewer service 3/11/20	\$406.00	\$0.00		\$406.00
				<i>Totals for Roto-Rooter Sewer/Drain Service</i>	<u>\$406.00</u>	<u>\$0.00</u>		<u>\$406.00</u>
Shauna Sims								
Shauna Sims	3/16/2020	3/16/2020	CCP	CCP rental refund	\$220.00	\$0.00		\$220.00
				<i>Totals for Shauna Sims</i>	<u>\$220.00</u>	<u>\$0.00</u>		<u>\$220.00</u>
Site One Landscape Supply, LLC								
Site One Landscape Supply, LLC	3/5/2020	3/5/2020	97643247-001	Irrigation, weed abatement supplies	\$424.59	\$0.00		\$424.59
				<i>Totals for Site One Landscape Supply, LLC</i>	<u>\$424.59</u>	<u>\$0.00</u>		<u>\$424.59</u>

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
Stericycle Inc								
Stericycle Inc	4/1/2020	4/1/2020	3005044355	Medical waste disposal	\$83.37	\$0.00		\$83.37
				<i>Totals for Stericycle Inc</i>	<u>\$83.37</u>	<u>\$0.00</u>		<u>\$83.37</u>
Swenson's Mobile Fleet Repair								
Swenson's Mobile Fleet Repair	3/17/2020	3/17/2020	I001462	Oil svc 2000 F350	\$166.27	\$0.00		\$166.27
				<i>Totals for Swenson's Mobile Fleet Repair</i>	<u>\$166.27</u>	<u>\$0.00</u>		<u>\$166.27</u>
Verizon Wireless								
Verizon Wireless	3/13/2020	3/13/2020	9849505332	Cell phones 2/2/20-3/1/20	\$225.72	\$0.00		\$225.72
				<i>Totals for Verizon Wireless</i>	<u>\$225.72</u>	<u>\$0.00</u>		<u>\$225.72</u>
Shiwen Wang								
Shiwen Wang	3/11/2020	3/11/2020	HH051620	HH deposit, rental fee refund	\$415.00	\$0.00		\$415.00
				<i>Totals for Shiwen Wang</i>	<u>\$415.00</u>	<u>\$0.00</u>		<u>\$415.00</u>
Warner Brothers Tree Service								
Warner Brothers Tree Service	2/18/2020	2/18/2020	15094	Tree work Clayton Rd	\$4,425.00	\$0.00		\$4,425.00
Warner Brothers Tree Service	2/18/2020	2/18/2020	15095	Emergency tree work Clayton Rd (Cypress t	\$2,025.00	\$0.00		\$2,025.00
				<i>Totals for Warner Brothers Tree Service</i>	<u>\$6,450.00</u>	<u>\$0.00</u>		<u>\$6,450.00</u>
Western Exterminator								
Western Exterminator	2/29/2020	2/29/2020	7901966	Pest control February 2020	\$427.00	\$0.00		\$427.00
				<i>Totals for Western Exterminator</i>	<u>\$427.00</u>	<u>\$0.00</u>		<u>\$427.00</u>
Workers.com								
Workers.com	3/6/2020	3/6/2020	127303	Seasonal workers week end 3/1/20	\$861.00	\$0.00		\$861.00
Workers.com	3/13/2020	3/13/2020	127361	Seasonal workers week end 3/8/20	\$861.00	\$0.00		\$861.00
Workers.com	3/20/2020	3/20/2020	127419	Seasonal workers week end 3/15/20	\$1,792.52	\$0.00		\$1,792.52
				<i>Totals for Workers.com</i>	<u>\$3,514.52</u>	<u>\$0.00</u>		<u>\$3,514.52</u>
GRAND TOTALS:					\$153,581.59	\$0.00		\$153,581.59

CASH REQUIREMENTS

CASH REQUIRED FOR NEGOTIABLE CHECKS &/OR ELECTRONIC FUNDS TRANSFERS (EFT) FOR CHECK DATE 03/25/20: \$71,094.22

TRANSACTION SUMMARY

SUMMARY BY TRANSACTION TYPE -	TOTAL ELECTRONIC FUNDS TRANSFER (EFT)	71,094.22
	CASH REQUIRED FOR NEGOTIABLE CHECKS &/OR EFT	71,094.22
	TOTAL REMAINING DEDUCTIONS / WITHHOLDINGS / LIABILITIES	12,263.44
	CASH REQUIRED FOR CHECK DATE 03/25/20	83,357.66

TRANSACTION DETAIL

ELECTRONIC FUNDS TRANSFER - Your financial institution will initiate transfer to Paychex **at or after 12:01 A.M.** on transaction date.

<u>TRANS. DATE</u>	<u>BANK NAME</u>	<u>ACCOUNT NUMBER</u>	<u>PRODUCT</u>	<u>DESCRIPTION</u>		BANK DRAFT AMOUNTS & OTHER TOTALS
03/24/20	BANK OF AMERICA, NA	xxxxxx4799	Direct Deposit	Net Pay Allocations	55,794.19	
03/24/20	BANK OF AMERICA, NA	xxxxxx4799	Direct Deposit	Deductions with Direct Deposit	663.50	56,457.69
03/24/20	BANK OF AMERICA, NA	xxxxxx4799	Readychex®	Check Amounts	1,718.85	1,718.85
03/24/20	BANK OF AMERICA, NA	xxxxxx4799	Garnishment	Employee Deductions	75.00	75.00
				EFT FOR 03/24/20		58,251.54
03/25/20	BANK OF AMERICA, NA	xxxxxx4799	Taxpay®	Employee Withholdings		
				Social Security	16.60	
				Medicare	1,133.35	
				Fed Income Tax	7,588.16	
				CA Income Tax	2,925.66	
				Total Withholdings	11,663.77	
				Employer Liabilities		
				Social Security	16.60	
				Medicare	1,133.36	
				Fed Unemploy	4.57	
				CA Unemploy	23.62	
				CA Emp Train	0.76	
				Total Liabilities	1,178.91	12,842.68
				EFT FOR 03/25/20		12,842.68
				TOTAL EFT		71,094.22



STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: SCOTT ALMAN, CITY ENGINEER

DATE: APRIL 7, 2020

**SUBJECT: RESOLUTION DIRECTING THE PREPARATION OF AN ENGINEER'S
REPORT FOR THE DIABLO ESTATES BENEFIT ASSESSMENT DISTRICT**

RECOMMENDATION

Adopt the attached Resolution.

BACKGROUND

At the request of Toll Bros., Inc. (the developer of the Diablo Estates residential project) the City Council (by passage of Resolution 04-2012 on February 7, 2012) formed the Diablo Estates Benefit Assessment District (BAD) in accordance with the requirements of Landscaping & Lighting Act of 1972 and the Benefit Assessment Act of 1982. The purpose of the District is for the private property owners to collectively provide sufficient funds each year for the proper maintenance of its various subdivision improvements constructed as part of the residential project. The Engineer of Work for the preparation of the initial Engineer's Report was the Developer's consultant, SCI Consulting Group. The initial assessment was approved via a Proposition 218 ballot election by the property owner and its authorization included an annual CPI increase in the assessment amount.

Although the Benefit Assessment Act of 1982 does not require further action prior to levying the annual assessment if the assessment rates are not increased (other than any pre-authorized adjustment due to a CPI increase), the Landscaping & Lighting Act of 1972 does require the filing and approval of an annual Engineer's Report prior to levying an annual assessment.

For the purpose of continuing to levy annual assessments for the property owners to maintain its improvements, the process is initiated by the City Council officially calling for such an annual report. After enactment of this Resolution, the next step will be for the Engineer of Work (City Engineer) to submit, and the City Council to review and then accept, the Engineer's Report for this District. Following that submittal will be a single public hearing (with property owners' advance notification) prior to formally setting next year's assessments

in sufficient time to be levied and collected via the real property tax bills issued by the County in 2020-2021.

This Resolution does not commit the City Council to any action but is just the first administrative step required by the Landscaping & Lighting Act of 1972.

FISCAL IMPACT

None to the City. As designed and approved, all expenses of the subdivision's BAD are borne by the private property owners as the beneficiaries of its subdivision improvements, maintenance, operation and repair.

Attachment: Resolution [2 pp.]

RESOLUTION NO. XX - 2020

**A RESOLUTION DIRECTING THE FILING OF AN ANNUAL ENGINEER'S REPORT
FOR THE DIABLO ESTATES BENEFIT ASSESSMENT DISTRICT (PURSUANT TO THE
LANDSCAPING AND LIGHTING ACT OF 1972)**

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

WHEREAS, as requested by the development project's property owner and by Resolution No. 04-2012 adopted February 7, 2012, the Clayton City Council formed the Diablo Estates Benefit Assessment District pursuant to both the Landscaping & Lighting Act of 1972 and the Benefit Assessment Act of 1982; and

WHEREAS, an initial Engineer's Report was prepared by the project developer's own consultant, SCI Consulting Group; and

WHEREAS, an initial annual assessment, along with an allowable rate increase in accordance with annual increases in the San Francisco-Bay Area Consumer Price Index ("CPI"), was approved by the affected property owner(s) in a Proposition 218 ballot election; and

WHEREAS, although the Benefit Assessment Act of 1982 requires no further action to continue levying the annual assessment, the Landscaping & Lighting Act of 1972 does require the City Council direct the Engineer of Work to prepare an Annual Engineer's Report prior to the levying of an assessment; and

WHEREAS, it is expedient for the City Council to commence said proceedings to ensure sufficient funds be assessed, levied, collected and expended each fiscal year to fulfill the property owner's intent and fiscal obligation to properly maintain, operate and repair the associated Diablo Estates subdivision improvements as private property owner beneficiaries;

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

1. The City Engineer is hereby directed to file an Annual Engineer's Report in accordance with the provisions of the Landscaping & Lighting Act of 1972.
2. This Resolution is adopted pursuant to Section 23622 of the Streets and Highways Code.

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California at a regular public meeting thereof held on the 7th day of April 2020 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

THE CITY COUNCIL OF CLAYTON, CA

Julie Pierce, Mayor

ATTEST:

Janet Calderon, City Clerk

#

I hereby certify that the foregoing Resolution was duly and regularly passed by the City Council of the City of Clayton, California at a regular public meeting held on April 7, 2020.

Janet Calderon, City Clerk



STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: JIM WARBURTON, MAINTENANCE SUPERVISOR

DATE: April 7, 2019

SUBJECT: AWARD OF MULTI-YEAR CONTRACT TO WARANER BROTHERS TREE SERVICE FOR ANNUAL WEED ABATEMENT SERVICES ON PUBLIC PROPERTIES WITHIN THE LANDSCAPE MAINTENANCE DISTRICT

RECOMMENDATION

Approve a one-year contract with option for three (3) one-year extensions by mutual agreement, for a total of four years, for annual weed abatement services on City-owned public properties within the Landscape Maintenance District, to Waraner Brothers Tree service as the lowest responsible bidder. Waraner Brothers is the lowest responsible bidder including accounting for their 3% annual cost of living adjustment. The City Landscape Maintenance District (LMD) funds this work pursuant to voter approved Measure H, which includes weed cutting one time a year for fire safety pursuant to the Fire District Standards. For FY 19-20 the LMD had budgeted \$66,200 for this work.

BACKGROUND

The Clayton Maintenance Department contracts out the majority of its annual weed abatement work within the Citywide Landscape Maintenance Assessment District (CFD 2007-1). The contract work includes all hand work and discing within the Landscape District while the City Maintenance Department flail-mows with its tractor the large areas of the City's open space. The standard of work, per Contra Costa Fire Protection District, is a thirty-foot wide firebreak from fence lines made around homes that border on the City's open space. This weed abatement work is separate and distinct from the annual noxious weed abatement services performed on various Oakhurst hill slopes by a different contractor (also paid by the Citywide Landscape Maintenance District).

The Maintenance Department has determined the vast majority of weed abatement work is done more cost efficiently using an outside contractor. This work has always been performed once a year. During the past years this work usually started in the middle of May with the work completed by mid-June or earlier. Measure H Landscape District standards, approved by public vote in June 2016, continued this once-per-year weed abatement/firebreak service in the large open areas but did augment weed abatement services to twice a year for a single-pass mow strip immediately abutting certain public trails.

Date: April 7, 2019

Page 2 of 2

This year, staff received three bids for a four-year weed abatement contract. The lowest responsible bidder is Waraner Brothers Tree Service.

FISCAL IMPACT

Funds for this contract are budgeted in the approved Landscape Maintenance Assessment District budget for Fiscal Year 2018-19 (restricted-use monies). This year's budget allocated \$66,200.00 for the weed abatement contract, which is the same amount spent on weed abatement in the previous year. With the Waraner Tree Service the City will receive quality workmanship by a responsible bidder that has performed this weed abatement task for the City several years in the past.

Company	2020	2021	2022	2023	4 year total	notes
Waraner Brothers Tree Service	\$62,854.00	\$64,739.62	\$66,681.80	\$68,701.61	\$262,977.03	Includes (3) one-year extensions by mutual agreement, for a total of four years
Terra Care Landscape	\$68,985.00	\$67,965.00	\$70,005.00	\$72,015.00	\$276,060.00	Includes (3) one-year extensions by mutual agreement, for a total of four years
APEX Grading Inc.	\$72,300.00	\$72,300.00	\$72,300.00	\$72,300.00	\$289,200.00	Includes (3) one-year extensions by mutual agreement, for a total of four years

Attachments: 3 pgs. bids
1 pg map
1 pg scope of work



PO BOX 142
Clayton, CA. 94517
Phone: 925-250-0335

Estimate

DATE: **ESTIMATE #**

2/20/2020

4595

Name / Address

CITY OF CLAYTON
6000 Heritage Trail
Clayton, Ca 94517

PROJECT:

ED WARANER (925) 250-0335
ARBORIST LICENSE #WC3386A
CONTRACTORS LICENSE #642272
BONDED, LICENSED AND FULLY INSURED

BILL TO:

FIRE ABATEMENT

Line Item	Description	Qty	Cost	Total
	<p>THIS PROPOSAL IS FOR FIRE ABATEMENT. THE FIRE ABATEMENT WORK WOULD BE IN ACCORDANCE WITH CONTRA COSTA COUNTY FIRE STANDARDS AND SPECIFICATIONS FOR FIRE SAFETY IN CREATING DEFENSIBLE SPACE AROUND AND THROUGHOUT THE CITY OF CLAYTON. THIS INCLUDED THE SUPPLEMENTAL AREAS AS ACCORDING TO THE CITY MAP. THE FIRE ABATEMENT WOULD INCLUDE LABOR, BOBCAT AND DISCING OF AREA LOCATED ON THE CITY MAP. PRICE WILL REMAIN THE SAME FOR ADDITION 3 YEARS WITH AN ADDITIONAL 3% INCREASE ADDED EACH YEAR TO COMPENSATE FOR THE COST OF LIVING INCREASE.</p> <p>LOCATION: CITY OF CLAYTON</p>			
FIRE ABATEM...	FIRE ABATEMENT 2020		62854.00	62,854.00
<p>ALL WORK SHALL BE DONE IN ACCORDANCE WITH I.S.A. STANDARDS.</p> <p>INFO@WARANERBROSTREE.COM</p>		Total	\$62,854.00	



Proposal & Agreement

To: Jim Warburton

Date: 3/30/20

City of Clayton

Weed Abatement

WO#

Weed Abatement Proposal

-Furnish services and equipment to provide weed abatement for the open areas and home perimeters of city of Clayton

- Furnish services to flail mow, hand string trim and disc open areas and home perimeters noted in provided map in the City of Clayton per provided specifications

Total Cost 2020: \$65,985.00

Total Cost 2021: \$67,965.00

Total Cost 2022: \$70,005.00

Total Cost 2023: \$72,105.00

Total Cost for 2020-2023: \$276,060.00

Authorized Signature: _____ Date: _____

Customer acknowledges that Terracare Associates is not responsible for events beyond its control. Services shall be payable in full upon receipt of invoice. Quote valid for 60 days.

Respectfully Submitted,

Jonah Edwards

Enhancement Manager - Terracare Associates

921 Arnold Dr. | Martinez, CA 94553

Office: 925-374-0060 | Cell: 707-474-7071 | Fax: 925-374-0065

Jonah.edwards@myterracare.net

Scope of Work For Weed Abatement

1. To perform weed abatement throughout the City of Clayton for fire protection using any type of mechanical equipment to perform this work including but not limited to weed eaters and flail mowers
2. All weeds are to be cut to a maximum of 2 1/2 inches from grade.
3. All areas that abut streets, sidewalks, and drainage ditches will be clean of all debris that is produced by the abatement.
4. This work will not start any later than May 14 of each year (unless agree upon by the City for a later start date) and will not start any earlier than May 1 of each year. Start date is approved yearly by the City of Clayton Maintenance Supervisor.
5. This work will be completed and pass the Cities inspection no latter than June 23 of each year
6. Work crews will be on site everyday once work has started (by May 14 unless agreement is made by the City for a later start date)
7. Contractor must have work crews consisting of a minimum of 5 workers on site once work starts.
8. Work will be performed Monday through Friday during normal business hours (7am-5pm) excluding City Holidays unless given prior permission by the City of Clayton.
9. All work will be performed in areas marked on City map and work will be consisted to the map legend (please read map carefully)
10. This contract is for one year (2020) with 3 more yearly extensions in 2021, 2022, and 2023 for a total of 4 years. Please include costs for each year after the initial contract year of 2020 with total for 4 years.
11. Any question on the work to be performed can be sent to Jim Warburton with the City of Clayton Maintenance Department call at 925 673-7327 or e-mail at jwarburton@ci.clayton.ca.us

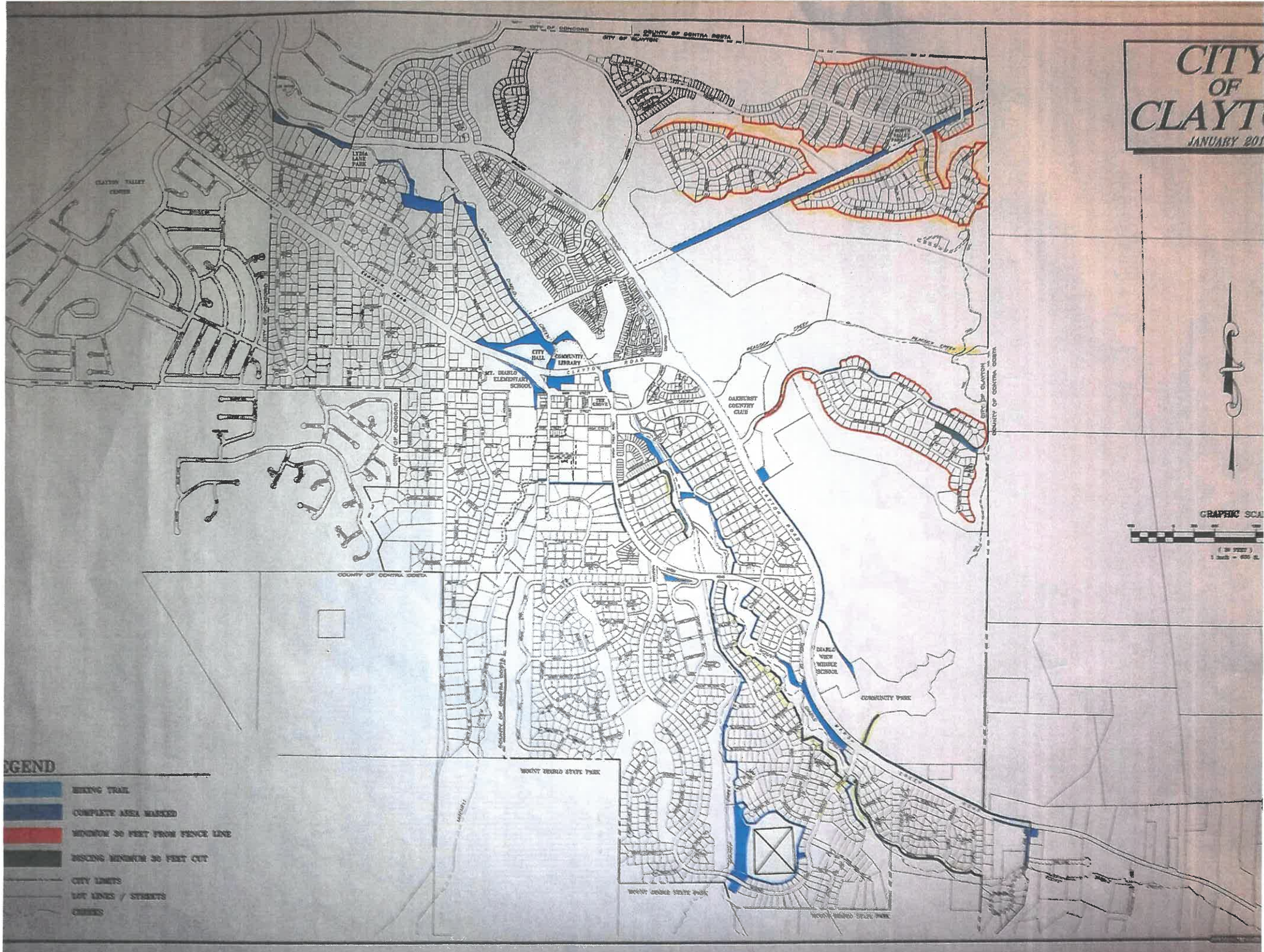
Year	Standard Contract Bid Item 9
2020	72,300.00
2021	72,300.00
2022	72,300.00
2023	72,300.00

Total for four years Standard Contract \$ 289,200.00

Apex Grading Inc.
by: Jason Ffield
signature: *J. Ffield*
cell: 925-818-7075

CITY OF CLAYTON

JANUARY 2011



- LEGEND**
- Biking Trail
 - Complete Area Marked
 - Minimum 30 Feet from Fence Line
 - Biking Minimum 30 Feet Cut
 - City Limits
 - Lot Lines / Streets
 - Curbs



Scope of Work For Weed Abatement

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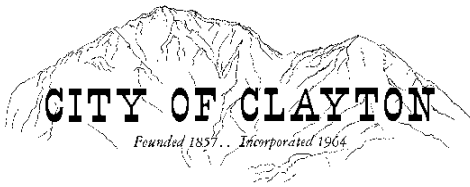
MINIMUM WEED ABATEMENT STANDARDS

- A. **Parcels five acres or less in size:**
Maintain ALL weeds at a height of no more than 3 inches. Weeds and grasses must be disced, (see "Discing Quality" below), mowed, with material mulched, or raked and bagged, and removed from the property. Parcels may require additional abatement during the season due to the regrowth of weeds and other flammable vegetation
- B. **Parcels greater than five acres in size:**
Shall be provided with 30-foot fuelbreaks and 15-foot crossbreaks, (see "H" and "I" below). Crossbreaks should divide the parcel into approximately 5-acre sections. Fencelines may require handmowing/weedeating to ensure completion of fuelbreak. When terrain is too steep or rugged for a tractor, a handmowed fuelbreak may be required. All cut material should be mulched and scattered or raked, bagged and removed from parcel.
- C. **Fuelbreaks along roadways** are required as part of the property line. Road right-of-ways shall be cleared to a minimum of 10 feet horizontally from the edge of black top and 13'6" vertically.
- D. **Active pastureland** shall be provided with 15-foot wide fuelbreaks and crossbreaks if a sufficient number of animals are present to steadily reduce height of grasses during the summer months to 3 inches or less by the end of September. If this requirement cannot be met, 30-foot fuelbreaks and crossbreaks shall be required.
- E. **Active cropland** shall be provided with 15-foot fuelbreaks or crossbreaks if the crop is to be harvested by mid-June. If there is to be a later harvest, 30-foot fuelbreaks shall be required.
- F. **Orchards** are to be maintained by complete abatement, including grasses under tree branches. This may require pruning of lower branches to allow equipment access.
- G. **Tree litter** (eucalyptus leaves and bark, coniferous needles, leaves, fallen branches, etc.) shall be removed from the base of trees, tree stems, and limbs within 10 feet of the ground and maintained throughout the fire season.
- H. **30-foot fuelbreaks** shall be provided around all structures, combustible storage, trees, shrubs and brush, along **ridgelines**, **fencelines**, **ditches**, and along the sides of, but not in, creeks. Fuelbreaks and crossbreaks are a continuous strip of disced or dozed ground following as closely as possible to the property line, and along one side of all fencelines, ditches, and on top of all ridgelines. Remove from the property all debris, rubble, junk, piles of dirt, etc., which would obstruct or impede vehicles and/or equipment used for abatement work or fire suppression operations.
- I. **Mowed fuelbreaks** shall be 40 feet wide and **mowed crossbreaks** 20 feet wide due to ability of the remaining surface material to support a fire growth.

DISCING QUALITY:

All discing work, including fuelbreaks, shall be completed so that all weeds, grasses, crops and other vegetation or organic material, which could be expected to burn, shall be completely turned under to the point that there is not sufficient exposed fuel to maintain or allow the spread of fire.

NOTE: *Certain properties may require additional or more stringent abatement due to site-specific issues with terrain, regrowth, location, land use, or fire related history.*



AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: SCOTT ALMAN, CITY ENGINEER

DATE: APRIL 7, 2020

SUBJECT: RESOLUTION ALLOCATING \$34,048. MEASURE J PROGRAM 28-A CO-OP FUNDS AND \$36,163. MEASURE J LSM 2.09% OFF-YEAR FUNDS TO CAPITAL IMPROVEMENT PROJECT #10448 SCHOOL INTERSECTION PROJECT, ESTABLISHING PROJECT SCOPE AND AUTHORIZING THE PROJECT TO BE BUILT.

RECOMMENDATION

It is recommended that the City Council adopt the attached resolution allocating \$34,048. Measure J Program 28-A Co-Op funds and \$36,163. Measure J LSM 2.09% Off-Year funds to capital improvement project #10448 School Intersection Project, establishing project scope and authorizing the project to be built.

BACKGROUND

At the June 4, 2019 City Council meeting, with the adoption of the FY 2019-20 Capital Improvement Program, Council established CIP Project #10448 the School Intersection Project. City Council established this CIP project in anticipation of future funding becoming available to construct proposed pedestrian safety enhancements at intersections near Mount Diablo Elementary School and Diablo View Middle School.

At the February 18, 2020 City Council meeting, City Council received and considered updated information regarding proposed pedestrian safety enhancements near Mount Diablo Elementary School and Diablo View Middle School and provided direction to staff regarding the proposed enhancements.

DISCUSSION

Proposed pedestrian safety enhancements include:

1. Renewal of striping and pavement markings on streets near Mt. Diablo Elementary School, replacing pavement 'dots' with thermoplastic striping to enhance striping visibility at and near the elementary school with installation of 4 interactive R-1 (STOP) signs on all four legs of the of the Pine Hollow and Mitchell Canyon Roads intersection.

2. Renewal and enhancement of intersection striping at the Clayton and Marsh Creek Road intersection at Diablo View Middle School. Striping and signal head improvements providing a "Pedestrian Scramble" cycle allowing pedestrians to cross the intersection diagonally during the pedestrian only cycle of the signal phasing.
3. Installation of advanced "Prepare to Stop" warning signs on east bound Clayton Road and west bound Marsh Creek Road approaching the signal at the Clayton and Marsh Creek Roads intersection at the middle school.
4. Installation of 2 interactive R-1 (STOP) signs stopping east and west bound Marsh Creek Road at the intersection of Center Street and Marsh Creek Road in downtown.

At their February 18th meeting, City Council provided staff with the following direction regarding the proposed improvements:

1. Include interactive R-1 (STOP) signs on all four legs of the Mitchell Canyon/Pine Hollow Roads intersection. Staff had previously proposed interactive signs on only two legs of that intersection.
2. Add an additional "Prepare to Stop" advanced warning sign on west bound Marsh Creek Road approaching the signal at the middle school.
3. Revise the proposed advance warning signs on Clayton and Marsh Creek Roads to be interactive with the signal to provide "Prepare to Stop" messages when the signal phase will stop east and west bound traffic at the signal.
4. Explore options of placing the advance warning signs in the medians to make them more prominent to drivers.

Staff has included additional interactive signs at the Mitchell Canyon and Pine Hollow Road intersection. Staff has also investigated the possibility of interconnecting the advance warning signs approaching the signal at the middle school with the signal controller to provide the requested "Prepare to Stop" message as the signal phasing stops east and west bound traffic at the signal. The signal controller cabinet for this intersection is tucked away in the northwest quadrant of the intersection well out of line-of-sight with the proposed warning signs. In order to provide the required line-of-sight connection between the signal controller and the advanced warning signs, staff is exploring the option of placing a signal repeater on one mast arm of the signal and using that repeater to broadcast to antennae on each warning sign to trigger the signs activity. Additionally staff has reviewed the California Manual of Uniform Traffic Control Devices (MUTCD) and determined that the advance warning signs can be placed in the roadway medians as long as a "primary" sign is also placed on the right-hand side of the roadway at the same location. Staff is further exploring placing the advance warning signs in the median and potentially powering those signs via an electric service rather than solar power as initially proposed. Electrical service power will allow the advance warning signs to operate without batteries being required and would provide continuous power to operate the radio transmitter/receiver necessary to interconnect the warning signs with the signal controller. The complete cost of this interactive option is unknown at this time and staff is working with suppliers and P.G. & E. to determine the costs of the required equipment and electrical services to make these signs functional. Once

staff has determined the costs of this option, we will return to Council to provide that information and seek direction as to Councils preferred alternative for these advance warning signs.

Staff is confident that the cost for the other proposed enhancements are accurate and is requesting authorization to move ahead with those proposed improvements. The proposed costs for items 1, 2 and 4 of the list above are as follows:

	Proposed Improvement	Budget
1.	Striping Renewal & Interactive R-1 (STOP) signs	\$32,450.00
2.	Scramble Phase for Pedestrians only	\$24,200.00
4.	Interactive R-1 (STOP) signs at Center & Marsh Creek Roads	\$5,500.00
5.	Contingency (11%)	\$8,061
	Total:	\$70,211.00

FISCAL IMPACT

Currently \$34,048. Measure J Program 28-A Co-Op funds and \$36,163. Measure J LSM 2.09% Off-Year funds have been received from CCTA and have not yet been allocated to any specific City project. Staff is recommending that these funds be allocated to CIP Project #10448 School Intersection Project establishing a project budget of \$70,211.00.

Attachments: 1. Resolution [2 pp.]

RESOLUTION NO. XX-2020

A RESOLUTION ALLOCATING \$34,048. MEASURE J PROGRAM 28-A CO-OP FUNDS AND \$36,163. MEASURE J LSM 2.09% OFF-YEAR FUNDS TO CAPITAL IMPROVEMENT PROJECT #10448 SCHOOL INTERSECTION PROJECT, ESTABLISHING PROJECT SCOPE AND AUTHORIZING THE PROJECT TO BE BUILT

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

WHEREAS, pedestrian safety, especially around the City's school facilities, is of the highest priority to the City of Clayton and the City Council; and

WHEREAS, City Council has proposed certain pedestrian safety enhancements to intersections near Mount Diablo Elementary School and Diablo View Middle School to facilitate and enhance pedestrian safety in those locations; and

WHEREAS, City Council has established Capital Improvement Project CIP #10448 in Clayton's FY 2019-20 Capital Improvement Program to provide for funding and construction of the proposed pedestrian safety enhancements; and

WHEREAS, \$34,048. Measure J Program 28-A Co-Op funds and \$36,163. Measure J LSM 2.09% Off-Year funds are currently available and unallocated to any other CIP project at this time;

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Clayton, California does hereby adopt this resolution allocating \$34,048. Measure J Program 28-A Co-Op funds and \$36,163. Measure J LSM 2.09% Off-Year funds to capital improvement project #10448 School Intersection Project and authorizes the project built.

PASSED, APPROVED and ADOPTED by the City Council of Clayton, California at a regular public meeting thereof held on the 7th day of April 2020 by the following vote:

AYES:

NOES:

ABSENT:

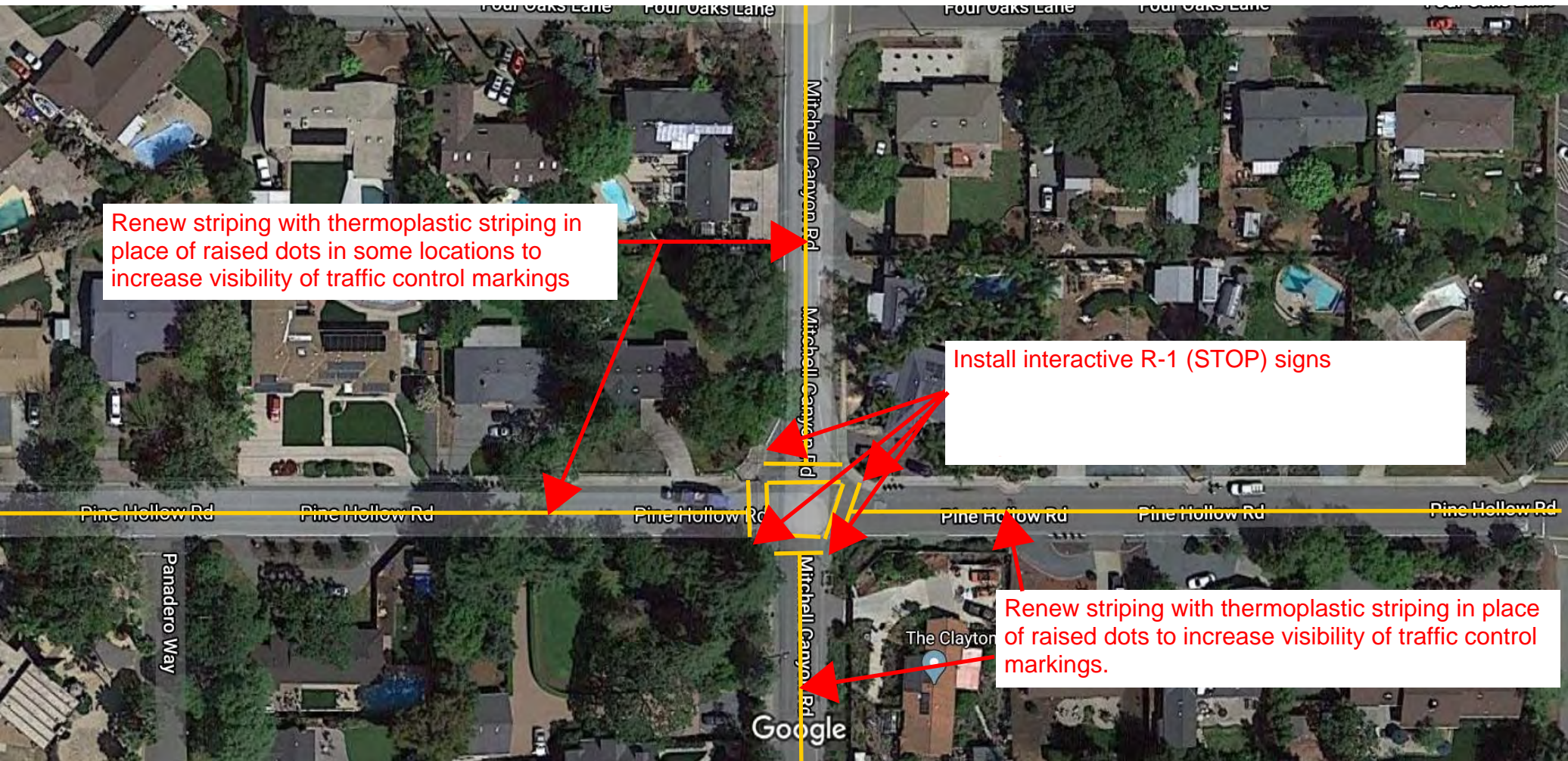
ABSTAIN:

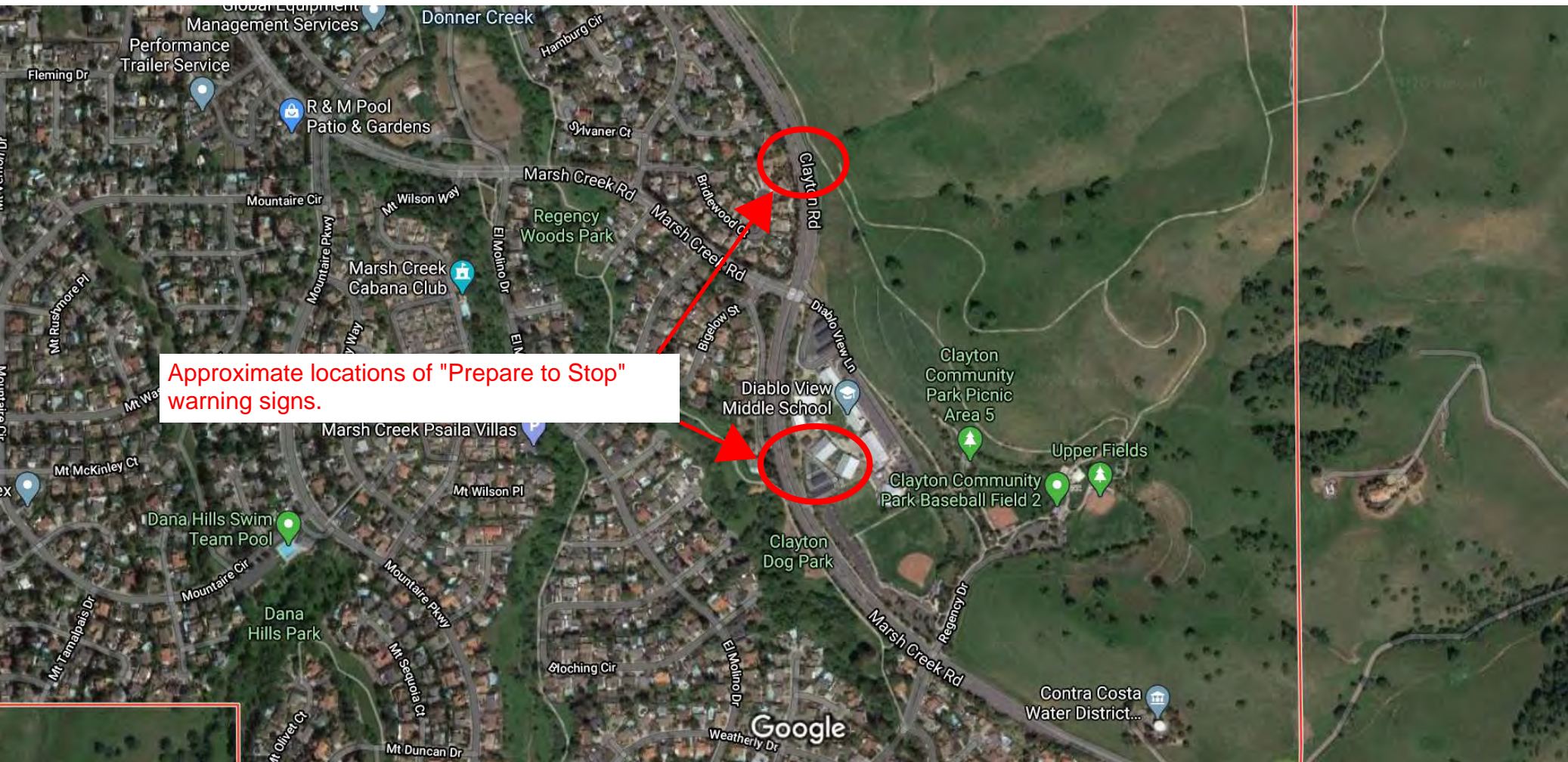
THE CITY COUNCIL OF CLAYTON, CA

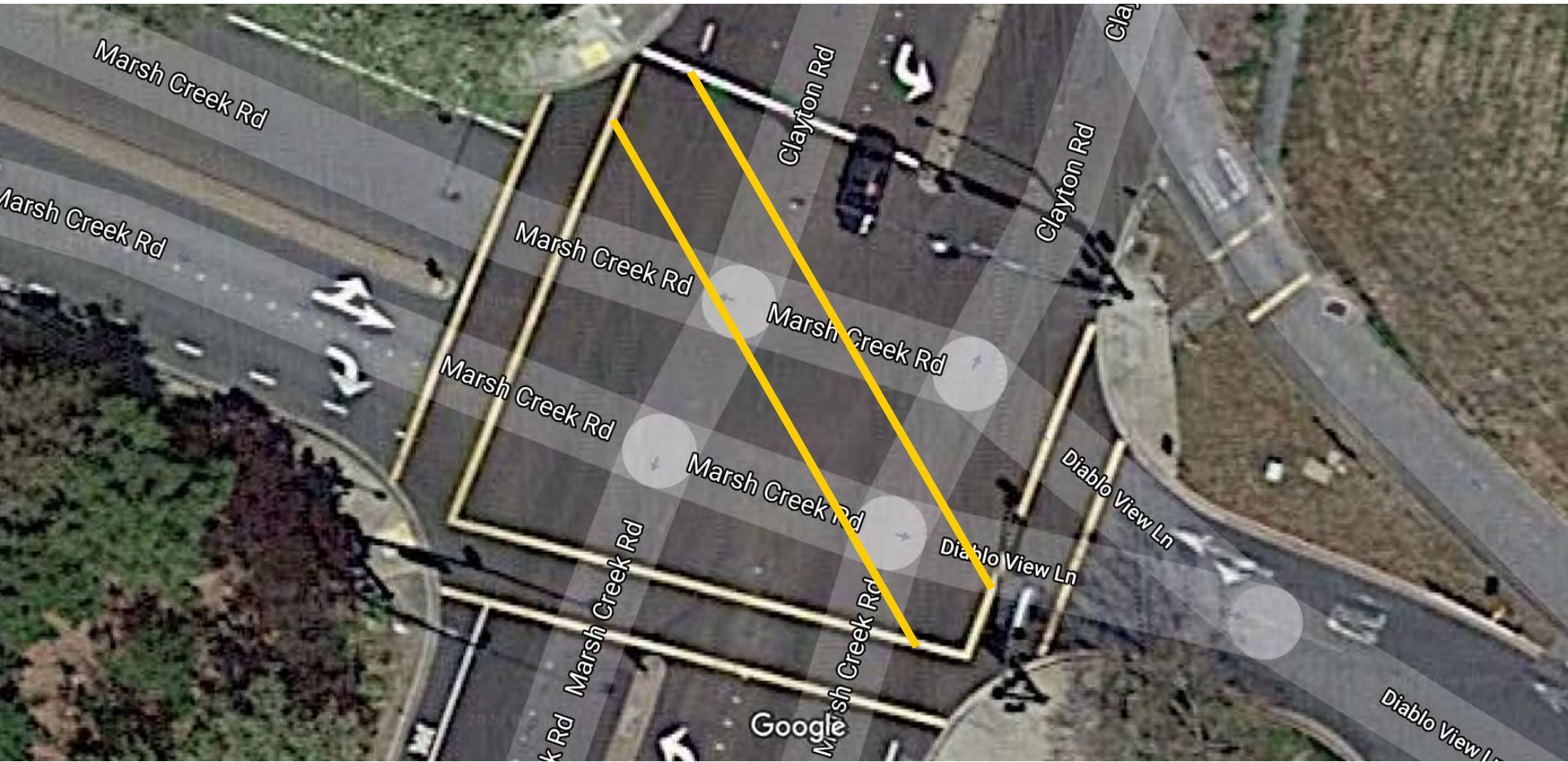
Julie Pierce, Mayor

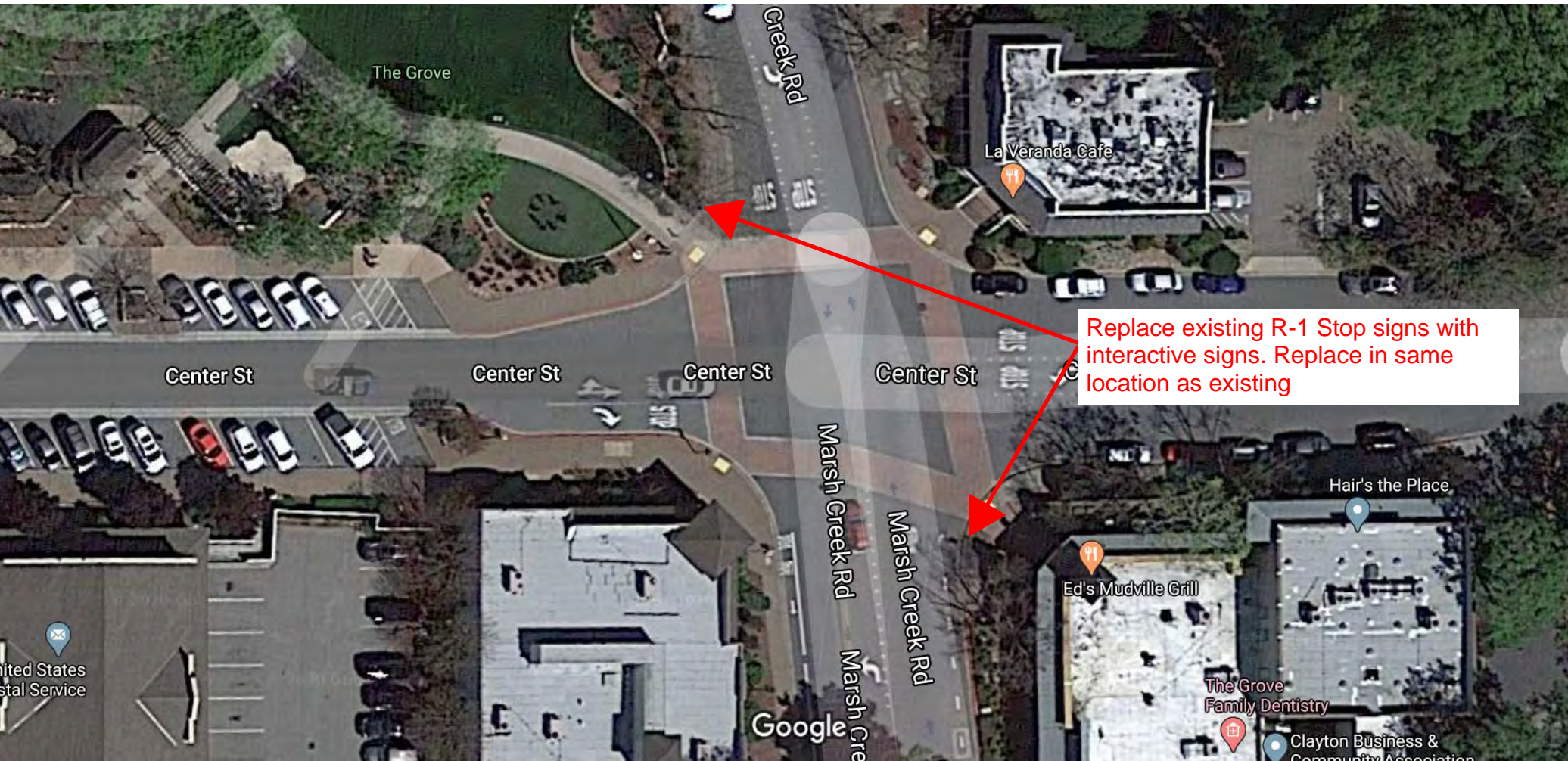
ATTEST:

Janet Calderon, City Clerk

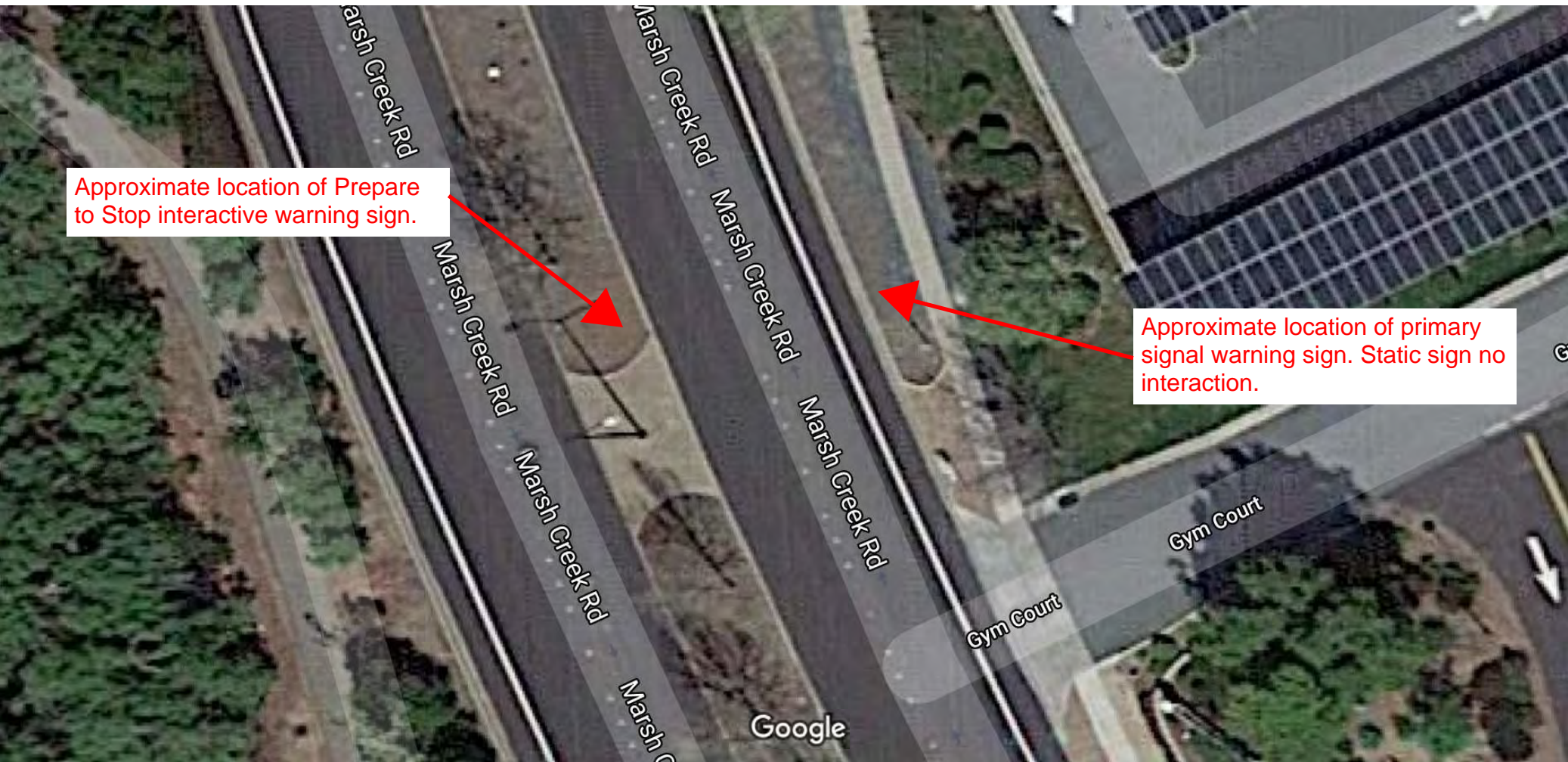












Approximate location of Prepare to Stop interactive warning sign.

Approximate location of primary signal warning sign. Static sign no interaction.



AGENDA REPORT

TO: Honorable Mayor and Councilmembers

FROM: Ikani Taumoepeau, City Manager

DATE: April 7, 2020

SUBJECT: Discuss and Consider Draft Letter to the County Regarding Notice of Preparation (NOP) Comments on the CEMEX Clayton Quarry Reclamation Plan Amendment

Presenter: Tuija Catalano, Councilmember

RECOMMENDATION

Discuss and consider transmittal of a comment letter from the City Council to the County regarding scope of environmental review for CEMEX Quarry's Reclamation Plan Amendment.

BACKGROUND

CEMEX Quarry is located outside of the City of Clayton's boundaries, however, the site is within the City's Sphere of Influence, and several Clayton residents live in close proximity to the site. The quarry is also accessible via Clayton roads, via Mitchell Canyon Road. CEMEX is proposing to amend its Reclamation Plan. As the lead agency, the County issued a Notice of Preparation, and interested parties have until April 15, 2020 to provide any comments regarding the scoping of the environmental review. According to current schedule the Draft EIR is expected to be published in November-December 2020, and the Draft EIR will be subject to another statutory 45-day public comment period. The hearings on the Reclamation Plan are estimated to take place during Spring 2021.

Councilmember Catalano has prepared the attached draft comment letter and is asking for the Council's support for the transmittal of the letter to the County on behalf of the Council. In addition to few comments on the scope of environmental review, the letter also expresses the desire for the City of Clayton and the nearby (Clayton) neighbors to be kept informed, and a request for a community meeting in Clayton after the publication of the Draft EIR regarding the proposed changes. The letter also invites the quarry operator (CEMEX) to consider any improvements to the current operations that would minimize the impacts caused by the quarry operations to the nearby neighbors.

FISCAL IMPACT

None.

Attachments: - Draft Comment Letter
- Staff Comment Letter (sent to County March 15, 2020 – previous deadline)

Contra Costa County
Department of Conservation & Development
Community Development Division
30 Muir Road Martinez, California 94553
Attention: Francisco Avila

RE: NOP for a Draft EIR on the proposed CEMEX Clayton Quarry Reclamation Plan Amendment
County File No.: LP15-2030/31

Dear Mr. Avila,

Please accept this letter from the Clayton City Council on behalf of Clayton residents on the NOP for the CEMEX Quarry Reclamation Plan Amendment. This letter supplements, and is in addition to, the letter that was already submitted by Clayton City staff on March 16, 2020, and the City Council echoes the comments provided by our staff.

The proposed amendment of the Reclamation Plan that would eliminate the backfill of the quarry pit and instead allow the pit to eventually become a stormwater lake is a change that results in very different timeline and outcome for the quarry reclamation. The City Council requests that the evaluation of project alternatives include the original backfill of the quarry pit and/or that the backfilling of the pit be analyzed as a project variant, providing the County the necessary information to evaluate the relative benefits and cons of the two approaches and the ability to adopt an environmentally superior option.

Please include a thorough project description as part of the DEIR, which should clarify whether any changes are proposed to the operation of the quarry prior to the reclamation, and if yes, what those changes are and whether any such operational changes trigger any different reclamation needs and/or more significant environmental impacts. The project description should include a detailed explanation of changes proposed to any buildings and structures on the quarry site. The DEIR should also include a vetted list of project objectives so that the public is able to understand the requested amendment, including e.g. the reason for the proposed quarry pit lake request in lieu of the original plan to backfill the pit.

Among other analysis, the DEIR should evaluate noise, lighting and air quality impacts caused by the proposed project, particularly to the nearby sensitive uses (i.e. residential homes in close proximity to the site). For project alternatives, we would suggest that the alternatives evaluate an option that returns the quarry site to its natural state as quickly as possible, providing adequate information on the estimated timeline of any construction activities related to the reclamation. For informational purposes we would like the DEIR to address whether a nearby creek was recently dammed, whether such damming was done in accordance with existing permits, and what, if any, environmental impacts the damming has had on the site baseline.

Lastly, we urge the applicant to work closely with nearby residential neighbors, and to provide timely and adequate information as well as opportunities for the neighbors to be heard. To the extent that any changes are also proposed to the existing quarry operations, we ask that that the City of Clayton and the nearby neighbors be informed, and we hope that CEMEX considers any ways in which it can minimize the impacts caused by the existing operations to the nearby residents. Clayton residents would appreciate a community meeting in Clayton, perhaps after the publication of the draft EIR, regarding the proposed project and reclamation changes.

Sincerely,

Julie Pierce
Mayor



Community
Development (925) 673-7340

Engineering (925) 969-8181

6000 Heritage Trail • Clayton, California 94517
Telephone (925) 673-7300 • FAX (925) 672-4917

City Council
Julie Pierce, *Mayor*
Jeff Wan, *Vice Mayor*
Tuija I. Catalano, *Councilmember*
Jim Diaz, *Councilmember*
Carl C.W. Wolfe, *Councilmember*

March 16, 2020

Contra Costa County
Department of Conservation and Development
Community Development Division
Attn: Francisco Avila, Senior Planner
30 Muir Road
Martinez, CA 94553

Email: Francisco.Avila@dcd.cccounty.us

**RE: Land Use Permit and Reclamation Plan Amendment Requests for Clayton
Quarry (LP15-2030 & LP15-2031) – 515 Mitchell Canyon Drive, Clayton;
Response to Notice of Preparation of an Environmental Impact Report**

Dear Mr. Avila:

Thank you for the opportunity to submit comments in response to the Department of Conservation and Development's Notice of Preparation of an Environmental Impact Report (EIR) for the proposed amendments to the land use, drainage and encroachment entitlements and Reclamation Plan for the Clayton Quarry located at 515 Mitchell Canyon Drive in unincorporated Contra Costa County (County File Number LP15-2030/31).

The subject 181-acre site is not located within the City of Clayton municipal boundary nor within the voter-approved Urban Limit Line, but it is within the City of Clayton's Sphere of Influence (SOI). The City of Clayton has the comment authority of a responsible agency for projects within its SOI and that consist of actions that would have a direct effect on City conditions. The City's General Plan identifies quarry uses as one of the four categories identified in the unincorporated section of the SOI.

The City of Clayton previously submitted letters in August 2015, July 2017, and September 2018, in response to the County's request for comments on the permit

amendment requests associated with the Clayton Quarry. This letter is particularly responsive to the request for comments on the scope of the EIR to be prepared for the project in accordance with the California Environmental Quality Act (CEQA), though the City requests that County staff also consider the comments made in those prior comment letters with regard to the merits of the permit amendment requests and necessary findings for consideration of the project by County decision-making bodies.

As stated in a previous letter, the City has concerns regarding the amendment of the Reclamation Plan to no longer backfill the quarry pit with soil and alternatively have it fill with water to reach an end use as a lake. A quarry lake would preclude any viable usage of the property for many decades due to the steep slopes and instability of the benches around the quarry pit, making the land and the lake virtually unusable and in conflict with the intent of characterizing the quarry as reclaimed within a reasonable timeframe following the cessation of mining operations.

As indicated in previous correspondence, the City of Clayton envisions and supports the quarry area returning to a condition as close to natural as possible through revegetation and grading, and resulting in natural contours in areas affected by the mining operation. The aesthetic analysis in the EIR should include photosimulations or renderings of the views of the quarry from public rights-of-way and local trails in the City of Clayton, in near-term (one- and five-year), mid-term (10- and 25-year), and long-term (40- and 50-year) horizons. With the full reclamation effort projected to last an estimated 50 years, residents of properties proximate to the quarry would be subject to modified views for extended periods of time. The EIR should evaluate whether mitigation is necessary on a phased or intermediate basis to ensure that naturally-appearing views are established throughout the implementation of the revised Reclamation Plan, rather than just at the end of the Reclamation Plan. City staff is available to offer input on the selection of the visual vantage points to be used in the photosimulations.

The hope and goal from the City's perspective would be that, consistent with the City's General Plan, implementation of the Reclamation Plan would result in an overall minimal aesthetic impact, as though the quarry use never occurred. The City believes this can be achieved through terraforming the hillside in a manner that looks natural, as well as revegetating the area quickly and with appropriate densities of native species.

The Notice of Preparation indicates that the proposed Reclamation Plan includes a drainage plan that provides for the quarry pit to fill slowly with water with a controlled outflow that conveys stormwater to natural and human-made drainage facilities. The City of Clayton requests that the EIR analysis consider the potential downstream impacts to these drainage facilities, including habitat modification or bank destabilization, as a result of increased duration of flows, or an explanation of how the project would be implemented to avoid such hydrological impacts. The City also requests that the EIR evaluate potential ecosystem impacts as a result of the creation of a body of standing water over an extended period of time. More specifically, the City requests analysis of whether: 1) the additional flows or standing water could alter

existing habitat for native or sensitive species or the ecosystem on which those species rely; and 2) whether the project has the potential to attract or introduce new species or vectors to the area that could negatively affect humans or native or protected plant and animal species in the vicinity of the project site.

The City has previously expressed concerns regarding potential tree removal associated with the project. In the biological analysis of the EIR, the City requests further quantification of the trees to be removed and their size and species. Visual analysis of the tree removal, as well as any potential tree replacement, should also be considered in the aesthetic and visual analysis of the project. Additionally, anticipated volumes of traffic along the proposed alternate driveway from Mitchell Canyon, along with related potential vehicle noise and construction impacts on sensitive receptors, should be elaborated upon in the environmental analysis.

Public Notification Request

The City of Clayton wants to re-iterate its preference for the owners of real property within the area to be treated as stakeholders and notified throughout the public outreach, environmental and hearing processes. Previously, changes to the quarry have occurred without notification to the property owners, which created undue strain on the City of Clayton and resulted in City staff responding to numerous inquiries on projects that were outside of the City's jurisdiction. Therefore, the City of Clayton requests that the County use a larger radius than the typical 300 feet, to ensure that residents on Mitchell Canyon Road and the surrounding neighborhood are notified throughout the permit review process. Further, the City of Clayton requests continued inclusion on all public outreach and notifications associated with this project.

If you have any questions or wish discuss these comments further, please contact the City of Clayton Community Development Department at (925) 673-7300.

Sincerely,

Dana Ayers

Interim Community Development Director

cc: Ikani Taumoepeau, City Manager
Laura Hoffmeister, Assistant to the City Manager