



AGENDA

REGULAR MEETING

* * *

CLAYTON CITY COUNCIL

* * *

TUESDAY, May 3, 2022

7:00 P.M.

***** NOTICE *****

Members of the City Council, City staff/consultants, and the public will be able to participate either in-person at

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

or

remotely via Zoom.

****Due to social distancing requirements: Limited seating available in person, if capacity is reached, you may be required to participate remotely via Zoom.****

Pursuant to AB 361, the City is authorized to hold public meetings via teleconferencing and to make public meetings accessible telephonically or otherwise electronically to all members of the public. Tonight's meeting will be conducted both in-person and remotely via Zoom.

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 – May 3

Pursuant to AB 361, the City is authorized to hold public meetings via teleconferencing and to make public meetings accessible telephonically or otherwise electronically to all members of the public. Tonight's meeting will be conducted both in-person and remotely via Zoom.

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 ***

May 3, 2022

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

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

3. **PLEDGE OF ALLEGIANCE** – led by Mayor Cloven

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 April 19, 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) Adopt an Ordinance of the City Council of the City of Clayton Adopting a Military Equipment Use Policy in Accordance with Government Code § 7070, Et Seq.
(Police Chief) ([view here](#))

5. **RECOGNITIONS AND PRESENTATIONS**

- (a) Information Only – No Action Requested.
 - Cinco De Mayo (May 5th)
 - Armed Services Day (May 15th)
 - Peace Officers’ Memorial Day and Police Week (May 15th)
 - Asian Pacific Heritage Month (May)
 - Jewish American Heritage Month (May)
- (b) Proclamation declaring Friday, May 6, 2022 as “Elise Warren Day” in the City of Clayton. (Mayor Cloven) ([view here](#))
- (c) Certificates of Recognition to public school students for exemplifying the “Do the Right Thing” character trait of “Integrity” during the months of March and April 2022.
(Mayor Cloven) ([view here](#))

- (d) Annual Fire District Update. (Terence Carey, CCCFPD) ([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) Receive a Presentation from Strategy Research Institute on Their Survey of Clayton Voters Regarding Potential Support for a Tax Measure on the November 2022 Ballot and Provide Direction to Staff on Desired Next Steps. (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 May 17, 2022.

#

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

TUESDAY, April 19, 2022

1. **CALL TO ORDER THE CITY COUNCIL** – The meeting was called to order at 7:00 p.m. by Mayor Cloven held via a hybrid meeting format live in-person and Zoom videoconference and broadcast from Hoyer Hall, Clayton Community Library, 6125 Clayton Road, Clayton, California. Councilmembers present: Mayor Cloven, Vice Mayor Tillman, and Councilmembers Diaz, Wan, and Wolfe. Councilmembers absent: None. Staff present: City Manager Reina Schwartz, City Attorney Mala Subramanian, Police Chief Elise Warren, and City Clerk/HR Manager Janet Calderon.

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

3. **PLEDGE OF ALLEGIANCE** – led by Mayor Cloven.

4. **CONSENT CALENDAR**

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

- (a) Approved the minutes of the City Council's regular meeting of April 5, 2022. (City Clerk)
- (b) Approved the Financial Demands and Obligations of the City. (Finance)
- (c) Adopted Resolution No. 30-2022 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. 31-2022 of the City Council of the City of Clayton Appointing CalPERS Retired Annuitant Joseph Kreins to the Position of Interim Chief of Police and Approving an Employment Contract Pursuant to California Government Code Section 21221 (H). (City Manager)
- (e) Adopted Resolution No. 32-2022 Directing the Preparation of an Engineer's Report for the Diablo Estates Benefit Assessment District. (Police Engineer)

5. **RECOGNITIONS AND PRESENTATIONS**

- (a) Information Only – No Action Requested.
 - Earth Day (April 22nd)

- Law Day (May 1st)

6. REPORTS

(a) City Manager/Staff

City Manager Reina Schwartz indicated this is her first in-person Council meeting since being here. There was no other update.

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

Councilmember Wan indicated “no report”.

Vice Mayor Tillman attended the Contra Costa County Mayors’ Conference, and the Clayton Community Library Foundation meeting and luncheon.

Councilmember Diaz attended the Clayton Business and Community Association BBQ committee meeting and confirmed security for the upcoming Clayton Business and Community Association Art and Wine Festival.

Councilmember Wolfe met with the Mayor, attended the Clayton Business and Community Association BBQ committee meeting, the Clayton Business and Community Association Advisory Board meeting, met with Planning Commissioner Denslow, emailed constituents, attended the Pride Parade Committee meeting, and requested this meeting be adjourned in memory of Jack Sogomonian long time Clayton resident and volunteer, as he recently passed away.

Mayor Cloven announced the upcoming Clayton Business and Community Association Art and Wine Festival is still in need of volunteers, attended the Contra Costa County Mayors’ Conference, and attended the Transportation Partnership and Cooperation for Central Contra Costa (TRANSPAC) meeting.

7. PUBLIC COMMENT ON NON - AGENDA ITEMS

Ed Miller suggested the solution with the housing crisis is not adding more housing but to add more jobs near housing. He also advised that east county has sent out a survey to its residents to “cut the commute” and thought Clayton and neighboring cities could do something similar.

Mayor Cloven closed public comment.

8. PUBLIC HEARINGS

(a) Introduce and Waive First Reading of an Ordinance of the City Council of the City of Clayton Adopting a Military Equipment Use Policy in Accordance with Government Code § 7070, Et. Seq. (Police Chief)

Police Chief Elise Warren presented the report.

Following questions by the City Council, Mayor Cloven opened the public hearing; no comments were offered.

It was moved by Vice Mayor Tillman, seconded by Councilmember Wan, to Introduce and Waive First Reading of an Ordinance of the City Council of Clayton Adopting a Military Equipment Use Policy in Accordance with Government Code § 7070, Et. Seq. (Passed 5-0).

9. ACTION ITEMS

- (a) Receive Presentation and Provide Direction to Staff Regarding the Concerts in The Grove. (City Manager)

City Manager Reina Schwartz presented the report.

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

Bill Walcutt requested enforcement of blankets and chairs being placed on the lawn prior to 4:00 p.m.

Howard Geller provided a brief overview of the event including behind the scenes tasks.

Mayor Cloven closed public comment.

Direction was provided to staff.

10. CLOSED SESSION – None.

11. COUNCIL ITEMS

Vice Mayor Tillman requested a future agenda item to include fee/rental waivers for non-profit use of City facilities.

- 12. ADJOURNMENT–** on call by Mayor Cloven, the City Council adjourned its meeting at 8:15 p.m. in memory of Jack Sogomonian Clayton resident and volunteer who recently passed away.

The next regularly scheduled meeting of the City Council will be May 3, 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: 05/03/2022

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 | Amount |
|--------------------------------|------------------|---------------|
| Open Invoice Report | Accounts Payable | \$ 206,247.26 |
| Payroll Reconciliation Summary | Payroll, Taxes | \$ 83,241.17 |
| | Total Required | \$ 289,488.43 |

Attachments:

1. Open Invoice Report, dated 4/27/22 (5 pages)
2. Payroll Reconciliation Summary report PPE 4/17/22 (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 |
|--|-----------|--------------|----------------|---|--------------------|--------------------|---------------------|--------------------|
| Advanced Elevator Solutions, Inc | | | | | | | | |
| Advanced Elevator Solutions, Inc | 5/3/2022 | 5/3/2022 | 42378 | Elevator Service January 2021 | \$124.00 | \$0.00 | | \$124.00 |
| Advanced Elevator Solutions, Inc | 5/3/2022 | 5/3/2022 | 42601 | Elevator Service February 2021 | \$124.00 | \$0.00 | | \$124.00 |
| Advanced Elevator Solutions, Inc | 5/3/2022 | 5/3/2022 | 46738 | Elevator Service January 2022 | \$124.00 | \$0.00 | | \$124.00 |
| | | | | <i>Totals for Advanced Elevator Solutions, Inc</i> | <i>\$372.00</i> | <i>\$0.00</i> | | <i>\$372.00</i> |
| All City Management Services, Inc. | | | | | | | | |
| All City Management Services, Inc. | 5/3/2022 | 5/3/2022 | 76666 | School crossing guard svcs 3/20/22-4/2/22 | \$2,084.94 | \$0.00 | | \$2,084.94 |
| All City Management Services, Inc. | 5/3/2022 | 5/3/2022 | 76932 | School crossing guard svcs 4/3/22-4/16/22 | \$1,158.30 | \$0.00 | | \$1,158.30 |
| | | | | <i>Totals for All City Management Services, Inc.</i> | <i>\$3,243.24</i> | <i>\$0.00</i> | | <i>\$3,243.24</i> |
| American Fidelity Assurance Company | | | | | | | | |
| American Fidelity Assurance Company | 4/30/2022 | 4/30/2022 | 6049943 | FSA PPE 4/17/22 | \$115.00 | \$0.00 | | \$115.00 |
| American Fidelity Assurance Company | 4/30/2022 | 4/30/2022 | D442469 | Supplemental insurance April 2022 | \$752.80 | \$0.00 | | \$752.80 |
| | | | | <i>Totals for American Fidelity Assurance Company</i> | <i>\$867.80</i> | <i>\$0.00</i> | | <i>\$867.80</i> |
| AnchorCM | | | | | | | | |
| AnchorCM | 5/3/2022 | 5/3/2022 | 22-003-4259 | Engineering svcs March 2022 | \$10,126.50 | \$0.00 | | \$10,126.50 |
| | | | | <i>Totals for AnchorCM</i> | <i>\$10,126.50</i> | <i>\$0.00</i> | | <i>\$10,126.50</i> |
| ASCAP | | | | | | | | |
| ASCAP | 5/3/2022 | 5/3/2022 | 100005876425 | Concert licensing 1/1/22-4/30/23 | \$397.67 | \$0.00 | | \$397.67 |
| | | | | <i>Totals for ASCAP</i> | <i>\$397.67</i> | <i>\$0.00</i> | | <i>\$397.67</i> |
| AT&T (CalNet3) | | | | | | | | |
| AT&T (CalNet3) | 5/3/2022 | 5/3/2022 | 18088947 | Phones 3/22/22-4/21/22 | \$1,229.12 | \$0.00 | | \$1,229.12 |
| | | | | <i>Totals for AT&T (CalNet3)</i> | <i>\$1,229.12</i> | <i>\$0.00</i> | | <i>\$1,229.12</i> |
| Bank of America | | | | | | | | |
| Bank of America | 4/30/2022 | 4/30/2022 | March 2022 | Monthly svc chg March 2022 | \$715.65 | \$0.00 | | \$715.65 |
| | | | | <i>Totals for Bank of America</i> | <i>\$715.65</i> | <i>\$0.00</i> | | <i>\$715.65</i> |
| CalPERS Health | | | | | | | | |
| CalPERS Health | 4/30/2022 | 4/30/2022 | 16776986 | Medical May 2022 | \$36,518.87 | \$0.00 | | \$36,518.87 |
| | | | | <i>Totals for CalPERS Health</i> | <i>\$36,518.87</i> | <i>\$0.00</i> | | <i>\$36,518.87</i> |
| CalPERS Retirement | | | | | | | | |
| CalPERS Retirement | 4/30/2022 | 4/30/2022 | 041522 | Retirement for Retro Pay | \$272.39 | \$0.00 | | \$272.39 |
| CalPERS Retirement | 4/30/2022 | 4/30/2022 | 041722 | Retirement PPE 04/17/22 | \$19,291.26 | \$0.00 | | \$19,291.26 |
| | | | | <i>Totals for CalPERS Retirement</i> | <i>\$19,563.65</i> | <i>\$0.00</i> | | <i>\$19,563.65</i> |
| CCWD | | | | | | | | |
| CCWD | 5/3/2022 | 5/3/2022 | J Series | Water 2/4/22-4/6/22 | \$14,883.07 | \$0.00 | | \$14,883.07 |
| | | | | <i>Totals for CCWD</i> | <i>\$14,883.07</i> | <i>\$0.00</i> | | <i>\$14,883.07</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 |
|---|----------|--------------|----------------|---|--------------------|--------------------|---------------------|--------------------|
| Cintas Corporation | | | | | | | | |
| Cintas Corporation | 5/3/2022 | 5/3/2022 | 4115825517 | PW uniforms through 4/07/22 | \$49.00 | \$0.00 | | \$49.00 |
| Cintas Corporation | 5/3/2022 | 5/3/2022 | 4116525850 | PW uniforms through 4/14/22 | \$48.18 | \$0.00 | | \$48.18 |
| Cintas Corporation | 5/3/2022 | 5/3/2022 | 4117201008 | PW uniforms through 4/21/22 | \$48.97 | \$0.00 | | \$48.97 |
| <i>Totals for Cintas Corporation</i> | | | | | <i>\$146.15</i> | <i>\$0.00</i> | | <i>\$146.15</i> |
| City of Antioch | | | | | | | | |
| City of Antioch | 5/3/2022 | 5/3/2022 | AR165903 | PD vehicle repair #1740 | \$724.16 | \$0.00 | | \$724.16 |
| City of Antioch | 5/3/2022 | 5/3/2022 | AR165904 | PD vehicle repair #1741 | \$800.50 | \$0.00 | | \$800.50 |
| <i>Totals for City of Antioch</i> | | | | | <i>\$1,524.66</i> | <i>\$0.00</i> | | <i>\$1,524.66</i> |
| City of Concord | | | | | | | | |
| City of Concord | 5/3/2022 | 5/3/2022 | 92753 | Live scan PD | \$114.00 | \$0.00 | | \$114.00 |
| <i>Totals for City of Concord</i> | | | | | <i>\$114.00</i> | <i>\$0.00</i> | | <i>\$114.00</i> |
| Clean Street | | | | | | | | |
| Clean Street | 5/3/2022 | 5/3/2022 | 102574CS | Street sweeping March 2022 | \$4,500.00 | \$0.00 | | \$4,500.00 |
| <i>Totals for Clean Street</i> | | | | | <i>\$4,500.00</i> | <i>\$0.00</i> | | <i>\$4,500.00</i> |
| ClearGov, Inc | | | | | | | | |
| ClearGov, Inc | 5/3/2022 | 5/3/2022 | 2022-11751 | Budgeting Software 4/1/22-3/31/23 | \$16,500.00 | \$0.00 | | \$16,500.00 |
| <i>Totals for ClearGov, Inc</i> | | | | | <i>\$16,500.00</i> | <i>\$0.00</i> | | <i>\$16,500.00</i> |
| Comcast Business (The Grove Park) | | | | | | | | |
| Comcast Business (The Grove Park) | 5/3/2022 | 5/3/2022 | 041022 | Internet for The Grove Park 4/15/22-5/14/22 | \$123.24 | \$0.00 | | \$123.24 |
| <i>Totals for Comcast Business (The Grove Park)</i> | | | | | <i>\$123.24</i> | <i>\$0.00</i> | | <i>\$123.24</i> |
| De Lage Landen Financial Services, Inc. | | | | | | | | |
| De Lage Landen Financial Services, Inc. | 5/3/2022 | 5/3/2022 | 76110295 | Copier lease May 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> |
| Digital Services | | | | | | | | |
| Digital Services | 5/3/2022 | 5/3/2022 | 12057 | IT services 4/7/22-4/24/22 | \$4,005.22 | \$0.00 | | \$4,005.22 |
| <i>Totals for Digital Services</i> | | | | | <i>\$4,005.22</i> | <i>\$0.00</i> | | <i>\$4,005.22</i> |
| Dillon Electric Inc | | | | | | | | |
| Dillon Electric Inc | 5/3/2022 | 5/3/2022 | 4566 | Street light repairs 1/4/22 | \$896.33 | \$0.00 | | \$896.33 |
| <i>Totals for Dillon Electric Inc</i> | | | | | <i>\$896.33</i> | <i>\$0.00</i> | | <i>\$896.33</i> |
| FasTrak Violation Processing | | | | | | | | |
| FasTrak Violation Processing | 5/3/2022 | 5/3/2022 | I712272047402 | Bridge toll- LP CA 1456406, PD #1746 | \$7.00 | \$0.00 | | \$7.00 |
| <i>Totals for FasTrak Violation Processing</i> | | | | | <i>\$7.00</i> | <i>\$0.00</i> | | <i>\$7.00</i> |
| Globalstar LLC | | | | | | | | |
| Globalstar LLC | 5/3/2022 | 5/3/2022 | 30754494 | Sat Phone 4/16/22-5/15/22 | \$110.55 | \$0.00 | | \$110.55 |

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 Globalstar LLC</i> | | | | | <i>\$110.55</i> | <i>\$0.00</i> | | <i>\$110.55</i> |
| Harris & Associates, Inc. | | | | | | | | |
| Harris & Associates, Inc. | 5/3/2022 | 5/3/2022 | 52320 | Project engineering svcs March 2022 | \$120.01 | \$0.00 | | \$120.01 |
| Harris & Associates, Inc. | 5/3/2022 | 5/3/2022 | 52321 | Diablo Meadows project mgmt March 2022 | \$2,139.00 | \$0.00 | | \$2,139.00 |
| Harris & Associates, Inc. | 5/3/2022 | 5/3/2022 | 52322 | Engineering svcs March 2022 | \$14,520.00 | \$0.00 | | \$14,520.00 |
| <i>Totals for Harris & Associates, Inc.</i> | | | | | <i>\$16,779.01</i> | <i>\$0.00</i> | | <i>\$16,779.01</i> |
| HdL Coren & Cone | | | | | | | | |
| HdL Coren & Cone | 5/3/2022 | 5/3/2022 | SIN016368 | Contract svcs Property Tax Q4 FY 22 | \$1,923.75 | \$0.00 | | \$1,923.75 |
| <i>Totals for HdL Coren & Cone</i> | | | | | <i>\$1,923.75</i> | <i>\$0.00</i> | | <i>\$1,923.75</i> |
| J&R Floor Services | | | | | | | | |
| J&R Floor Services | 5/3/2022 | 5/3/2022 | Four2022 | Janitorial svcs April 2022 | \$5,108.00 | \$0.00 | | \$5,108.00 |
| <i>Totals for J&R Floor Services</i> | | | | | <i>\$5,108.00</i> | <i>\$0.00</i> | | <i>\$5,108.00</i> |
| JAM Services | | | | | | | | |
| JAM Services | 5/3/2022 | 5/3/2022 | 156383 | Streetlight pole | \$2,588.25 | \$0.00 | | \$2,588.25 |
| <i>Totals for JAM Services</i> | | | | | <i>\$2,588.25</i> | <i>\$0.00</i> | | <i>\$2,588.25</i> |
| JJR Enterprises, Inc | | | | | | | | |
| JJR Enterprises, Inc | 5/3/2022 | 5/3/2022 | 3480578 | Copier usage 3/18/22-4/17/22 | \$236.30 | \$0.00 | | \$236.30 |
| JJR Enterprises, Inc | 5/3/2022 | 5/3/2022 | 3481067 | Pick up for lease return Acct EB0022 | \$350.00 | \$0.00 | | \$350.00 |
| <i>Totals for JJR Enterprises, Inc</i> | | | | | <i>\$586.30</i> | <i>\$0.00</i> | | <i>\$586.30</i> |
| LarryLogic Productions | | | | | | | | |
| LarryLogic Productions | 5/3/2022 | 5/3/2022 | 1990 | City council meeting training and production | \$1,880.00 | \$0.00 | | \$1,880.00 |
| <i>Totals for LarryLogic Productions</i> | | | | | <i>\$1,880.00</i> | <i>\$0.00</i> | | <i>\$1,880.00</i> |
| League of CA Cities East Bay Division | | | | | | | | |
| League of CA Cities East Bay Division | 5/3/2022 | 5/3/2022 | 4909 | East Bay Division Meeting 3/31/22 | \$50.00 | \$0.00 | | \$50.00 |
| <i>Totals for League of CA Cities East Bay Divisor.</i> | | | | | <i>\$50.00</i> | <i>\$0.00</i> | | <i>\$50.00</i> |
| Martell Water Systems, Inc. | | | | | | | | |
| Martell Water Systems, Inc. | 5/3/2022 | 5/3/2022 | 29945 | Library Irrigation service call | \$347.95 | \$0.00 | | \$347.95 |
| <i>Totals for Martell Water Systems, Inc.</i> | | | | | <i>\$347.95</i> | <i>\$0.00</i> | | <i>\$347.95</i> |
| Mission Square Retirement | | | | | | | | |
| Mission Square Retirement | 4/30/2022 | 4/30/2022 | 041722 | 457 Plan contributions PPE 4/17/22 | \$3,154.76 | \$0.00 | | \$3,154.76 |
| <i>Totals for Mission Square Retirement</i> | | | | | <i>\$3,154.76</i> | <i>\$0.00</i> | | <i>\$3,154.76</i> |
| Moore Iacofano Golstman, Inc | | | | | | | | |
| Moore Iacofano Golstman, Inc | 5/3/2022 | 5/3/2022 | 73582 | Clayton Downtown Prop Comm Engagement P | \$1,005.00 | \$0.00 | | \$1,005.00 |
| Moore Iacofano Golstman, Inc | 5/3/2022 | 5/3/2022 | 74647 | Clayton Downtown Prop Comm Engagement P | \$440.00 | \$0.00 | | \$440.00 |
| <i>Totals for Moore Iacofano Golstman, Inc</i> | | | | | <i>\$1,445.00</i> | <i>\$0.00</i> | | <i>\$1,445.00</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 |
|--|-----------|--------------|----------------|---|--------------------|--------------------|---------------------|--------------------|
| Motorola | | | | | | | | |
| Motorola | 5/3/2022 | 5/3/2022 | 16178650 | PD Radio enhancement | \$1,334.56 | \$0.00 | | \$1,334.56 |
| | | | | <i>Totals for Motorola.</i> | <u>\$1,334.56</u> | <u>\$0.00</u> | | <u>\$1,334.56</u> |
| Nationwide | | | | | | | | |
| Nationwide | 4/30/2022 | 4/30/2022 | 041722 | 457 Plan contributions PPE 4/17/22 | \$500.00 | \$0.00 | | \$500.00 |
| | | | | <i>Totals for Nationwide</i> | <u>\$500.00</u> | <u>\$0.00</u> | | <u>\$500.00</u> |
| nfpAccounting Technologies, Inc | | | | | | | | |
| nfpAccounting Technologies, Inc | 5/3/2022 | 5/3/2022 | 041322 | Financial Edge Support 4/13/22-4/12/23 | \$1,500.00 | \$0.00 | | \$1,500.00 |
| | | | | <i>Totals for nfpAccounting Technologies, Inc</i> | <u>\$1,500.00</u> | <u>\$0.00</u> | | <u>\$1,500.00</u> |
| Julie Parodi | | | | | | | | |
| Julie Parodi | 5/3/2022 | 5/3/2022 | 2022-068 | Update Investigation for Interim Chief | \$500.00 | \$0.00 | | \$500.00 |
| | | | | <i>Totals for Julie Parodi</i> | <u>\$500.00</u> | <u>\$0.00</u> | | <u>\$500.00</u> |
| Paylocity Corporation | | | | | | | | |
| Paylocity Corporation | 4/30/2022 | 4/30/2022 | 110104999 | Payroll fees March 2022 | \$492.50 | \$0.00 | | \$492.50 |
| | | | | <i>Totals for Paylocity Corporation</i> | <u>\$492.50</u> | <u>\$0.00</u> | | <u>\$492.50</u> |
| PG&E | | | | | | | | |
| PG&E | 5/3/2022 | 5/3/2022 | 042222 | Energy 3/22/22-4/21/22 | \$5,211.68 | \$0.00 | | \$5,211.68 |
| PG&E | 5/3/2022 | 5/3/2022 | 042222 | Energy 3/22/22-4/14/22 | \$24,450.32 | \$0.00 | | \$24,450.32 |
| | | | | <i>Totals for PG&E</i> | <u>\$29,662.00</u> | <u>\$0.00</u> | | <u>\$29,662.00</u> |
| Precision Civil Engineering (PCE) | | | | | | | | |
| Precision Civil Engineering (PCE) | 5/3/2022 | 5/3/2022 | 26491 | ADU Planning and engineering | \$950.00 | \$0.00 | | \$950.00 |
| Precision Civil Engineering (PCE) | 5/3/2022 | 5/3/2022 | 26507 | ADU Planning and engineering | \$990.00 | \$0.00 | | \$990.00 |
| | | | | <i>Totals for Precision Civil Engineering (PCE)</i> | <u>\$1,940.00</u> | <u>\$0.00</u> | | <u>\$1,940.00</u> |
| Professional Convergence Solutions, Inc | | | | | | | | |
| Professional Convergence Solutions, Inc | 5/3/2022 | 5/3/2022 | PCS0417221 | Repair phones @ City Hall | \$120.00 | \$0.00 | | \$120.00 |
| Professional Convergence Solutions, Inc | 5/3/2022 | 5/3/2022 | PCS0420222 | Repair voicemail @ City Hall | \$160.00 | \$0.00 | | \$160.00 |
| | | | | <i>Totals for Professional Convergence Solutions, Inc</i> | <u>\$280.00</u> | <u>\$0.00</u> | | <u>\$280.00</u> |
| RCN Communications, LLC | | | | | | | | |
| RCN Communications, LLC | 5/3/2022 | 5/3/2022 | 130285458 | Routers for PD | \$2,722.83 | \$0.00 | | \$2,722.83 |
| | | | | <i>Totals for RCN Communications, LLC</i> | <u>\$2,722.83</u> | <u>\$0.00</u> | | <u>\$2,722.83</u> |
| Rent-A-Fence.com | | | | | | | | |
| Rent-A-Fence.com | 5/3/2022 | 5/3/2022 | 12198-10117 | The Grove fencing | \$297.08 | \$0.00 | | \$297.08 |
| | | | | <i>Totals for Rent-A-Fence.com</i> | <u>\$297.08</u> | <u>\$0.00</u> | | <u>\$297.08</u> |
| Rex Lock & Safe, Inc. | | | | | | | | |
| Rex Lock & Safe, Inc. | 5/3/2022 | 5/3/2022 | 132824 | City Hall keys | \$67.49 | \$0.00 | | \$67.49 |

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 Rex Lock & Safe, Inc.</i> | <u>\$67.49</u> | <u>\$0.00</u> | | <u>\$67.49</u> |
| Robert/Muto | | | | | | | | |
| Robert/Muto | 5/3/2022 | 5/3/2022 | CAP0387 | Deposit refund | \$1,897.50 | \$0.00 | | \$1,897.50 |
| | | | | <i>Totals for Robert/Muto</i> | <u>\$1,897.50</u> | <u>\$0.00</u> | | <u>\$1,897.50</u> |
| Site One Landscape Supply, LLC | | | | | | | | |
| Site One Landscape Supply, LLC | 5/3/2022 | 5/3/2022 | 117646095-001 | Landscape supplies | \$1,207.70 | \$0.00 | | \$1,207.70 |
| | | | | <i>Totals for Site One Landscape Supply, LLC</i> | <u>\$1,207.70</u> | <u>\$0.00</u> | | <u>\$1,207.70</u> |
| Swenson's Mobile Fleet Repair | | | | | | | | |
| Swenson's Mobile Fleet Repair | 5/3/2022 | 5/3/2022 | I004594 | PW veh svc '06 Ranger | \$4,884.68 | \$0.00 | | \$4,884.68 |
| | | | | <i>Totals for Swenson's Mobile Fleet Repair</i> | <u>\$4,884.68</u> | <u>\$0.00</u> | | <u>\$4,884.68</u> |
| Texas Life Insurance Company | | | | | | | | |
| Texas Life Insurance Company | 5/3/2022 | 5/3/2022 | SM0F1B2022041300 | Supplemental insurance | \$42.25 | \$0.00 | | \$42.25 |
| | | | | <i>Totals for Texas Life Insurance Company</i> | <u>\$42.25</u> | <u>\$0.00</u> | | <u>\$42.25</u> |
| Total Imaging Solutions, LLC | | | | | | | | |
| Total Imaging Solutions, LLC | 5/3/2022 | 5/3/2022 | 20010 | Microfiche service 5/4/22-5/3/23 | \$530.00 | \$0.00 | | \$530.00 |
| | | | | <i>Totals for Total Imaging Solutions, LLC</i> | <u>\$530.00</u> | <u>\$0.00</u> | | <u>\$530.00</u> |
| Vision Service Plan (CA) | | | | | | | | |
| Vision Service Plan (CA) | 5/3/2022 | 5/3/2022 | 814456521 | Vision coverage- March 2022 | \$76.07 | \$0.00 | | \$76.07 |
| Vision Service Plan (CA) | 5/3/2022 | 5/3/2022 | 814948122, 8146824 | Vision coverage- April & May 2022 | \$152.14 | \$0.00 | | \$152.14 |
| | | | | <i>Totals for Vision Service Plan (CA)</i> | <u>\$228.21</u> | <u>\$0.00</u> | | <u>\$228.21</u> |
| Wex Bank-Fleet Cards | | | | | | | | |
| Wex Bank-Fleet Cards | 4/30/2022 | 4/30/2022 | 80446316 | Fuel - stmt end 4/25/22 | \$5,111.22 | \$0.00 | | \$5,111.22 |
| | | | | <i>Totals for Wex Bank-Fleet Cards</i> | <u>\$5,111.22</u> | <u>\$0.00</u> | | <u>\$5,111.22</u> |
| Workers.com | | | | | | | | |
| Workers.com | 5/3/2022 | 5/3/2022 | 132459 | Seasonal workers week end 4/10/22 | \$2,337.02 | \$0.00 | | \$2,337.02 |
| | | | | <i>Totals for Workers.com</i> | <u>\$2,337.02</u> | <u>\$0.00</u> | | <u>\$2,337.02</u> |
| GRAND TOTALS: | | | | | \$206,247.26 | \$0.00 | | \$206,247.26 |

Payroll Summary

City of Clayton

Check Date: 04/22/2022

Process: 2022042201

Pay Period: 04/04/2022 to 04/17/2022

Page 1 of 2

Payroll Totals

| Payroll Checks | Check Type | Count | Net Check | Dir Dep Amount | Net Amount | |
|----------------|---------------|-----------|-------------|------------------|------------------|--------------------|
| | Regular | 26 | 0.00 | 61,912.65 | 61,912.65 | |
| | Totals | 26 | 0.00 | 61,912.65 | 61,912.65 | → 61,912.65 |

| 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 | 62,934.30 | 62,934.30 | → 62,934.30 |
|--|------------------------------------|--|--|-------------|------------------|------------------|--------------------|

Tax Liability

| CA and Related Taxes | Tax Id | Rate | Frequency | Wage | Cap Wages | EE Amount | ER Amount | |
|----------------------|--------|------|-------------|-----------|-----------|-----------------|-------------|-------------------|
| CA SDI - Employee | | | Semi-Weekly | 93,765.55 | 93,765.55 | | | |
| California SITW | | | Semi-Weekly | 90,610.79 | 90,610.79 | 4,700.49 | | |
| Totals | | | | | | 4,700.49 | 0.00 | → 4,700.49 |

| CASUI and Related Taxes | Tax Id | Rate | Frequency | Wage | Cap Wages | EE Amount | ER Amount | |
|-------------------------|--------|----------|-----------|-----------|-----------|-------------|-------------|---------------|
| CA Edu & Training | | 0.001000 | Quarterly | 93,765.55 | | | | |
| California SUI | | 0.020000 | Quarterly | 93,765.55 | | | | |
| Totals | | | | | | 0.00 | 0.00 | → 0.00 |

| FITW and Related Taxes | Tax Id | Rate | Frequency | Wage | Cap Wages | EE Amount | ER Amount | |
|------------------------|--------|------|-------------|-----------|-----------|------------------|-----------------|--------------------|
| Federal Income Tax | | | Semi-Weekly | 90,610.79 | 90,610.79 | 12,887.19 | | |
| Medicare | | | Semi-Weekly | 93,765.55 | 93,765.55 | 1,359.59 | | |
| Medicare - Employer | | | Semi-Weekly | 93,765.55 | 93,765.55 | | 1,359.60 | |
| Totals | | | | | | 14,246.78 | 1,359.60 | → 15,606.38 |

| FUTA and Related Taxes | Tax Id | Rate | Frequency | Wage | Cap Wages | EE Amount | ER Amount | |
|------------------------|--------|------|-----------|-----------|-----------|-------------|-------------|---------------|
| Fed Unemployment | | | Quarterly | 93,765.55 | | | | |
| Totals | | | | | | 0.00 | 0.00 | → 0.00 |

| | | | | | | | | |
|--|----------------------------|--|--|--|--|------------------|-----------------|--------------------|
| | Total Tax Liability | | | | | 18,947.27 | 1,359.60 | → 20,306.87 |
|--|----------------------------|--|--|--|--|------------------|-----------------|--------------------|

| | | | | | | | | |
|--|--------------------------------|--|--|--|--|------------------|--|--------------------|
| | Total Payroll Liability | | | | | 83,241.17 | | → 83,241.17 |
|--|--------------------------------|--|--|--|--|------------------|--|--------------------|



Paylocity Corporation
(888) 873-8205

User: JGiantvalley

Run on 4/20/2022 at 3:16 PM

Payroll Summary

City of Clayton

Check Date: 04/22/2022

Process: 2022042201

Pay Period: 04/04/2022 to 04/17/2022

Page 2 of 2

Billing

| Invoice | Date | Gross | Discount | Tax | Adjustment | Amount |
|---------------|-----------|---------------|----------|-------------|------------|-------------------------------|
| 110104999 | 4/22/2022 | 492.50 | | | | 492.50 |
| Totals | | 492.50 | | 0.00 | | 492.50 → 492.50 |

Transfers

| Type | Date | Source Account | Amount |
|-------------------------|-----------|----------------|-------------------------------------|
| Billing | 4/22/2022 | | 492.50 |
| Dir Dep | 4/21/2022 | | 61,912.65 |
| Tax | 4/21/2022 | | 20,306.87 |
| Trust Agency | 4/21/2022 | | 1,021.65 |
| Totals Transfers | | | 83,733.67 → 83,733.67 |

Tax Deposits

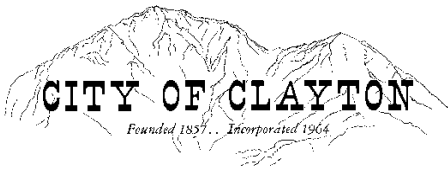
| Required Tax Deposits | Tax | Due On | Amount |
|------------------------------------|--------------------|-----------|------------------|
| (Deposit made by Service Bureau) | California SITW | 4/27/2022 | 4,700.49 |
| (Deposit made by Service Bureau) | Federal Income Tax | 4/27/2022 | 15,606.38 |
| Total Tax Deposits | | | 20,306.87 |



Paylocity Corporation
(888) 873-8205

User: JGiantvalley

Run on 4/20/2022 at 3:16 PM



AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: CITY MANAGER

DATE: May 3, 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, March 1, 2022 and April 15, 2022, the Contra Costa County Health Officer issued recommendations for safely holding public meetings and continues to encourage on-line meetings over in-person public meetings if feasible. If in-person meetings occur, the County Health Officer recommends physical distancing of six feet of separation between all attendees to the extent possible. 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.

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

Date: May 3, 2022

Page 2 of 2

FISCAL IMPACT

None.

Attachments

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, March 1, 2022 and April 15, 2022, the Contra Costa County Health Officer issued recommendations for safely holding public meetings and encourages on-line meetings if feasible and if in person meetings occur then recommends physical distancing of six feet of separation to the extent possible 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 3rd day of May 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 COUNCIL MEMBERS

FROM: Warren, Elise, Police Chief

DATE: May 3, 2022

SUBJECT: ADOPT AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLAYTON ADOPTING A MILITARY EQUIPMENT USE POLICY IN ACCORDANCE WITH GOVERNMENT CODE §§ 7070, ET SEQ.

RECOMMENDATION

Staff recommends that the City Council adopt the attached Military Equipment Use Policy ordinance in accordance with Government Code section 7070, Et Seq.

BACKGROUND

Assembly Bill 481 ("AB 481"), approved on September 30, 2021 by Governor Gavin Newsom (codified as Chapter 12.8 of the California Government Code and commencing with section 7070 *et seq.*), requires a local law enforcement agency, such as the Clayton Police Department, to have a military equipment use policy approved by the City Council prior to requesting, seeking funding, acquiring, collaborating with other jurisdictions about the deployment of military equipment, or using military equipment.

The term "military equipment", as defined by Government Code section 7070(c), does not necessarily indicate just equipment used by the military. Items deemed to be "military equipment" include but are not limited to, unmanned aerial or ground vehicles, armored vehicles, command and control vehicles, pepper balls, less lethal shotguns, less lethal 40mm projectile launchers, long range acoustic devices, and flashbang diversionary devices. The list of items considered "military equipment" by AB 481 are employed by many law enforcement agencies across the country as best practices to enhance community and officer safety.

DISCUSSION

The Clayton Police Department ("Department") is committed to safeguarding our community through crime reduction strategies such as: Community Policing, Progressive Training, and Technology. Using the most up-to-date tools and equipment to safeguard the community of

Clayton is essential to keeping our community safe. Some items deemed to be “military equipment” are in fact employed by the Department to specifically reduce risk to community members during critical incidents.

The Department Policy 710, “Military Equipment Funding, Acquisition, and Use” adheres to California Government section 7070 *et seq.*, with respect to the approval, acquisition, and reporting requirements of military equipment. In addition, Assembly Bill 481 requires the City to publish the draft military equipment use policy to the Police Department’s website thirty (30) days ahead of a public hearing to approve the policy. The Department’s draft policy was published on March 16, 2022. After the Policy is adopted, the Department will be required to:

- Publish an annual report to include each type of military equipment approved by City Council.
- Hold at least one well-publicized and conveniently located community engagement meeting within thirty (30) days of submitting and publicly releasing the annual military equipment report.
- Have the City Council annually review the military equipment use ordinance and determine whether to continue the military equipment use policy or not, or whether to disapprove a renewal of a type of military equipment, or amend the military equipment use policy if City Council determines that the military equipment does not comply with standards for approval.

In adopting the Ordinance, to which the Military Equipment Policy is included as Exhibit “A”, the City Council is required by AB 481 to make the following findings:

- The military equipment identified in the Policy is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.
- The proposed Policy attached as Exhibit “A” to the Ordinance and identified as Department Policy 710 will safeguard the public’s welfare, safety, civil rights, and civil liberties.
- If purchasing the equipment identified in the Policy, the equipment is reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety.
- Prior military equipment use complied with the military equipment policy that was in effect at the time, or if prior uses did not comply with the accompanying military equipment policy, corrective action has been taken to remedy nonconforming uses and ensure future compliance.

It is the Department’s position that these findings can all be made. The equipment owned by the Department that qualifies under this Ordinance includes:

- One (1) Colt M4 carbine for patrol supervisor use. The Colt M4 is a select-fire rifle with a chrome lined 10-inch barrel with a 1:9 twist, iron sights, carry handle, and

adjustable stock. Designed specifically for lightweight mobility, speed of target acquisition, and potent firepower capability.

- Winchester 5.56x45 M855 Green Tip 62 grain ammunition. The M855 round is a full metal jacketed round with a steel insert core and is painted green on the tip.
- Four (4) Remington 870 12-gauge Less Lethal Launchers. The Remington 870 Less Lethal Shotgun is used to deploy the less lethal 12-gauge Super-Sock Beanbag Round up to a distance of 75 feet. The range of the weapon system helps to maintain space between officers and a suspect reducing the immediacy of the threat which is a principle of de-escalation.
- One (1) Defense Technology 40MM single shot launcher. The 40MM Single Launcher is a tactical single shot launcher that features a fixed stock and an adjustable Integrated Front Grip (IFG) with light rail. It will fire standard 40mm less lethal ammunition (Sponge Round), up to 4.8 inches in cartridge length. It will launch a 40MM less lethal round up to 131 feet.
- CTS Model 2581 drag stabilized Super-Sock beanbag rounds.
- CTS Model 4557 spin stabilized direct impact sponge rounds.
- One (1) 2007 Carson Trailer. This trailer is a command vehicle used for special events and critical incidents. It is equipped with office equipment, police radios and a mobile data computer (MDC).

FISCAL IMPACTS

None

ATTACHMENTS

- Ordinance
- Exhibit "A" – Clayton Police Department Policy 710

ORDINANCE NO. _____

**AN ORDINANCE ADOPTING A MILITARY USE EQUIPMENT POLICY
IN ACCORDANCE WITH GOVERNMENT CODE §§ 7070, ET SEQ.**

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

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

WHEREAS, on September 30, 2021, Governor Newsom signed into law Assembly Bill (“AB”) 481 to address the funding, acquisition, and use of military equipment, as that term is defined by Government Code section 7070(c); and

WHEREAS, AB 481 requires adoption of a military use equipment policy (“Policy”) by the City Council before the Clayton Police Department (“Department”) may take action to request military equipment; seek funds (such as grants or in-kind donations) for acquiring military equipment; actually acquire military equipment, either permanently or temporarily by owning, borrowing, or leasing; collaborate with other law enforcement agencies to deploy or use military equipment in the agency’s territorial jurisdiction; use new or existing military equipment in a manner not previously subject to AB 481’s scope; solicit or respond to a proposal for, or enter into an agreement with, any person or entity to seek funds for, apply for, acquire, use, or collaborate in using military equipment; or to acquire military equipment through any other means not specifically detailed in the statute; and

WHEREAS, in accordance with Government Code section 7071(b), the proposed Policy was made available on the website on the Department website at least thirty (30) days prior to the public hearing by the City Council to adopt the Policy; and

WHEREAS, in accordance with Government Code section 7071(c), the Policy is on the agenda as an open session item at a regular meeting of the City Council, and public comment on the item will be allowed in accordance with the Brown Act; and

WHEREAS, this Ordinance will be reviewed by City Council at least annually, and based on an annual military equipment report that will be submitted to the City Council pursuant to Government Code section 7071(e)(1).

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

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

Section 2. Findings. Pursuant to Government Code section 7071(d)(1), as may be amended or renumbered from time to time, the City Council hereby makes the following findings in support of its adoption of the Policy:

- A. The military equipment identified in the Policy is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.
- B. The proposed Policy will safeguard the public's welfare, safety, civil rights, and civil liberties.
- C. If the Department purchases military equipment pursuant to the Policy, the equipment is reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety.
- D. Prior military equipment use complied with the military equipment use policy that was in effect at the time, or if prior uses did not comply with the accompanying military equipment use policy, corrective action has been taken to remedy nonconforming uses and ensure future compliance.

Section 3. Adoption of the Military Equipment Use Policy. The City Council hereby adopts the Military Equipment Use Policy, which is attached hereto as Exhibit "A".

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

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

Section 6. CEQA. The City Council finds that pursuant to the California Environmental Quality Act (CEQA) Section 15061(b)(3) it can be seen with certainty that there is no possibility that the currently proposed Ordinance may have a significant effect on the environment, it is therefore not subject to CEQA and no further environmental review is necessary.

The foregoing Ordinance was introduced at a regular public meeting of the City Council of the City of Clayton held on April 19, 2022.

Passed, adopted, and ordered posted by the City Council of the City of Clayton at a regular public meeting thereof held on May 3, 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

THE CITY COUNCIL OF CLAYTON, CA

Peter Cloven, Mayor

ATTEST

Janet Calderon, City Clerk

APPROVED AS TO FORM

APPROVED BY ADMINISTRATION

Malathy Subramanian, City Attorney

Reina Schwartz, City Manager

I hereby certify that the foregoing Ordinance was duly introduced at a regular meeting of the City Council of the City of Clayton held on April 19, 2022 and was duly adopted, passed, and ordered posted at a regular meeting of the City Council held on May 3, 2022.

Janet Calderon, City Clerk

Exhibit "A"

Policy: 710 Military Equipment Funding, Acquisition and Use Policy

710.1

PURPOSE AND SCOPE

State

MODIFIED

The purpose of this policy is to provide guidelines for the approval, acquisition, and reporting requirements of military equipment pursuant to Assembly Bill 481 ("AB 481") (Government Code § 7070 et seq.).

710.1.1

DEFINITIONS

State

MODIFIED

Definitions related to this policy include those provided in Government Code section 7070, and as follows:

Governing body – The City of Clayton - City Council ("City Council").

Military equipment – Includes but is not limited to the following:

- Unmanned, remotely piloted, powered aerial or ground vehicles.
- Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers.
- High mobility multipurpose wheeled vehicles (HMMWV), two-and-one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached.
- Tracked armored vehicles that provide ballistic protection to their occupants.
- Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.
- Weaponized aircraft, vessels, or vehicles of any kind.
- Battering rams, slugs, and breaching apparatuses that are explosive in nature. This does not include a handheld, one-person ram.
- Firearms and ammunition of .50 caliber or greater, excluding standard-issue shotguns and standard-issue shotgun ammunition.
- Specialized firearms and ammunition of less than .50 caliber, including firearms and accessories identified as assault weapons in Penal Code § 30510 and Penal Code § 30515, with the exception of standard-issue firearms.
- Any firearm or firearm accessory that is designed to launch explosive projectiles.
- Noise-flash diversionary devices and explosive breaching tools.
- Munitions containing tear gas or OC, excluding standard, service-issued handheld pepper spray.
- TASER® Shockwave, microwave weapons, water cannons, and long-range acoustic devices (LRADs).
- Kinetic energy weapons and munitions.
- Any other equipment as determined by the City Council.

710.2

POLICY

State

MODIFIED

It is the policy of the Clayton Police Department ("Department") that members of this Department comply with the provisions of AB 481 with respect to funding, acquisition and use of military equipment.

710.3

MILITARY EQUIPMENT COORDINATOR

Best Practice

MODIFIED

The Chief of Police shall designate a member of this Department to act as the military equipment coordinator. The responsibilities of the military equipment coordinator include, but are not limited to:

- a. Acting as liaison to the City Council for matters related to the requirements of this policy.
- b. Identifying Department equipment that qualifies as military equipment in the current possession of the Department, or the equipment the Department intends to acquire that requires approval by the City Council.
- c. Conducting an inventory of all military equipment at least annually.
- d. Collaborating with any allied agency that may use military equipment within the jurisdiction of the Department.
- e. Preparing for, scheduling, and coordinating the annual community engagement meeting to include:
 1. Publicizing the details of the meeting.
 2. Preparing for public questions regarding the Department's funding, acquisition, and use of equipment.
- f. Preparing the annual military equipment report for submission to the Chief of Police and ensuring that the report is made available on the Department website.
- g. Establishing the procedure for a person to register a complaint or concern, or how that person may submit a question about the use of a type of military equipment, and how the Department will respond in a timely manner.

710.4

MILITARY EQUIPMENT INVENTORY

State

MODIFIED

The list of qualifying military equipment for the Department is attached to this Policy as Exhibit "A" and is incorporated into the Policy by this reference.

710.5

APPROVAL

State

MODIFIED

The Chief of Police or the authorized designee shall obtain approval from the City Council by way of an ordinance adopting the military equipment policy. As part of the approval process, the Chief of Police or the authorized designee shall ensure the proposed military equipment policy is submitted to the City Council and is available on the Department website at least 30 days prior to any public hearing concerning the military equipment at issue. The military equipment policy must be approved by the City Council prior to engaging in any of the following:

- a. Requesting military equipment made available pursuant to 10 USC § 2576(a).
- b. Seeking funds for military equipment, including but not limited to applying for a grant, soliciting or accepting private, local, state, or federal funds, in-kind donations, or other donations or transfers.
- c. Acquiring military equipment either permanently or temporarily, including by borrowing or leasing.
- d. Collaborating with another law enforcement agency in the deployment or other use of military equipment within the jurisdiction of this Department.
- e. Using any new or existing military equipment for a purpose, in a manner, or by a person not previously approved by the City Council.

- f. Soliciting or responding to a proposal for, or entering into an agreement with, any other person or entity to seek funds for, apply to receive, acquire, use, or collaborate in the use of military equipment.
- g. Acquiring military equipment through any means not provided above.

710.6

COMPLIANCE

Agency Content

Department members shall adhere to this Policy, in addition to state and local laws and ordinances when employing the use of military equipment. Violations of the law or this policy may result in criminal or administrative investigations and, or actions.

710.7

COORDINATION WITH OTHER JURISDICTIONS

State

MODIFIED

Military equipment used by any member of this Department shall be approved for use and in accordance with this Policy. Military equipment used by other jurisdictions that are providing mutual aid to the City of Clayton, or otherwise engaged in law enforcement operations in the City, shall comply with their respective military equipment use policies in rendering mutual aid or carrying out a law enforcement function related to a criminal matter under their investigation.

710.8

ANNUAL REPORT

State

MODIFIED

Upon approval of a military equipment policy, the Chief of Police or the authorized designee should submit a military equipment report to the City Council for each type of military equipment approved within one year of approval, and annually thereafter for as long as the military equipment is available for use.

The Chief of Police or the authorized designee should also make each annual military equipment report publicly available on the Department website for as long as the military equipment is available for use. The report shall include all information required by Government Code § 7072 for the preceding calendar year for each type of military equipment in Department inventory.

710.9

COMMUNITY ENGAGEMENT

State

MODIFIED

Within 30 days of submitting and publicly releasing the annual report, the Department shall hold at least one well-publicized and conveniently located community engagement meeting, at which the Department should discuss the report and respond to public questions regarding the funding, acquisition, or use of military equipment.

710.10

COMPLAINT PROCESS

Agency Content

Members of the public may register complaints or concerns or submit questions about the use of each specific type of military equipment in this policy by any of the following means:

1. Via email to: claytonpolice@claytonpd.com

2. Via phone call to: (925) 673-7350

3. Via mail sent to: Clayton Police Department, attn: Military Equipment Use Coordinator, 6000 Heritage Trail, Clayton CA 94517

The Department is committed to responding to complaints, concerns and/or questions received through any of the above methods in a timely manner.

710.11

EXHIBIT A - EQUIPMENT LIST

Agency Content

Exhibit "A"

1. SPECIALIZED FIREARMS AND AMMUNITION

a. Description, quantity, capabilities, and purchase cost:

Guns that are fired from shoulder level, having a long spirally grooved barrel intended to make bullets spin and thereby have a greater accuracy over a long distance.

1. Colt M4 carbine for patrol supervisor use, cost \$1695, quantity: 1. The Colt M4 is a select-fire rifle with a chrome lined 10 inch barrel with a 1:9 twist, iron sights, carry handle, and adjustable stock. Designed specifically for lightweight mobility, speed of target acquisition, and potent firepower capability.
2. Winchester 5.56x45 M855 Green Tip 62 grain ammunition, cost \$90, quantity: 150 rounds. The M855 round is a full metal jacketed round with a lead alloy and steel core and is painted green on the tip.

b. Purpose:

To be used to address a threat with more precision and/or greater distances than a handgun, if present and feasible.

c. Authorized Use:

Only members that are POST certified are authorized to use an M4 rifle.

d. Expected Lifespan:

Colt M4 carbine- 15 years

Winchester 5.56X45 M855 62 grain ammunition- No expiration

e. Fiscal Impact:

Annual maintenance is approximately \$50 for each rifle.

f. Training:

Prior to the use of the specialized firearms and ammunition listed within this section, all officers have received POST certified training. Additionally, all officers are required to complete annual training, per POST Regulations.

g. **Legal and Procedural Rules:**

Use is established under Policy #300 and #311. It is the policy of this Department to utilize specialized firearms and ammunition only for official law enforcement purposes and pursuant to the State and Federal law regarding use of force.

2. **LESS LETHAL LAUNCHERS AND AMMUNITION:**

a. **Description, quantity, capabilities, and purchase cost:**

Less lethal launchers are used to deploy either the less lethal super-sock 12- gauge beanbag round or the 40MM sponge baton round.

1. Remington 870 12-gauge Less Lethal Launcher, cost: \$1,600, quantity: 4. The Remington 870 Less Lethal Shotgun is used to deploy the less lethal 12-gauge Super-Sock Beanbag Round up to a distance of 75 feet. The range of the weapon system helps to maintain space between officers and a suspect reducing the immediacy of the threat which is a principle of De-escalation.
2. Defense Technology 40MM single shot launcher, cost: \$985, quantity: 1. The 40MM Single Launcher is a tactical single shot launcher that features a fixed stock and an adjustable Integrated Front Grip (IFG) with light rail. It will fire standard 40mm less lethal ammunition, up to 4.8 inches in cartridge length. It will launch a 40MM less lethal round up to 131 feet.
3. CTS Model 2581 drag stabilized Super-Sock bean bag round, cost \$420, quantity: 65 rounds. A less lethal 2.4-inch 12-gauge shotgun round firing a ballistic fiber bag filled with 40 grams of lead shot at a velocity of 270-290 feet per second (FPS). CTS Super-Sock rounds are discharged from a dedicated 12-gauge shotgun that is distinguishable by an orange butt stock and fore grip. This round provides accurate and effective performance when fired from the approved distance of not fewer than five (5) feet. The maximum effective range of this munition is up to 75 feet from the target. The Model 2581 Super-Sock is in its deployed state immediately upon exiting the barrel. It does not require a minimum range to "unfold" or "stabilize." The Super-Sock is an aerodynamic projectile. However, accuracy is relative to the shotgun, barrel length, environmental conditions, and the operator. The Super-Sock is very accurate. However, effectiveness depends on many variables, such as distance, clothing, stature, and the point where the projectile impacts.
4. CTS Model 4557 spin stabilized direct impact sponge round, cost \$455, quantity: 13 rounds. The Model 4557 Sponge Baton is a smokeless 3.9-inch 40MM 60 gram spin-stabilized projectile, launched at 240-260 feet per second (FPS) designed to deliver a blunt trauma effect. Although it is extremely accurate and consistent, accuracy is dependent on the launcher, using open sights vs. an improved sight, environmental conditions, and the operator. Effectiveness depends on many variables, such as distance, clothing, stature, and the point where the projectile impacts.

b. **Purpose:**

To de-escalate conflict where employment of lethal force is prohibited or unfeasible.

c. **Authorized Use:**

Situations for use of the less lethal weapon systems may include, but are not limited to:

1. Self-destructive, dangerous and/or combative individuals.
2. Riot/crowd control and civil unrest incidents.

3. Circumstances where a tactical advantage can be obtained.
4. Potentially vicious animals.
5. Training exercises or approved demonstrations.

d. **Lifespan:**

1. Remington 870 Less Lethal Launcher- 15 years.
2. Defense Technology 40MM launcher- 15 years
3. CTS Super Sock Round- 5 years.
4. CTS 40MM sponge round- 5 years.

e. **Fiscal Impact:**

Annual maintenance is approximately \$50 for each launcher.

f. **Training:**

All officers are trained in the use of less lethal launchers as a less lethal option by in-service training.

g. **Legal and Procedural Rules:**

Use is established under Policy #307. It is the policy of this Department to utilize Less Lethal Launchers only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding the use of force.

3. Command and Control Vehicles

a. **Description, quantity, capabilities, and purchase cost:**

2007 Carson Trailer – custom upfit by Onsite Trailers, cost: \$11,077, quantity 1. This trailer is a command vehicle used for special events and critical incidents. It is equipped with office equipment, police radios and a mobile data computer (MDC).

b. **Purpose:**

To be used during special events and during critical incidents.

c. **Authorized Use:**

The command trailer shall be used by personnel trained in its deployment and use.

d. **Lifespan:**

20 years

e. **Fiscal Impact:**

Annual maintenance is approximately \$500.

f. **Training:**

All users are trained in the proper procedure for moving and deploying the trailer as well as ensuring the safety of the trailer and its equipment.

g. **Legal and Procedural Rules:**

Use is established under Policy #706. It is the policy of this Department to utilize the command trailer for official law enforcement purposes and pursuant to State and Federal law.

declaring

May 6, 2022

as

"Elise Warren Day"

WHEREAS, on May 5, 2022, after more than four years in Clayton, Chief of Police Elise Warren will complete her service to the City of Clayton; and

WHEREAS, Chief Warren began her career in law enforcement in April 1990 with the Contra Costa County Sheriff's Office and while there, she gained valuable experience in an array of law enforcement skills; and

WHEREAS, during her law enforcement tenure she served as Deputy Sheriff, Sergeant, Lieutenant, Captain, and Assistant Sheriff; and

WHEREAS, on February 12, 2018 Elise Warren became the City of Clayton's first female Police Chief; and

WHEREAS, under her tenure, Chief Warren initiated the Regency Drive Parking Permit Program, added cameras at The Grove Park to enhance safety, and upgraded all of the police department equipment, vehicles and technology to the highest industry standards; and

WHEREAS, during Chief Warren's tenure she earned the community's trust, confidence, and support by being fair, just, and responsive to public needs while also enforcing the law and protecting life and property.

NOW THEREFORE, I, Peter Cloven, Mayor of the City of Clayton, on behalf of the entire City Council and our community, do congratulate Elise Warren on her long and distinguished career by declaring Friday, May 6, 2022 as "Elise Warren Day" in the City of Clayton, and do herewith declare her an honorary Clayton citizen in perpetuity for her contribution to the people of our community.

COLE PANZA
for
"Doing the Right Thing"
at
Mt. Diablo Elementary School
by exemplifying great "Integrity"
March and April 2022

ELISE ZEDAKER
for
"Doing the Right Thing"
at
Mt. Diablo Elementary School
by exemplifying great "Integrity"
March and April 2022

SOPHIA BUSHNELL
for
"Doing the Right Thing"
at
Diablo View Middle School
by exemplifying great "Integrity"
March and April 2022

JUSTIN REIMER
for
"Doing the Right Thing"
at
Diablo View Middle School
by exemplifying great "Integrity"
March and April 2022



CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT
FIRE • RESCUE • EMS

Contra Costa County Fire Protection District Overview for Community Leaders

City of Clayton

City Council Presentation

May 3, 2022

Assistant Chief Terence Carey

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CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT
FIRE • RESCUE • EMS

TERENCE CAREY
ASSISTANT FIRE CHIEF
EMS DIVISION



- More than six years' Con Fire service
- 39 years' fire service experience

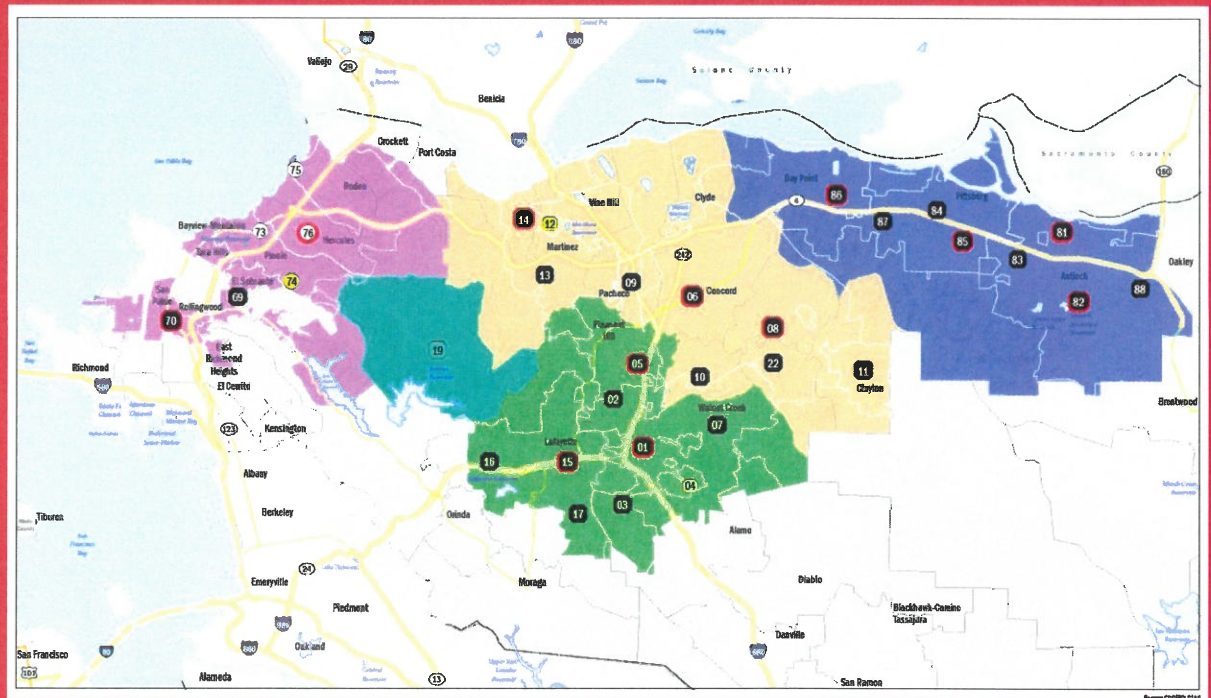
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CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT

FIRE • RESCUE • EMS

Con Fire, Your Fire “Department” in Clayton

- Annexation Update
- Enhancing Capabilities County-wide
- Fire Weather Outlook
- Safety Tips for Residents
- What “You” Can Do
- Questions



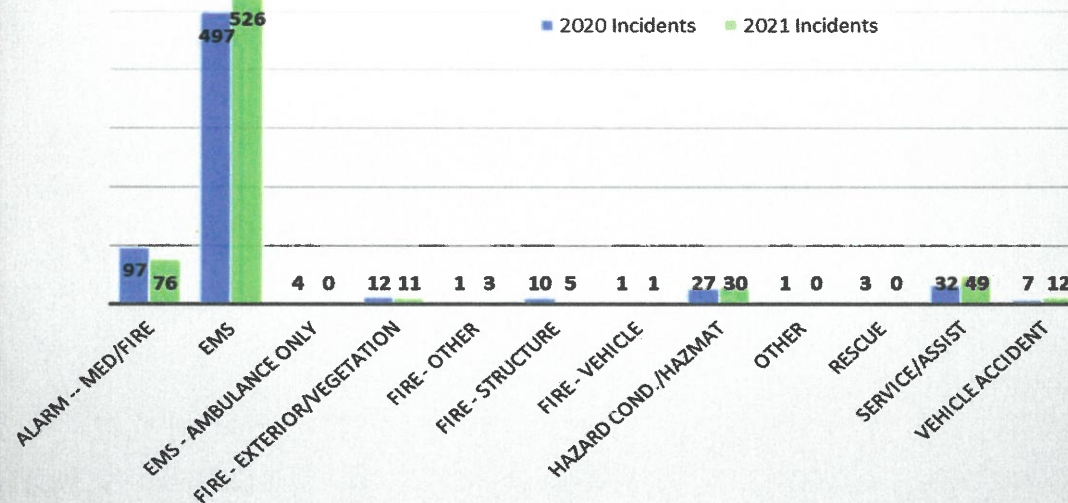
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CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT

FIRE • RESCUE • EMS

Clayton 2021/22 Year-Over-Year Fire Experience

Clayton Incident Experience -- 2020 & 21



A Preview of 2022 Based on YTD Experience

| | Incidents | % of 2021 |
|----------------------------|-----------|-----------|
| Alarm -- Med/Fire | 10 | 39% |
| EMS | 151 | 86% |
| EMS - Ambulance Only | 0 | NA |
| Fire - Exterior/Vegetation | 1 | 27% |
| Fire - Other | 0 | 0% |
| Fire - Structure | 1 | 60% |
| Fire - Vehicle | 2 | 600% |
| Hazard Cond./Hazmat | 4 | 40% |
| Other | 0 | NA |
| Rescue | 1 | NA |
| Service/Assist | 18 | 110% |
| Vehicle Accident | 5 | 125% |

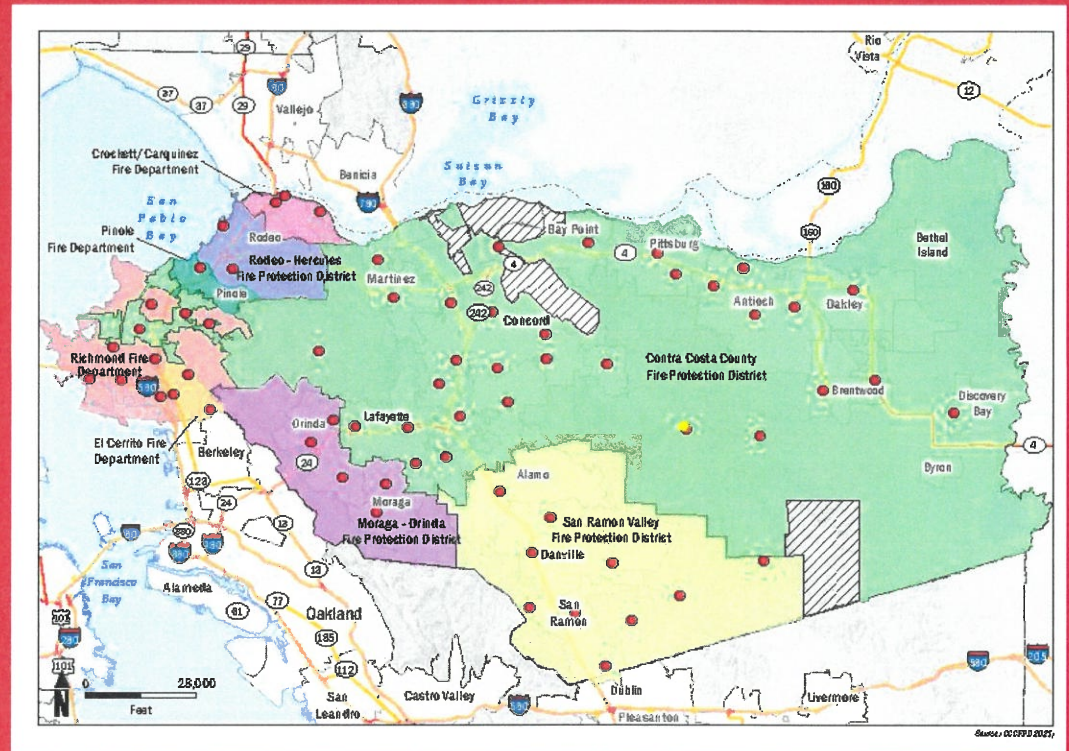
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CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT

FIRE • RESCUE • EMS

Annexation Update

- Decades-long interest and years of planning
- Con Fire poised to annex East Con on July 1
- Immediate improvements to fire & EMS services in east & countywide
 - New stations and crews
 - ALS EMS to be introduced countywide
 - Shortened response times
- Related West County Improvements



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CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT
FIRE • RESCUE • EMS

Similar Consolidation of Fire Services in West County

- Contract for services model planning
- Would bring Pinole Fire into Con Fire family
- Con Fire and City of Pinole leaders collaborating in effort
- Measure X funded
- Would include reopening of long-shuttered Fire Station 74



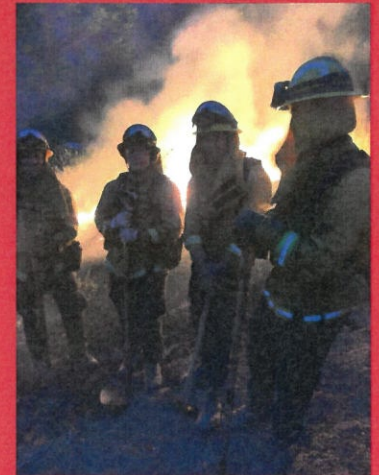
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CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT

FIRE • RESCUE • EMS

Continual Fire Service Improvements

- Handcrew Worker Program "Crew 12" expansion
- New apparatus support diverse needs
 - "Type 6" Wildland Fire Engines
 - Fire "Dozers"
 - Water Tenders
- New and improved stations
 - New FS 86 set to replace historic 86 in May
 - Renovated FS 4 reopening in Walnut Creek
 - Buchanan Field FS 9 in planning
 - Three East County stations



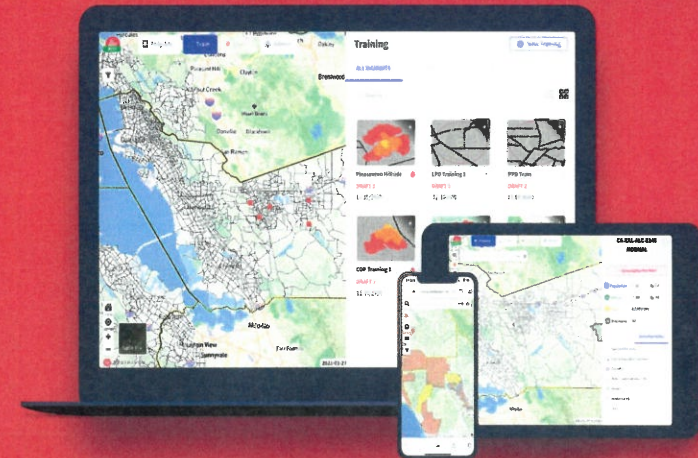
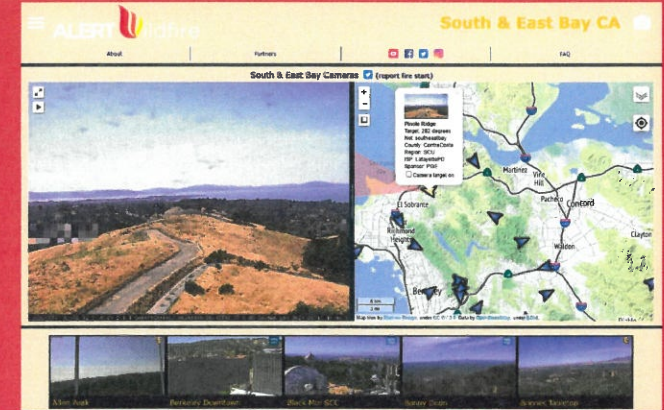
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CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT

FIRE • RESCUE • EMS

FIRE SERVICE TECHNOLOGY ADVANCES

- **ALERTWildfire Camera Network**
 - State-of-the-art high-res pan-tilt-zoom cameras
 - 10 or more cameras in Contra Costa, more coming
 - Real-time, actionable intel
- **Situational Awareness Tools**
 - Tablet Command response and incident management tool
 - Pulsepoint
 - Computer Aided Dispatch and NWS notifications
- **Evacuation Planning – Zonehaven Implementation**
 - Grant-funded digitization project
 - To bring major improvements to evacuation planning and conduct



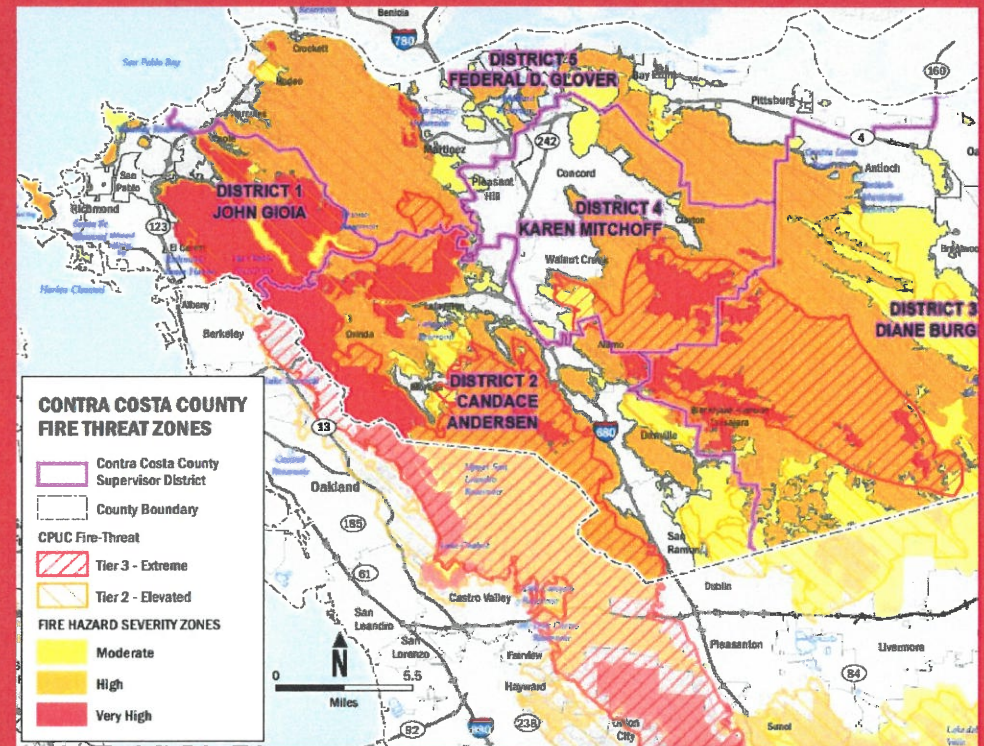
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CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT

FIRE • RESCUE • EMS

Wildfire Threat Remains High

- Trend to ever-longer, less predictable fire weather continues
- All indicators point to earlier, dangerous season of fire weather
- No area of County is risk free, some at heightened risk
- Contra Costa County is far from immune to dangers



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CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT

FIRE • RESCUE • EMS

In Fact, In 2021...

- Wind-driven vegetation fires proved dangerous across the County
- Displacing 50+ residents from homes and apartments
- None were in the highest threat zones
- Lack of preparation – weed abatement and defensible space creation – played a part in each



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CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT

FIRE • RESCUE • EMS

Beyond Wildfire Danger...

- Simple steps save lives in fires:
 - Working and tested smoke alarms
 - Sleeping with bedroom doors CLOSED
 - Regularly rehearsed home evacuation plans
 - Meeting points known to all residents
- Preventing the most common fires:
 - Use a kitchen fire extinguisher
 - Don't overload electrical circuits
 - Use caution with ALL open flames
 - Follow space heater safety guidelines
- Carbon Monoxide safety:
 - Use CO monitors, test regularly
 - Maintain all heating equipment in good working order



VISIT WWW.CCCFPD.ORG FOR MORE SAFETY TIPS

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CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT FIRE • RESCUE • EMS

RESIDENT INVOLVEMENT IS KEY IN ANY DISASTER

- We can't do it alone
- The FIRST first responder is the resident who prepares in advance
- Property owners, families, neighbors must work together – ahead of the disaster
- This is the place to start for wildland fire and other disasters...



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CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT

FIRE • RESCUE • EMS

References

- Con Fire Community Risk Reduction Info – cccfpd.org/community-risk-reduction/
- Wildfire Prep – cccfpd.org/wildfire-prep/
- How to report weed abatement complaints – cccfpd.org/exterior-hazard-complaint/
- Community Warning System – cwsalerts.com/
- Zonehaven “Know Your Zone” Evacuation Tool – cwsalerts.com/know-your-zone/
- Residents Guide to Wildfire Prep & Evac – cccfpd.org/residents-wildland-fire-guide/



CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT

FIRE • RESCUE • EMS

Questions?

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AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: Reina J. Schwartz, City Manager

DATE: May 3, 2022

SUBJECT: Receive a Presentation from Strategy Research Institute on Their Survey of Clayton Voters Regarding Potential Support for a Tax Measure on the November 2022 Ballot and Provide Direction to Staff on Desired Next Steps

RECOMMENDATION

Receive a presentation from Strategy Research Institute on their survey of Clayton voters regarding potential support for a tax measure on the November 2022 ballot and provide direction to staff on desired next steps. Staff's recommendation is to forgo putting an item on the November 2022 ballot, implement a comprehensive community outreach and public information effort to build understanding of the City's significant upcoming financial challenges and return to the City Council to consider a measure for the November 2024 ballot.

BACKGROUND

On February 15, 2022, the City Council approved engaging the survey firm Strategy Research Institute to conduct a scientific survey of Clayton voters with respect to potential support for a tax measure on the November 2022 ballot. This report and the presentation this evening provide the results of the survey as well as SRI's recommended next steps. Any action by the City Council to put a tax measure on the ballot is required to be approved by a 4/5 vote.

DISCUSSION

This report transmits the final report from Strategy Research Institute (SRI) regarding the survey research on potential voter support for a tax measure to be placed on the November 2022 ballot. The survey research was completed between March 21 and March 28, 2022.

The survey results reflect that Clayton voters are extremely satisfied with the quality of life in Clayton and the services provided by the City. Clayton voters are generally not aware of the significant financial challenges which the City will face over the next several years and beyond.

The survey also obtained feedback on a number of types of funding measures (property parcel tax, utility use tax and sales tax) and various levels of those potential funding sources. Consistently, the results showed that currently it does not appear that there is sufficient support to achieve approval of a tax measure on the November 2022 ballot. Even for those tax measures that would only require a simple majority for approval (utility use tax or sales tax for

general [not specified] purposes), it is unlikely that the local electorate would support such a measure. For those mechanisms that would require a two-thirds approval, which can sometimes be more successful if the funds are targeted for a popular purpose (such as a public safety tax), none of the measures tested appear to have the required level of support. Additional detail regarding the survey results can be found in the Attachment to this report.

Based on the survey findings, SRI has made the following recommendations:

- Do not place a measure on the November 2022 ballot.
- Begin and maintain a robust public information effort to build understanding of the significant financial challenges that are and will be faced by the City.
- Consider placing a measure on the November 2024 ballot.

FISCAL IMPACTS

If the City does not place a measure on the November 2022 ballot, the budgets for the next several years will require difficult decisions in order to remain balanced. In general terms, these next several budgets will require a mix of reducing costs and increasing resources, likely through one-time means in the short-term. While the City has one-time resources available to help ease this budgetary period (either through ARPA funds or reserves), this is not a long-term sustainable strategy. While helpful in the short-term, use of one-time resources can delay, but does not eliminate, the need for an ongoing fix.

Furthermore, there is a need to keep the current reserves at a healthy level in case of a disaster (natural, financial or other). While the City currently has enough reserves to operate for approximately one year, a large fire or earthquake would quickly deplete these funds. Once one-time funds or resources are depleted, it is extraordinarily difficult to replenish them. Completion of a reserve policy will be an important component of any long-term budget strategy.

As a reminder, the following categories make up the FY2021/22 General Fund Budget:

| | |
|---|-------------|
| • Salaries and other labor costs: (65.5%) | \$3,393,241 |
| • Dispatch (5.9%) | \$307,755 |
| • Gas, Electricity and Water (5.1%) | \$264,100 |
| • Engineering & Legal (4.7%) | \$243,451 |
| • Vehicle Maint, Operation & replacement (2.9%) | \$149,600 |
| • Insurance premiums (2.8%) | \$145,349 |
| • Animal Control (1.7%) | \$89,407 |
| • All other items (11.3%) | \$584,579 |

Many of the items listed above are not directly under the City's control and cannot easily be reduced including costs for gas, electricity and water; dispatch services; insurance premiums

Subject: Receive a Presentation from Strategy Research Institute on Their Survey of Clayton Voters Regarding Potential Support for a Tax Measure on the November 2022 Ballot

Date: May 3, 2022

Page 3

and animal control. By far the most significant cost the City faces is for the labor to provide services to our community even though all employee salaries, including those for public safety employees, are 20-25% below median when compared to other cities in Contra Costa County. Clayton also has relatively fewer employees in every department than any other city in Contra Costa County, exacerbating the problem of employee retention. It should also be noted that this level of (current) funding does not adequately invest in: accounting systems; cybersecurity; general maintenance, deferred maintenance and other areas.

In order to prepare a balanced budget for FY2022/23, staff will propose options reflecting both cost reductions as well as potential use of one-time resources. It is anticipated that the proposed budget will have its first hearing at the Budget/Audit Committee on May 23, 2022.

ATTACHMENT

1. Results of Survey Related to a Potential Tax Measure

Tax Feasibility Study...

**Testing Voter Support for
Multiple Funding Measures**

A Scientific Survey of Clayton's Local Electorate

Commissioned by...



March 2022

Strategy Research Institute
An Institute for CONSENSUS BUILDING
WWW.SRI-CONSULTING.ORG
800.224-7608



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Recommendation #2: Develop a comprehensive Public Outreach effort to INFORM the local electorate and the community-at-large of the fiscal challenges facing the City and the consequences for NOT addressing these.

Recommendation #3: The MESSAGE to constituents should be driven by the *findings* from the present scientific voter survey.

Recommendation #4: Place a funding Measure on the local ballot in the November 2024 election cycle.

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Section 1.0

Executive Summary

'If it ain't broke, don't fix it.' This adage summarizes the consensus of Clayton voters when asked if they would be willing to support even a modest increase in local taxes in order to make it possible for City officials to address a host of fiscal challenges presently facing local government. They won't; at least not at the present time.

The above conclusion is based upon the *findings* from a recent scientific survey of the Clayton electorate; most Clayton voters (94%) are quite satisfied with the *quality of life* they presently enjoy as a resident of Clayton. More specifically, local voters assigned high satisfaction scores to the services presently being provided through the City; these include, for example, the public safety services being provided through the Clayton Police Department; the various public park and recreation amenities made available through the City; access to the County library; among other services. Moreover, a huge ratio of Clayton voters (81%) are unaware of the fiscal challenges presently facing the City.

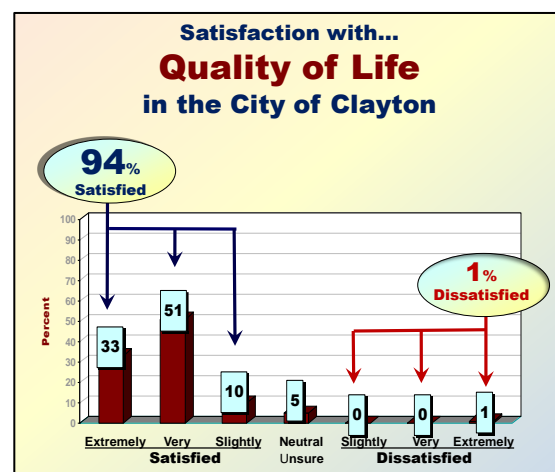
Thus, if the City were to place a funding Measure on the local ballot in the relatively near future (e.g., the November 2022 election cycle) that is intended to address these fiscal challenges...it would fail to secure the requisite 2/3rds voter support needed for passage. In other words, since most voters are pleased with the *quality of life* they enjoy as a resident of Clayton, combined with the fact that they are not aware of the fiscal challenges facing the City at the present time...why would they be inclined to support an increase the local tax base? As noted above, they won't; at least not today.

Section 2.0

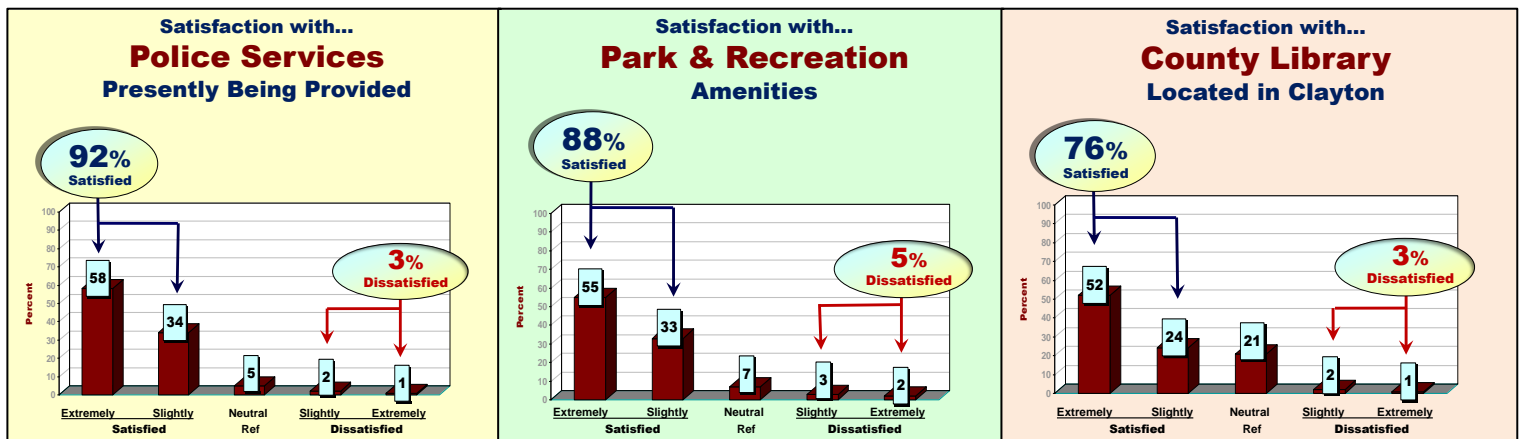
Key Findings

Finding #1: Most local voters are very satisfied with the *quality of life* they enjoy as a resident of Clayton.

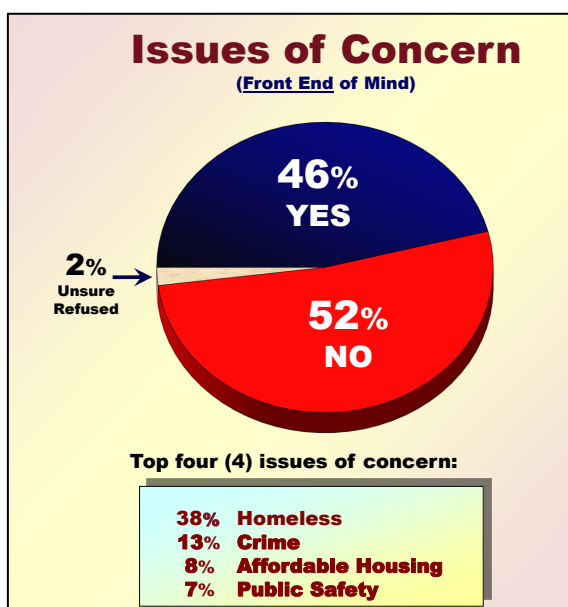
As seen in the graphic at right, most local voters (94%) are satisfied with the *quality of life* they enjoy as a resident of Clayton (also refer to Figure 1A in Addendum 'A'). In fact, when asked, "Overall, how satisfied are you with the *quality of life* as a resident of Clayton?", over half (51%) say they are "very satisfied"; a third (33%) say they are "extremely satisfied".



More specifically, as seen in the three graphics below, Clayton voters are, for the most part, highly satisfied with the level of **Police Services** presently being provided to local residents (92% satisfied); as well as with the **Park and Recreation** amenities presently available to Clayton residents including playgrounds, picnic tables, and-the-like at Clayton Community Park, The Grove Park and North Valley Park (88% satisfied); and with the County Library located in Clayton (76% satisfied); in fact, over half of local voters are “extremely” satisfied with all three of these services.



Of the four dimensions of satisfaction tested in the present survey, satisfaction with **Community Development** (including code enforcement, planning and zoning) scored the lowest; even here, over half (55%) of the respondents reported being satisfied; with one-fourth (25%) of respondents report being slightly or extremely dissatisfied (refer to Figure 1E).



Finding #2: Concerns on the local electorate's collective mind are (rank-ordered): concern over homelessness, crime, affordable housing, and public safety.

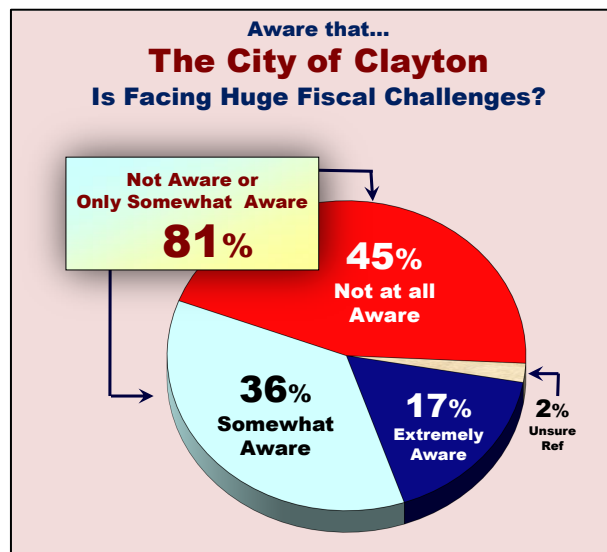
As seen in the graphic at left, more than half of Clayton voters (52%) said they do NOT have major concerns on their front-end of mind; 46% said they do. Rank-ordered, these are: (i) homelessness, (ii) crime, (iii) affordable housing, and (iv) public safety (also refer to Figure 2).

What is significant about this *finding* is that these concerns do not necessarily pertain specifically to Clayton; rather, these concerns amount to a “media effect”. In other

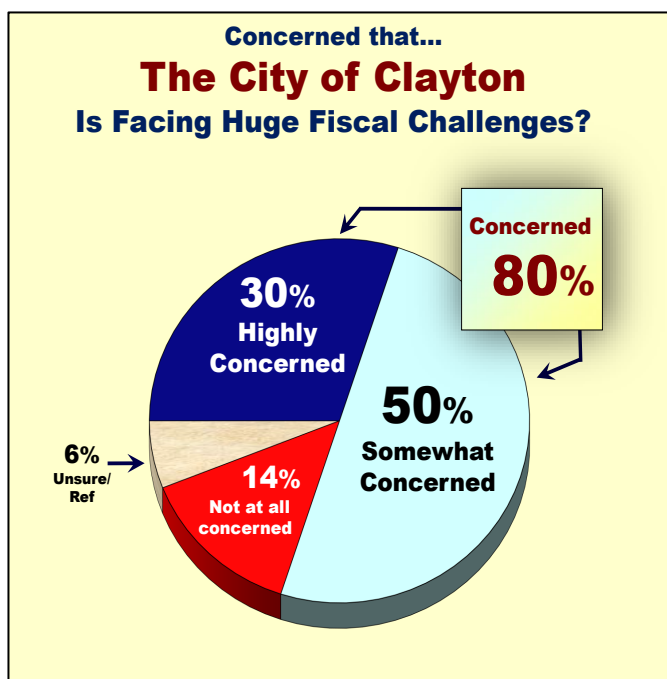
words, these concerns virtually mirror what local residents are reading about and/or viewing in the mass media. In sum, there are no issues of major concern that pertain to what is going on, today, in the City of Clayton; thus, reinforcing the *finding* that most local voters are pleased with the *quality of life* they enjoy as residents of Clayton.

Finding #3: Most voters in Clayton ARE NOT aware (or are only somewhat aware) of the fiscal challenges presently facing the City.

As seen in the graphic at right (also refer to Figure 3A), most (81%) of Clayton voters are not aware of the fiscal challenges presently facing the City. In fact, nearly half (45%) are not at all aware of this reality; approximately one third (36%) are somewhat aware of this fact. Only 17% of Clayton voters report being extremely aware of this reality.



Finding #4: Learning of the challenges facing the City of Clayton through a trusted source will elicit concern among a huge majority of local voters.

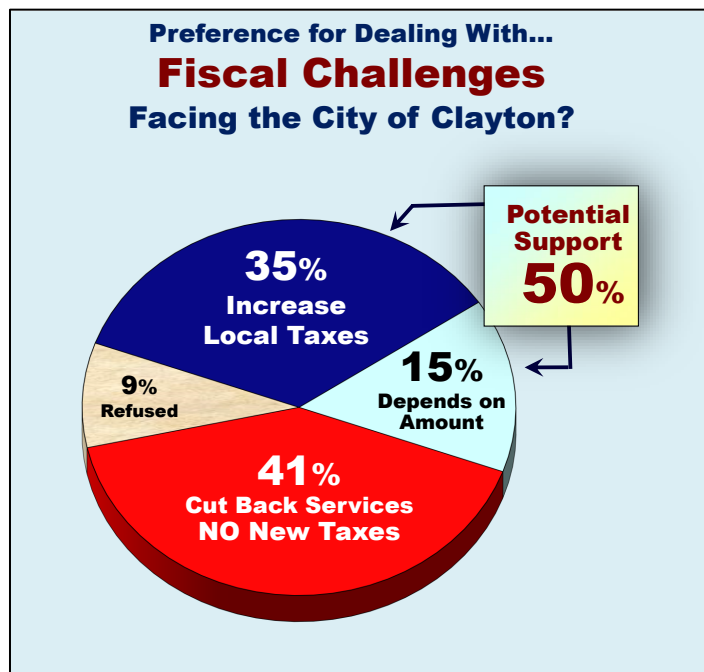


Respondents were asked, “Whether or not you were previously aware of the fiscal challenges that City officials will soon be facing, if you learned about these challenges through a trusted source, would that make you highly concerned, somewhat concerned, or not at all concerned about how this set of challenges will impact the well-being of you and your family members?”

As seen in the graphic at left (also, refer to Figure 3B), learning of this fact through a trusted source would make 80% of local voters either highly concerned (30%) or somewhat concerned (50%).

Finding #5: At the present time, there is insufficient support among Clayton voters for any form of increase in the local tax base.

Respondents were advised that Clayton officials are considering several ways of dealing with the fiscal challenges presently facing the City; then asked whether they would prefer **imposing a tax** designed to keep City services at their present level OR cut back the level of services and programs presently being provided to Clayton residents...thus, imposing **NO new taxes** at the local level of government.



As seen in the above graphic (at right), little more than one third (35%) of respondents said they would support increasing the local tax base in order to avoid cutbacks in City services and programs, while 15% said it would depend upon the amount of tax being sought. Thus, there is potential voter support for increasing the local tax base in order to avoid cutbacks in City services of 50%. That said, over forty percent (41%) of local voters said they would prefer having City services and programs cut back, rather than increasing the local tax base; in other words...**NO New Taxes**.

Finding #6: Voter support for authorizing a new tax to address the fiscal challenges facing the City is far below the 2/3rds needed for passage; furthermore, the threshold of *willingness to pay* is extremely low.

The present voter survey was designed to test voter support for three different funding mechanism (if placed on the local ballot): (i) a **Property Tax** (specifically a flat tax per parcel of property owned); (ii) a **Utility Use Tax**; and (iii) an increase in the **Sales Tax** presently be imposed on purchases made in Clayton.¹ As seen in the graphics below, regardless of the funding mechanism OR the amount of the tax...voter support for authorizing a new tax to address the fiscal challenges facing the City is presently far below requisite voter support needed for passage; and, the local electorate's *THRESHOLD of willingness to pay* is extremely low.

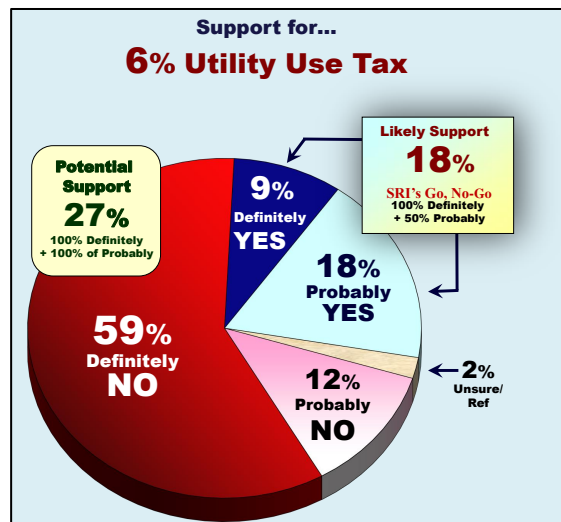
¹ While the City does not presently impose a sales tax on purchases made within the City, Clayton residents do pay a sales tax imposed by the State, by Contra Costa County, and for local-approved ballot measures for BART and the CCTA (Contra Costa Transportation Authority). The current sales tax rate in Clayton is 8.75%.

Voter Support for a Flat Tax per parcel of property owned*
(also, refer to Figures 5A through 5C)

| Amount of tax | Minimum Voter Support | Likely Voter Support | Potential Voter Support |
|---------------|-----------------------|----------------------|-------------------------|
| \$400/parcel | 12% YES | 24% YES | 35% YES |
| \$300/parcel | 21% YES | 29.5% YES | 38% YES |
| \$200/parcel | 30% YES | 40% YES | 51% YES |

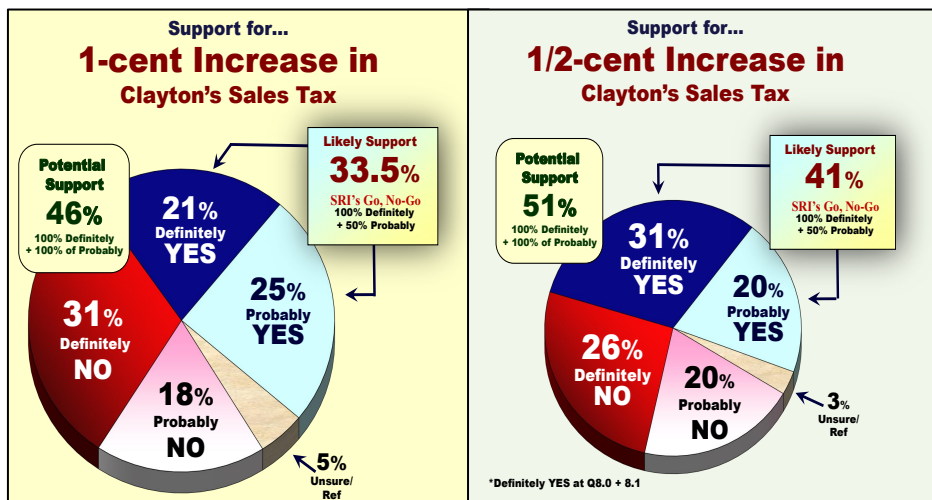
* Property Tax requires 2/3rds voter support for passage

Voter Support for 6% Utility Use Tax*
(also, refer to Figure 6)



* Utility Use Tax requires simple-majority voter support for passage

Voter Support for Increase in the City's Sales Tax*
(also, refer to Figures 7A and 7B)



* Sales Tax requires 2/3rds voter support for passage

Finding #7: There are four messages that are compelling to Clayton voters with regard to supporting a funding Measure that will allow City officials to address the City's fiscal challenges.

In order to construct a Message Strategy that corresponds to the collective core values of Clayton voters when explaining the need for additional funding, six 'arguments' were tested. Four of these 'arguments' proved to be compelling. Rank-ordered, they are: *Without additional funds, the City will...*

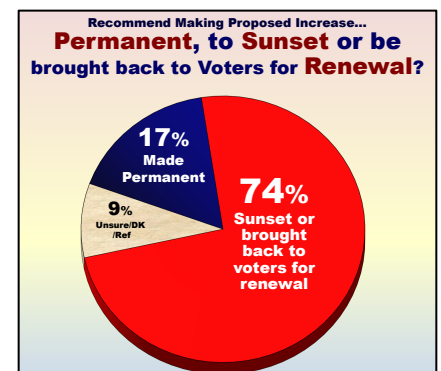
| Rank-ordered | Drivers of Support | More likely to Support | More likely to Oppose | No effect | Not believable |
|--------------|--|------------------------|-----------------------|-----------|----------------|
| 1 | Be forced to turn off a portion of the street lights in certain neighborhoods of the City (Figure 8B). | 43% | 20% | 30% | 7% |
| 2 | Be forced to lay off at least one police officer (Figure 8A). | 42% | 24% | 28% | 6% |
| 3 | Be forced to cut back on the level of services presently being provided to Clayton residents (Figure 8C). | 38% | 20% | 37% | 5% |
| 4 | Could be forced into bankruptcy or even taken over by the County (Figure 8F) . | 30% | 20% | 25% | 25% |

As seen in the above matrix, the last argument (the City could be forced into bankruptcy or even taken over by the County) was not seen as being believable by 25% of the respondents.

The impact of the final two arguments tested (not shown above) offset one another . These are: **Taxes are too high, Clayton residents need tax relief** (refer to Figure 8D); and, **Without Additional funds, the City will be forced into 'Deficit Spending'** (refer to Figure 8E). Thus, neither argument should be included in the explanation regarding why additional funding is needed in order to address the fiscal challenges presently facing the City.

Finding #8: A huge majority (74%) of Clayton voters want any funding Measure that is authorized by the local electorate to SUNSET (made to terminate) at a specific point in time; OR, at a minimum, be brought back to the Clayton voters for re-authorization.

As seen in the graphic at right, nearly three-quarters (74%) of Clayton voters want any funding Measure that is authorized by the



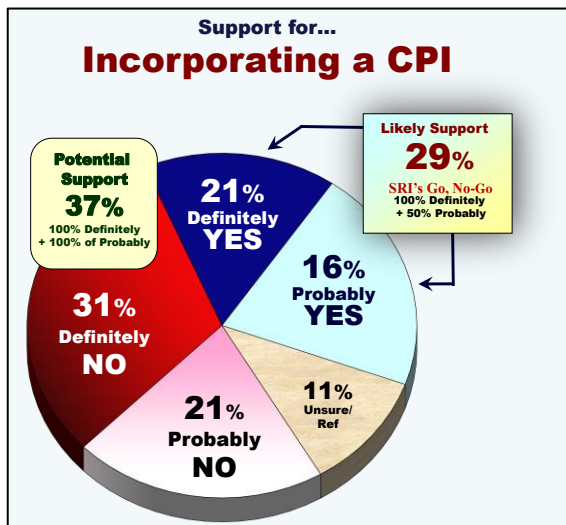
local electorate to either be made to terminate at a specific point in time OR, at a minimum, be brought back to local voters for re-authorization.

Respondents were then asked if they would embrace a 20-year SUNSET; as seen in the matrix at right, 75% of local voters said NO...only 17% said YES (also, refer to Figure 10B).

However, when reduced to a **10-year SUNSET**, voter support **increased to 60%** (also, refer to Figure 10C).

| Preferred <u>Length</u> of Sunset | |
|--|---------------|
| Years | Voter Support |
| Q11.1 20 yrs. | 17% |
| Q11.2 10 yrs. | 60% |

Finding #9: Clayton voters DO NOT support incorporating a CPI to control for normal inflation into whatever funding Measure is placed on the local ballot.



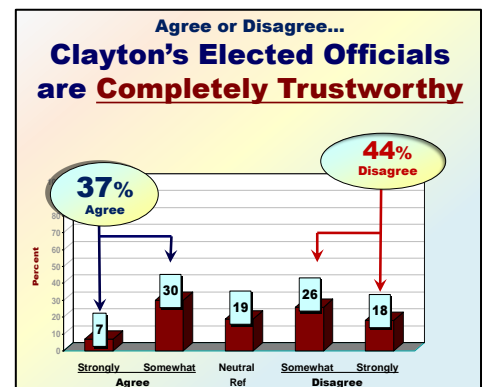
Respondents were asked, "In order to control for normal inflation, would you support authorizing a modest annual increase in the local tax base that is based upon a CPI (not to exceed 5%), in order to KEEP PACE with the increased cost of providing services to Clayton residents from year-to-year?"

As seen in the graphic at left, significantly LESS than one-third (29%) of Clayton voters would support including a CPI (based upon the Consumer Price Index); potential voter support is 37%. Thus, incorporating a CPI into a funding Measure placed on the local ballot is not recommended; at least not at the present time.

Finding #10: Voter confidence in the Clayton City Council is mixed.

Finally, respondents were asked: Do you AGREE or DISAGREE with the following statement, "Clayton's elected officials are Completely Trustworthy?"

As seen in the graphic at right (also refer, to Figure 12), the findings are mixed: 37% of local voters express confidence in Clayton's elected officials; 44% express some amount of apprehension. This finding implies that there exists some amount of public controversy among City Council members.



Section 3.0

Recommendations

The *findings* from the present scientific voter survey of the Clayton electorate have led SRI to making four (4) specific recommendations.

Recommendation #1: It's a NO-GO for placing a funding Measure on the local ballot in the November 2022 election cycle in order to address the fiscal challenges presently facing the City, which will only get worse, going forward.

- Most local voters are quite happy with the *quality of life* they enjoy as residents of Clayton; this can be seen, empirically, through the high satisfaction scores for the services being provided to them (and their families) through the City.
- Relatively few voters are aware of the fiscal challenges presently facing City officials.

Thus, the collective perception of Clayton voters, today, is “*...if it ain't broke, don't fix it.*” This conclusion is confirmed by the fact that none of the three funding Measures tested in the present scientific voter survey has nearly the 2/3rds threshold of voter support needed for passage.

Recommendation #2: Develop a comprehensive Public Outreach effort to INFORM the local electorate and the community-at-large of the fiscal challenges facing the City and the consequences for NOT addressing these challenges.

As stated in Finding #3 (above), a huge ratio of Clayton voters are either NOT AWARE of, or are only somewhat aware of, the fiscal challenges facing the City in both the short-term and long-term. Equally problematic, however, is the *finding* that certain consequences of not addressing these fiscal challenges are not seen by a significant ratio of Clayton voters as being “believable”; e.g., the fact that this could lead to the City having to declare bankruptcy OR even taken over by the County.

Recommendation #3: The MESSAGE to constituents should be driven by the *findings* from present scientific voter survey.

The present voter survey was designed to identify the collective perceptions and desires of Clayton voters at multiple levels. In order to make any appeal to the community compelling (especially to local voters), these perceptions and desires need to be built into the City's

discussion when explaining the fiscal challenges facing the City in the short-term and long-term; as well as the consequences of not addressing these challenges.

Recommendation #4: Place a funding Measure on the local ballot in the November 2024 election cycle.

Once the fiscal challenges (present and future) facing the City have been effectively shared with the Clayton electorate and the community-at-large, as well as the consequences of not addressing these challenges...City officials should place an appropriate funding Measure on the local ballot. More specifically, we recommend that City place a funding Measure on the ballot during the November 2024 election cycle.

That said, the cost of placing a funding Measure on the ballot is not insignificant. Thus, prior to placing a funding Measure on the local ballot in the November 2024 election cycle, the City should commission another scientific voter survey to confirm that local voters embrace the specific funding mechanism being placed on the ballot will; more specifically, that voter support meets (or exceeds) the 2/3rds threshold of support needed for passage.

Section 4.0

Summary Conclusion

We have truly enjoyed partnering with the City of Clayton in designing and administering the present scientific voter survey.

This report concludes with three (3) Addenda.

Addendum 'A' contains a comprehensive set of charts, graphs, and tables wherein the empirical *findings* from this scientific survey are presented in a user-friendly fashion.

Addendum 'B' contains a copy of the research instrument (questionnaire), wherein we report the percentages for each question in the survey.

Addendum 'C' contains a brief discussion of the Research Design and Methodology employed in the present study.

In addition, we have prepared and submitted a **Book of Crosstabs**; thus, you will be able to see differences and similarities in the collective perceptions, attitudes, and core values of

respondents in the survey, based upon such demographic breakouts as gender, level of education, household income, ethnicity, and more.

Should you wish additional input from SRI regarding the interpretation of the *findings* presented herein, we remain telephone close and we monitor our e-mail quite closely.



Addendum 'A'

Tax Feasibility Study - City of Clayton
March 2022

Research Design

Sample size: N=307

Population surveyed: Registered Voters

Sampling Error: ± 4.5 to 5.8%

Data Collection: March 21 - 28, 2022



Figure 1A
Tax Feasibility Study - City of Clayton
March 2022

Satisfaction with... **Quality of Life** in the City of Clayton

Question 1.0 Overall, how satisfied are you with the **QUALITY OF LIFE** as a resident of Clayton?

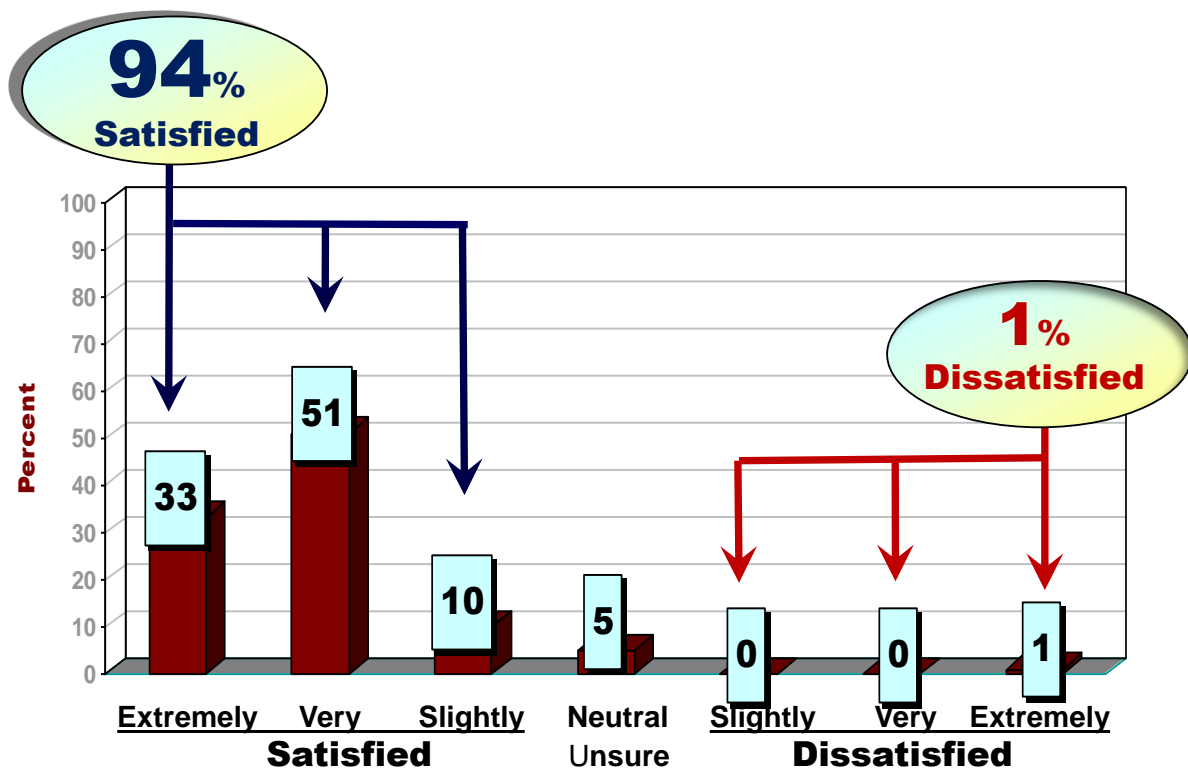


Figure 1B
Tax Feasibility Study - City of Clayton
March 2022

Satisfaction with... **Police Services** Presently Being Provided

Question 3.2: How satisfied are you with the level of police services presently being provided in Clayton?

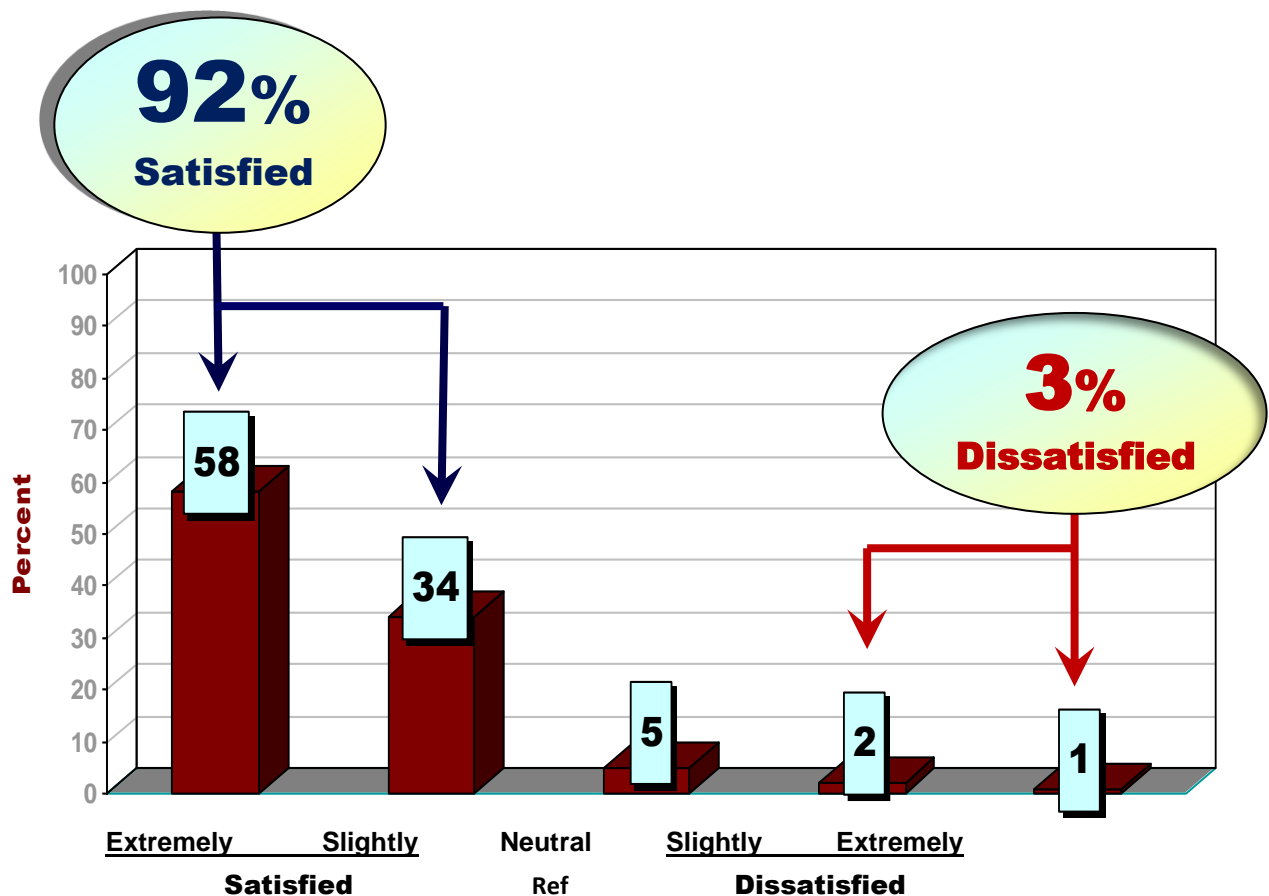


Figure 1C
Tax Feasibility Study - City of Clayton
March 2022

Satisfaction with... **Park & Recreation Amenities**

Question 3.1: How satisfied are you with the park and recreation amenities presently available to local residents, including playgrounds, picnic tables, and-the-like at Clayton Community Park, The Grove Park, including the Gazebo, and North Valley Park?

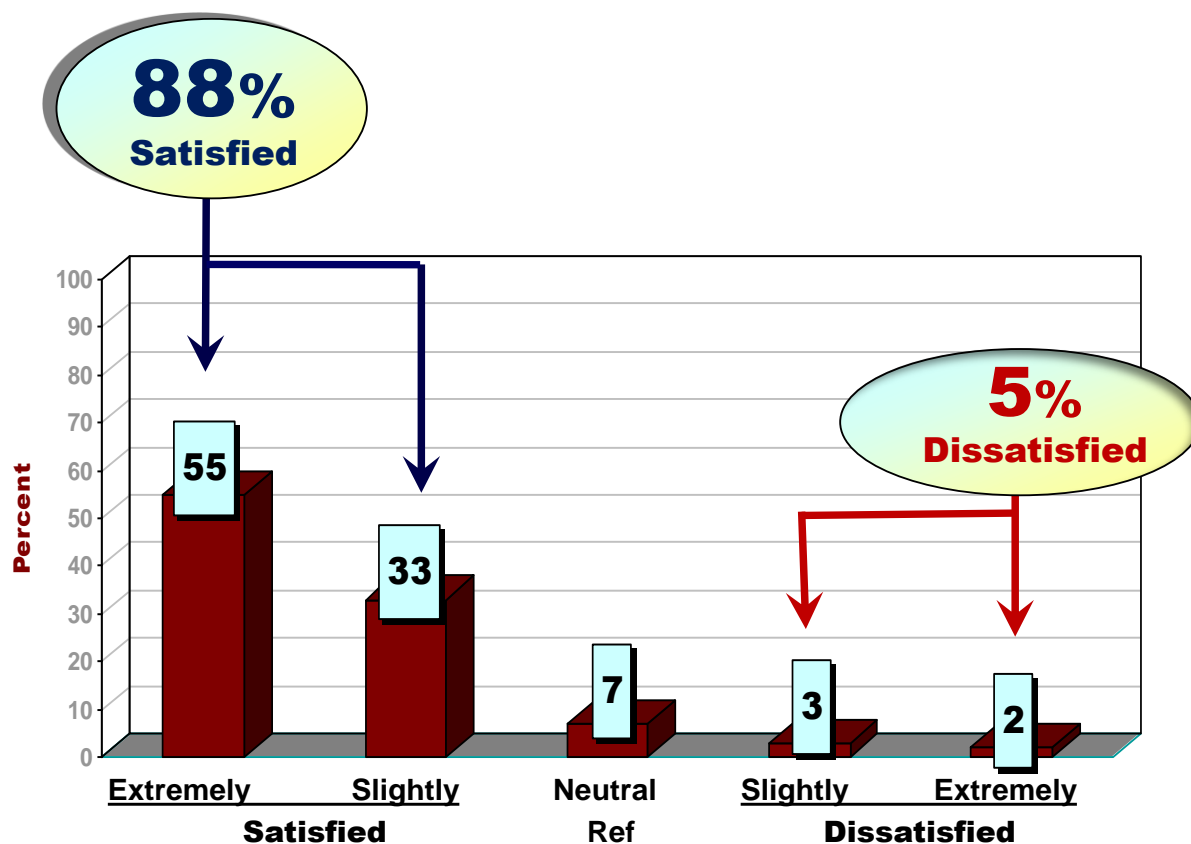


Figure 1D
Tax Feasibility Study - City of Clayton
March 2022

Satisfaction with... **County Library** Located in Clayton

Question 3.: How satisfied are you with the County Library located in Clayton?

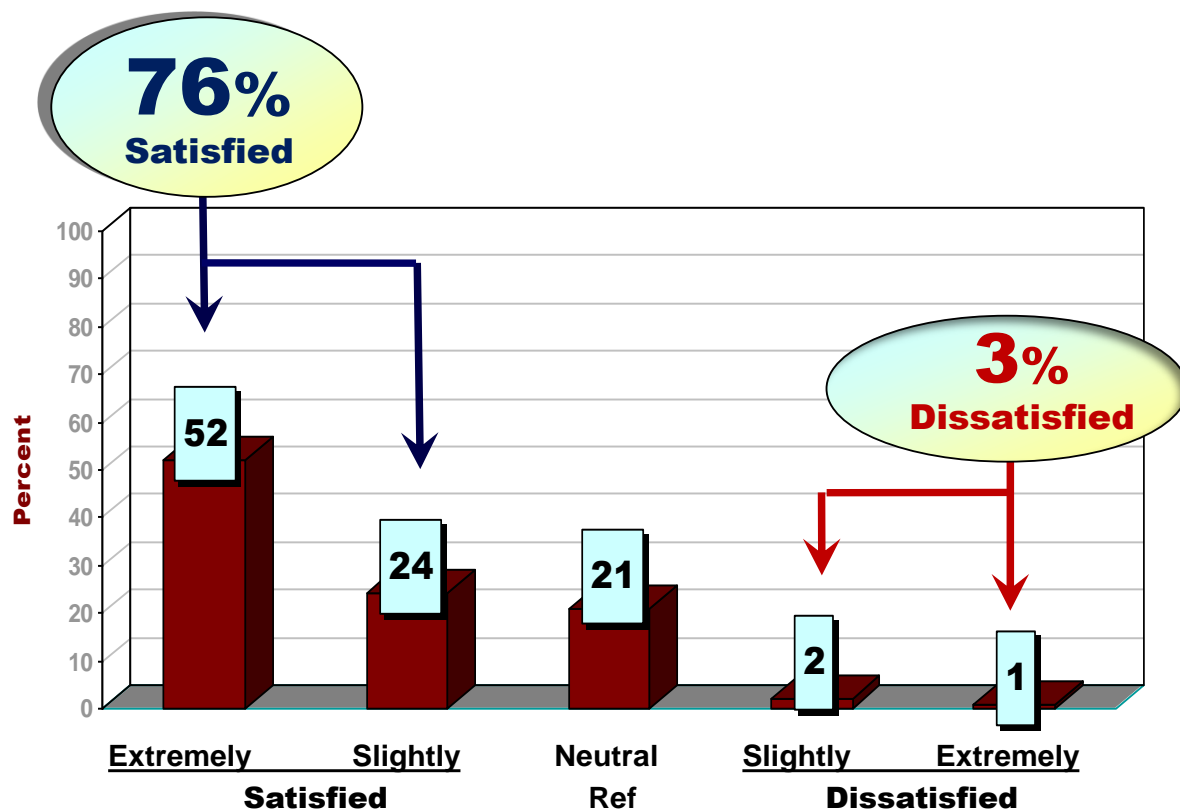


Figure 1E
Tax Feasibility Study - City of Clayton
March 2022

Satisfaction with... Community Development

Question 3.3: How satisfied are you with community development (including code enforcement, planning and zoning)?

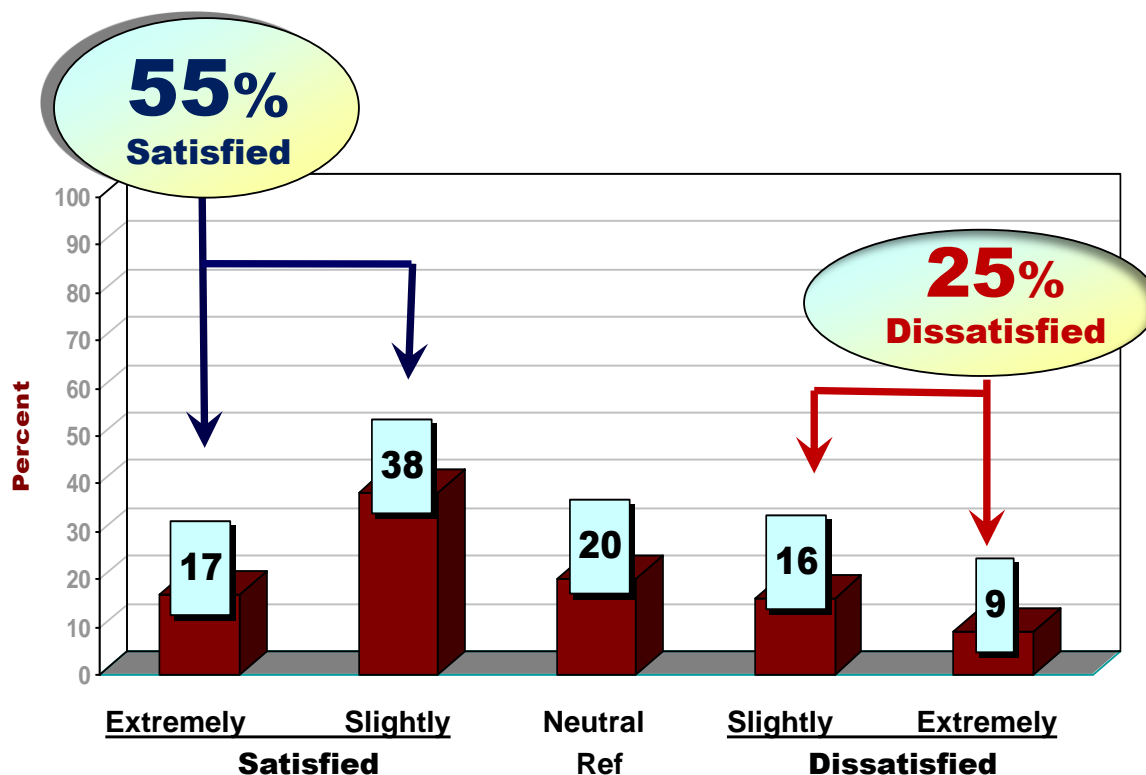
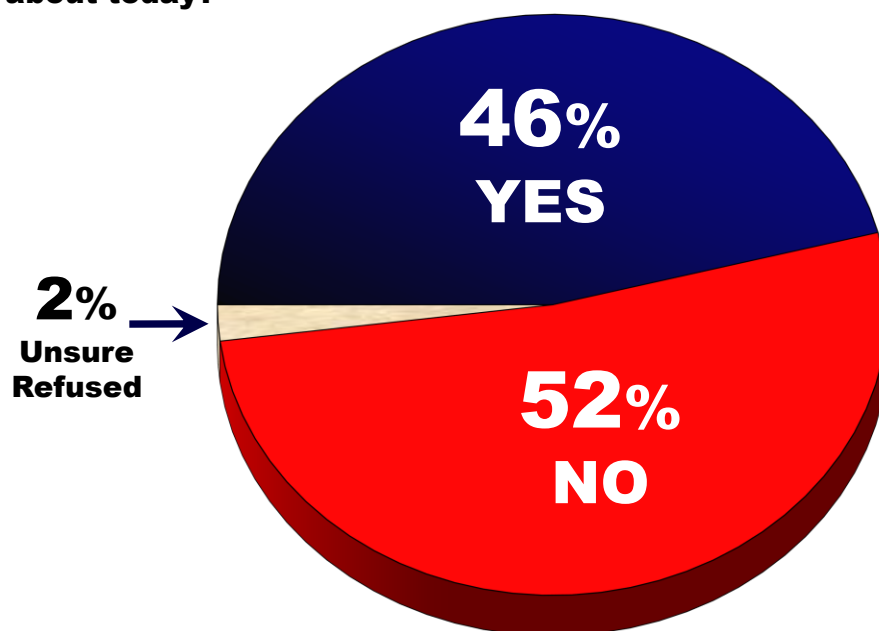


Figure 2
Tax Feasibility Study - City of Clayton
March 2022

Issues of Concern (Front End of Mind)

Question 2.0: Is there a Local Issue you are especially concerned about today?



Top four (4) issues of concern:

| | |
|-----|--------------------|
| 38% | Homeless |
| 13% | Crime |
| 8% | Affordable Housing |
| 7% | Public Safety |



Figure 3A
Tax Feasibility Study - City of Clayton
March 2022

Aware that... The City of Clayton

Question 4.0: Prior to the present survey, were you aware of the fact that the City of Clayton is facing huge fiscal challenges?

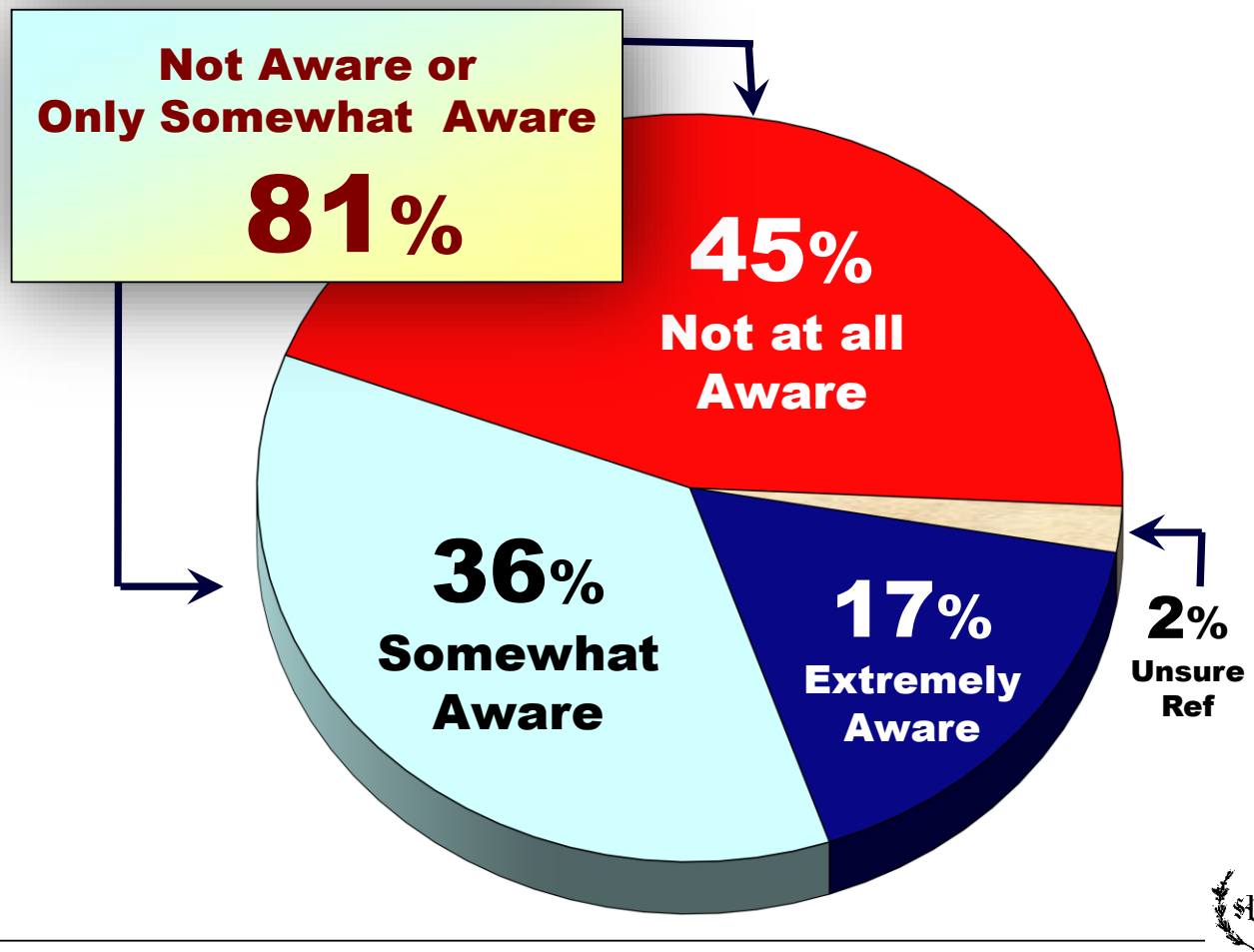


Figure 3B
Tax Feasibility Study - City of Clayton
March 2022

Concerned that...
The City of Clayton
Is Facing Huge Fiscal Challenges

Question 4.1: Whether or not you were previously aware of the fiscal challenges that City officials will soon be facing, if you learned about these challenges through a trusted source, would that make you highly concerned, somewhat concerned, or not at all concerned about how this set of challenges will impact the well-being of you and your family members?

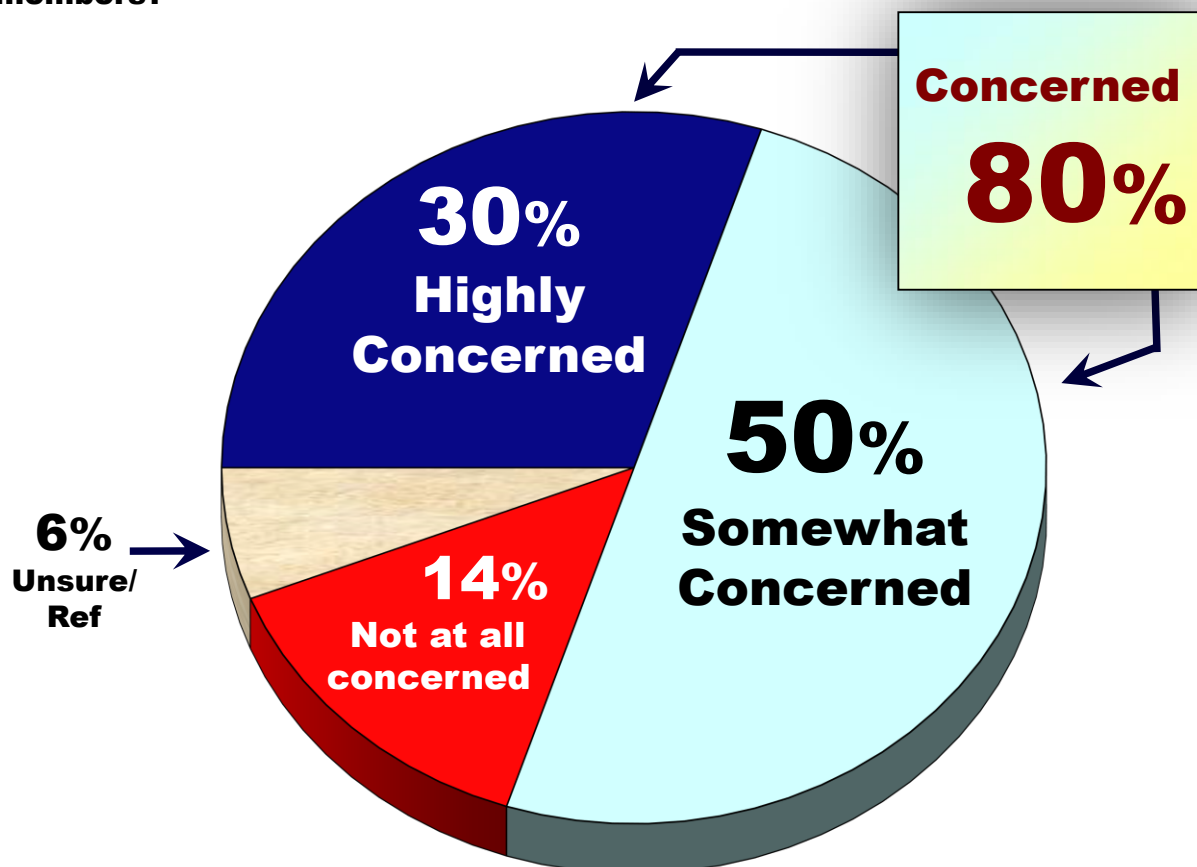


Figure 4
Tax Feasibility Study - City of Clayton
March 2022

Preference for Dealing With... **Fiscal Challenges** Facing the City of Clayton

Question 5.0: At the present time, Clayton officials are considering several ways of dealing with the fiscal challenge situation. What would your preference be regarding two of these alternatives i.e. Maintain City services and increase local taxes only enough to keep services at their current level; or, Cut back the current level of services and programs and create NO new taxes at the local level of government

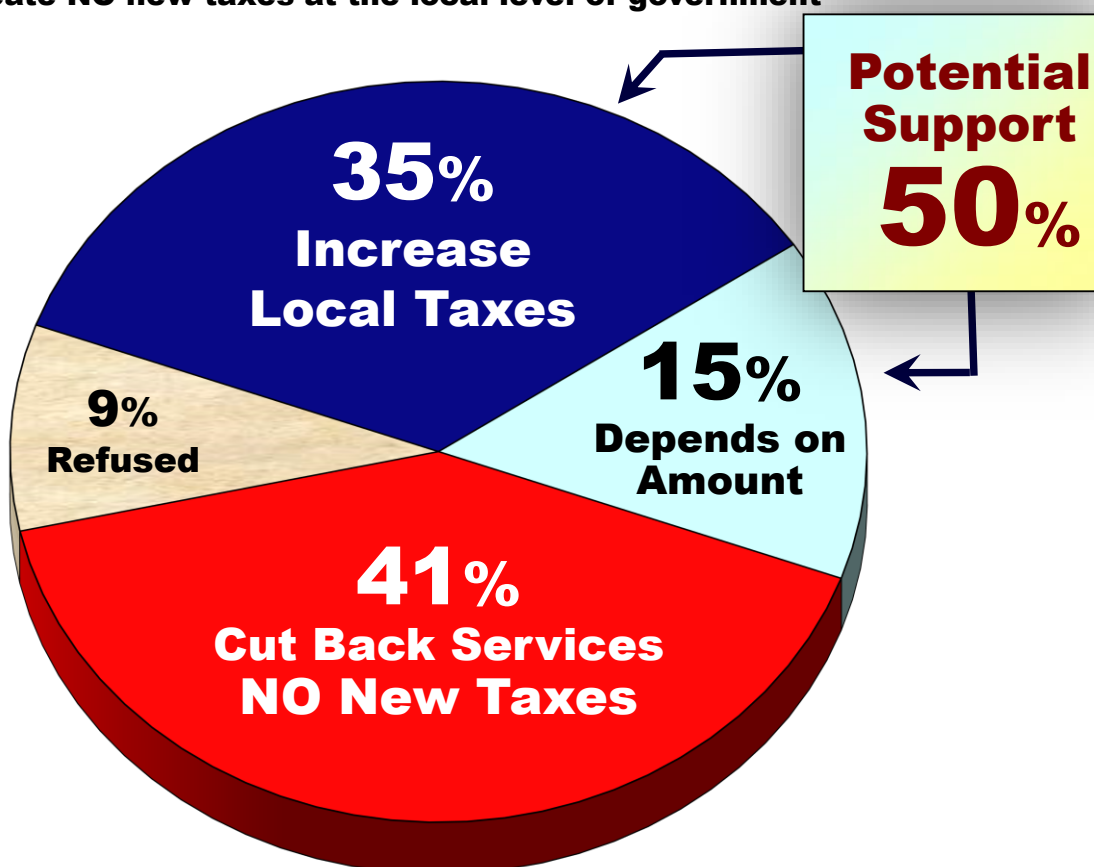


Figure 5A
Tax Feasibility Study - City of Clayton
March 2022

Support for...
\$400/yr. Parcel Tax
Flat Tax on Each Parcel of Property

Question 6.0: This would be a **PARCEL TAX**, which is a flat tax, on each parcel of property owned as opposed to a tax based upon the assessed value of each parcel of property owned.

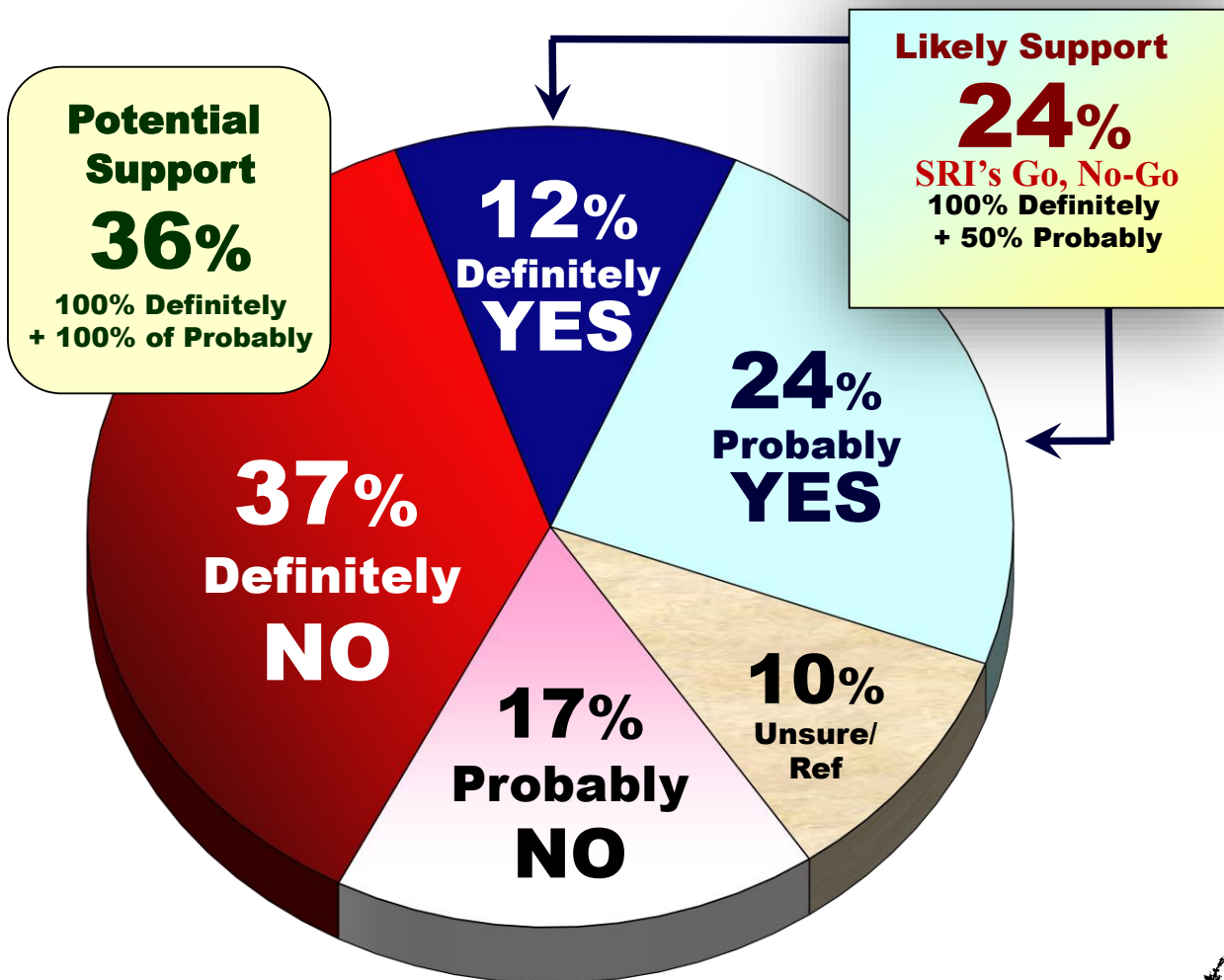
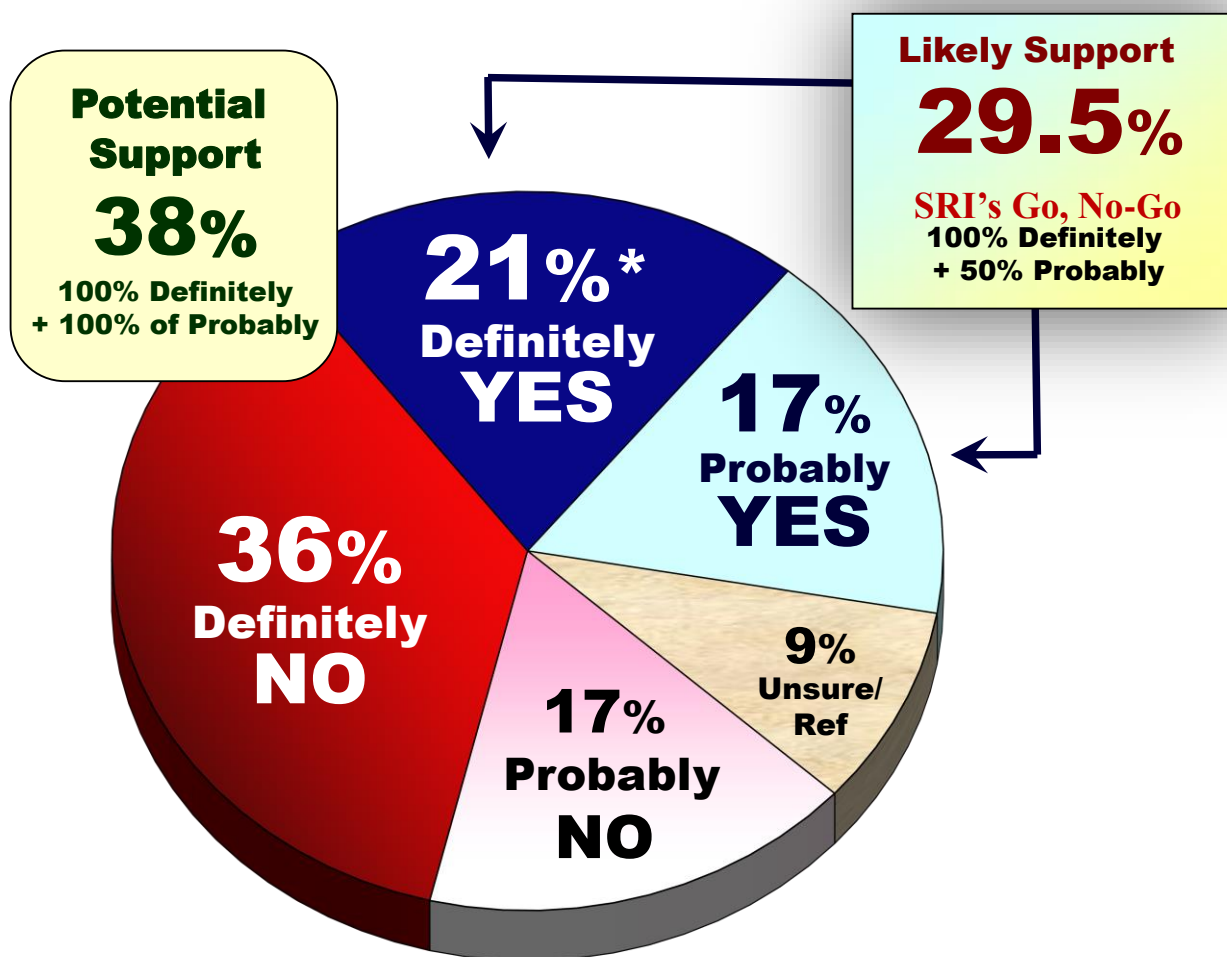


Figure 5B
Tax Feasibility Study - City of Clayton
March 2022

Support for...
\$300/yr. Parcel Tax
Flat Tax on Each Parcel of Property

Question 6.1: Since you're not willing to pay \$400/year, would you be willing to authorize an annual increase of \$300/year in order for the City to balance the annual budget and avoid having to make significant cutbacks in the level of service currently being provided?



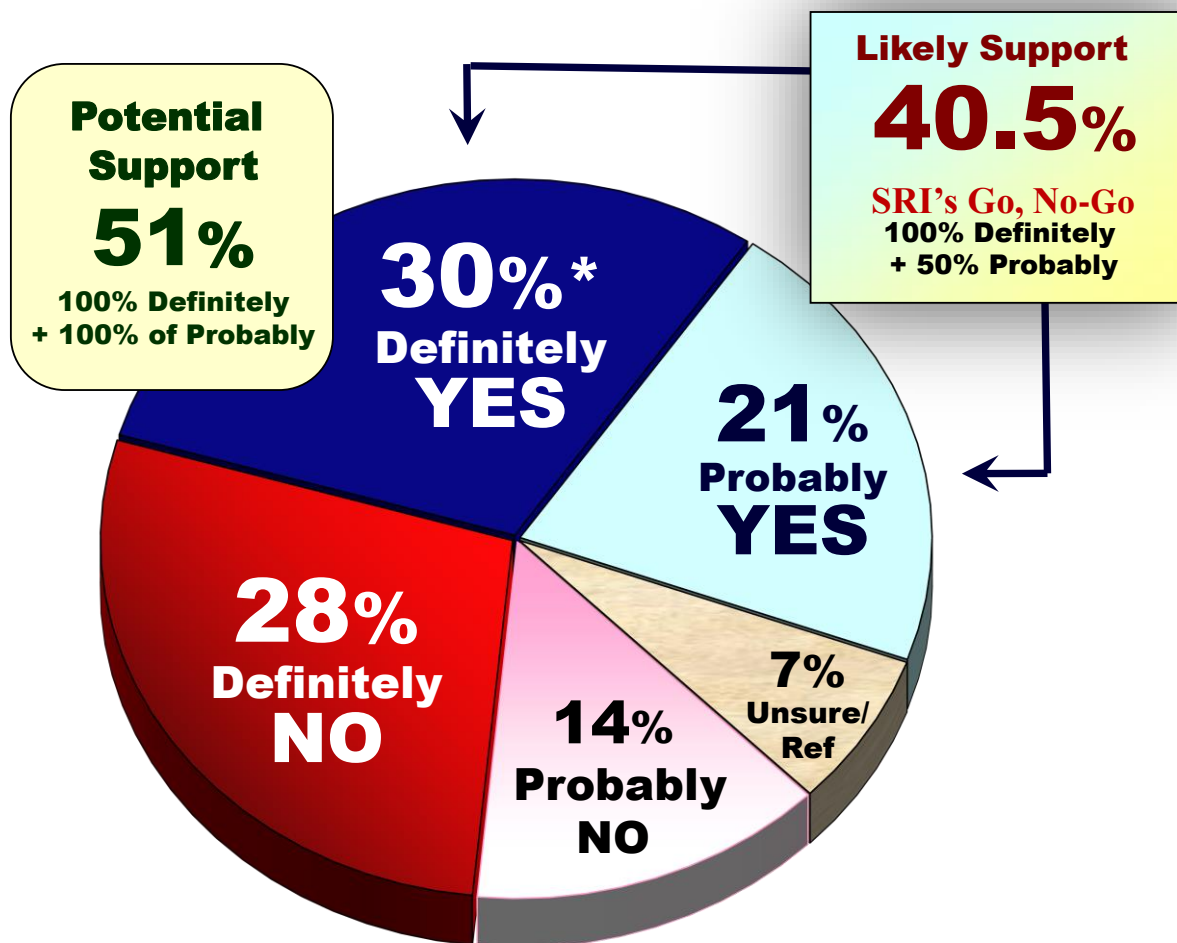
* Definitely YES at Q6.0 + 6.1



Figure 5C
Tax Feasibility Study - City of Clayton
March 2022

Support for...
\$200/yr. Parcel Tax
Flat Tax on Each Parcel of Property

Question 6.2: Since you're not willing to pay \$300/year, would you be willing to authorize an annual increase of \$200/year in order for the City to balance the annual budget and avoid having to make significant cutbacks in the level of service currently being provided?



*Definitely YES at Q6.0 + 6.1 + 6.2



Figure 6
Tax Feasibility Study - City of Clayton
March 2022

Support for... 6% Utility Use Tax

Question 7.0 If you were asked to vote today on a measure to create a **UTILITY USE TAX** of 6% of your utility bills, would you vote **Definitely YES**, **Probably YES**, **Probably No** or **Definitely NO** on such a measure?

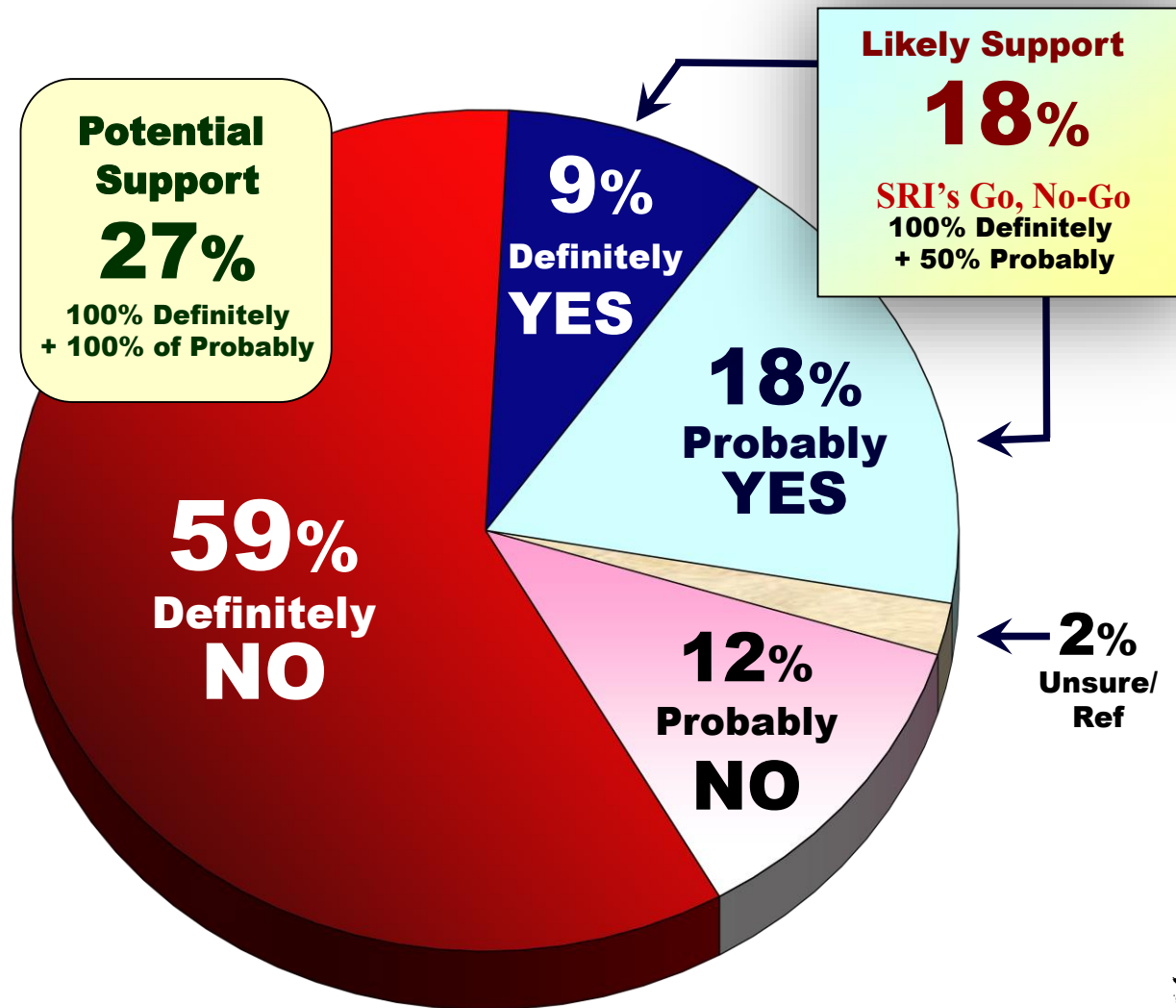


Figure 7A
Tax Feasibility Study - City of Clayton
March 2022

Support for... 1-cent Increase in Clayton's Sales Tax

Question 8.0: Should the City place a one-cent Sales Tax (in the form of a TUT) on the local ballot to avoid having to make significant cutbacks in the level of services presently provided to local residents and making it possible to address some of the City's unmet needs?

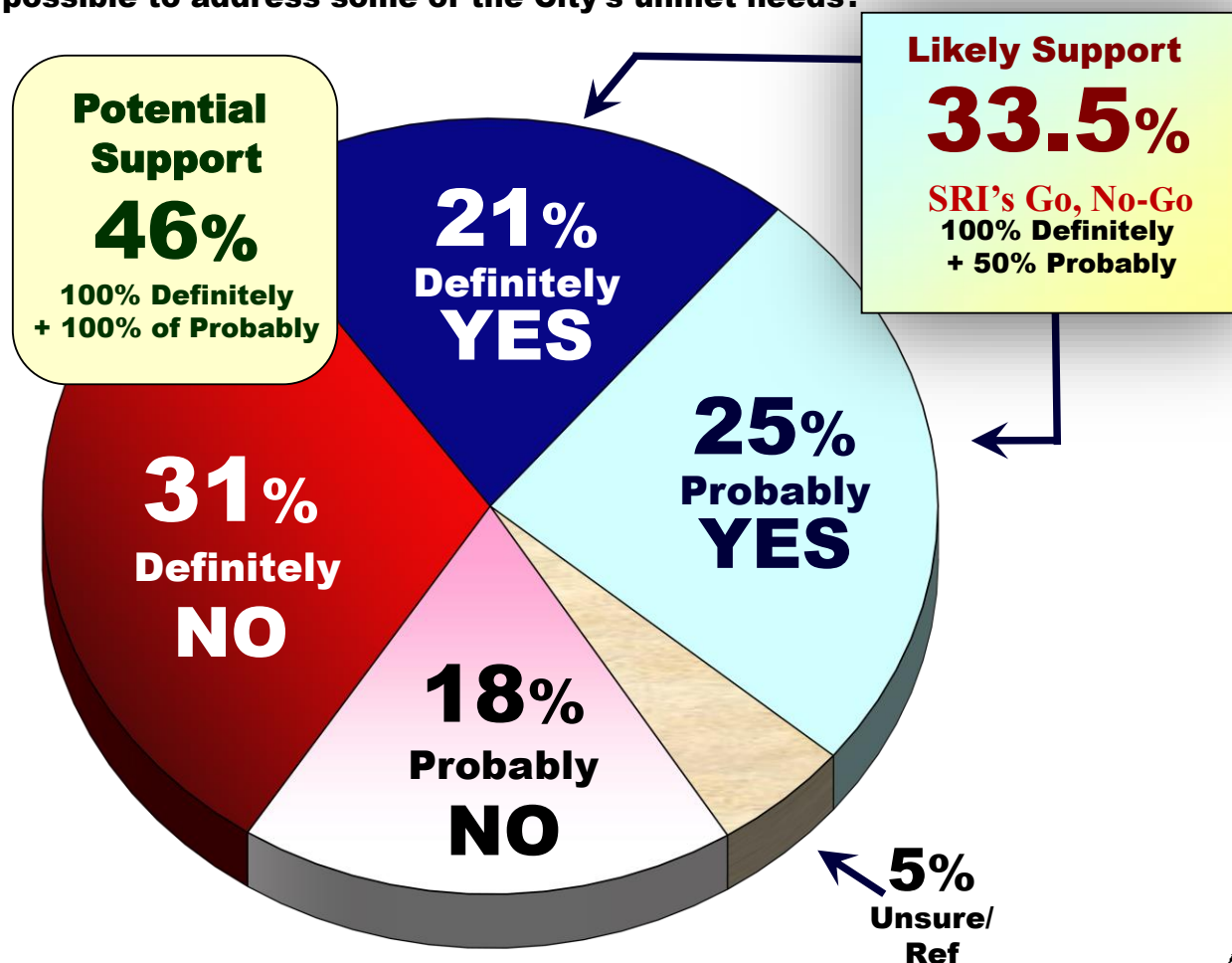
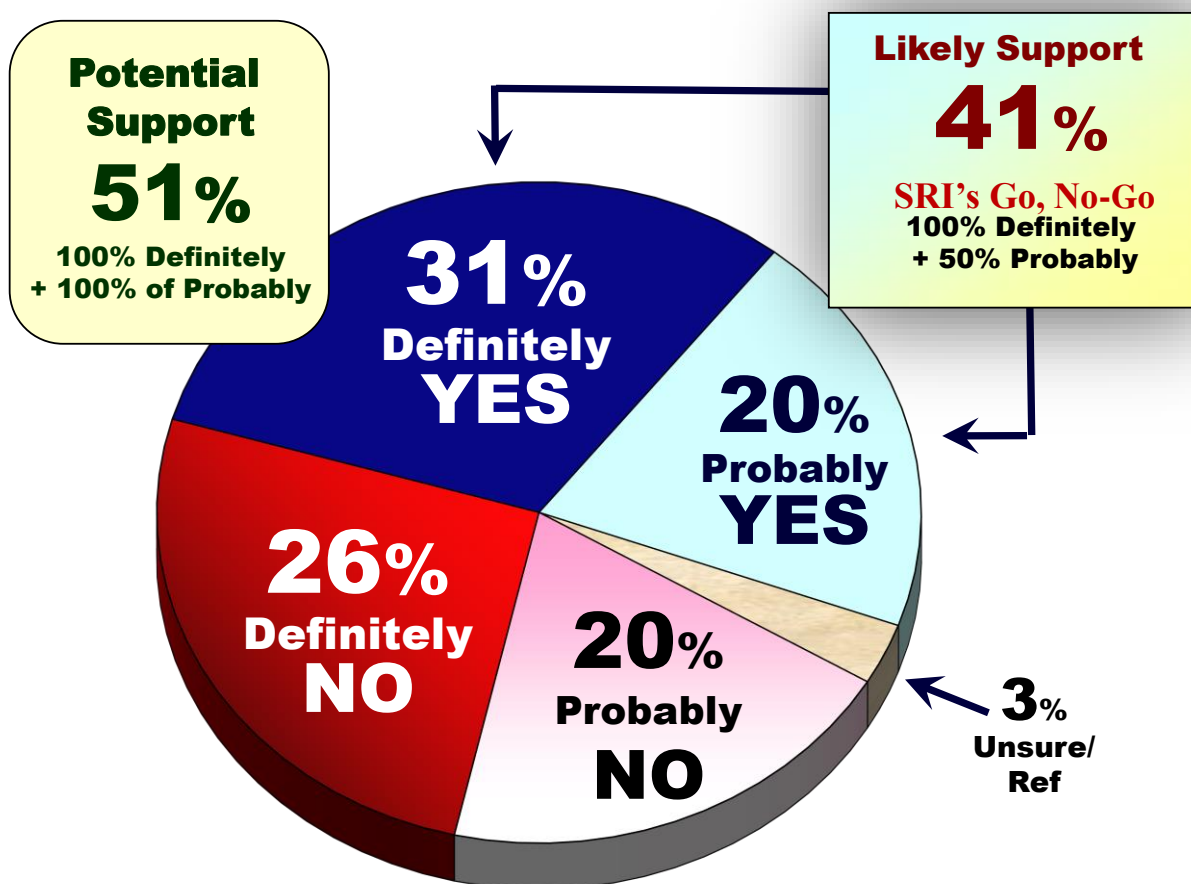


Figure 7B
Tax Feasibility Study - City of Clayton
March 2022

Support for... **1/2-cent Increase in Clayton's Sales Tax**

Question 8.1: Should the City place a 1/2-cent Sales Tax (in the form of a TUT) on the local ballot to avoid having to make significant cutbacks in the level of services presently provided to local residents and making it possible to address some of the City's unmet needs?



*Definitely YES at Q8.0 + 8.1



Figure 8A
Tax Feasibility Study - City of Clayton
March 2022

Impact of Arguments...

Without Additional Funds the City will Be Forced to Lay Off at Least One Police Officer

Question 9.1: Without these funds the City will be forced to lay off at least one police officer; thus, reducing response times and negatively impacting the level of Public Safety in Clayton in numerous ways.

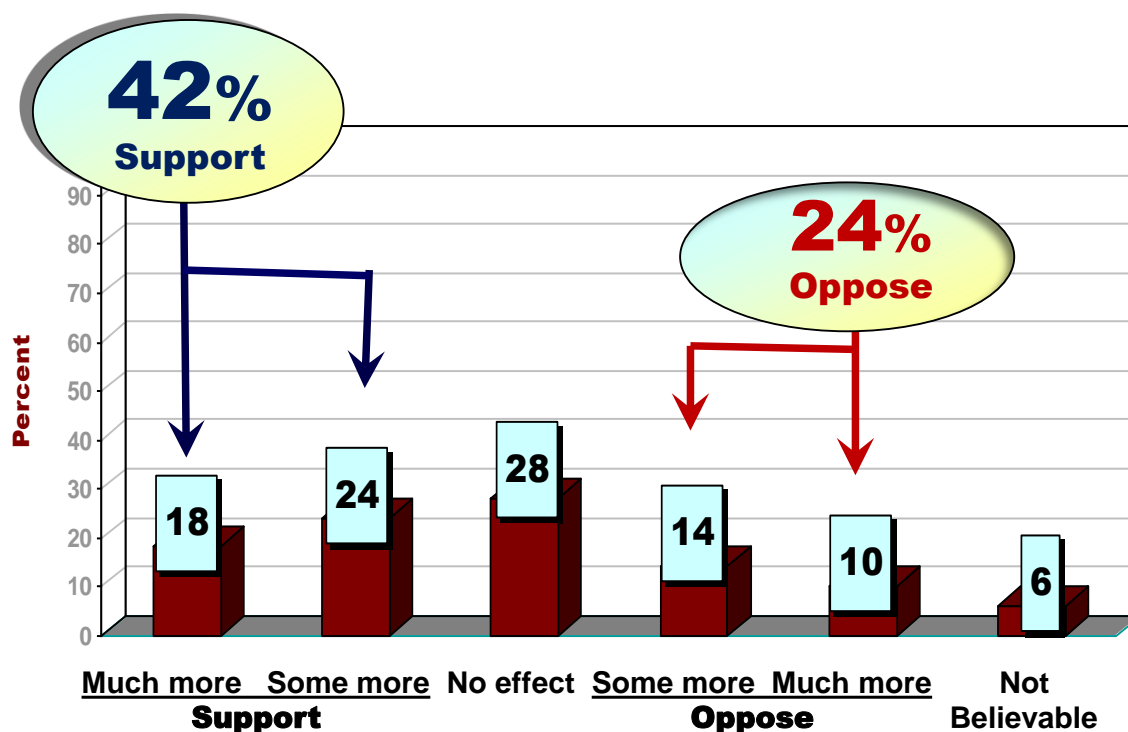


Figure 8B
Tax Feasibility Study - City of Clayton
March 2022

Impact of Arguments... Without Additional Funds

Street Lights in Certain Neighborhoods May Have to be Turned Off

Question 9.2: The streetlight assessment currently in place in Clayton does not fully cover the cost of operations; in fact, the rate has not been increased for the past 24 years. Furthermore, it does not include a CPI to control for normal inflation, Without additional funds, the City may be forced to turn off a portion of the street lights in certain neighborhoods of the City; thus, negatively impacting public safety.

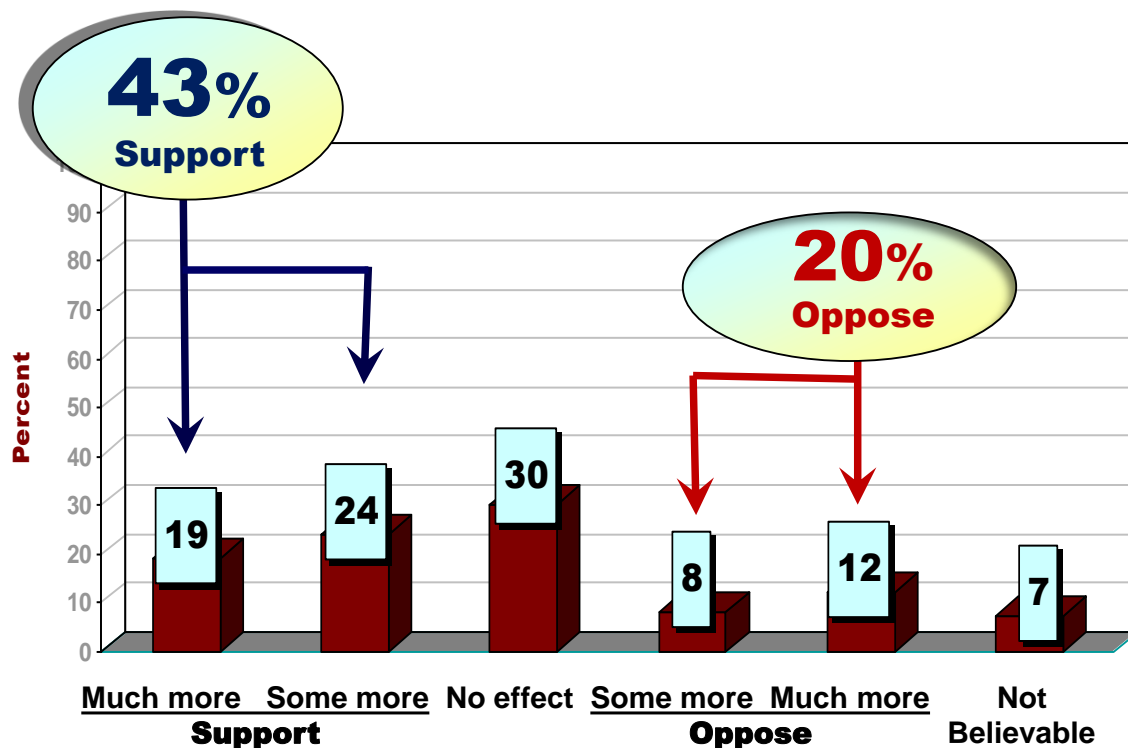


Figure 8C
Tax Feasibility Study - City of Clayton
March 2022

Impact of Arguments... Without Additional Funds City Will be Forced to **Cut Back** on the Level of Services presently being Provided

Question 9.3: Without these funds, the City will be forced to cut back on the level of services presently being provided to Clayton residents, citywide; thus, negatively impacting the *quality of life* for all Clayton residents.

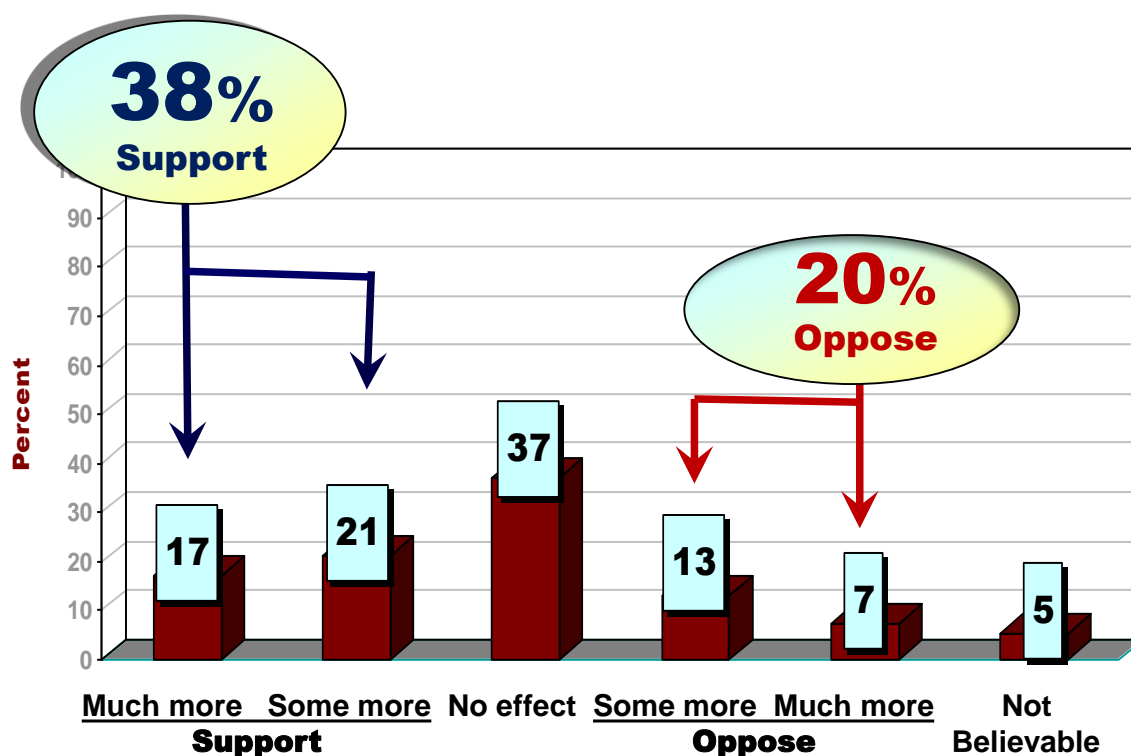


Figure 8D
Tax Feasibility Study - City of Clayton
March 2022

Impact of Arguments...

Taxes Are TOO High

Clayton Residents **NEED TAX RELIEF**

Question 9.4: Taxes are simply too high. Clayton residents need tax relief.

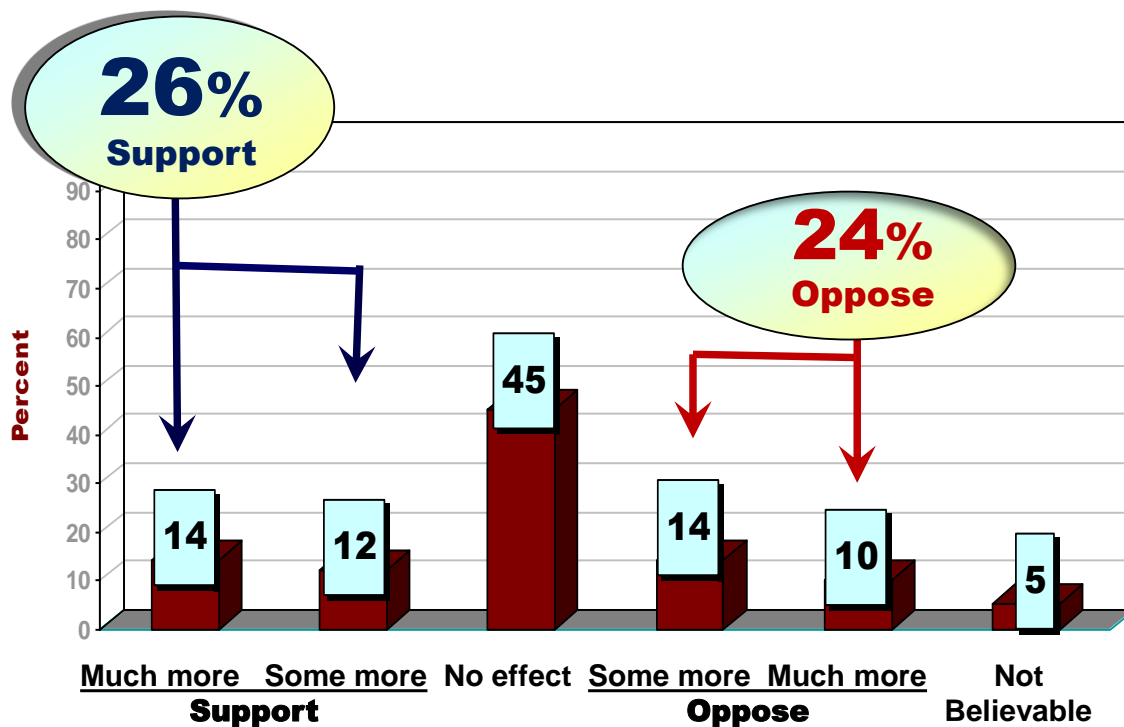


Figure 8E
Tax Feasibility Study - City of Clayton
March 2022

Impact of Arguments... **Without Additional Funds** City Will be Forced into **'Deficit Spending'**

Question 9.5: Without the revenues from the proposed funding Measure, the City will be forced into 'deficit spending' which means that the City will have to take money out of its reserves to cover operating costs, instead of using these monies as intended for other needs.

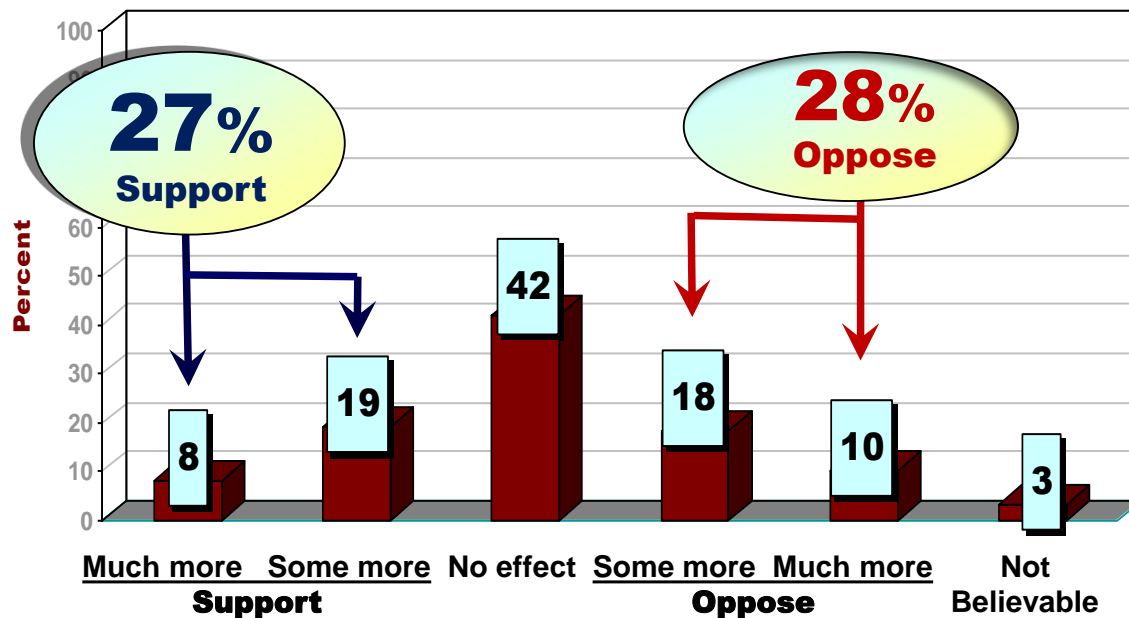


Figure 8F
Tax Feasibility Study - City of Clayton
March 2022

Impact of Arguments... Without Additional Funds The City Could be **Forced Into Bankruptcy**

Question 9.6: Without additional funding, the City could be forced into bankruptcy; or even be taken over by Contra Costa County.

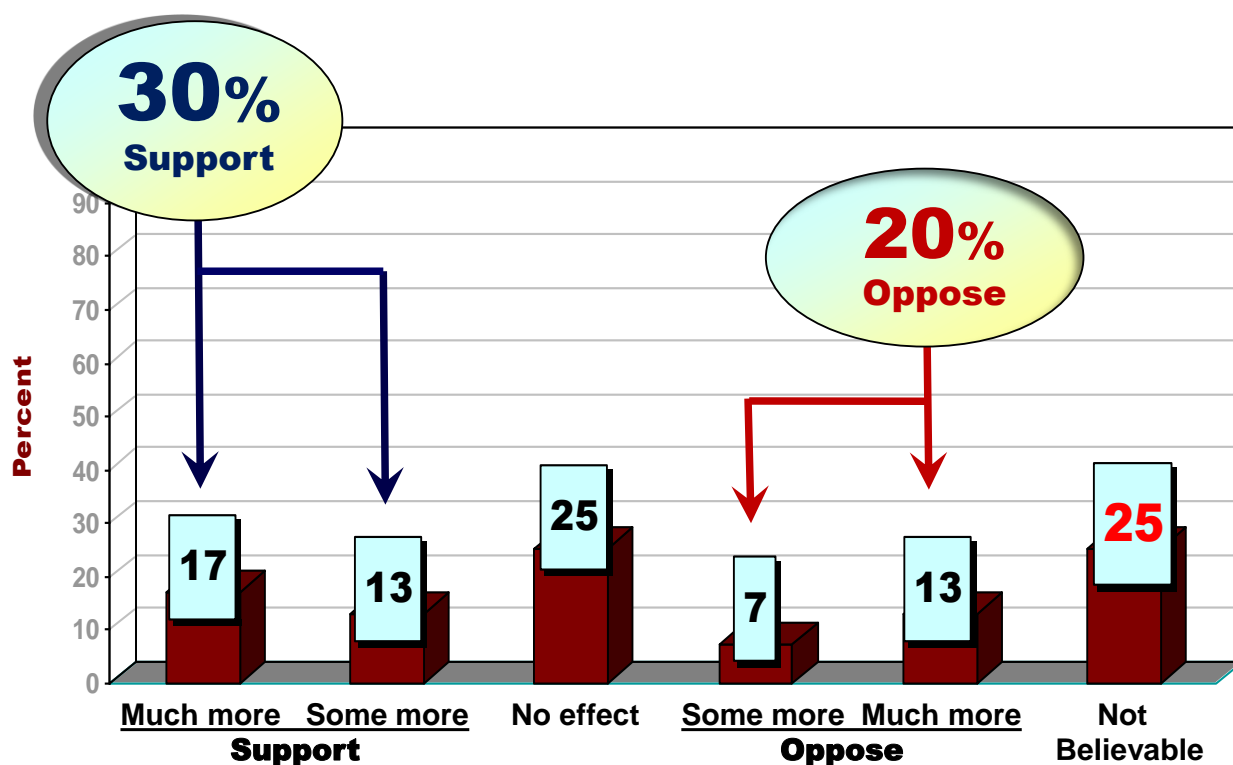


Figure 9
Tax Feasibility Study - City of Clayton
March 2022

Support for... Increase in Local Tax Base **AFTER ARGUMENTS**

Question 10.0: Now that you have heard several arguments in **SUPPORT** of, and in **OPPOSITION** to, the notion of authorizing an increase in the local tax base in order to avoid having to make serious cutbacks in services presently being provided to Clayton residents, and assuming the amount of increase does **NOT** exceed your **THRESHOLD** of *willingness to pay*, would you vote **YES** or **NO** on such a funding measure?

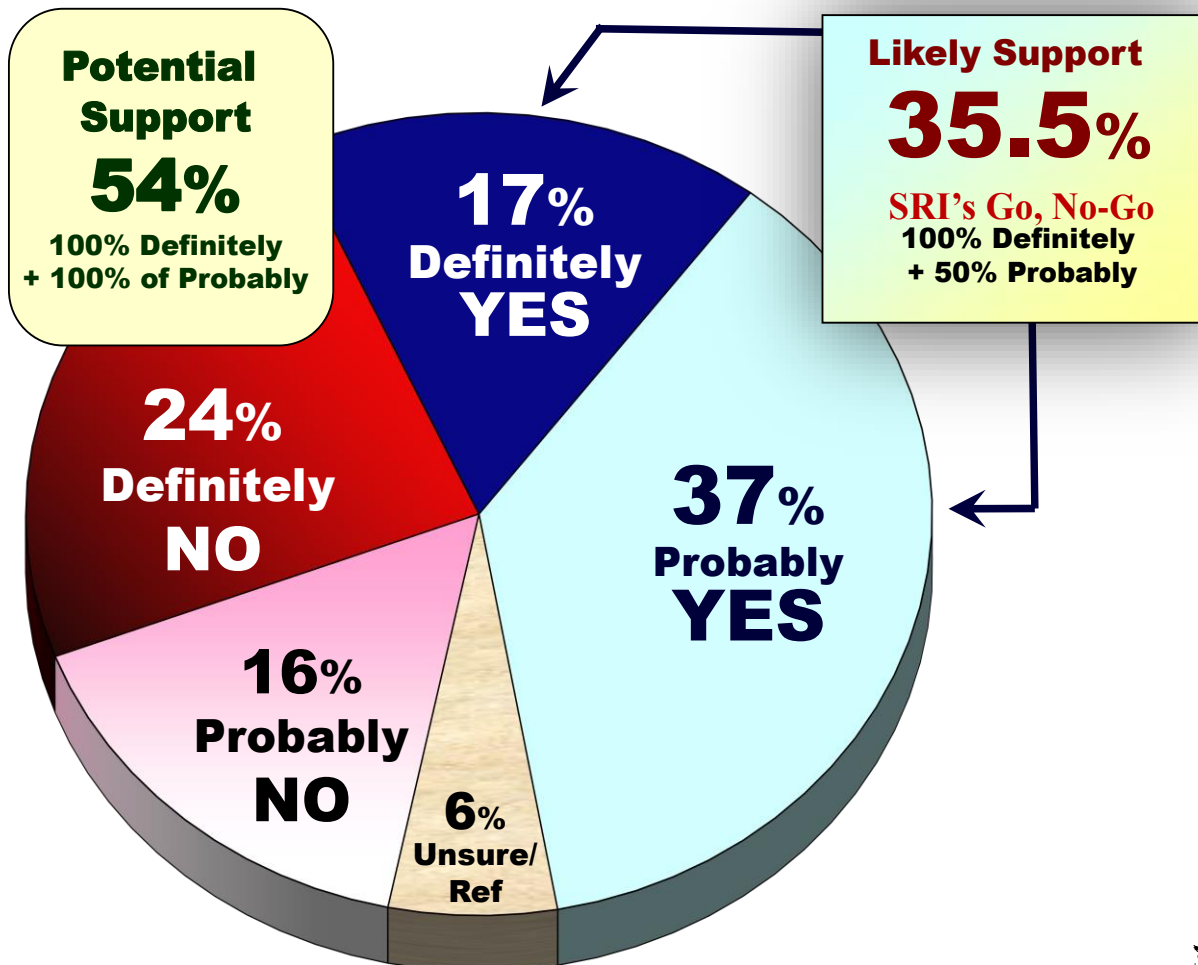


Figure 10A
Tax Feasibility Study - City of Clayton
March 2022

Recommend Making Proposed Increase... **Permanent, to Sunset or be brought back to Voters for Renewal**

Question 11.0 Because the need for City services and the City's operating costs will continue into the foreseeable future, would you recommend making the proposed increase in the local tax base, if authorized by Clayton voters, **PERMANENT**; or would you want the increase to 'Sunset' in a specific number of years **OR** be brought back to local voters to be **RENEWED**?

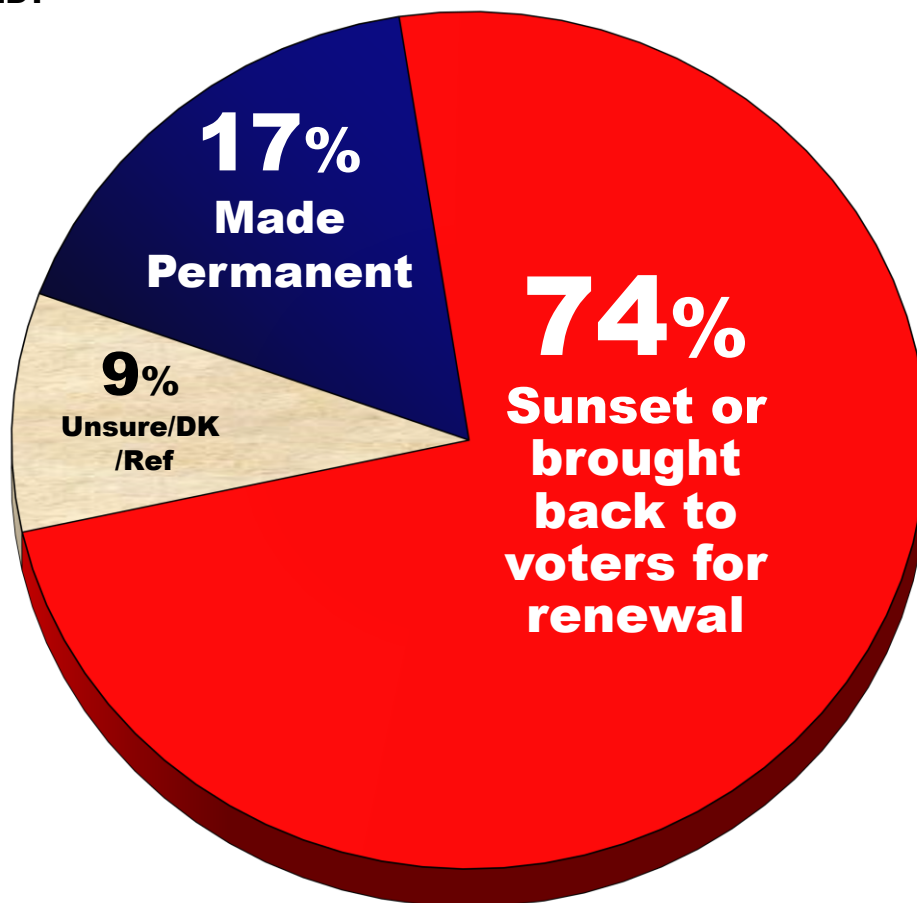


Figure 10B
Tax Feasibility Study - City of Clayton
March 2022

Support Making Proposed Increase... **Sunset in 20 Years**

Question 11.1 Since you're not willing to support keeping this increase in the local tax base in place **PERMANENTLY** would you be willing to keep it in place for 20 years; then have it terminate **OR** be brought back to local voters for renewal?

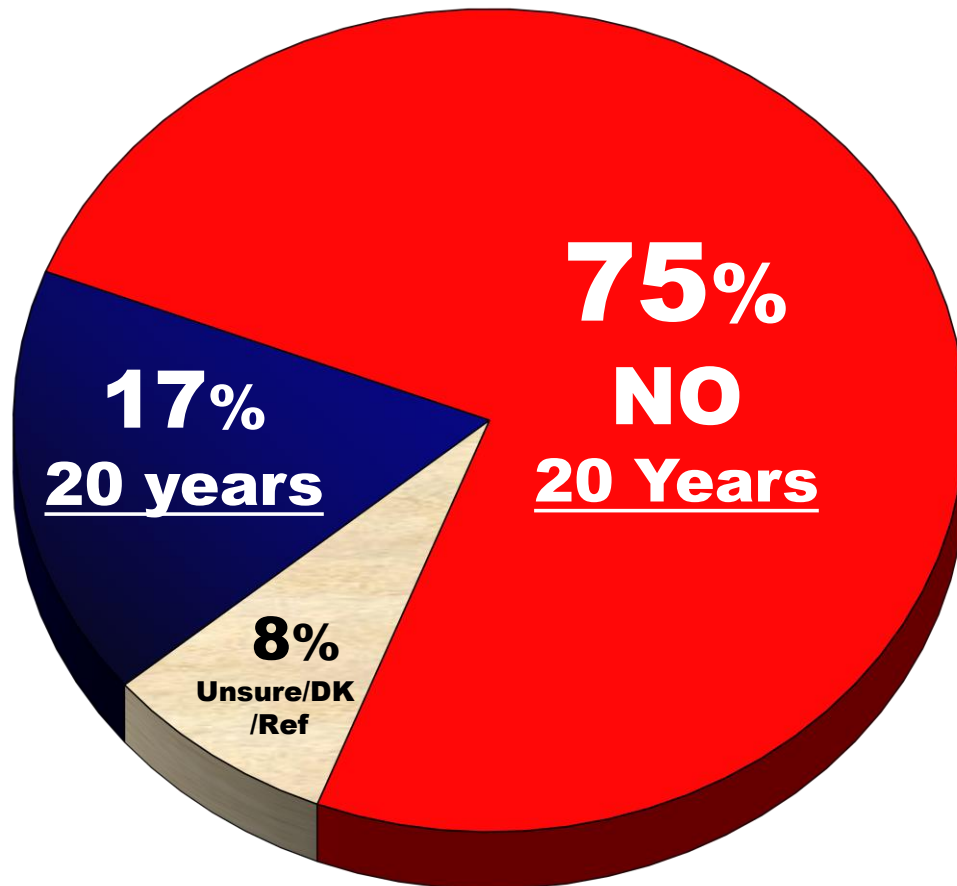


Figure 10C
Tax Feasibility Study - City of Clayton
March 2022

Support Making Proposed Increase... **Sunset in 10 Years**

Question 11.2 Since you're not willing to support keeping this increase in the local tax base for 20 Years, would you be willing to keep it in place for 10 years; then have it terminate OR be brought back to local voters for renewal?

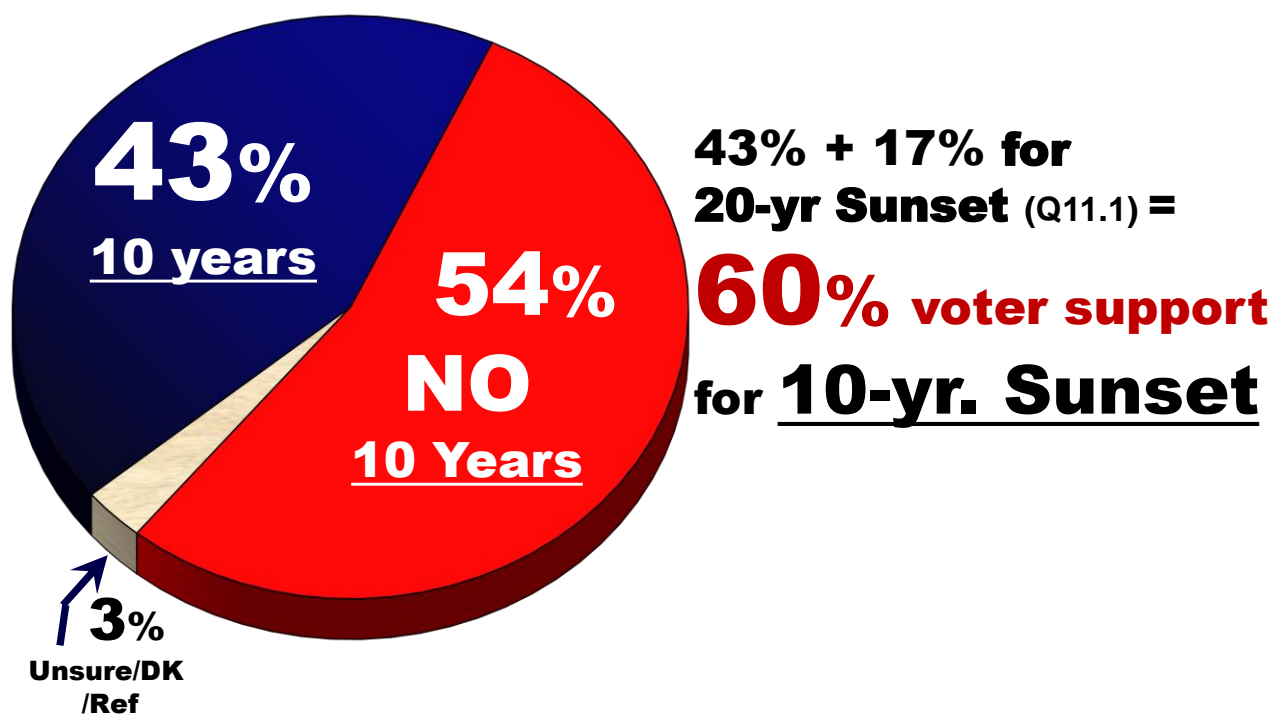


Figure 11
Tax Feasibility Study - City of Clayton
March 2022

Support for... Incorporating a CPI

Question 12.1: In order to control for normal inflation, would you support authorizing a modest annual increase in the local tax base that is based upon a CPI (not to exceed 5%), in order to **KEEP PACE** with the increased cost of providing services to Clayton residents from year-to-year?

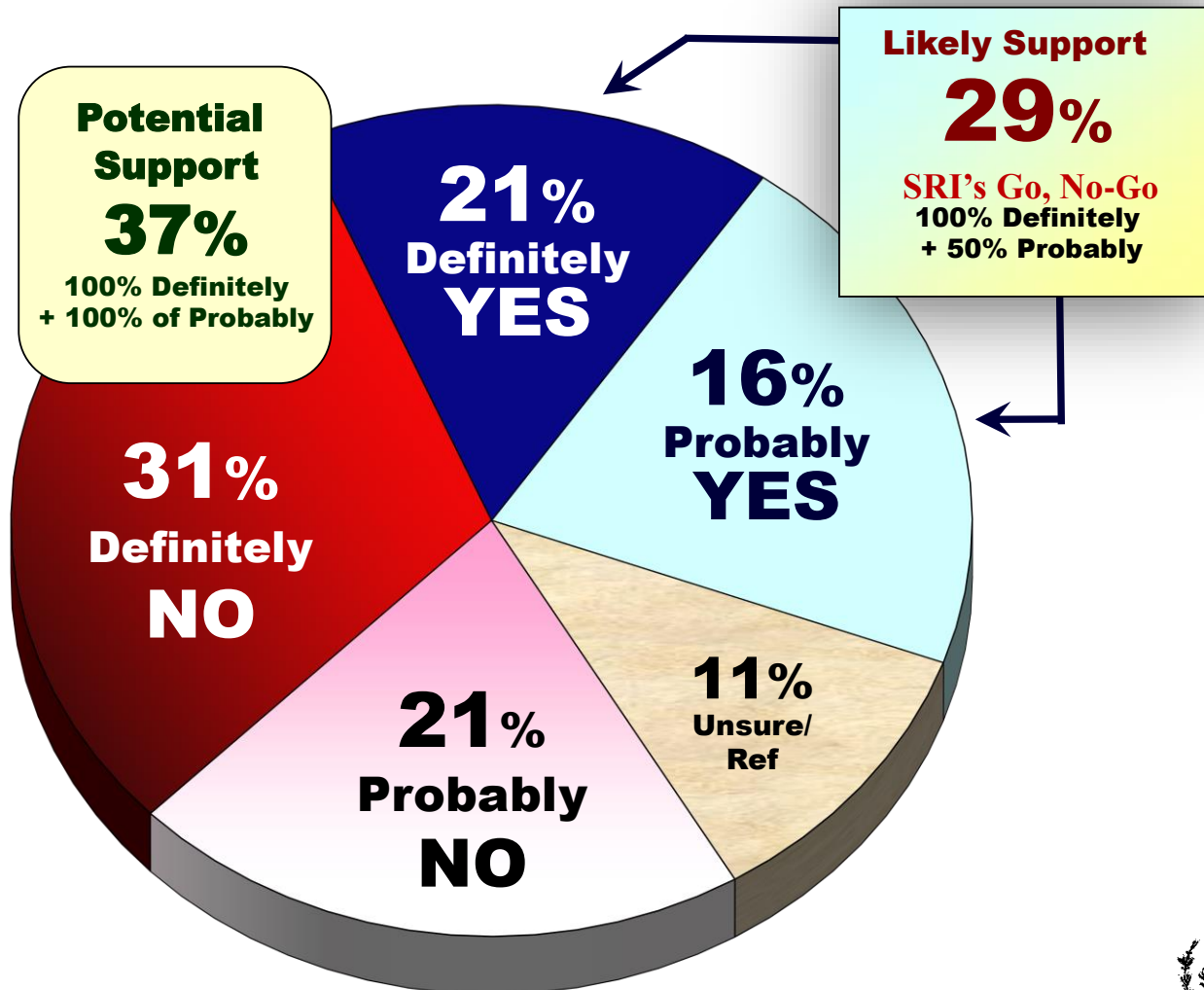


Figure 12
Tax Feasibility Study - City of Clayton
March 2022

Agree or Disagree...

Clayton's Elected Officials are Completely Trustworthy

Question 13.0: Do you AGREE or DISAGREE with the following statement, "Clayton's elected officials are Completely trustworthy?"

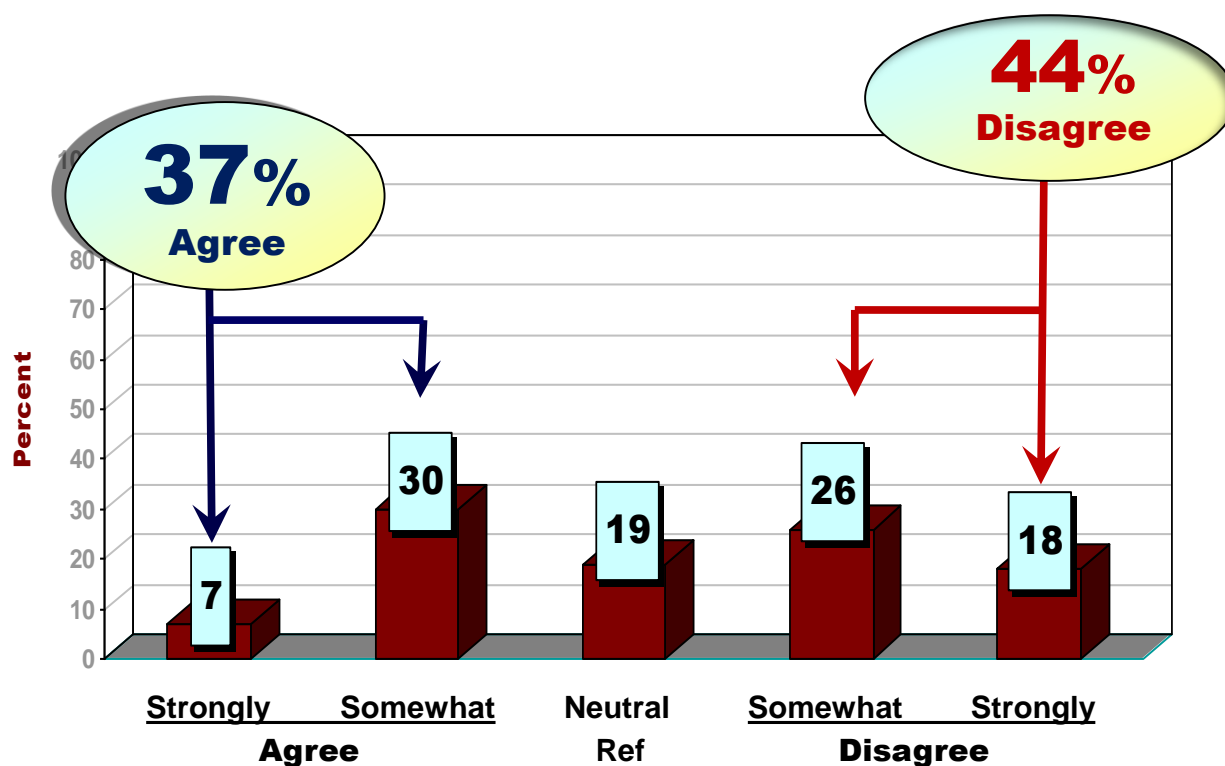


Figure 13
Tax Feasibility Study - City of Clayton
March 2022

Recommendations

1. **NO-GO** for placing funding measure on the November 2022 ballot.
2. Develop a comprehensive Public Outreach effort to **INFORM** the local electorate and the community-at-large regarding the fiscal challenges facing the City and the consequences for NOT addressing these challenges.
3. The **MESSAGE** should be driven by *findings* from present scientific voter survey.
4. Place a funding Measure on the local ballot in the **November 2024** election cycle.



Figure 14A
Tax Feasibility Study - City of Clayton
March 2022

Demographics of Survey Respondents

Length of Residency

| | |
|---------------|-----|
| 0 to 5 years | 24% |
| 6 to 10 | 16% |
| 11 to 25 | 27% |
| Over 25 years | 33% |

Age

| | |
|----------|-----|
| 18 to 30 | 1% |
| 31 to 40 | 19% |
| 41 to 50 | 17% |
| 51 to 65 | 28% |
| Over 65 | 32% |
| Refused | 3% |

Household Income

| | |
|-----------------------|-----|
| Under \$35,000 | 0% |
| \$35,001 to \$50,000 | 7% |
| \$50,001 to \$75,000 | 12% |
| \$75,001 to \$100,000 | 12% |
| Over \$100,000 | 58% |
| Refused | 11% |

Ideology

| | |
|--------------|-----|
| Liberal | 26% |
| Progressive | 31% |
| Moderate | 9% |
| Conservative | 25% |
| Refused | 9% |

Home Ownership

| | |
|---------|-----|
| Own | 94% |
| Rent | 5% |
| Refused | 1% |

Education

| | |
|--------------------------|-----|
| Less than High School | 1% |
| High School/Trade School | 6% |
| Some College | 23% |
| College Graduate | 39% |
| Graduate/Prof. School | 29% |
| Refused | 2% |

of Children Under 18

| | |
|---------------|-----|
| None | 68% |
| One | 10% |
| Two | 19% |
| Three or more | 2% |
| Refused | 1% |

Gender

| | |
|--------|-----|
| Male | 48% |
| Female | 52% |



Figure 14B
Tax Feasibility Study - City of Clayton
March 2022

Demographics of Survey Respondents

Area of Residence

| | |
|-------------------------|------------|
| Northern Clayton | 30% |
| Central Clayton | 12% |
| Town Center | 24% |
| Southern Clayton | 13% |
| East | 1% |
| West | 4% |
| Other | 9% |
| Refused | 7% |

Ethnicity

| | |
|---|------------|
| Caucasian | 71% |
| Hispanic/Latino | 4% |
| African American/Black | 4% |
| Native American/Alaskan | 0% |
| Native Hawaiian & other Pacific Islander | 0% |
| Asian | 1% |
| Other | 15% |
| Refused | 5% |



Addendum 'B'

City of Clayton
FUNDING FEASIBILITY SURVEY
 March 2022
 (Local Electorate)
 N=300

Hello. My name is ___ and I am with the SURVEY RESEARCH INSTITUTE. We are conducting a survey for the **City of Clayton**. City officials are in the midst of making a series of decisions that will impact the level of services presently being provided to Clayton residents by or through the City; and, would like to have input from local residents BEFORE making these decisions. This survey is not part of any political campaign; and, your responses to our questions will remain totally confidential. Would you kindly take a few minutes to respond to our questionnaire?

NOTE TO INTERVIEWER: If respondent asks, "How long will the survey take?"
 Answer: "About 15 minutes"

Issues of Concern to Clayton Voters

1.0 Overall, how **satisfied** are you with the **QUALITY OF LIFE** as a resident of Clayton?
 Would you say you are...

| | | | | | | |
|---------------------|----------------|-------------------------|-----------------|-----------------------|-------------------|------------------------|
| Extremely Satisfied | Very Satisfied | Only slightly Satisfied | Neutral/ Unsure | Slightly Dissatisfied | Very Dissatisfied | Extremely Dissatisfied |
| 33% | 51% | 10% | 5% | 0% | 0% | 1% |

2.0 Is there a **Local Issue** you are especially concerned about today?

| | |
|-----|---|
| 46% | YES ... "What would that be?" |
| 23% | Housing |
| 5% | Raising taxes |
| 4% | Homelessness |
| 4% | Schools |
| 10% | Misc: Water shortage; Wants Clayton to stay small, quiet and safe; Seems to be moving away from moderate to liberal; Racist people in town; Police services; Not very diverse community; Lake front has no water; Keller Ridge road has bad triangles and if there were a fire it would impede the escape route; City Council not very good at managing money; Budget; Not much diversity |
| 52% | NO |
| 2% | Unsure/Don't know/Neutral/Refused |

Satisfaction Scores for Certain Public Services

NOTE TO SURVEYORS: ROTATE the order in which you read the list of local concerns, 4.1 through 4.8

3.0 I would like to ask you how satisfied you are with certain services and amenities presently being provided to Clayton residents by or through the City.

3.1 How satisfied are you with the park and recreation amenities presently available to local residents, including playgrounds, picnic tables, and-the-like at Clayton Community Park, The Grove Park, including the Gazebo, and North Valley Park?

| Extremely Satisfied | Somewhat Satisfied | Neutral/Unsure [DO NOT read] | Somewhat Dissatisfied | Extremely Dissatisfied | Refused |
|---------------------|--------------------|------------------------------|-----------------------|------------------------|---------|
| 55% | 33% | 6% | 3% | 2% | 1% |

3.2 How satisfied are you with the level of police services presently being provided in Clayton?

| Extremely Satisfied | Somewhat Satisfied | Neutral/Unsure [DO NOT read] | Somewhat Dissatisfied | Extremely Dissatisfied | Refused |
|---------------------|--------------------|------------------------------|-----------------------|------------------------|---------|
| 58% | 34% | 5% | 2% | 1% | 0% |

3.3 How satisfied are you with community development (including code enforcement, planning and zoning)?

| Extremely Satisfied | Somewhat Satisfied | Neutral/Unsure [DO NOT read] | Somewhat Dissatisfied | Extremely Dissatisfied | Refused |
|---------------------|--------------------|------------------------------|-----------------------|------------------------|---------|
| 17% | 38% | 17% | 16% | 9% | 3% |

3.4 How satisfied are you with the County Library located in Clayton?

| Extremely Satisfied | Somewhat Satisfied | Neutral/Unsure [DO NOT read] | Somewhat Dissatisfied | Extremely Dissatisfied | Refused |
|---------------------|--------------------|------------------------------|-----------------------|------------------------|---------|
| 52% | 24% | 21% | 2% | 1% | 0% |

Level of Awareness re: Challenges presently facing the City

4.0 Until now, the City of Clayton has been able to cover the City's operating expenses, including providing services to constituents that ensure a high *quality of life* for all Clayton residents. Due to unforeseen circumstances, such as impacts from the Covid-19 Pandemic, the increasing cost of fuel and electricity, among other factors – if nothing is done to remedy the situation...beginning fiscal year 2023, the City will enter a mode of deficit spending. More specifically, at this point, the City could be faced with an annual shortfall of between four hundred thousand to six hundred thousand dollars.

Prior to the present survey, were you aware of the fact that the **City of Clayton** is facing huge fiscal challenges? And, would that be...

| | |
|-----|---------------------------------------|
| 17% | Extremely aware, or only... |
| 36% | Somewhat aware, or... |
| 45% | Not at all aware of this fact? |
| 2% | DK/unsure/Refused |

4.1 Whether or not you were previously aware of the fiscal challenges that City officials will soon be facing, if you learned about these challenges through a trusted source, would that make you highly concerned, somewhat concerned, or not at all concerned about how this set of challenges will impact the well-being of you and your family members?

| | |
|-----|-----------------------------|
| 30% | Highly concerned |
| 50% | Somewhat concerned |
| 14% | Not at all concerned |
| 6% | DK/unsure/Refused |

BENCHMARK Support for Increasing Local Tax Base

5.0 At the present time, Clayton officials are considering several ways of dealing with this difficult situation. I would like to ask you about your preferences regarding two of these. Would you prefer:

35% Maintaining City services at their current level and **increasing local taxes only enough to pay for the same level of programs and services** that are presently being provided to local residents? Or, do you prefer...

41% Cutting back the current level of City services and programs, thereby, creating NO **new taxes at the local level of government**...even if this means forcing City officials into making significant cutbacks in the level of services presently being provided to Clayton residents, such as reducing the number of sworn police officers; cutting back expenses in maintaining City parks; or reducing the number of hours City Hall is open to the public; among other services?

15% **Depends on the amount of the additional tax**

9% Refused

Voter support for 1ST of three Funding Mechanisms: Increase Property Tax

6.0 The first option is to ask Clayton voters to authorize an increase the amount of their **property tax** by \$400, per year, per parcel of property owned, which amounts to approximately \$33 per month

This would provide unrestricted funds to balance the City's annual budget; plus, address unmet needs for additional public safety, park maintenance, sustainability and staff support.

The specific funding mechanism would be a **PARCEL TAX**, which is a flat tax on each parcel of property owned as opposed to a tax based upon the assessed value of each parcel of property owned.

My question is this. If you were asked to vote today on such a funding measure, would you vote YES or NO? And, would that be...

| | | |
|-----|-----------------------|-----------------|
| 12% | <u>Definitely</u> YES | [SKIP to Q7.0] |
| 24% | <u>Probably</u> YES | [Go on to Q6.1] |
| 9% | Unsure/DK | [Skip to Q6.1] |
| 17% | <u>Probably</u> NO | [Skip to Q6.1] |
| 37% | <u>Definitely</u> NO | [Skip to Q6.1] |
| 1% | Refused | [SKIP to Q7.0] |

Likely Support: 24%

SRI's Go/No-Go Model:

100% Definitely Yes + 50% Probably Yes

Potential Support

36%

100% Definitely Yes + 100% Probably Yes

6.1 Since you're not willing to pay \$400 per year (or about \$33 per month) to allow City officials to balance the City's annual budget and address unmet needs, would you be willing to authorize an annual increase of \$300 (or \$25 per month) per parcel of property owned, in order for the City to balance the City's annual budget and avoid having to make significant cutbacks in the level services presently being provided to Clayton residents? And, would that be...

| | | |
|-----|------------------------|-----------------|
| 12% | Definitely YES at Q6.0 | |
| 9% | <u>Definitely</u> YES | [SKIP to Q7.0] |
| 17% | <u>Probably</u> YES | [Go on to Q6.2] |
| 9% | Unsure/DK | [Skip to Q6.2] |
| 17% | <u>Probably</u> NO | [Skip to Q6.2] |
| 36% | <u>Definitely</u> NO | [Skip to Q6.2] |
| 0% | Refused | [SKIP to Q7.0] |

Likely Support: 29.5%

SRI's Go/No-Go Model:

100% Definitely Yes + 50% Probably Yes

Potential Support

38%

100% Definitely Yes + 100% Probably Yes

6.2 Since you're not willing to pay \$300 per year (which is approximately \$25 per month) to allow City officials to balance the City's annual budget, would you be willing to authorize an annual increase of \$200 (or \$17per month) per parcel of property owned, in order for the City to avoid having to make significant cutbacks in the level of services presently being provided to Clayton residents? And, would that be...

| | |
|-----|------------------------------|
| 21% | Definitely YES at Q6.0 & 6.1 |
| 9% | <u>Definitely</u> YES |
| 21% | <u>Probably</u> YES |
| 7% | Unsure/DK |
| 14% | <u>Probably</u> NO |
| 28% | <u>Definitely</u> NO |
| 0% | Refused |

Likely Support: 40.5%
SRI's Go/No-Go Model:
 100% Definitely Yes + 50% Probably Yes
Potential Support
51%
 100% Definitely Yes + 100% Probably Yes

Voter support for 2nd of three Funding Mechanisms: **Utility Use Tax**

7.0 Another approach to addressing the financial crisis presently facing City officials is to ask Clayton voters to authorize a **UTILITY USE TAX**, wherein BOTH residents and local businesses would pay an additional **6% tax** on their monthly utility bills, such as gas & electric and telecommunications; but, NOT on water nor solid waste. This tax would not only be paid by local property residents, but by local businesses, as well.

The monies from this funding mechanism would be placed into the City's General Fund, thus, as with a parcel tax, making it possible for City officials to direct monies wherever they are needed, for example, used to maintain the present level of police protection in the City of Clayton, for street maintenance, among other critical services.

If you were asked to vote today on a measure to create a **UTILITY USE TAX** of **6%** of your utility bills, would you **definitely vote YES**, **probably vote YES**, **probably vote NO**, or **definitely vote NO** on such a measure?

Note to surveyors: if the respondent asks for clarification about what the **6%** increase in **utility use tax** represents, the answer is: The amount of the increase would be 6% of the person's monthly utility bill; therefore, the amount of increase would depend upon how much of the respective utility is consumed in any given month.

| | |
|-----|-----------------------|
| 9% | <u>Definitely</u> YES |
| 18% | <u>Probably</u> YES |
| 2% | Unsure/DK |
| 12% | <u>Probably</u> NO |
| 59% | <u>Definitely</u> NO |
| 0% | Refused |

Likely Support: 18%
SRI's Go/No-Go Model:
 100% Definitely Yes + 50% Probably Yes
Potential Support
27%
 100% Definitely Yes + 100% Probably Yes

Voter support for 3rd of three Funding Mechanisms: Sales Tax (TUT)

8.0 The third funding mechanism under consideration is to ask Clayton voters to authorize a **1-cent increase** in Clayton's **Sales Tax**; more specifically, a one-cent **Transaction and Use Tax** (referred to as a TUT). A TUT would not only apply to purchases made in the City of Clayton, but it generates revenue through purchases made outside the City for such large personal property as vehicles and boats. A one-cent TUT would generate approximately \$800,000 annually.

The current Sales Tax in Clayton is 8.75%, of which the City receives a 1% share, generating approximately \$520,000 annually. The City does not have a local sales tax in place, today; thus, a one-cent TUT (if authorized by the Clayton electorate) will increase the local sales tax to 9.75%. My question is this...

Should the City place a one-cent Sales Tax (in the form of a TUT) on the local ballot to avoid having to make significant cutbacks in the level of services presently being provided to local residents and making it possible to address some of the City's unmet needs, would you vote **YES** or **NO**? And, would that be...

| | | |
|-----|-----------------------|----------------|
| 21% | <u>Definitely</u> YES | [SKIP to Q9.0] |
| 25% | <u>Probably</u> YES | [ASK Q8.1] |
| 5% | Unsure/DK | [ASK Q8.1] |
| 18% | <u>Probably</u> NO | [ASK Q8.1] |
| 31% | <u>Definitely</u> NO | [ASK Q8.1] |
| 0% | Refused | |

Likely Support: 33.5%

SRI's Go/No-Go Model:

100% Definitely Yes + 50% Probably Yes

Potential Support

46%

100% Definitely Yes + 100% Probably Yes

8.1 Since you DO NOT support authorizing a one-cent increase in the City's sales tax, would you be willing to vote to authorize a **1/2-cent** TUT in order for the City to avoid having to make significant cutbacks in the level of services presently being provided to Clayton residents. A quarter-cent TUT would generate approximately \$400,000 annually; it would increase the Sales Tax in Clayton to from 8.75% to 9.25%. Thus, my question is...

Should the City place a half-cent Sales Tax (in the form of a TUT) on the local ballot to avoid having to make significant cutbacks in the level of services presently being provided to local residents, would you vote **YES** or **NO**? And, would that be...

| | |
|-----|------------------------|
| 21% | Definitely YES at Q8.0 |
| 10% | <u>Definitely</u> YES |
| 20% | <u>Probably</u> YES |
| 3% | Unsure/DK |
| 20% | <u>Probably</u> NO |
| 26% | <u>Definitely</u> NO |
| 0% | Refused |

Likely Support: 41%

SRI's Go/No-Go Model:

100% Definitely Yes + 50% Probably Yes

Potential Support

51%

100% Definitely Yes + 100% Probably Yes

'Test' Arguments in Support of, and Opposed to, Increases Local Tax Base

NOTE TO INTERVIEWER: ROTATE the order in which you read the list of local concerns, 9.1 through 9.6

9.0 I am now going to read several arguments that might be offered either **for** or **against** supporting one of the three initiatives presently under consideration in order to allow City officials to balance the City's

annual budget, going forward; thus, avoid having to make cutbacks to the services presently being provided to Clayton residents. After I read each one, please tell me, if you heard the statement from a trusted source, would you be more likely to support or more likely to oppose such a funding measure...or would you say the argument would have no impact on your decision of how to vote, OR is the statement NOT believable?

Here is the first argument:

9.1 Without these funds, the City will be forced to lay off at least one police officer; thus, reducing response times and negatively impacting the level of Public Safety in Clayton in numerous other ways.

Would hearing this argument from someone you trust make you more likely to SUPPORT or OPPOSE the proposed funding Measure; OR would it have NO IMPACT on how you would vote; OR is it NOT BELIEVABLE? Specifically, would this argument make you...

| <u>MUCH</u> more likely to support | <u>SOMEWHAT</u> more likely to support | no effect on me. doesn't matter | <u>SOMEWHAT</u> more likely to oppose | <u>MUCH</u> more likely to oppose | NOT believable | Unsure/DK Refused |
|---------------------------------------|---|------------------------------------|--|--------------------------------------|-------------------|----------------------|
| 18% | 24% | 26% | 14% | 10% | 6% | 2% |

9.2 The streetlight assessment currently in place in Clayton does not fully cover the cost of operations; in fact, the rate has not been increased for the past 24 years. Furthermore, it does not include a CPI to control for normal inflation. Therefore, without additional funds, the City may be forced to turn off a portion of street lights in certain neighborhoods of the City; thus, negatively impacting public safety. Would this argument make you...

| <u>MUCH</u> more likely to support | <u>SOMEWHAT</u> more likely to support | no effect on me. doesn't matter | <u>SOMEWHAT</u> more likely to oppose | <u>MUCH</u> more likely to oppose | NOT believable | Unsure/DK Refused |
|---------------------------------------|---|------------------------------------|--|--------------------------------------|-------------------|----------------------|
| 19% | 24% | 29% | 8% | 12% | 7% | 1% |

9.3 Without these funds, the City will be forced to **cut back on the level of services** presently being provided to Clayton residents, citywide; thus, negatively impacting the *quality of life* for all Clayton residents. Would this argument make you...

| <u>MUCH</u> more likely to support | <u>SOMEWHAT</u> more likely to support | no effect on me. doesn't matter | <u>SOMEWHAT</u> more likely to oppose | <u>MUCH</u> more likely to oppose | NOT believable | Unsure/DK Refused |
|---------------------------------------|---|------------------------------------|--|--------------------------------------|-------------------|----------------------|
| 17% | 21% | 35% | 13% | 7% | 5% | 2% |

9.4 Taxes are simply too high. Clayton residents need tax relief. Would this argument make you...

| <u>MUCH</u> more likely to support | <u>SOMEWHAT</u> more likely to support | no effect on me. doesn't matter | <u>SOMEWHAT</u> more likely to oppose | <u>MUCH</u> more likely to oppose | NOT believable | Unsure/DK Refused |
|---------------------------------------|---|------------------------------------|--|--------------------------------------|-------------------|----------------------|
| 14% | 12% | 39% | 14% | 10% | 5% | 6% |

9.5 Without the revenues from the proposed funding Measure, the City will be forced into "deficit spending", which means that the City will have to take money out of its reserves to cover operating costs, instead of using these monies as intended for other needs. Would hearing this argument from someone you trust make you...

| <u>MUCH</u> more likely to support | <u>SOMEWHAT</u> more likely to support | no effect on me. doesn't matter | <u>SOMEWHAT</u> more likely to oppose | <u>MUCH</u> more likely to oppose | NOT believable | Unsure/DK Refused |
|---------------------------------------|---|------------------------------------|--|--------------------------------------|-------------------|----------------------|
| 8% | 19% | 37% | 18% | 10% | 3% | 5% |

9.6 Without additional funding, the City could be forced into bankruptcy; or even be taken over by Contra Costa County. Would this argument make you...

| <u>MUCH</u> more likely to support | <u>SOMEWHAT</u> more likely to support | no effect on me. doesn't matter | <u>SOMEWHAT</u> more likely to oppose | <u>MUCH</u> more likely to oppose | NOT believable | Unsure/DK Refused |
|---------------------------------------|---|------------------------------------|--|--------------------------------------|-------------------|----------------------|
| 17% | 13% | 20% | 7% | 13% | 25% | 5% |

Voter support AFTER hearing 'Arguments'

10.0 Now that you have heard several arguments in SUPPORT of, and in OPPOSITION to, the notion of authorizing an increase in the local tax base in order to avoid having to make serious cutbacks in services presently being provided to Clayton residents, and assuming the amount of increase does NOT exceed your THRESHOLD of *willingness to pay*, would you **vote YES** or **NO** on such a funding Measure, and would that be...

| | |
|-----|-----------------------|
| 17% | <u>Definitely</u> YES |
| 37% | <u>Probably</u> YES |
| 5% | Unsure/DK |
| 16% | <u>Probably</u> NO |
| 24% | <u>Definitely</u> NO |
| 1% | Refused |

Likely Support: 35.5%
SRI's Go/No-Go Model:
 100% Definitely Yes + 50% Probably Yes
Potential Support
54%
 100% Definitely Yes + 100% Probably Yes

Perpetuity vs. need for 'Sunset' Clause

11.0 Because the need for City services and the City's operating costs will continue into the foreseeable future, would you recommend making the proposed increase in the local tax base, if authorized by Clayton voters, PERMANENT; or, would you want the increase to 'Sunset' (meaning terminate) in a specific number of years OR be brought back to local voters to be RENEWED?

| | | |
|------------------|--|--------------------------|
| 17% | The increase in the local tax base, if authorized by Clayton voters, should be | |
| PERMANENT | [SKIP to Q12.0] | |
| 74% | The increase in the local tax base, if authorized by Clayton voters, should be made to | |
| 'Sunset' | (meaning TERMINATE) in a specific number of years OR be brought back to local voters to be | |
| RENEWED | [Go On to question 11.1] | |
| 5% | Unsure/Don't know/Neutral | [Go On to question 11.1] |
| 4% | Refused | [SKIP to question 12.0] |

11.1 Since you're not willing to support keeping this increase in the local tax base in place PERMANENTLY, would you be willing to keep it in place for **20 years**; then have it terminate OR be brought back to local voters for renewal?

| | | |
|-------|---|-------------------------|
| 17% | Vote YES for a 20-year Sunset clause | [SKIP to question 12.0] |
| 75% | Vote NO for a 20-year Sunset clause | [Go On to question |
| 11.2] | | |
| 6% | Unsure/Don't know/Neutral [DO NOT READ this option] | [Go On to question |
| 11.2] | | |
| 2% | Refused | [SKIP to question 12.0] |

11.2 Since you're not willing to support keeping increase in the local tax base for 20 years, would you be willing to keep it in place for **10 years**; then have it terminate OR be brought back to local voters for renewal?

| | |
|-----|---|
| 43% | Vote YES for a 10-year Sunset clause |
| 54% | Vote NO for a 10-year Sunset clause |
| 3% | Unsure/Don't know/Neutral [DO NOT READ this option] |
| 0% | Refused |

Testing feasibility of incorporating a CPI

12.0 As noted a few moments ago, due to normal inflation, the cost of providing City services for Clayton residents increases each and every year. Thus, unless there is a mechanism in place to provide additional income to control for normal inflation, the City will be faced with asking local voters for another increase in local taxes, or making cutbacks, in the relatively near future.

The most common way to address this reality is to ask voters to authorize an annual index of change, also referred to as a CPI or CONSUMER PRICE INDEX, not to exceed 5% per year. So, my question is this...

12.1 In order to control for normal inflation, would you support authorizing a modest annual increase in the local tax base that is based upon a CPI (not to exceed 5%), in order to KEEP PACE with the increased cost of providing City services to Clayton residents from year-to-year. And, would your answer be...

| | |
|-----|-----------------------|
| 21% | <u>Definitely</u> YES |
| 16% | <u>Probably</u> YES |
| 9% | Unsure/DK |
| 21% | <u>Probably</u> NO |
| 31% | <u>Definitely</u> NO |
| 2% | Refused |

Likely Support: 29%
SRI's Go/No-Go Model:
 100% Definitely Yes + 50% Probably Yes
Potential Support
37%
 100% Definitely Yes + 100% Probably Yes

Level of TRUST in local elected officials

13.0 Do you AGREE or DISAGREE with the following statement, "Clayton's elected officials are **completely trustworthy**"; and, would that be...

| Strongly Agree | Somewhat Agree | Neutral (DO NOT read) | Somewhat Disagree | Strongly Disagree | Refused (DO NOT read) |
|----------------|----------------|-----------------------|-------------------|-------------------|-----------------------|
| 7% | 30% | 15% | 26% | 18% | 4% |

Demographics

Finally, I have a few brief questions about you. I will read several response categories. Please tell me when I read the category that applies to you.

14.0 Where do you reside in Clayton?

NOTE TO INTERVIEWER: Allow respondent to answer; if they are unclear, read the four sections of the City and ask the respondent if any of these are correct.

| | |
|-----|------------------|
| 30% | Northern Clayton |
| 12% | Central Clayton |
| 24% | Town Center |
| 13% | Southern Clayton |
| 1% | East side |
| 4% | West side |

| | | |
|----|---------|---------------------------|
| 9% | Other | |
| 7% | Refused | [Do not read this option] |

15.0 Do you own or rent your home?

| | |
|-----|---------|
| 94% | Own |
| 5% | Rent |
| 1% | Refused |

16.0 How long have you lived in Clayton?

| | |
|-----|----------------|
| 24% | 0 to 5 years |
| 16% | 6 to 10 years |
| 27% | 11 to 25 years |
| 33% | Over 25 years |

17.0 How many school-age children do you have living at home under the age of 18?

| | | |
|-----|---------------|---------------------------|
| 68% | None | |
| 10% | One | |
| 19% | Two | |
| 2% | Three or more | |
| 1% | Refused | [Do not read this option] |

18.0 How many years of school have you completed?

| | | |
|-----|--|---------------------------|
| 1% | less than High School | |
| 6% | High School graduate (or Trade School) | |
| 23% | Some college | |
| 39% | College graduate | |
| 29% | Graduate school, Professional school | |
| 2% | Refused | [Do not read this option] |

19.0 Using the traditional political labels would you describe yourself as **liberal**, **progressive**, **moderate**, or **conservative**?

| | | |
|-----|--------------|---------------------------|
| 26% | Liberal | |
| 31% | Progressive | |
| 9% | Moderate | |
| 25% | Conservative | |
| 9% | Refused | [Do not read this option] |

20.0 Into what range does your annual household income fall?

| | | |
|-----|--------------------------------|---------------------------|
| 0% | under \$25,000 | |
| 7% | between \$25,000 and \$50,000 | |
| 12% | between \$50,000 and \$75,000 | |
| 12% | between \$75,000 and \$100,000 | |
| 58% | over \$100,000 | |
| 11% | Refused | [Do not read this option] |

21.0 With respect to age, in which of the following categories do you fall?

| | |
|-----|-----------------------------------|
| 1% | 18 to 30 years |
| 19% | 31 to 40 years |
| 17% | 41 to 50 years |
| 28% | 51 to 65 years |
| 32% | Over 65 year |
| 3% | Refused [Do not read this option] |

22.0 What is your ethnic background?

| | |
|-----|--|
| 71% | White or Caucasian |
| 4% | Hispanic/Latino |
| 4% | African American or Black |
| 0% | Native American/Alaskan Native |
| 0% | Native Hawaiian & other Pacific Islander |
| 1% | Asian |
| 15% | Other |
| 5% | Refused [Do not read this option] |

23.0 Gender of respondent?

| | |
|-----|--------|
| 52% | Female |
| 48% | Male |

Thank the interviewee for participating in the survey and politely say "Good-bye."

March 2022

Addendum 'C'

Research Design and Methodology

The present research effort adheres strictly to “**The Scientific Method**,” as do all SRI studies.

The telephone survey was comprised of N=307 completed interviews with registered voters throughout the City of Clayton, California. At 95% confidence level, an N≈300 yields *sampling error* of ±4.5% to 5.8%.

Thus, the “*findings*” from the present research effort are highly “representative” of the population from which the sample was drawn.

By working closely with the City Manager, Reina Schwartz, SRI researchers were able to create a research instrument (questionnaire) tailored to the needs and expectations of City officials.² The research instrument was then “pre-tested” by completing 20 interviews; appropriate adjustments were made; then, the survey was entered into the field, full force. Of course, special care was taken to ensure that appropriate measurement “scales” were employed in order to maximize both the *reliability* and *validity* of the responses.

Data collection continued from March 21 through 28, 2022. After the data were gathered, they were analyzed using a statistical package called SPSS, which accommodates the application of both ***descriptive*** and ***advanced*** statistical analyses. We then created the appropriate graphs, charts, and tables and DEBRIEFED the Client; finally, we prepared a Final Report (the present document) for use by the Client.

Should additional analysis and/or interpretation of the “findings” be desired by the Client, SRI will happily do so and in a timely fashion.



² **Addendum 'B'** contains the final research instrument (questionnaire) showing percentages for each of the questions incorporated into the study.