



# **AGENDA**

## **REGULAR MEETING**

**\* \* \***

## **CLAYTON CITY COUNCIL**

**\* \* \***

**TUESDAY, October 19, 2021**

**7:00 P.M.**

### **\*\*\* NEW LOCATION\*\*\***

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

**Mayor:** Carl Wolfe

**Vice Mayor:** Peter Cloven

#### **Council Members**

Jim Diaz

Holly Tillman

Jeff Wan

- 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.ci.clayton.ca.us](http://www.ci.clayton.ca.us)
- Agendas are posted at: 1) City Hall, 6000 Heritage Trail; 2) Library, 6125 Clayton Road; 3) Ohm's Bulletin Board, 1028 Diablo Street, Clayton; and 4) City Website at [www.ci.clayton.ca.us](http://www.ci.clayton.ca.us)
- Any writings or documents provided to a majority of the City Council after distribution of the Agenda Packet and regarding any public item on this Agenda is available for review on the City's website at [www.ci.clayton.ca.us](http://www.ci.clayton.ca.us)
- 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 – October 19

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

To follow or participate in the meeting:

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

[https://us02web.zoom.us/webinar/register/WN\\_bVlD0Hu8Q\\_qaj8HU0uQ23A](https://us02web.zoom.us/webinar/register/WN_bVlD0Hu8Q_qaj8HU0uQ23A)

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@ci.clayton.ca.us](mailto:janetc@ci.clayton.ca.us) 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.

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### 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\\_bVlD0Hu8Q\\_qaj8HU0uQ23A](https://us02web.zoom.us/webinar/register/WN_bVlD0Hu8Q_qaj8HU0uQ23A)

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 \***

**October 19, 2021**

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

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

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

4. **CONSENT CALENDAR**

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

(a) Approve the minutes of the City Council's regular meeting of October 5, 2021.  
(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 during the COVID-19 State of Emergency Under AB 361. (City Manager) ([View here](#))

(d) Resolution of the City Council of the City of Clayton Finding there Remains a Reasonable Relationship Between Current Needs for the City's Development Impact Fees and the Purposes for Which they were Originally Charged (Government Code Section 66000 et. seq.) Related to the City's Annual Report on Development Impact Fees for the Fiscal Year Ended June 30, 2021.  
(Finance Director) ([View here](#))

(e) Considering Adoption of a Resolution Authorizing the Extension of the Abandoned Vehicle Abatement Fee and Collection of the Fee by the Abandoned Vehicle Service Authority (Authority) for 10 years, Subject to Approval by Electors of the County; and Authorizing the Authority to Order an Election and Submit to the Electors of Contra Costa County the Question of Whether the Authority Program and Fee Shall be Renewed for 10 years and Upon Approval of the Fee Measured by at least Two-Thirds of the Registered Voters Voting on the Measure, the Authority will be Authorized to Impose the Fee; and the City Council Authorizes the Authority to Take all Administrative Action Necessary in the Furtherance of Ordering an Election for the Purpose of Extending the Authority and Fee.  
(Police Chief) ([View here](#))

(f) Third Quarter Ending March 31, 2021 FY 2020/21 Investment Portfolio Report.  
(Finance Director) ([View here](#))

- (g) Fourth Quarter April, May, June Ending June 30, 2021 FY 2020/21 Investment Portfolio Report. (Finance Director) ([View here](#))

**5. RECOGNITIONS AND PRESENTATIONS**

- (a) Presentation by Contra Costa County District Attorney's Office.  
(Diana Becton, District Attorney) ([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 – None.**

**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 November 2, 2021.**

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**MINUTES**  
**OF THE**  
**REGULAR MEETING**  
**CLAYTON CITY COUNCIL**  
**TUESDAY, October 5, 2021**

1. **CALL TO ORDER THE CITY COUNCIL** – The meeting was called to order at 7:00 p.m. by Mayor Wolfe on a virtual web meeting and telephonically (877) 853-5257. Councilmembers present: Mayor Wolfe, Vice Mayor Cloven, and Councilmembers Diaz, Tillman, and Wan. Councilmembers absent: None. Staff present: City Manager Reina Schwartz, City Attorney Mala Subramanian, Community Development Director Dana Ayers, and City Clerk/HR Manager Janet Calderon.
  
2. **MEETING PROTOCOL VIDEO** – City Clerk.
  
3. **PLEDGE OF ALLEGIANCE** – led by Councilmember Diaz.
  
4. **CONSENT CALENDAR**  
  
It was moved by Councilmember Diaz, seconded by Vice Mayor Cloven, to approve the Consent Calendar items as submitted. (Passed 5-0).
  - (a) Approved the minutes of the City Council’s regular meeting of September 21, 2021. (City Clerk)
  - (b) Approved the Financial Demands and Obligations of the City. (Finance)
  
5. **RECOGNITIONS AND PRESENTATIONS**
  - (a) Proclamation declaring October, as “National Disability Employment Awareness” month in Clayton. (Councilmember Wolfe)  
  
Mayor Wolfe briefly read the proclamation declaring October as “National Disability Employment Awareness” month in the City of Clayton.
  - (b) Proclamation declaring October, as “Italian-American Heritage” month in Clayton. (Mayor Wolfe)  
  
Mayor Wolfe briefly read the proclamation declaring October as “Italian-American Heritage” month in the City of Clayton.

## **6. REPORTS**

### **(a) City Manager/Staff**

City Manager Reina Schwartz reported the American Rescue Plan Fund Act surveys were hand-delivered to Clayton businesses. The City received 155 community-wide and 27 business surveys.

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

Councilmember Diaz attended the Cal Cities Annual Conference, attended a meeting with District Attorney Candidate Mary Knox, attended the Contra Costa County Association of Realtors 100<sup>th</sup> Anniversary, was interviewed by Dan Keen from Management Partners, attended the joint City Council/Planning Commission special meeting, and attended the Clayton Business and Community Association mixer.

Councilmember Wan emailed and called constituents, he also advised of a recent article he read by Stanford regarding causes for Zoom fatigue and solutions.

Vice Mayor Cloven attended the joint City Council/Planning Commission special meeting, was interviewed by Dan Keen from Management Partners, spoke with several local business owners and attended the Little Free Anti-Racism Library ceremony located on Mitchell Canyon/Pine Hollow.

Councilmember Tillman attended the candidate meet and greet for District Attorney candidate Mary Knox, met with Concord City Councilmember Carlyn Obringer, attended the Clayton Business and Community Association mixer, attended the Ribbon Pulling ceremony for the Little Free Anti-Racist Library located at Mitchell Canyon/Pine Hollow, and met with the City Manager.

Mayor Wolfe attended the Cal Cities Annual Conference, wrote newspaper articles, met with the City Manager, met with the Vice Mayor, attended joint City Council/Planning Commission special meeting, attended the Clayton Business and Community Association Sponsorship meeting, answered emails from constituents, met with various business owners regarding the American Rescue Plan Act funding, and worked with staff for an updated "Do The Right Thing" banner.

## **7. PUBLIC COMMENT ON NON - AGENDA ITEMS – No Public Comment.**

## **8. PUBLIC HEARINGS**

### **(a) Resolution of the City Council of the City of Clayton Updating the Development and Wetland Mitigation Fees Pursuant to the East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan (CDD File No. 07-2021). (Community Development Director)**

Community Development Director Dana Ayers presented the report.

Following questions by City Council, Mayor Wolfe opened the public hearing. No comments were offered. Mayor Wolfe closed the public hearing.

**It was moved by Councilmember Wan, seconded by Vice Mayor Cloven, to Adopt Resolution No. 56-2021 Updating Implementation Fees for the East Contra Costa County Habitat Conservation Plan / Natural Community Conservation Plan (CDD 07-2021). (Passed; 5-0 vote).**

**9. ACTION ITEMS**

- (a) Adopt a 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. (City Manager)

City Manager Reina Schwartz presented the report.

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

**It was moved by Councilmember Wan, seconded by Councilmember Tillman, to Adopt Resolution No. 57-2021 Allowing for Video and Teleconference Meetings During the COVID-19 State of Emergency Under AB 361. (Passed; 5-0 vote).**

**10. CLOSED SESSION**

Mayor Wolfe announced the City Council will adjourn into Closed Session for the following noticed items (7:46 p.m.):

- (a) Conference with Legal Counsel – Anticipated Litigation  
Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2) (1 case)

Report out of Closed Session

(8:00 p.m.) Mayor Wolfe reported the City Council received information; there is no public action to report.

**11. CONSENT CALENDAR (continued)**

**It was moved by Councilmember Wan, seconded by Councilmember Tillman, to approve the Consent Calendar continued item as submitted. (Passed 5-0).**

- (a) Rejected Liability Claim Filed by Sylvia Czarny for the Alleged Injury Arising from a Bicycle Accident. (City Clerk)

**12. COUNCIL ITEMS**

Councilmember Wan requested a future item to review the City's arrangements as the Fiscal Agent with the Concerts in The Grove along with other arrangements of similar kind.

**11. ADJOURNMENT— on call by Mayor Wolfe, the City Council adjourned its meeting at**

8:03 p.m.

The next regularly scheduled meeting of the City Council will be October 19, 2021.

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Respectfully submitted,

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Janet Calderon, City Clerk

APPROVED BY THE CLAYTON CITY COUNCIL

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Carl Wolfe, Mayor

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# STAFF REPORT

**TO:** HONORABLE MAYOR AND COUNCILMEMBERS

**FROM:** JENNIFER GIANTVALLEY, ACCOUNTING TECHNICIAN

**DATE:** 10/19/2021

**SUBJECT:** FINANCIAL DEMANDS AND OBLIGATIONS OF THE CITY

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**RECOMMENDATION:**

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

Attached Report	Purpose	Date	Amount
Open Invoice Report	Accounts Payable	10/12/2021	\$ 214,358.92
Payroll Reconciliation Summary	Payroll, Taxes	10/5/2021	\$ 92,154.79
	Total Required		\$ 306,513.71

**Attachments:**

1. Open Invoice Report, dated 10/12/21 (4 pages)
2. Payroll Reconciliation Summary report PPE 10/03/21 (1 page)

# City of Clayton

## Open Invoice Report

### Obligations

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
<b>Ace Sierra Tow</b>								
Ace Sierra Tow	9/16/2021	9/16/2021	61012	Tire change #1741	\$35.00	\$0.00		\$35.00
				<i>Totals for Ace Sierra Tow</i>	<i>\$35.00</i>	<i>\$0.00</i>		<i>\$35.00</i>
<b>All City Management Services, Inc.</b>								
All City Management Services, Inc.	10/26/2021	9/22/2021	71736.185	School crossing guard svcs 9/5/21-9/18/21	\$889.38	\$0.00		\$889.38
				<i>Totals for All City Management Services, Inc.</i>	<i>\$889.38</i>	<i>\$0.00</i>		<i>\$889.38</i>
<b>American Fidelity Assurance Company</b>								
American Fidelity Assurance Company	10/4/2021	10/1/2021	6013241	FSA PPE 10/3/21	\$128.45	\$0.00		\$128.45
				<i>Totals for American Fidelity Assurance Company</i>	<i>\$128.45</i>	<i>\$0.00</i>		<i>\$128.45</i>
<b>Bassam Atwal</b>								
Bassam Atwal	10/26/2021	10/8/2021	PC09-21	PC Stipend September 2021	\$120.00	\$0.00		\$120.00
				<i>Totals for Bassam Atwal</i>	<i>\$120.00</i>	<i>\$0.00</i>		<i>\$120.00</i>
<b>Authorize.net</b>								
Authorize.net	10/1/2021	9/30/2021	September2021	Online bankcard gateway fee September 2021	\$32.15	\$0.00		\$32.15
				<i>Totals for Authorize.net</i>	<i>\$32.15</i>	<i>\$0.00</i>		<i>\$32.15</i>
<b>Best Best &amp; Kreiger LLP</b>								
Best Best & Kreiger LLP	10/12/2021	10/12/2021	917038	Legal svcs September 2021	\$9,938.00	\$0.00		\$9,938.00
Best Best & Kreiger LLP	10/12/2021	10/12/2021	917039	Diablo Meadows Legal svcs September 2021	\$1,058.00	\$0.00		\$1,058.00
Best Best & Kreiger LLP	10/12/2021	10/12/2021	917040	Labor Legal svcs September 2021	\$346.00	\$0.00		\$346.00
				<i>Totals for Best Best &amp; Kreiger LLP</i>	<i>\$11,342.00</i>	<i>\$0.00</i>		<i>\$11,342.00</i>
<b>Big O Tires</b>								
Big O Tires	10/4/2021	10/4/2021	005011-182099	Tires for '17 F350	\$1,366.53	\$0.00		\$1,366.53
				<i>Totals for Big O Tires</i>	<i>\$1,366.53</i>	<i>\$0.00</i>		<i>\$1,366.53</i>
<b>CalPERS Retirement</b>								
CalPERS Retirement	10/3/2021	10/3/2021	10/3/21	Retirement PPE 10/3/21	\$17,747.78	\$0.00		\$17,747.78
				<i>Totals for CalPERS Retirement</i>	<i>\$17,747.78</i>	<i>\$0.00</i>		<i>\$17,747.78</i>
<b>CBCA</b>								
CBCA	10/6/2021	10/6/2021	EH	Refund overpayment EH rental	\$79.00	\$0.00		\$79.00
				<i>Totals for CBCA.</i>	<i>\$79.00</i>	<i>\$0.00</i>		<i>\$79.00</i>
<b>Justin Cesarin</b>								
Justin Cesarin	10/8/2021	10/8/2021	PC09-21	PC Stipend September 2021	\$120.00	\$0.00		\$120.00
				<i>Totals for Justin Cesarin</i>	<i>\$120.00</i>	<i>\$0.00</i>		<i>\$120.00</i>
<b>Cintas Corporation</b>								
Cintas Corporation	9/30/2021	9/30/2021	4097422561	PW uniforms through 9/30/21	\$151.21	\$0.00		\$151.21
				<i>Totals for Cintas Corporation</i>	<i>\$151.21</i>	<i>\$0.00</i>		<i>\$151.21</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
City of Concord								
City of Concord	9/30/2021	9/30/2021	90162	Dispatch svcs November 2021	\$25,639.87	\$0.00		\$25,639.87
				Totals for City of Concord	\$25,639.87	\$0.00		\$25,639.87
City of Pleasant Hill								
City of Pleasant Hill	9/28/2021	9/28/2021	CLA04 900007188	Transpac fees FY 2022	\$27,150.00	\$0.00		\$27,150.00
				Totals for City of Pleasant Hill	\$27,150.00	\$0.00		\$27,150.00
CME Lighting Supply, Inc								
CME Lighting Supply, Inc	10/1/2021	10/1/2021	245983	Streetlight bulbs	\$49.98	\$0.00		\$49.98
				Totals for CME Lighting Supply, Inc	\$49.98	\$0.00		\$49.98
Comcast Business (PD)								
Comcast Business (PD)	10/1/2021	10/1/2021	130933770	PD internet September 2021	\$967.42	\$0.00		\$967.42
				Totals for Comcast Business (PD)	\$967.42	\$0.00		\$967.42
Comcast Business								
Comcast Business	10/5/2021	10/5/2021	100521	Internet 10/10/21-11/9/21	\$386.16	\$0.00		\$386.16
				Totals for Comcast Business	\$386.16	\$0.00		\$386.16
Contra Costa County - Office of the Sheriff								
Contra Costa County - Office of the She	9/16/2021	9/16/2021	CLPD-2108	Toxicology, firearms svcs August 2021	\$5,620.00	\$0.00		\$5,620.00
				Totals for Contra Costa County - Office of the Sherif	\$5,620.00	\$0.00		\$5,620.00
Contra Costa County Animal Svcs Dept								
Contra Costa County Animal Svcs Dept	10/1/2021	10/1/2021	ASD M7078	Animal services Q2 FY 2022	\$19,244.56	\$0.00		\$19,244.56
				Totals for Contra Costa County Animal Svcs Dept	\$19,244.56	\$0.00		\$19,244.56
Contra Costa County Department of Conservation & Development								
Contra Costa County Department of Co	9/30/2021	9/30/2021	2022Q1	CASp fee Q1FY22	\$765.00	\$0.00		\$765.00
				Totals for Contra Costa County Department of Conservation & Developmen	\$765.00	\$0.00		\$765.00
Terri Denslow								
Terri Denslow	10/8/2021	10/8/2021	PC09-21	PC Stipend September 2021	\$120.00	\$0.00		\$120.00
				Totals for Terri Denslow	\$120.00	\$0.00		\$120.00
Digital Services								
Digital Services	10/12/2021	10/12/2021	11971	IT services 8/4/21-10/11/21	\$4,854.82	\$0.00		\$4,854.82
				Totals for Digital Services	\$4,854.82	\$0.00		\$4,854.82
Dillon Electric Inc								
Dillon Electric Inc	10/7/2021	10/7/2021	4502	Streetlight maintenance 10/4/21	\$477.02	\$0.00		\$477.02
				Totals for Dillon Electric Inc	\$477.02	\$0.00		\$477.02
Division of the State Architect								

# 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
Division of the State Architect	9/30/2021	9/30/2021	2022Q1	CASp fees Q1FY22	\$90.00	\$0.00		\$90.00
				<i>Totals for Division of the State Architect</i>	<i>\$90.00</i>	<i>\$0.00</i>		<i>\$90.00</i>
<b>Galaxy Press</b>								
Galaxy Press	10/8/2021	10/8/2021	34882	Business cards	\$128.05	\$0.00		\$128.05
				<i>Totals for Galaxy Press</i>	<i>\$128.05</i>	<i>\$0.00</i>		<i>\$128.05</i>
<b>Frank Gavidia</b>								
Frank Gavidia	10/8/2021	10/8/2021	PC09-21	PC Stipend September 2021	\$120.00	\$0.00		\$120.00
				<i>Totals for Frank Gavidia</i>	<i>\$120.00</i>	<i>\$0.00</i>		<i>\$120.00</i>
<b>Geoconsultants, Inc.</b>								
Geoconsultants, Inc.	9/29/2021	9/29/2021	19224	Well monitoring September 2021	\$1,546.50	\$0.00		\$1,546.50
				<i>Totals for Geoconsultants, Inc.</i>	<i>\$1,546.50</i>	<i>\$0.00</i>		<i>\$1,546.50</i>
<b>GovInvest, Inc</b>								
GovInvest, Inc	9/3/2021	9/3/2021	2021-3229	Licensing for FY 2022	\$20,000.00	\$0.00		\$20,000.00
				<i>Totals for GovInvest, Inc</i>	<i>\$20,000.00</i>	<i>\$0.00</i>		<i>\$20,000.00</i>
<b>Harris &amp; Associates, Inc.</b>								
Harris & Associates, Inc.	10/1/2021	10/1/2021	49957	Engineering Inspections 8/1/21-8/28/21	\$4,020.50	\$0.00		\$4,020.50
Harris & Associates, Inc.	9/23/2021	9/23/2021	49909	CIP engineering 8/1/21-8/28/21	\$2,282.50	\$0.00		\$2,282.50
Harris & Associates, Inc.	9/23/2021	9/23/2021	49908	Engineering svcs 8/1/21-8/28/21	\$10,004.02	\$0.00		\$10,004.02
				<i>Totals for Harris &amp; Associates, Inc.</i>	<i>\$16,307.02</i>	<i>\$0.00</i>		<i>\$16,307.02</i>
<b>Health Care Dental Trust</b>								
Health Care Dental Trust	9/28/2021	9/28/2021	302968	Dental October 2021	\$1,775.27	\$0.00		\$1,775.27
Health Care Dental Trust	9/28/2021	9/28/2021	301046	Dental September 2021	\$1,775.27	\$0.00		\$1,775.27
				<i>Totals for Health Care Dental Trust</i>	<i>\$3,550.54</i>	<i>\$0.00</i>		<i>\$3,550.54</i>
<b>Management Partners</b>								
Management Partners	9/30/2021	9/30/2021	INV09791	ARPA Investment Plan Assistance	\$11,300.00	\$0.00		\$11,300.00
				<i>Totals for Management Partners</i>	<i>\$11,300.00</i>	<i>\$0.00</i>		<i>\$11,300.00</i>
<b>Edward Miller III</b>								
Edward Miller III	10/8/2021	10/8/2021	PC09-21	PC Stipend September 2021	\$120.00	\$0.00		\$120.00
				<i>Totals for Edward Miller III</i>	<i>\$120.00</i>	<i>\$0.00</i>		<i>\$120.00</i>
<b>Mission Square Retirement</b>								
Mission Square Retirement	10/3/2021	10/3/2021	100321	457 Plan contributions PPE 10/3/21	\$2,209.62	\$0.00		\$2,209.62
				<i>Totals for Mission Square Retirement</i>	<i>\$2,209.62</i>	<i>\$0.00</i>		<i>\$2,209.62</i>
<b>MPA</b>								
MPA	10/1/2021	10/1/2021	918-24896	Life/LTD October 2021	\$1,586.42	\$0.00		\$1,586.42
				<i>Totals for MPA.</i>	<i>\$1,586.42</i>	<i>\$0.00</i>		<i>\$1,586.42</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
<b>Nationwide</b>								
Nationwide	10/3/2021	10/3/2021	100321	457 Plan contributions PPE 10/3/21	\$500.00	\$0.00		\$500.00
				<i>Totals for Nationwide</i>	<i>\$500.00</i>	<i>\$0.00</i>		<i>\$500.00</i>
<b>Pacific Office Automation</b>								
Pacific Office Automation	9/21/2021	9/21/2021	217349	Copier usage 8/20/21-9/19/21	\$51.73	\$0.00		\$51.73
Pacific Office Automation	10/7/2021	10/7/2021	217680	Copier lease pmt 55 of 60	\$106.58	\$0.00		\$106.58
				<i>Totals for Pacific Office Automation</i>	<i>\$158.31</i>	<i>\$0.00</i>		<i>\$158.31</i>
<b>Paysafe Payment Processing</b>								
Paysafe Payment Processing	9/30/2021	9/30/2021	September 2021	Online bankcard fees September 2021	\$132.93	\$0.00		\$132.93
Paysafe Payment Processing	9/30/2021	9/30/2021	September2021	OTC bankcard fees September 2021	\$423.11	\$0.00		\$423.11
				<i>Totals for Paysafe Payment Processing</i>	<i>\$556.04</i>	<i>\$0.00</i>		<i>\$556.04</i>
<b>PG&amp;E</b>								
PG&E	9/27/2021	9/27/2021	092721	Energy 8/17/21-9/15/21	\$20,470.97	\$0.00		\$20,470.97
				<i>Totals for PG&amp;E</i>	<i>\$20,470.97</i>	<i>\$0.00</i>		<i>\$20,470.97</i>
<b>Primepay, LLC</b>								
Primepay, LLC	9/30/2021	9/30/2021	INV-261488-1	Payroll fees July-Sept 2021	\$1,289.00	\$0.00		\$1,289.00
				<i>Totals for Primepay, LLC</i>	<i>\$1,289.00</i>	<i>\$0.00</i>		<i>\$1,289.00</i>
<b>Rex Lock &amp; Safe, Inc.</b>								
Rex Lock & Safe, Inc.	9/29/2021	9/29/2021	130212	Replace timer in The Grove Park	\$583.77	\$0.00		\$583.77
				<i>Totals for Rex Lock &amp; Safe, Inc.</i>	<i>\$583.77</i>	<i>\$0.00</i>		<i>\$583.77</i>
<b>Schwaab, Inc</b>								
Schwaab, Inc	4/13/2021	4/13/2021	5933212	Stamp	\$27.05	\$0.00		\$27.05
				<i>Totals for Schwaab, Inc</i>	<i>\$27.05</i>	<i>\$0.00</i>		<i>\$27.05</i>
<b>Site One Landscape Supply, LLC</b>								
Site One Landscape Supply, LLC	9/21/2021	9/21/2021	113126887-001	Irrigation parts	\$715.66	\$0.00		\$715.66
				<i>Totals for Site One Landscape Supply, LLC</i>	<i>\$715.66</i>	<i>\$0.00</i>		<i>\$715.66</i>
<b>Sprint Comm (PD)</b>								
Sprint Comm (PD)	9/29/2021	9/29/2021	703335311-238	PD Cell phones 8/26/21-9/25/21	\$710.72	\$0.00		\$710.72
				<i>Totals for Sprint Comm (PD)</i>	<i>\$710.72</i>	<i>\$0.00</i>		<i>\$710.72</i>
<b>Staples Business Credit</b>								
Staples Business Credit	9/25/2021	9/25/2021	1637984205	Office supplies	\$125.78	\$0.00		\$125.78
				<i>Totals for Staples Business Credit</i>	<i>\$125.78</i>	<i>\$0.00</i>		<i>\$125.78</i>
<b>Swenson's Mobile Fleet Repair</b>								
Swenson's Mobile Fleet Repair	10/5/2021	10/5/2021	I003708	Service to PW '06 F550	\$125.00	\$0.00		\$125.00
Swenson's Mobile Fleet Repair	9/30/2021	9/30/2021	I003683	Service to PW '07 F450	\$489.31	\$0.00		\$489.31

# 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
Swenson's Mobile Fleet Repair	9/30/2021	9/30/2021	I003686	Service to PW '06 F550	\$384.03	\$0.00		\$384.03
				<i>Totals for Swenson's Mobile Fleet Repair</i>	<i>\$998.34</i>	<i>\$0.00</i>		<i>\$998.34</i>
<b>TRC Environmental Corporation</b>								
TRC Environmental Corporation	9/29/2021	9/29/2021	494258	Planning svcs through 9/24/21	\$4,687.00	\$0.00		\$4,687.00
				<i>Totals for TRC Environmental Corporation</i>	<i>\$4,687.00</i>	<i>\$0.00</i>		<i>\$4,687.00</i>
<b>Workers.com</b>								
Workers.com	9/24/2021	9/24/2021	130847	Seasonal workers week end 9/19/21	\$4,501.18	\$0.00		\$4,501.18
Workers.com	10/1/2021	10/1/2021	130896	Seasonal workers week end 9/26/21	\$4,790.62	\$0.00		\$4,790.62
				<i>Totals for Workers.com</i>	<i>\$9,291.80</i>	<i>\$0.00</i>		<i>\$9,291.80</i>
<b>GRAND TOTALS:</b>					<b>\$214,358.92</b>	<b>\$0.00</b>		<b>\$214,358.92</b>

<b>BL070 CITY OF CLAYTON</b> <b>PAYROLL RECONCILIATION SUMMARY</b>
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FEDERAL ID: 94-1568979	EMPLOYER TAX ID	TOTAL GROSS	SUBJECT GROSS	TAXABLE GROSS	RATE %	EMPLOYEE TAX WITHHELD	EMPLOYER TAX	THIRD PARTY SICK	TOTAL TAXES DUE
FEDERAL INC TAX - EMPLOYEE	94-1568979	103,486.60	89,655.59	89,655.59		12,463.34	0.00		12,463.34
SOCIAL SECURITY - EMPLOYEE	94-1568979	103,486.60	99,712.61	2,647.50	6.2000	164.15	0.00		164.15
MEDICARE - EMPLOYEE	94-1568979	103,486.60	99,712.61	99,712.61	1.4500	1,445.87	0.00		1,445.87
SOCIAL SECURITY - EMPLOYER	94-1568979	103,486.60	99,712.61	2,647.50	6.2000	0.00	164.15		164.15
MEDICARE - EMPLOYER	94-1568979	103,486.60	99,712.61	99,712.61	1.4500	0.00	1,445.87		1,445.87
FEDERAL SUB-TOTAL						14,073.36	1,610.02		15,683.38
FEDERAL UNEMPLOYMENT TAX	94-1568979	103,486.60	99,712.61	0.00	.6000	0.00	0.00		0.00
STATE INCOME TAX WITHHOLDING									
CA STATE	69813822	103,486.60	89,655.59	89,655.59		4,694.71	0.00		4,694.71
STATE W/H SUB-TOTAL						4,694.71	0.00		4,694.71
STATE UNEMPLOYMENT TAXES (EMPLOYER)									
CA SUTA	69813822	103,486.60	99,712.61	5,263.68	2.6000	0.00	136.86		136.86
SUTA SUB-TOTAL						0.00	136.86		136.86
COUNTY INCOME TAX WITHHOLDING									
COUNTY W/H SUB-TOTAL						0.00	0.00		0.00
CITY WITHHOLDING TAXES									
CITY W/H SUB-TOTAL						0.00	0.00		0.00
ALL OTHER TAXES									
Calif Training		103,486.60	99,712.61	5,263.68	.1000	0.00	5.27		5.27
OTHER W/H SUB-TOTAL						0.00	5.27		5.27
TOTAL TAX LIABILITY						18,768.07	1,752.15		20,520.22
PAYROLL LIABILITY TOTALS									
TOTAL NET DIRECT DEPOSITS						29	64,071.17		
TOTAL PARTIAL DIRECT DEPOSITS						2	900.00		
** YOUR ACCOUNT 0982504799	AT BANK 121000358	HAS BEEN DEBITED FOR				64,971.17	**		
TAX LIABILITY FROM ABOVE						20,520.22			
** YOUR ACCOUNT 0982504799	AT BANK 121000358	HAS BEEN DEBITED FOR				20,520.22	**		
TOTAL NET CHECKS						3	5,819.67		
TOTAL VENDOR ACH PAYMENTS						10	612.73		
** YOUR ACCOUNT 0982504799	AT BANK 121000358	HAS BEEN DEBITED FOR				612.73	**		
TOTAL VENDOR CHECK PAYMENTS						1	231.00		
TOTAL VENDOR PAYMENTS						11	843.73		
GRAND TOTAL PAYROLL CASH						92,154.79			



# AGENDA REPORT

**TO: HONORABLE MAYOR AND COUNCIL MEMBERS**

**FROM: CITY MANAGER**

**DATE: October 19, 2021**

**SUBJECT: Adopt a 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**

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## **RECOMMENDATION**

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

## **BACKGROUND**

AB 361 was recently passed by the State Legislature and signed by Governor Newsom and went into effect immediately. AB 361 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.

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

In order to continue to hold video and teleconference meetings, 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: October 19, 2021

Page 2 of 2

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**FISCAL IMPACT**

None.

**Attachment:**

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

**RESOLUTION NO. ##-2021**  
**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 the Contra Costa County Health Officer issued recommendations for safely holding public meetings and strongly recommends on-line meetings and if in person meetings occur then recommends physical distancing of six feet of separation between 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 continue to meet via video and/or teleconference; and

**WHEREAS**, pursuant to AB 361 the City Council will review the findings required to be made 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 officials continue to recommend measures to promote physical distancing.

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

**PASSED AND ADOPTED** by the Clayton City Council, State of California, on this 19th day of October 2021, by the following vote.

AYES:

NOES:

ABSENT:

ABSTAIN:

**THE CITY COUNCIL OF CLAYTON,  
CA**

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Carl Wolfe, Mayor

**ATTEST:**

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Janet Calderon, City Clerk



# STAFF REPORT

**TO:** HONORABLE MAYOR AND COUNCILMEMBERS

**FROM:** KATHERINE KORSAK, FINANCE DIRECTOR

**DATE:** October 19, 2021

**SUBJECT:** RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLAYTON FINDING THERE REMAINS A REASONABLE RELATIONSHIP BETWEEN CURRENT NEEDS FOR THE CITY'S DEVELOPMENT IMPACT FEES AND THE PURPOSES FOR WHICH THEY WERE ORIGINALLY CHARGED (GOVERNMENT CODE SECTION 66000 ET. SEQ.) RELATED TO THE CITY'S ANNUAL REPORT ON DEVELOPMENT IMPACT FEES FOR THE FISCAL YEAR ENDED JUNE 30, 2021

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This report was prepared October 1, 2021 by the former Interim Finance Director, Sandra Sato.

## **RECOMMENDATION**

It is recommended that, subject to any comments or questions, the City Council adopt the attached Resolution finding there is a reasonable relationship between current needs for existing development impact fees and the purposes for which they were originally collected and authorizing internal accounting adjustments as noted.

## **BACKGROUND**

In 1989, Section 66000 et seq. of the *California Government Code* became effective. When passed in 1987, this section was known as AB 1600. When the Legislature passed AB 1600, it added a new chapter to the *California Government Code* on impact fees for development projects. The chapter sets forth a number of requirements that local agencies must follow if they are to extract impact fees from developers to defray the cost of construction of public facilities or expanded public service obligations related to development projects. Section 66006 mandates the reporting requirements on fees that the local agency must adhere to each fiscal year.

With the passage of AB 1483 last year, additional requirements were added to require agencies to post five years of annual reports and a list of fees, and posting of the information on the City web site. These requirements have been met and the annual report does contain more than five years of data. Please note also that since there has been very little development in recent years there is very little activity to

report. The latest development activity was for Diablo Meadows and to date no impact fees have been paid since they are still processing final maps, etc.

Through policies contained within the General Plan, the City of Clayton has established the nexus between the development and the capital improvements necessary to mitigate the effects of the development and approved impact fees to fund the mitigation measures. Further implementation of the impact fees is established in the *Clayton Municipal Code* sections related to each fee type.

## **DISCUSSION**

Section 66006 (b)(1) of the *California Government Code* requires each local agency to make public a status report on its development impact fees within 180 days after the last day of each fiscal year. Section 66006 (2) also requires each local legislative body to review the annual report on development fees at a public meeting not earlier than 15 days after the information is made available to the public. This year the City of Clayton made its annual report on development fees available to the public on October 1, 2021.

The AB 1600 report consists of a brief description of the fee type in the account or fund, the amount of the fee, the beginning and ending balance of the account or fund, the amount of fees collected and the interest earned. If there are funds in the accounts then there is also a requirement to make a finding that there is a reasonable relationship between current needs for and the purposes for which they were originally collected.

Development impact fees become due at different times through the course of a development project. Some of the impact fees are due at time of final map, or building permit issuance; others not until final occupancy. As outlined in Attachment 3, the City collected no applicable impact fees in FY 2020/21. Interest earnings are apportioned to the Development Impact Fee Fund (No. 304) through the quarterly city-wide interest allocation process. Within the Development Impact Fee Fund, quarterly interest allocations are further divided to each development impact fee account based on proportional fee account balances as of the end of the corresponding quarter.

In Clayton, AB 1600 development impact fees are collected for the following purposes:

- Childcare Facilities
- Offsite Arterial Street Improvements
- Fire Protection
- Community Facilities
- Parkland Dedication

The summary of the balances of the various fees are listed on Attachment 2. A ten (10) year Consolidated Income Statement and Revenue/Expenditure Detail Statement summary for each of the City's impact fees is presented in Attachment 3, which provides a snapshot of the sources of funds and balances in recent history and the Revenue/Expenditure Statement which details expenditure and revenue reports for each fee the City collects for further analysis of specific transactions. Attachment 4 is a copy of the public notice made available on the City's website and community public posting locations on October 1, 2021, which is at least 15 days prior the public meeting where the AB 1600

report will be reviewed by the City Council. A schedule of all City-imposed development impact fees is shown in Attachment 5 disclosing the fee formulas, citing the authoritative section establishing each fee, and the specific development phase when each fee is due to the City.

The following is a summary of the eight (8) reporting requirements on development impact fees an imposing local agency must adhere to each fiscal year:

1. Create separate capital facilities funds or accounts for each improvement funded with impact fees (Government Code Section 66006(a)).
2. Remit all interest income earned by the fees to the same fund; interest income must be spent solely on the purpose for which the fee was originally collected (Section 66006(a)).
3. Within 180 days after the close of each fiscal year, prepare a public report concerning each impact fee fund. Such report must include the fund's beginning and ending balance for the fiscal year, amount of fees and interest deposited into the fund for the fiscal year, and a description of each expenditure from the fund for that year, including identification of the improvement being funded (Section 66006(b)).
4. Review the report at a public meeting not less than fifteen (15) days after the report is made available to the public (Section 66006(b)(2)).
5. If fees remain unexpended or uncommitted five (5) years after being collected, the local agency is to make a finding that there remains a reasonable relationship between the current need for the fees and the purposes for which they were originally collected (Section 66001(d)).
6. Refund to current owner of lots or project developer any fees, with accrued interest, for which continued need cannot be demonstrated (Section 66001(e)).
7. A local agency must not co-mingle fees with any other revenue, except for temporary investment purposes (Section 66006(a)).
8. A local agency may not spend impact fees for maintenance or operation of improvements funded with impact fees (Section 65913.8).

The City is in compliance with the eight reporting requirements outlined above. The following impact fee accounts subject to the AB 1600 compliance requirements contain receipts that have not been fully expended by the City for eligible purposes in a timeframe exceeding five (5) years: Childcare Facility, Offsite Arterial Improvement, and Fire Protection fees. Compliance is obtained with criteria number 5 above by adopting a Resolution that makes a finding that there remains a reasonable relationship between the current need for the fees and the purpose for which they were originally proposed.

1. Child Care Facilities

On April 20, 1988 the City Council adopted Ordinance No. 252 establishing the child care facilities development impact fee. The purpose of this development impact fee is to enable the development of facilities sufficient to meet existing and future preschool and school age child care needs. Under this law eligible facilities included building, equipment, and any accessory structures, programs and personnel licensed by the State for direct child care services providing but not limited to shelter, food, educational, and play opportunities for less than 24 hours per day. During the 1990s some funds were provided to the Contra Costa Child Care Council for material needs of programs and to provide outreach to Clayton residents as to home and other child care opportunities and programs. The Oakhurst Development did not pay into these funds as it was established after Oakhurst was approved.

As of June 30, 2021, there was a fund balance (including interest) of \$50,605 available. During FY 2020/21 the City allocated approximately \$768 in interest to the fund. As a result of the relatively small fund balance, extended periods are necessary to achieve sufficient resources to finance the costs for child care related facilities or improvements. Accordingly, a need exists to continue the ongoing collection of this impact fee as well as the preservation of unspent balances for expected future project needs as outlined previously.

2. Parkland Dedication

On July 17, 1985 the City Council adopted the General Plan, which among other requirements, established a parkland dedication impact fee program as granted by the Subdivision Map Act of the State of California (Quimby Act). Under this law, the general standard established is that it is found and determined that the public interest, convenience, health, welfare and safety require that five (5) acres of property for each one thousand persons residing within the City be devoted to park and recreational purposes.

As of June 30, 2021, there was a fund balance (including interest) of \$24,788 available. A total of \$376 in interest was allocated to the parkland dedication account in FY 2020/21. It is estimated that there are more than \$5 million in park and recreation area construction or expansion projects which Parkland Dedication Impact Fee funds may be eligible for use. Accordingly, a need exists to continue the ongoing collection of this impact fee as well as the preservation of unspent balances for expected future project needs.

3. Offsite Arterial

On October 7, 1981 the City Council adopted Resolution No. 36-81 establishing a policy for offsite arterial street improvement impact fees for new residential developments. The policy established a nexus between development and increased traffic congestion on the City's major arterial streets. The purpose of this development impact fee is to assist the City in alleviating traffic congestion generated by each new development on the City's major arterial streets. Currently, the City's major arterial streets eligible for improvements to be financed by offsite arterial development impact fees include: Clayton Road, Oakhurst Boulevard, Marsh Creek Road, and Pine Hollow Road.

As of June 30, 2021, there was a fund balance (including interest) of \$226,958 available. A total of \$3,444 in interest was allocated to the offsite arterial account in FY 2020/21.

The collection of offsite arterial development impact fees pertaining to the following projects has not been expended in over five years as of June 30, 2021: Pine Hollow Estates, Mitchell Creek, Longs, (CVS) Flora Square, Village Market, and Diablo Estates. These unspent fees may be still be used for the East Marsh Creek Road Traffic Signal Project (CIP No. 10396), with unfunded costs estimated to be over \$500,000. As this project is currently unfunded, and as the balance of unspent reserves in the offsite arterial impact fee account is less than this project's total estimated costs, more time is needed to build up sufficient financing for the project. Additional gap funding for this project may be ultimately derived from other sources including Measure J, HUTA and RMRA gas taxes, or federal/state/regional grants. Despite sufficient funding not being currently available for this project, the City must have adequate funds on hand to leverage and meet "local matching" requirements should state, federal or other grants become available. Having matching funds also puts the City in a competitive position to be awarded grant funds should they become available. Accordingly, a need exists to continue the ongoing collection of this impact fee as well as the preservation of unspent balances for expected future project needs as outlined previously.

#### 4. Fire Protection

In 1987 the City Council adopted Ordinance No. 239 establishing the fire district development impact fee based on a report determining facility and equipment needs for the entire fire district (District). Facility cost and benefits were identified for incorporated and unincorporated areas and based on the assessment, it was determined that the City's contribution would be \$830,700 to the District. The purpose of this impact fee is to provide a method for financing fire protection facilities required by the goals and policies of the General Plan and necessitated by the needs of new construction and development for adequate fire protection facilities and services. All such fees collected shall only be used for the purpose of establishing or improving fire stations and purchase of equipment dedicated to the District's service area, or portions thereof.

As of June 30, 2021, there was a fund balance (including interest) of \$11,232 available. A total of \$170 in interest was allocated to the fire protection development impact fee account in FY 2020/21.

In FY 1999/00, the City's former Redevelopment Agency (RDA) provided a loan of \$350,000 to help finance the construction of the District's fire station located in Clayton. Periodically, as outlined in Attachment 3, fire protection fees collected were used to repay portions of this City-RDA loan. However, with the state-imposed dissolution of all California RDAs pursuant to AB 1x26, the loan was effectively dissolved along with the dissolution of the City's RDA. Prospectively, fire protection development fees collected will be used for any eligible unmet local capital needs of the District to mitigate the impact of new construction service demands. Accordingly, a need exists to continue the ongoing collection of this impact fee as well as the preservation of unspent balances for expected future project needs as outlined previously.



**5. Community Facilities**

In 1990 the City Council adopted Ordinance No. 282 establishing the community facilities development impact. The purpose of this impact fee is to implement the goals and objectives of the City's Capital Improvement Program (CIP) and to mitigate the unfavorable impacts attributed to new development by helping finance the construction of certain necessary public facilities.

As of June 30, 2021, there was no fund balance available. Therefore, no interest was allocated to the community facilities development impact fee account in FY 2020/21. These funds are limited to improvements of City-owned facilities (buildings and associated grounds). These and future funds are restricted for future new capital projects such as the Keller House renovation, Endeavor Hall, Clayton Community Library, City Hall, or public works corporation yard improvements or upgrades.

**SUMMARY**

To comply with AB 1600, the City Council must make findings there is a reasonable relationship between the current need for the fees and the purposes for which they were charged as demonstrated by programming of fees in the CIP and City operational budgets. It is important these findings can be and are made to ensure continuance of funding resources for these important programs.

Although AB 1600 requires fees collected from developers be expended within five years, the law, as noted previously, also allows exceptions. Exceptions are provided in recognition that some projects require an extended planning period. There can be a number of reasons for reasonable exceptions including project costs being of a magnitude necessitating a greater than five-year timeframe to accumulate sufficient funds or necessary matching funds not being available within the five-year timeframe. The City has referenced specific projects herein demonstrating there remains a nexus between current needs of unspent development impact fees and the purposes for which they were originally established. Specific projects referenced are included in the most recent City Council adopted Five-Year Capital Improvement Program.

As noted previously, as mandated by AB 1600, within 180 days of the close of the fiscal year the City must publicize an annual report on development impact fees. This annual report shall disclose the beginning and ending balance of each development impact fee account for the fiscal year, as well total interest allocations, expenditures, and new development impact fee revenues.

Not less than 15 days after the information is made public, the City Council is required to review this information at its next regularly scheduled public meeting. On October 1, 2021 a public notice was posted on the City's website and to the community posting boards outlining the annual AB 1600 report which had been publicized on the City's website as well as was available for review at City Hall. This public notice also specified the annual AB 1600 report would be placed on the October 19, 2021 City Council agenda for review and consideration for acceptance, in compliance with the reporting requirements.

Subject: Review of the City's Annual Report on Development Fees for FY 2020/21 in Compliance with the Reporting Requirements of Section 66006 of the California Government Code (AB 1600)  
Date: October 19, 2021  
Page: 7 of 7

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## **FISCAL IMPACT**

The acceptance of this report and its attachments, including the attached Resolution, has no direct fiscal or budgetary impact to the City of Clayton, provided the collected development impact fees are retained.

### Attachments:

1. Resolution No \_\_-2021
2. Fund Balance Summary – AB 1600 Development Impact Fees
3. 10 Year Consolidated Income Statements and Revenue/Expenditure Detail – AB 1600 Developer Impact Fee
4. Public Notice of AB 1600 Annual Report availability
5. Development Impact Fee Listing

**RESOLUTION NO. \_\_-2021**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLAYTON FINDING  
THERE REMAINS A REASONABLE RELATIONSHIP BETWEEN CURRENT NEEDS  
FOR THE CITY'S DEVELOPMENT IMPACT FEES AND THE PURPOSES FOR  
WHICH THEY WERE ORIGINALLY CHARGED (GOVERNMENT CODE SECTION  
66000 ET. SEQ.) RELATED TO  
THE CITY'S ANNUAL REPORT ON DEVELOPMENT IMPACT  
FEES FOR THE FISCAL YEAR ENDED JUNE 30, 2021**

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

**WHEREAS**, the City's adopted General Plan, and the most recent 5-Year Capital Improvement Program identifies improvements necessitated by continued development in the City and fees paid for development impacts; and

**WHEREAS**, the City has been authorized by Municipal Code Sections 3.16.020 (Community Facilities), 3.18.040 (Fire Protection), 16.12.010 (Parkland Dedication), 16.60.050 (Childcare), and Resolution 36-81 (Offsite Arterial Streets) to establish and collect these development impact fees; and

**WHEREAS**, the City has established discrete accounts and fees to finance the construction of these improvements as mitigation measures for continued development within the City; and

**WHEREAS**, the City periodically adopts a comprehensive 5-Year Capital Improvement Program to prioritize improvements and allocates funds to construct the improvements as mitigation for continued development in the City; and

**WHEREAS**, these improvements are scheduled to be constructed over time as sufficient funds become available; and

**WHEREAS**, many of these identified improvements are of such size that sufficient funds have not been collected or obtained in order to construct these improvements by expending fees collected within the five-year expenditure period provided by Government Code Section 66001(d); and

**WHEREAS**, there continues to be a distinct nexus between continued development and the necessity to mitigate developments impacts; and

**WHEREAS**, fees collected previously and in the future are necessary to fund future improvements tracked in the City's Capital Improvement Program budget and to address identified childcare needs of the community; and

**WHEREAS**, certain fees collected in the Child Care Facility, Offsite Arterial, Fire Protection and Parkland and Dedication development impact fee accounts have not been expended in a timeframe exceeding five years, however are still necessary pursuant to AB 1600 for the purpose in which they are collected as project costs exceed current available resources and it will thus take longer to collect the necessary funds for the projects identified in the City's adopted Capital Improvement Program Budget.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Clayton, California does hereby:

Section 1. Accept the above Recitals as fact, herewith approves the City's AB 1600 Report for FY 2020/21, and does find there remains a reasonable relationship between the current need for the impact fees and the purposes for which they were originally collected; and

Section 2. This Resolution shall become effective immediately upon its passage and adoption.

**PASSED, APPROVED AND ADOPTED** by the City Council of Clayton, California at a regular public meeting thereof held on the 19<sup>th</sup> day of October 2021 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

THE CITY COUNCIL OF CLAYTON, CA

---

Carl Wolfe, Mayor

ATTEST:

---

Janet Calderon, City Clerk

CITY OF CLAYTON  
 AB 1600 DEVELOPMENT IMPACT FEE FUND BALANCE SUMMARY  
 JUNE 30, 2021

ATTACHMENT 2

FUND	(A) FUND BALANCE	(B) RESERVES	(C) DESIGNATED	(D) TOTAL ALLOCATED FUND BALANCE (B+C=D)	(E) UNALLOCATED RESERVES (A-D)
CHILDCARE FACILITIES	\$ 50,605	\$ -	\$ 50,605	\$ 50,605	\$ -
PARKLAND DEDICATION	24,788	-	24,788	24,788	-
OFFSITE ARTERIAL IMPROVEMENT	226,958	-	226,958	226,958	-
FIRE PROTECTION FEES	11,232	-	11,232	11,232	-
COMMUNITY FACILITIES	-	-	-	-	-
<b>TOTAL</b>	<b>\$ 313,584</b>	<b>\$ -</b>	<b>\$ 313,584</b>	<b>\$ 313,584</b>	<b>\$ -</b>

DEVELOPMENT IMPACT FEES  
 10 YEAR AB 1600 DEVELOPMENT IMPACT FEE REVENUE/EXPENDITURE SUMMARY  
 FY 2012 - FY 2021

	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
<b>CHILDCARE FACILITY FEES</b>										
<b>REVENUE</b>										
Childcare Facility Fees (5307)	3,485	1,435	-	-	-	-	1,640			
Interest	966	570	489	255	601	646	784	987	1,017	768
Total Revenues	4,451	2,005	489	255	601	646	2,424	987	1,017	768
<b>EXPENDITURES</b>										
Total Expenditures	-	-	-	-	-	-	-	-	-	-
Total Revenue/over(under) Expenditures	4,451	2,005	489	255	601	646	2,424	987	1,017	768
<b>OTHER FINANCING SOURCES (USES)</b>										
Operating Transfers in	-	-	-	-	-	-	-	-	-	-
Operating Transfers out	-	-	-	-	-	-	-	-	-	-
Total Other Financing Sources (Uses)	-	-	-	-	-	-	-	-	-	-
<b>Excess (Deficiency) of Revenue and Other Sources Over (Under) Expenses &amp; Other Financing Sources</b>	4,451	2,005	489	255	601	646	2,424	987	1,017	768
<b>FUND BALANCE JULY 1</b>	36,963	41,414	43,419	43,908	44,163	44,764	45,410	47,834	48,821	49,838
<b>FUND BALANCE JUNE 30</b>	<b>41,414</b>	<b>43,419</b>	<b>43,908</b>	<b>44,163</b>	<b>44,764</b>	<b>45,410</b>	<b>47,834</b>	<b>48,821</b>	<b>49,838</b>	<b>50,605</b>

DEVELOPMENT IMPACT FEES  
 10 YEAR AB 1600 DEVELOPMENT IMPACT FEE REVENUE/EXPENDITURE SUMMARY  
 FY 2012 - FY 2021

	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
<b>PARKLAND DEDICATION FEES</b>										
<b>REVENUE</b>										
Parkland Dedication Fees (5313)	-	-	-	-	-	-	20,552			
Interest	1,404	800	686	163	34	36	336	483	498	376.15
Total Revenues	1,404	800	686	163	34	36	20,888	483	498	376
<b>EXPENDITURES</b>										
2010 Pavement Rehab (CIP 10409)	-	-	-	59,297		-	-	-	-	-
Community Park Upgrades (CIP 10407)	-	-	-	-	-	-	-	-	-	-
Total Expenditures	-	-	-	59,297	-	-	-	-	-	-
Total Revenue/over(under) Expenditures	1,404	800	686	(59,134)	34	36	20,888	483	498	376
<b>OTHER FINANCING SOURCES (USES)</b>										
Operating Transfers in	-	-	-	-	-	-	-	-	-	-
Operating Transfers out	-	-	-	-	-	-	-	-	-	-
Total Other Financing Sources (Uses)	-	-	-	-	-	-	-	-	-	-
<b>Excess (Deficiency) of Revenue and Other Sources Over (Under) Expenses &amp; Other Financing Sources</b>	1,404	800	686	(59,134)	34	36	20,888	483	498	376
<b>FUND BALANCE JULY 1</b>	58,717	60,121	60,921	61,607	2,473	2,507	2,543	23,431	23,914	24,412
<b>FUND BALANCE JUNE 30</b>	<b>60,121</b>	<b>60,921</b>	<b>61,607</b>	<b>2,473</b>	<b>2,507</b>	<b>2,543</b>	<b>23,431</b>	<b>23,914</b>	<b>24,412</b>	<b>24,788</b>



DEVELOPMENT IMPACT FEES  
 10 YEAR AB 1600 DEVELOPMENT IMPACT FEE REVENUE/EXPENDITURE SUMMARY  
 FY 2012 - FY 2021

	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
<b>OFFSITE ARTERIAL IMPROVEMENT FEES REVENUE</b>										
Offsite Arterial Improvement Fees (5314)	24,753	10,192		-	1,456	1,456	11,648		-	-
Interest	4,090	2,466	2,114	1,105	2,602	2,835	3,507	4,425	4,561	3,444
Total Revenues	28,843	12,658	2,114	1,105	4,058	4,291	15,155	4,425	4,561	3,444
<b>EXPENDITURES</b>										
Total Expenditures	-	-	-	-	-	-	-	-	-	-
Total Revenue/over(under) Expenditures	28,843	12,658	2,114	1,105	4,058	4,291	15,155	4,425	4,561	3,444
<b>OTHER FINANCING SOURCES (USES)</b>										
Operating Transfers in	-	-	-	-	-	-	-	-	-	-
Operating Transfers out	-	-	-	-	-	-	-	-	-	-
Total Other Financing Sources (Uses)	-	-	-	-	-	-	-	-	-	-
<b>Excess (Deficiency) of Revenue and Other Sources Over (Under) Expenses &amp; Other Financing Sources</b>	28,843	12,658	2,114	1,105	4,058	4,291	15,155	4,425	4,561	3,444
<b>FUND BALANCE JULY 1</b>	146,304	175,147	187,805	189,919	191,024	195,082	199,373	214,528	218,953	223,514
<b>FUND BALANCE JUNE 30</b>	<b>175,147</b>	<b>187,805</b>	<b>189,919</b>	<b>191,024</b>	<b>195,082</b>	<b>199,373</b>	<b>214,528</b>	<b>218,953</b>	<b>223,514</b>	<b>226,958</b>

DEVELOPMENT IMPACT FEES  
 10 YEAR AB 1600 DEVELOPMENT IMPACT FEE REVENUE/EXPENDITURE SUMMARY  
 FY 2012 - FY 2021

	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
<b>FIRE PROTECTION FEES</b>										
<b>REVENUE</b>										
Fire Protection Fees (5317)	5,100	2,100	-	-	134	176	600	1,800	-	
Interest	122	102	83	45	103	115	145	211	226	170
Total Revenues	5,222	2,202	83	45	237	291	745	2,011	226	170
<b>EXPENDITURES</b>										
Total Expenditures	-	-	-	-	-	-	-	-	-	-
Total Revenue/over(under) Expenditures	5,222	2,202	83	45	237	291	745	2,011	226	170
<b>OTHER FINANCING SOURCES (USES)</b>										
Operating Transfers in	-	-	-	-	-	-	-	-	-	-
Operating Transfers out	-	-	-	-	-	-	-	-	-	-
Total Other Financing Sources (Uses)	-	-	-	-	-	-	-	-	-	-
<b>Excess (Deficiency) of Revenue and Other Sources Over (Under) Expenses &amp; Other Financing Sources</b>	5,222	2,202	83	45	237	291	745	2,011	226	170
<b>FUND BALANCE JULY 1</b>	-	5,222	7,424	7,507	7,552	7,789	8,080	8,825	10,836	11,062
<b>FUND BALANCE JUNE 30</b>	5,222	7,424	7,507	7,552	7,789	8,080	8,825	10,836	11,062	11,232

DEVELOPMENT IMPACT FEES  
 10 YEAR AB 1600 DEVELOPMENT IMPACT FEE REVENUE/EXPENDITURE SUMMARY  
 FY 2012 - FY 2021

	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
<b>COMMUNITY FACILITIES FEES</b>										
<b>REVENUE</b>										
Community Facilities Fees (5323)	7,650	3,150		-	450	450	3,600		-	-
Interest	337	234	200	105	248	278	60	87	24	-
Total Revenues	7,987	3,384	200	105	698	728	3,660	87	24	-
<b>EXPENDITURES</b>										
Transfer to CIP10443 City Hall ADA Access	-	-	-	-	-		19,000		4,318	-
Keller House Roof Repair Project										
Total Expenditures	-	-	-	-	-	-	19,000	-	4,318	-
Total Revenue/over(under) Expenditures	7,987	3,384	200	105	698	728	(15,340)	87	(4,294)	-
<b>OTHER FINANCING SOURCES (USES)</b>										
Operating Transfers in	-	-	-	-	-	-	-	-	-	-
Operating Transfers out	-	-	-	-	-	-	-	-	-	-
Total Other Financing Sources (Uses)	-	-	-	-	-	-	-	-	-	-
<b>Excess (Deficiency) of Revenue and Other Sources Over (Under) Expenses &amp; Other Financing Sources</b>										
	7,987	3,384	200	105	698	728	(15,340)	87	(4,294)	-
<b>FUND BALANCE JULY 1</b>										
	6,445	14,432	17,816	18,016	18,121	18,819	19,547	4,207	4,294	-
<b>FUND BALANCE JUNE 30</b>										
	14,432	17,816	18,016	18,121	18,819	19,547	4,207	4,294	-	-
<b>ALL FUND BALANCES</b>										
	296,336	317,385	320,957	263,333	268,961	274,953	298,825	306,817	308,825	313,584



**CITY OF CLAYTON  
CITY COUNCIL  
NOTICE OF AVAILABILITY OF INFORMATION**

**AB 1600 Account Information Related to Covered  
Development Impact Fees  
Notice Issue Date: Friday October 1, 2021**

Notice is hereby given that as of the date noted above the City of Clayton has made available to the public a draft report entitled "Annual Report on Development Fees for the Fiscal Year Ending June 30, 2021 in Compliance with the Reporting Requirements of *California Government Code* Section 66006." This notice has been made publicly available on the City's website at [www.claytonca.gov](http://www.claytonca.gov) as well as on public posting boards at least fifteen (15) days in advance of the public meeting at which the Annual Report will be presented in accordance with *California Government Code* Section 66006(b)(2).

The final report shall be considered by the City Council at a regularly-scheduled City Council meeting on October 19, 2021, beginning at 7:00 pm or thereafter. This meeting is being held in accordance with AB 361, given the proclaimed state of emergency due to the COVID-19 pandemic and the Contra Costa County Health Officer's recommendation for social distancing for public meetings, which is also consistent with Cal OSHA requirements for social distancing, the City Council will be participating in meetings via phone/video conferencing. In accordance with this order, the public may view/listen to the meeting online at [www.claytonca.gov](http://www.claytonca.gov) where a link to Zoom will be provided.

The proposed Annual Report on Development Fees may be examined on the City's website at [www.claytonca.gov](http://www.claytonca.gov) or in person at City Hall, 6000 Heritage Trail, Clayton, California.

Interested citizens are invited to attend and participate in the meeting and present written and/or oral testimony concerning the Annual Report. If one cannot attend the hearing, one may send written comments to the City Clerk prior to the hearing at the address above or via email to [janetc@claytonca.gov](mailto:janetc@claytonca.gov). For questions concerning the proposal, please contact Laura Hoffmeister at 925-673-7300 or via email to [laurah@claytonca.gov](mailto:laurah@claytonca.gov).

Sandra Sato

Sandra Sato  
Interim Finance Director

**CITY OF CLAYTON**  
**AB 1600 DEVELOPMENT IMPACT FEES**  
 - NOTE ALL FEES LISTED ARE SUBJECT TO CHANGE -

Fee	Single-Family Residential	Multi-Family Residential	Non-Residential	Authority	Payment Date	Account Number
<b>Community Facilities Development</b>	\$450.00 / Unit	\$125.00 / Unit	Commercial/ Industrial: \$0.50/Gross sq ft	Municipal Code § 3.16.020	Residential: Occupancy Permit	304-5323-00
					Commercial/Industrial: Zoning Clearance for Building Permit	
<b>Offsite Arterial Street Improvement</b>	\$1,456.00 / Unit	\$1,019.00 / Unit	Commercial/ Business: \$3.37/Gross sq ft	City Council Resolution Nos. 36-81 & 14-86	Zoning Clearance for Building Permit	304-5314-00
<b>Childcare<sup>1</sup></b>	\$205.00 / Unit	\$205.00 / Unit	\$0.10/Gross sq ft	Municipal Code § 16.60.050	Zoning Clearance for Building Permit	304-5307-00
<b>Parkland Dedication</b>	\$2,569.00 / Unit	\$1,666.00 / Unit (Duplex \$2,180.00/ Unit)	\$0.00	Municipal Code § 16.12.010	Subdivision/Parcel Maps: Final Map Approval	304-5312-00
					Individual Parcels: Zoning Clearance for Building Permit	
<b>Fire Development Protection</b>	\$300.00 / Unit (Mobile Home: \$200.00 / Unit)	\$200.00 / Unit	\$0.20/Gross sq ft	Municipal Code § 3.18.040	Occupancy Permit	304-5317-00

<sup>1</sup> Senior housing units, second-dwelling units, affordable housing units, and churches are exempt.

Last Revised: April 10, 2009

Note: second dwelling units, ADU and Jr. ADUs that are less than 750 sq. feet are exempt from all the above per state law, effective Jan.1, 2021



# AGENDA REPORT

**TO:** HONORABLE MAYOR AND COUNCIL MEMBERS

**FROM:** Elise Warren, Chief of Police

**DATE:** October 19, 2021

**SUBJECT:** Considering Adoption of a Resolution Authorizing the Extension of the Abandoned Vehicle Abatement Fee and Collection of the Fee by the Abandoned Vehicle Service Authority (Authority) for 10 years, Subject to Approval by Electors of the County; and Authorizing the Authority to Order an Election and Submit to the Electors of Contra Costa County the Question of Whether the Authority Program and Fee Shall be Renewed for 10 years and Upon Approval of the Fee Measure by at least Two-Thirds of the Registered Voters Voting on the Measure, the Authority will be Authorized to Impose the Fee; and the City Council Authorizes the Authority to Take all Administrative Action Necessary in the Furtherance of Ordering an Election for the Purpose of Extending the Authority and Fee

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## **RECOMMENDATION**

The City currently participates in the Contra Costa County Abandoned Vehicle Abatement Service Authority (Authority). The Abandoned Vehicle Abatement Fee (Fee or AVA Fee) that funds the program is set to expire on April 30, 2022. In order to retain the Authority, the program Fee needs to be extended. Staff recommends adopting a resolution to continue participation in the Authority program and authorizing the Authority to order an election for Tuesday, June 7, 2022, asking the electors of Contra Costa County to extend the collection of the Fee until April 30, 2032.

## **BACKGROUND**

In 1991, Contra Costa County and the cities within the County created the Contra Costa County Abandoned Vehicle Abatement Service Authority (Authority). The purpose of creating the Authority was to collect revenue from the State to remove abandoned vehicles from the community. All cities within the County participate in the Authority and are

represented by city staff. The County is represented by the County Department of Conservation and Development, which also provides administrative support to the Authority.

For the past 30 years, this partnership between the County and the cities has generated millions of dollars in revenue to remove abandoned vehicles from communities in Contra Costa County. In the fiscal year ending June 30, 2020, The Authority received approximately \$1.1 M and facilitated the removal of 1,228 abandoned vehicles within Contra Costa County.

Revenue received by the Authority from the State comes from a \$1 fee (Fee) collected for each vehicle, and an additional \$2 collected for certain commercial vehicles, registered in the County. State law requires this Fee be reauthorized at the local level every ten (10) years. Reauthorization requires approval by the County Board of Supervisors, by a two-thirds vote, and approval by a majority of the cities having a majority of the incorporated population within the county. The Fee is set to expire on April 30, 2022. This resolution would authorize the extension of the Fee until April 30, 2032.

The Fee also needs to be reauthorized by the voters of Contra Costa County. In 2010, the voters of California approved Proposition 26, which amended the definition of a “tax.” The Fee collected to fund the Authority’s activities is a special tax under Prop 26, and that extension of the Fee requires an election and approval by two-thirds of County voters. Therefore, this resolution would authorize the Authority to submit a ballot measure to the County for inclusion on the June 7, 2022 election ballot, which is the next available election date. The cost of the election will be paid for from the revenues of the Authority.

To date, at least seven (7) other counties have proposed similar tax measure for abandoned vehicle abatement programs. Five measures have passed (Amador, Butte, Calaveras, Humboldt, Mendocino), and two measures have failed (Fresno and San Benito) resulting in program termination. At least five counties have voluntarily terminated their programs (Orange, Napa, San Diego, San Mateo, Shasta). Several more counties are considering ballot measures during the current the 10-year reauthorization period. In the event a local measure to extend the Fee is not passed on the June 7, 2022 ballot, the Authority will cease to operate and will be discontinued.

## **DISCUSSION**

Over the past 10 years, the City of Clayton has received over \$53,000 from the Authority, which is used to offset the cost of vehicle abatements in the City of Clayton. While vehicle abatement operations will continue regardless of the existence of this Resolution, without the Authority funding, the full cost of this service will be borne by the City of Clayton.

Approval of this Resolution will secure the partnership of the City of Clayton with the County of Contra Costa and the other 18 cities that comprise the Authority and provide significant funding for the important task of vehicle abatement.

## **FISCAL IMPACTS**

The City of Clayton receives approximately \$5,300 annually from the Authority, which is used to offset the cost of vehicle abatements in the City of Clayton. While vehicle abatement operations will continue regardless of the existence of this Resolution, without the Authority funding, the full cost of this service will be borne by the City of Clayton.

## **ATTACHMENTS**

1. Resolution authorizing the extension of the Abandoned Vehicle Fee



**RESOLUTION NO. ##-2021**

**RESOLUTION AUTHORIZING THE EXTENSION OF THE ABANDONED VEHICLE ABATEMENT FEE AND COLLECTION OF THE FEE BY THE ABANDONED VEHICLE SERVICE AUTHORITY (AUTHORITY) FOR 10 YEARS, SUBJECT TO APPROVAL BY ELECTORS OF THE COUNTY; AND AUTHORIZING THE AUTHORITY TO ORDER AN ELECTION AND SUBMIT TO THE ELECTORS OF CONTRA COSTA COUNTY THE QUESTION OF WHETHER THE AUTHORITY PROGRAM AND FEE SHALL BE RENEWED FOR 10 YEARS AND UPON APPROVAL OF THE FEE MEASURE BY AT LEAST TWO-THIRDS OF THE REGISTERED VOTERS VOTING ON THE MEASURE, THE AUTHORITY WILL BE AUTHORIZED TO IMPOSE THE FEE; AND THE CITY COUNCIL AUTHORIZES THE AUTHORITY TO TAKE ALL ADMINISTRATIVE ACTION NECESSARY IN THE FURTHERANCE OF ORDERING AN ELECTION FOR THE PURPOSE OF EXTENDING THE AUTHORITY AND FEE**

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

**WHEREAS**, California Vehicle Code Sections 22710 and 9250.7 authorized the establishment of the Contra Costa County Abandoned Vehicle Abatement Service Authority (“Authority”), which was formed in 1991, and authorized the imposition of a fee on vehicles registered in Contra Costa County (“AVA Fee”); and

**WHEREAS**, collected AVA Fees are used exclusively in the Contra Costa County Abandoned Vehicle Abatement Program (“Program”), to abate, remove, and dispose of any abandoned, wrecked, dismantled, or inoperative vehicles or vehicle parts as public nuisances, whether on public or private property, and to combat neighborhood blight and decay; and

**WHEREAS**, California Vehicle Code Sections 22710 and 9250.7 allow an extension of the AVA Fee in increments of up to 10 years; and

**WHEREAS**, Proposition 26, adopted by the voters of California in 2010, defined “tax” in a manner resulting in the classification of the AVA Fee as a special tax subject to voter approval; and

**WHEREAS**, the current AVA Fee sunsets on April 30, 2022, and without an extension of the AVA Fee, the County and cities within the County will be unable to recover a significant portion of the costs of abating nuisance vehicles.

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

1. **Section 1**. The City Council hereby extends the AVA Fee, and extends the authorization for the Authority to collect the AVA Fee, for a period of 10 years, subject to approval by the electors of the County.
2. **Section 2**. The City Council hereby authorizes the Authority to order an election for Tuesday, June 7, 2022, and submit to the electors of Contra Costa County the question of whether the Program and AVA Fee, as authorized by Vehicle Code sections 9250.7 and 22710, shall be renewed for 10 years, as set forth more fully in the ballot measure below.

Measure\_\_\_\_. Extension of the Abandoned Vehicle Abatement Program.

Shall the measure extending the Contra Costa County Abandoned Vehicle Abatement Program and associated annual fee, at a rate of one dollar per vehicle registered in Contra Costa County and an additional two dollars for certain commercial vehicles registered in Contra Costa County, which is estimated to generate \$1,100,000 annually for removing and disposing of abandoned and wrecked vehicles, until April 30, 2032, be adopted?

3. **Section 3**. Upon approval of the above measure by at least two-thirds of the registered voters voting on the measure, the Authority will be authorized to impose the AVA Fee.
4. **Section 4**. The City Council hereby authorizes the Authority to take all administrative actions necessary in furtherance of ordering an election for the

purpose of extending the Abandoned Vehicle Abatement Program and the  
AVA Fee.

**PASSED, APPROVED AND ADOPTED** by the City Council of Clayton,  
California, at a regular public meeting thereof held on the 19<sup>th</sup> day of October 2021, by  
the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

THE CITY COUNCIL OF CLAYTON, CA

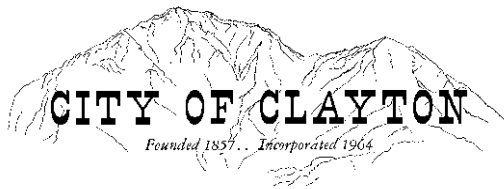
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CW Wolfe, Mayor

ATTEST:

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Janet Calderon, City Clerk



# STAFF REPORT

**TO: HONORABLE MAYOR AND COUNCILMEMBERS**  
**FROM: KATHERINE KORSAK, FINANCE DIRECTOR**  
**DATE: OCTOBER 19, 2021**  
**SUBJECT: THIRD QUARTER ENDING MARCH 31, 2021 FY 2020-21 INVESTMENT PORTFOLIO REPORT**

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This report was prepared by former Interim Finance Director, Sandra Sato on October 1, 2021.

## **RECOMMENDATION**

It is recommended the City Council accept the City Investment Portfolio Report for the third quarter (January February March) of the fiscal year ending June 30, 2021 (FY 2020-21).

## **BACKGROUND**

Pursuant to section XIII of the City of Clayton Investment Policy, the Finance Director is required to submit a quarterly investment report to the City Council. This quarterly report is also designed to meet the local agency reporting requirements outlined in *California Government Code* section 53646. The FY 2020-21 fourth quarter reports is provided herein.

The City's Investment Policy guides staff and its advisors for all investment activities. Permitted investment activities are primarily governed by state law (*California Government Code* sections 53600-53610) and the City's adopted Investment Policy. The City's Investment Policy is consistent with state law and is designed to be more restrictive for the purpose of added safety and liquidity, which take precedence over yield. Section XVI of the Investment Policy states it shall be periodically reviewed by the City Treasurer and the City Council to ensure its consistency with the overall objectives of preservation of principal, liquidity, and return on investments, along with its relevance to current law, financial and economic trends, and to meet the needs of the City. The policy was last amended by the City Council, following recommendation by the former Finance Manager and City Treasurer on November 20, 2018 to add the California Asset Management Program (CAMP) as an authorized investment type. The Policy was last reviewed on November 17, 2020. No revisions to the Policy are being recommended at this time.

## **DISCUSSION**

With the third quarter of the 2020-2021 fiscal year complete, year-to-date interest earnings for the City are \$168,323 which is 187% of forecasted General Fund interest revenues per the FY 2020-21 adopted budget General Fund Budget of \$67,500 with 75% of the year complete. It should be noted that the \$67,500 General Fund Budget is only being used here as a benchmark as \$168,323 includes all interest earnings for all funds. Investment earnings accounted for are solely attributable to pooled investments (i.e., not related to cash with fiscal agents such as bond proceeds).

For the quarter ending March 31, 2021 the highest yielding investment type, investments in certificates of deposit, government agency bonds, and corporate bonds and notes comprised approximately 73% of the portfolio with a collective weighted average interest rate of 1.58%. Deposits held with pooled investment accounts at CAMP and LAIF, making up 16.45% of the portfolio, with weighted average interest rates of .05% and .22% respectively were the second highest yielding investment type.

The market value of the total investment portfolio as of March 31, 2021 was \$14,709,083 (this includes \$1,529,894 deposited to the Bank of America). Cash balances vary depending upon the cash flow. The estimated market value exceeds the cost of securities in the investment portfolio due to the City's heavy investment in two-to-five-year fixed income securities during the last year at rates averaging higher than current rates. The increase in market value demonstrates how the cautious nature of the City's investment strategy mitigates the risk of the City incurring large unrealized losses during market retractions. On the other hand, given less risk exposure, more predictable and modest investment returns will be realized following this same strategy.

The City of Clayton Investment Portfolio was managed in accordance with the City's Investment Policy. Furthermore, the City's cash management program provides sufficient liquidity to meet the next ten months expenditures. The attached City of Clayton Investment Holdings Summary for the third quarter of FY 2020-2021 (Attachment 1 provides additional analysis and the specific investment reporting criteria required by *California Government Code* section 53646.

## **FISCAL IMPACT**

The acceptance of this report has no direct fiscal impact to the City of Clayton.

### **Attachments:**

1. City of Clayton Investment Holdings Summary – Third Quarter of Fiscal Year 2020-21 (January 1, 2021 – March 31, 2021)

City of Clayton  
Investment Holdings Summary  
Qtr. Ending: March. 31, 2021

Investment Account	Investment Type	Institution	CUSIP	Carrying Value	Rate	Current Yield	Settlement Date	Maturity Date	Market Value
CAMP	Local Agency Pool	California Asset Management Program	n/a	890,694.41	0.05%	0.05%	n/a	n/a	890,694.41
LAIF	Local Agency Pool	Local Agency Investment Fund	n/a	1,493,003.84	0.22%	0.22%	n/a	n/a	1,493,003.84
UBS Financial Services Inc.	Cash	UBS Cash Holding	n/a	-	0.01%	0.01%	n/a	n/a	-
UBS Financial Services Inc.	Money Market Fund	UBS Bank USA MMF Yield	n/a	-	0.01%	0.01%	n/a	n/a	-
	Certificate of Deposit	Wells Fargo Bank SD US	9497485W3	50,000.00	1.75%	1.74%	6/8/16	7/6/21	50,165.50
	Certificate of Deposit	UBS BK USA Salt LA UT US	90348JMG2	148,000.00	2.10%	2.09%	6/25/19	7/6/21	148,809.56
	Certificate of Deposit	Barclays Bank, DE	06740KKC0	100,000.00	2.00%	1.98%	7/5/17	7/12/21	100,558.00
	Certificate of Deposit	First Internet Bk IN	32056GCP3	100,000.00	1.95%	1.93%	7/11/17	7/14/21	100,549.00
	Certificate of Deposit	Comenity Cap Bank UT	20033AUX2	245,000.00	2.00%	1.99%	7/13/17	7/16/21	246,406.30
	Certificate of Deposit	UBS BK USA Salt LA UT US	90348JAU4	50,000.00	1.50%	1.49%	7/14/16	7/20/21	50,213.50
	Certificate of Deposit	Synchrony Bank, UT	87164XNA0	50,000.00	1.45%	1.44%	7/14/16	7/22/21	50,218.00
	Certificate of Deposit	Morgan Stanley Prv NY US	61760AR50	250,000.00	2.10%	2.09%	7/23/19	8/2/21	251,762.50
	Certificate of Deposit	Bank Hapoalim, NY	06251AU32	147,000.00	3.00%	2.96%	8/15/18	8/23/21	148,744.89
	Certificate of Deposit	Firstbank Puerto Rico	33767A4K4	157,000.00	2.05%	2.03%	8/15/17	8/25/21	158,262.28
	Certificate of Deposit	Enerbank UT	29266N3H8	50,000.00	1.45%	1.44%	8/22/16	8/26/21	50,283.50
	Certificate of Deposit	Privatebank, IL	74267GVM6	147,000.00	1.50%	1.49%	8/10/16	8/30/21	147,862.89
	Certificate of Deposit	Commercial BK, TN	20143PDR8	197,000.00	3.00%	2.96%	6/19/18	9/21/21	199,756.03
	Certificate of Deposit	Medallion Bk, UT	58403B5Q5	198,000.00	2.05%	2.02%	12/5/16	12/16/21	200,803.68
	Certificate of Deposit	Mercantil Comm Ban FL US	58733ADT3	150,000.00	2.10%	2.07%	1/12/17	1/27/22	152,511.00
	Certificate of Deposit	Franklin Syn Bank, TN	35471TCV2	204,000.00	2.00%	1.97%	1/12/17	1/31/22	207,278.28
	Certificate of Deposit	Sallie Mae Bank, UT	7954502C8	197,000.00	2.65%	2.58%	3/27/19	4/4/22	202,092.45
	Certificate of Deposit	Live Oak Banking, NC	538036CM4	97,000.00	2.25%	2.20%	3/24/17	4/7/22	99,133.03
	Certificate of Deposit	First National Bank of McGregor, TX	36A99U934	145,000.00	2.35%	2.29%	12/5/17	6/20/22	148,635.15
	Certificate of Deposit	Bank of New England, NH	06426KAL2	246,000.00	3.15%	3.03%	7/17/18	7/29/22	255,933.48
	Certificate of Deposit	Ally Bank UT US	02007GKY8	247,000.00	2.15%	2.09%	7/23/19	8/1/22	253,740.63
	Certificate of Deposit	Enerbank UT	29278TKG4	100,000.00	2.05%	2.00%	7/29/19	8/8/22	102,631.00
	Certificate of Deposit	First Bank Highland, IL	319141HN0	247,000.00	2.20%	2.14%	8/28/17	9/7/22	254,410.00
	Certificate of Deposit	Capital One Bank	1404205H9	99,000.00	2.24%	2.30%	9/28/17	10/4/22	102,249.18
	Certificate of Deposit	Commercial Savings Bank, IA	202291AD2	247,000.00	2.10%	2.04%	10/5/17	10/18/22	254,540.91
	Certificate of Deposit	Wells Fargo Bank NA, SD	949495AQ8	248,000.00	1.90%	1.84%	1/13/20	1/17/23	255,814.48
	Certificate of Deposit	Goldman Sachs Bank, UT	38149MNT6	145,000.00	1.90%	1.84%	1/13/20	1/23/23	149,613.90
	Certificate of Deposit	Texas Cap Bank, NY	88224PLY3	250,000.00	0.30%	0.30%	7/31/20	2/7/23	250,702.50
	Certificate of Deposit	Industrial & Coml NY	45581EAR2	250,000.00	2.65%	2.53%	1/29/18	2/14/23	261,685.00
	Certificate of Deposit	Belmont Svgs Bk, MA	080515CH0	200,000.00	2.70%	2.57%	2/13/18	2/28/23	209,724.00
	Certificate of Deposit	Bank Leumi, NY	063248KR8	250,000.00	1.45%	1.41%	3/20/20	3/31/23	256,475.00
	Certificate of Deposit	Citibank, NA SD	17312QJ26	200,000.00	2.90%	2.75%	4/2/18	4/11/23	211,094.00
	Certificate of Deposit	Synchrony Bank, UT	87164XZL3	100,000.00	1.30%	1.27%	4/9/20	4/17/23	102,318.00
	Certificate of Deposit	Capital One Bank	14042TDM6	150,000.00	1.40%	1.37%	4/9/20	4/17/23	153,783.00
	Certificate of Deposit	Goldman Sachs Bank, UT	38148P7B7	100,000.00	2.65%	2.52%	5/1/19	5/8/23	105,201.00
	Certificate of Deposit	Enerbank UT	29278TCG3	100,000.00	3.20%	2.99%	7/18/18	7/31/23	106,957.00
	Certificate of Deposit	Third Fed S&L Assn OH	88413QCT3	200,000.00	0.25%	0.25%	8/5/20	8/21/23	200,144.00
	Certificate of Deposit	New York CMNTY Bank	649447TZ2	150,000.00	0.25%	0.25%	10/5/20	10/16/23	150,022.50

City of Clayton  
Investment Holdings Summary  
Qtr. Ending: March. 31, 2021

Investment Account	Investment Type	Institution	CUSIP	Carrying Value	Rate	Current Yield	Settlement Date	Maturity Date	Market Value
	Certificate of Deposit	Bank of Baroda, NY	06063HBH5	250,000.00	3.55%	3.28%	12/17/18	12/28/23	272,387.50
	Certificate of Deposit	BLC Cmnty Bk WI US	05549CGN4	198,000.00	2.00%	1.99%	11/13/17	5/28/21	198,621.72
	Certificate of Deposit	Wells Fargo Bank NA, SD	949763A48	197,000.00	2.75%	2.56%	4/25/19	5/3/24	211,499.20
	Certificate of Deposit	BMO Harris BK NA IL	05600XAN0	250,000.00	0.55%	0.55%	7/31/20	7/29/24	250,102.50
	Certificate of Deposit	Texas Exchange BK TX	88241TJG6	198,000.00	0.50%	0.50%	9/2/20	12/11/24	198,104.94
	Certificate of Deposit	CPTL ONE Natl ASSN VA US	14042RPW5	250,000.00	1.45%	1.40%	7/22/20	4/22/25	259,242.50
	Certificate of Deposit	Flagstar Bank, FSB, MI	33847E3D7	250,000.00	1.15%	1.12%	4/23/20	4/29/25	256,195.00
	Certificate of Deposit	Delta Natl B&T Co NY	2477RBW4	250,000.00	0.55%	0.55%	7/22/20	7/21/25	249,330.00
	Certificate of Deposit	USAlliance Fed Cre NY	90352RBD6	149,000.00	0.55%	0.55%	8/20/20	8/28/25	148,362.28
	Certificate of Deposit	State Bank IL US	856283P67	200,000.00	0.50%	0.50%	10/5/20	9/22/25	198,482.00
	Certificate of Deposit	JP Morgan Chase, OH	48128UPW3	250,000.00	0.40%	0.40%	10/28/20	10/30/25	248,600.00
	Certificate of Deposit	Investors Cmnty Bank WI US	46147UUFS	250,000.00	0.50%	0.51%	1/20/21	1/27/26	246,560.00
	Certificate of Deposit	Merrick Bank UT US	59013KM89	245,000.00	0.50%	0.51%	1/20/21	1/29/26	241,601.85
	Certificate of Deposit	Bank United NA Florida	066519QKB	94,000.00	0.65%	0.66%	2/24/21	3/5/26	93,203.82
	Certificate of Deposit	Bank United NA Florida	066519QT9	135,000.00	0.95%	0.95%	3/19/21	3/31/26	135,314.55
	Certificate of Deposit	Towne Bank Portsmouth VA US	89214PBL2	200,000.00	2.80%	2.79%	4/19/18	4/30/21	200,458.00
				<u>\$ 9,577,000.00</u>					<u>\$ 9,759,150.98</u>
	Corporate Bonds & Notes	Protective Life Global	74368CAP9	250,000.00	3.10%	2.91%	7/22/20	4/15/24	266,572.50
	Corporate Bonds & Notes	Westpac Banking Corp.	961214EH2	250,000.00	2.35%	2.25%	4/23/20	2/19/25	261,522.50
	Corporate Bonds & Notes	Apple Inc. NTS B/E	91282CBC4	150,000.00	1.80%	1.73%	3/20/21	9/11/24	155,914.50
	Corporate Bonds & Notes	WAL Mart Stores	931142DV2	100,000.00	2.65%	2.48%	3/20/20	12/15/24	107,058.00
				<u>\$ 750,000.00</u>					<u>\$ 791,067.50</u>
	Government Agency	FFCB Bond	3133EMHF2	150,000.00	0.60%	0.60%	11/25/20	11/24/25	147,522.00
	Government Agency	FHLB NTS	3130AKWA0	100,000.00	0.52%	0.53%	2/3/21	2/12/26	97,750.00
				<u>\$ 250,000.00</u>					<u>\$ 245,272.00</u>
	<b>Total UBS Financial Services Inc.</b>			<u><u>\$ 10,577,000.00</u></u>					<u><u>\$ 10,795,490.48</u></u>
<b>Morgan Stanley</b>	Money Market Fund	Morgan Stanley	n/a	-	0.00%	0.00%	n/a	n/a	-
	No Activity or holdings in this account left at 9/30/2019. Account closed.								
	<b>Total Morgan Stanley</b>			<u>-</u>					<u>-</u>
<b>Bank of America (book balance)</b>	Cash (checking account)	Bank of America		<b>1,529,893.79</b>	0.00%	0.00%	n/a	n/a	<b>1,529,893.79</b>

City of Clayton  
Investment Holdings Summary  
Qtr. Ending: March. 31, 2021

Investment Account	Investment Type	Institution	CUSIP	Carrying Value	Rate	Current Yield	Settlement Date	Maturity Date	Market Value
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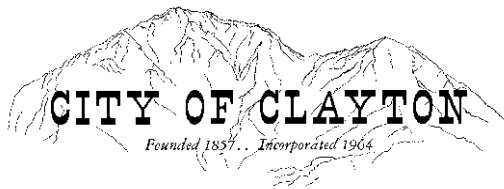
Broker / Institution	Carrying Value	Percentage of Portfolio	Weighted Average Yield to Maturity	W.A.M. (yrs)	Market Value
CAMP	890,694	6.15%	0.05%	0.11	890,694
LAIF	1,493,004	10.30%	0.22%	0.53	1,493,004
UBS Financial Services Inc.	10,577,000	72.99%	1.58%	2.80	10,795,490
Morgan Stanley	-	0.00%	0.00%	0.00	-
Bank of America (book balance)	1,529,894	10.56%	0.00%	0.00	1,529,894
<b>Total investment Portfolio</b>	<b>14,490,592</b>	<b>100.00%</b>	<b>1.18%</b>	<b>2.05</b>	<b>14,709,083</b>
2020-21 Budgeted Interest - General Fund		\$ 90,000			
2020-21 Budgeted Interest Revenue to date (7/1/20 - 3/31/21)		\$ 67,500			
2020-21 Actual Interest Revenue to date (7/1/20 - 3/31/21)		\$ 168,323			
General Fund Budget % Completed to date (7/1/20 - 3/31/21)		100.00%			
Percent of General Fund Budget Realized		187.03%			
Year to Date Variance			\$ 100,823	149.37%	
Quarterly Weighted Average Annual Yield*		1.18%			
2020-21 Total Pooled Investment Income To Date (7/1/20 - 3/31/20)		\$ 168,323			
*This calculation excludes the City's non-interest bearing pooled checking account with Bank of America					

I verify that this investment portfolio is in conformity with State laws and the City of Clayton's investment policy. The City's cash management program provides sufficient liquidity to meet the next six month's expenditures.

Sandra Sato 10-1-2021  
Sandra Sato, Interim Finance Director Date

Hank Stratford 10/13/21  
Hank Stratford, City Treasurer Date





# STAFF REPORT

**TO: HONORABLE MAYOR AND COUNCILMEMBERS**

**FROM: KATHERINE KORSAK, FINANCE DIRECTOR**

**DATE: OCTOBER 19, 2021**

**SUBJECT: FOURTH QUARTER APRIL, MAY, JUNE ENDING JUNE 30, 2021 FY 2020-21  
INVESTMENT PORTFOLIO REPORT**

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This report was prepared by former Interim Finance Director, Sandra Sato on October 1, 2021.

## **RECOMMENDATION**

It is recommended the City Council accept the City Investment Portfolio Report for the fourth quarter (April May June)) of the fiscal year ending June 30, 2021 (FY 2020-21).

## **BACKGROUND**

Pursuant to section XIII of the City of Clayton Investment Policy, the Finance Director is required to submit a quarterly investment report to the City Council. This quarterly report is also designed to meet the local agency reporting requirements outlined in *California Government Code* section 53646. The FY 2020-21 third and fourth quarter reports are provided herein.

The City's Investment Policy guides staff and its advisors for all investment activities. Permitted investment activities are primarily governed by state law (*California Government Code* sections 53600-53610) and the City's adopted Investment Policy. The City's Investment Policy is consistent with state law and is designed to be more restrictive for the purpose of added safety and liquidity, which take precedence over yield. Section XVI of the Investment Policy states it shall be periodically reviewed by the City Treasurer and the City Council to ensure its consistency with the overall objectives of preservation of principal, liquidity, and return on investments, along with its relevance to current law, financial and economic trends, and to meet the needs of the City. The policy was last amended by the City Council, following recommendation by the former Finance Manager and City Treasurer on November 20, 2018 to add the California Asset Management Program (CAMP) as an authorized investment type. The Policy was last reviewed on November 17, 2020. No revisions to the Policy are being recommended at this time.

## **DISCUSSION**

With the fourth quarter of the 2020-2021 fiscal year complete, year-to-date interest earnings for the City are \$221,924 which is 246% of forecasted General Fund interest revenues per the FY 2020-21 adopted budget of \$90,000 with 100% of the year complete. It should be noted that the \$90,000 General Fund Budget is only being used here as a benchmark as \$221,924 includes all interest earnings for all funds. Investment earnings accounted for are solely attributable to pooled investments (i.e., not related to cash with fiscal agents such as bond proceeds).

For the quarter ending June 30, 2021 the highest yielding investment type, investments in certificates of deposit, government agency bonds, and corporate bonds and notes comprised approximately 65% of the portfolio with a collective weighted average interest rate of 1.48%. Deposits held with pooled investment accounts at CAMP and LAIF, making up 14.38% of the portfolio, with weighted average interest rates of .05% and .22% respectively were the second highest yielding investment type.

The market value of the total Investment Portfolio as of June, 30, 2021 was \$16,585,704 (this includes \$3,427,369 deposited to the Bank of America). Much of the increase is attributable to a higher cash balance in the Bank of America cash account. Cash balances vary depending upon the cash flow. The estimated market value exceeds the cost of securities in the investment portfolio due to the City's heavy investment in two-to-five-year fixed income securities during the last year at rates averaging higher than current rates. The increase in market value demonstrates how the cautious nature of the City's investment strategy mitigates the risk of the City incurring large unrealized losses during market retractions. On the other hand, given less risk exposure, more predictable and modest investment returns will be realized following this same strategy.

The City of Clayton Investment Portfolio was managed in accordance with the City's Investment Policy. Furthermore, the City's cash management program provides sufficient liquidity to meet the next ten months expenditures. The attached City of Clayton Investment Holdings Summary for the fourth quarter of FY 2020-2021 Attachment 1 provides additional analysis and the specific investment reporting criteria required by *California Government Code* section 53646.

## **FISCAL IMPACT**

The acceptance of this report has no direct fiscal impact to the City of Clayton.

### **Attachments:**

1. City of Clayton Investment Holdings Summary – Fourth Quarters of Fiscal Year 2020-21 (March 1, 2021 – June 30, 2021)

City of Clayton  
Investment Holdings Summary  
Qtr. Ending: June 30, 2021

Investment Account	Investment Type	Institution	CUSIP	Carrying Value	Rate	Current Yield	Settlement Date	Maturity Date	Market Value
CAMP	Local Agency Pool	California Asset Management Program	n/a	890,812.35	0.05%	0.05%	n/a	n/a	890,812.35
LAIF	Local Agency Pool	Local Agency Investment Fund	n/a	1,494,634.87	0.22%	0.22%	n/a	n/a	1,494,634.87
UBS Financial Services Inc.	Cash	UBS Cash Holding	n/a	-	0.01%	0.01%	n/a	n/a	-
UBS Financial Services Inc.	Money Market Fund	UBS Bank USA MMF Yield	n/a	60,538.58	0.01%	0.01%	n/a	n/a	60,538.58
	Certificate of Deposit	UBS BK USA Salt LA UT US	90348JMG2	148,000.00	2.10%	2.10%	6/25/19	7/6/21	148,050.32
	Certificate of Deposit	Barclays Bank, DE	06740KKC0	100,000.00	2.00%	1.98%	7/5/17	7/12/21	100,065.00
	Certificate of Deposit	First Internet Bk IN	32056GCP3	100,000.00	1.95%	1.93%	7/11/17	7/14/21	100,074.00
	Certificate of Deposit	Comenity Cap Bank UT	20033AUX2	245,000.00	2.00%	2.00%	7/13/17	7/16/21	245,213.15
	Certificate of Deposit	UBS BK USA Salt LA UT US	90348JAU4	50,000.00	1.50%	1.50%	7/14/16	7/20/21	50,039.00
	Certificate of Deposit	Synchrony Bank, UT	87164XNA0	50,000.00	1.45%	1.44%	7/14/16	7/22/21	50,042.50
	Certificate of Deposit	Morgan Stanley Prv NY US	61760AR50	250,000.00	2.10%	2.07%	7/23/19	8/2/21	250,470.00
	Certificate of Deposit	Bank Hapoalim, NY	06251AU32	147,000.00	3.00%	2.99%	8/15/18	8/23/21	147,649.74
	Certificate of Deposit	Firstbank Puerto Rico	33767A4K4	157,000.00	2.05%	2.04%	8/15/17	8/25/21	157,480.42
	Certificate of Deposit	Enerbank UT	29266N3H8	50,000.00	1.45%	1.44%	8/22/16	8/26/21	50,109.00
	Certificate of Deposit	Privatebank, IL	74267GVM6	147,000.00	1.50%	1.49%	8/10/16	8/30/21	147,346.92
	Certificate of Deposit	Commercial BK, TN	20143PDR8	197,000.00	3.00%	2.98%	6/19/18	9/21/21	198,308.08
	Certificate of Deposit	Medallion Bk, UT	58403B5Q5	198,000.00	2.05%	2.03%	12/5/16	12/16/21	199,825.56
	Certificate of Deposit	Mercantil Comm Ban FL US	58733ADT3	150,000.00	2.10%	2.08%	1/12/17	1/27/22	151,767.00
	Certificate of Deposit	Franklin Syn Bank, TN	35471TCV2	204,000.00	2.00%	1.98%	1/12/17	1/31/22	206,329.68
	Certificate of Deposit	Sallie Mae Bank, UT	7954502C8	197,000.00	2.65%	2.60%	3/27/19	4/4/22	200,912.42
	Certificate of Deposit	Live Oak Banking, NC	538036CM4	97,000.00	2.25%	2.21%	3/24/17	4/7/22	98,634.45
	Certificate of Deposit	First National Bank of McGregor, TX	36A99U934	145,000.00	2.25%	2.21%	12/5/17	6/20/22	148,014.55
	Certificate of Deposit	Bank of New England, NH	06426KAL2	246,000.00	3.15%	3.00%	7/17/18	7/29/22	254,110.62
	Certificate of Deposit	Ally Bank UT US	02007GKY8	247,000.00	2.15%	2.08%	7/23/19	8/1/22	252,493.28
	Certificate of Deposit	Enerbank UT	29278TKG4	100,000.00	2.05%	2.01%	7/29/19	8/8/22	102,151.00
	Certificate of Deposit	First Bank Highland, IL	319141HN0	247,000.00	2.20%	2.15%	8/28/17	9/7/22	253,120.66
	Certificate of Deposit	Capital One Bank	1404205H9	99,000.00	2.24%	2.30%	9/28/17	10/4/22	101,719.53
	Certificate of Deposit	Commercial Savings Bank, IA	202291AD2	247,000.00	2.10%	2.05%	10/15/17	10/18/22	253,333.08
	Certificate of Deposit	Wells Fargo Bank NA; SD	949495AQ8	248,000.00	1.90%	1.85%	1/13/20	1/17/23	254,643.92
	Certificate of Deposit	Goldman Sachs Bank, UT	38149MNT6	145,000.00	1.90%	1.85%	1/13/20	1/23/23	148,920.80
	Certificate of Deposit	Texas Cap Bank, NY	88224PLY3	250,000.00	0.30%	0.30%	7/31/20	2/7/23	250,505.00
	Certificate of Deposit	Industrial & Coml NY	45581EAR2	250,000.00	2.65%	2.55%	1/29/18	2/14/23	260,017.50
	Certificate of Deposit	Belmont Svgs Bk, MA	080515CH0	200,000.00	2.70%	2.59%	2/13/18	2/28/23	208,354.00
	Certificate of Deposit	Bank Leumi, NY	063248KR8	250,000.00	1.45%	1.42%	3/20/20	3/31/23	255,507.50
	Certificate of Deposit	Citibank, NA SD	17312QJ26	200,000.00	2.90%	2.77%	4/2/18	4/11/23	209,636.00
	Certificate of Deposit	Synchrony Bank, UT	87164XZL3	100,000.00	1.30%	1.27%	4/9/20	4/17/23	101,981.00
	Certificate of Deposit	Capital One Bank	14042TDM6	150,000.00	1.40%	1.37%	4/9/20	4/17/23	153,241.50
	Certificate of Deposit	Goldman Sachs Bank, UT	38148P7B7	100,000.00	2.65%	2.53%	5/1/19	5/8/23	104,544.00
	Certificate of Deposit	Comenity Bank De US	981993FI4	200,000.00	0.20%	0.20%	5/10/21	5/15/23	199,530.00
	Certificate of Deposit	Enerbank UT	29278TCG3	100,000.00	3.20%	3.01%	7/18/18	7/31/23	106,175.00
	Certificate of Deposit	Third Fed S&L Assn OH	88413QCT3	200,000.00	0.25%	0.25%	8/5/20	8/21/23	200,054.00
	Certificate of Deposit	New York CMNTY Bank	649447TZ2	150,000.00	0.25%	0.25%	10/5/20	10/16/23	149,998.50

City of Clayton  
Investment Holdings Summary  
Qtr. Ending: June 30, 2021

Investment Account	Investment Type	Institution	CUSIP	Carrying Value	Rate	Current Yield	Settlement Date	Maturity Date	Market Value
	Certificate of Deposit	Bank of Baroda, NY	06063HBH5	250,000.00	3.55%	3.28%	12/17/18	12/28/23	270,455.00
	Certificate of Deposit	BMW Bank North Amer	05580AZW7	198,000.00	0.25%	0.25%	6/3/21	6/11/24	197,671.32
	Certificate of Deposit	Wells Fargo Bank NA, SD	949763A48	197,000.00	2.75%	2.57%	4/25/19	5/3/24	210,669.83
	Certificate of Deposit	BMO Harris BK NA IL	05600XAN0	250,000.00	0.55%	0.55%	7/31/20	7/29/24	250,097.50
	Certificate of Deposit	Texas Exchange BK TX	88241TJG6	198,000.00	0.50%	0.50%	9/2/20	12/11/24	198,100.98
	Certificate of Deposit	CPTL ONE Natl ASSN VA US	14042RPW5	250,000.00	1.45%	1.40%	7/22/20	4/22/25	259,610.00
	Certificate of Deposit	Flagstar Bank, FSB, MI	33847E3D7	250,000.00	1.15%	1.12%	4/23/20	4/29/25	256,780.00
	Certificate of Deposit	Delta Natl B&T Co NY	2477RBW4	250,000.00	0.55%	0.55%	7/22/20	7/21/25	250,645.00
	Certificate of Deposit	USAlliance Fed Cre NY	90352RBD6	149,000.00	0.55%	0.55%	8/20/20	8/28/25	149,117.71
	Certificate of Deposit	State Bank IL US	856283P67	200,000.00	0.50%	0.50%	10/5/20	9/22/25	199,524.00
	Certificate of Deposit	JP Morgan Chase, OH	48128UPW3	250,000.00	0.40%	0.40%	10/28/20	10/30/25	249,945.00
	Certificate of Deposit	Investors Cmnty Bank WI US	46147UUFS	250,000.00	0.50%	0.50%	1/20/21	1/27/26	247,742.50
	Certificate of Deposit	Merrick Bank UT US	59013KM89	245,000.00	0.50%	0.50%	1/20/21	1/29/26	242,758.25
	Certificate of Deposit	Bank United NA Florida	066519QKB	94,000.00	0.65%	0.65%	2/24/21	3/5/26	93,600.50
	Certificate of Deposit	Bank United NA Florida	066519QT9	135,000.00	0.95%	0.95%	3/19/21	3/31/26	135,102.60
	Certificate of Deposit	State Bank INDI NY US	8562285VR9	248,000.00	0.95%	0.94%	5/10/21	5/19/26	249,453.28
				\$ 9,775,000.00					\$ 9,931,642.15
	Corporate Bonds & Notes	FFCB Bond	3133EMHF2	150,000.00	0.60%	0.61%	11/25/20	11/24/25	148,410.00
	Corporate Bonds & Notes	US Treasury Note	91282CBC4	544,000.00	0.38%	0.38%	5/21/21	12/31/25	533,908.80
	Corporate Bonds & Notes	FHLB NTS	3130AKWAO	100,000.00	0.52%	0.53%	2/3/21	12/12/21	98,389.00
				\$ 794,000.00					\$ 780,707.80
	Money Market Fund	No activity		\$ -					\$ -
	Total UBS Financial Services Inc.			\$ 10,629,538.58					\$ 10,772,888.53
Morgan Stanley	Money Market Fund	Morgan Stanley	n/a	-	0.00%	0.00%	n/a	n/a	-
	No Activity or holdings in this account left at 9/30/2019. Account closed.								
	Total Morgan Stanley			-					-
Bank of America (book balance)	Cash (checking account)	Bank of America		3,427,368.93	0.00%	0.00%	n/a	n/a	3,427,368.93


City of Clayton  
Investment Holdings Summary  
Qtr. Ending: June 30, 2021

Investment Account	Investment Type	Institution	CUSIP	Carrying Value	Rate	Current Yield	Settlement Date	Maturity Date	Market Value
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Broker / Institution	Carrying Value	Percentage of Portfolio	Weighted Average Yield to Maturity	W.A.M. (yrs)	Market Value
CAMP	890,812	5.42%	0.05%	0.11	890,812
LAIF	1,494,635	9.09%	0.22%	0.53	1,494,635
UBS Financial Services Inc.	10,629,539	64.65%	1.50%	2.90	10,772,889
Morgan Stanley	-	0.00%	0.00%	0.00	-
Bank of America (book balance)	3,427,369	20.84%	0.00%	0.00	3,427,369
<b>Total investment Portfolio</b>	<b>16,442,355</b>	<b>100.00%</b>	<b>0.99%</b>	<b>1.88</b>	<b>16,585,705</b>
2020-21 Budgeted Interest - General Fund	\$	90,000			
2020-21 Budgeted Interest Revenue to date (7/1/20 - 6/30/21)	\$	90,000			
2020-21 Actual Interest Revenue to date (7/1/20 - 6/30/21)	\$	221,924			
General Fund Budget % Completed to date (7/1/20 - 6/30/21)		100.00%			
Percent of General Fund Budget Realized		246.58%			
Year to Date Variance			\$	131,924	146.58%
Quarterly Weighted Average Annual Yield*		0.99%			
2020-21 Total Pooled Investment Income To Date (7/1/20 - 6/30/21)	\$	221,924			
*This calculation excludes the City's non-interest bearing pooled checking account with Bank of America					

I verify that this investment portfolio is in conformity with State laws and the City of Clayton's investment policy. The City's cash management program provides sufficient liquidity to meet the next six month's expenditures.

  
Sandra Sato, Interim Finance Director  
10-1-2021  
Date

  
Hank Stratford, City Treasurer  
10/14/21  
Date

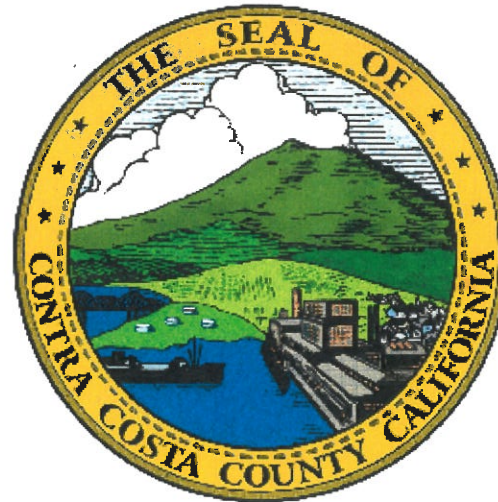


# CONTRA COSTA COUNTY DISTRICT ATTORNEY'S OFFICE

DIANA BECTON, DISTRICT ATTORNEY

- Budget and Personnel
- Department Overview
- Programs

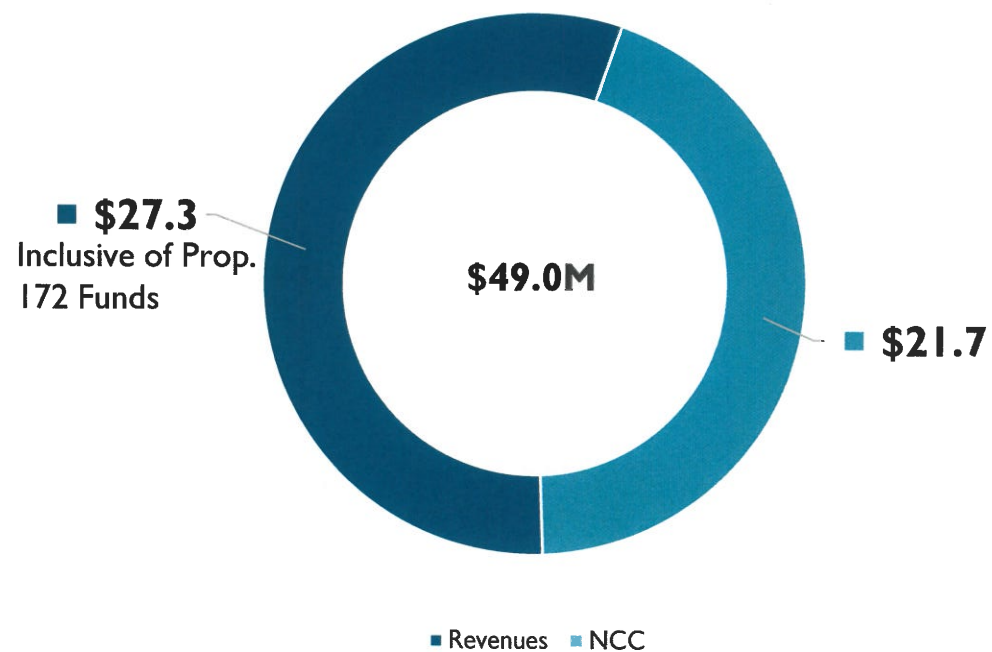
# COLLABORATION





# FISCAL YEAR 2021-22 BUDGET

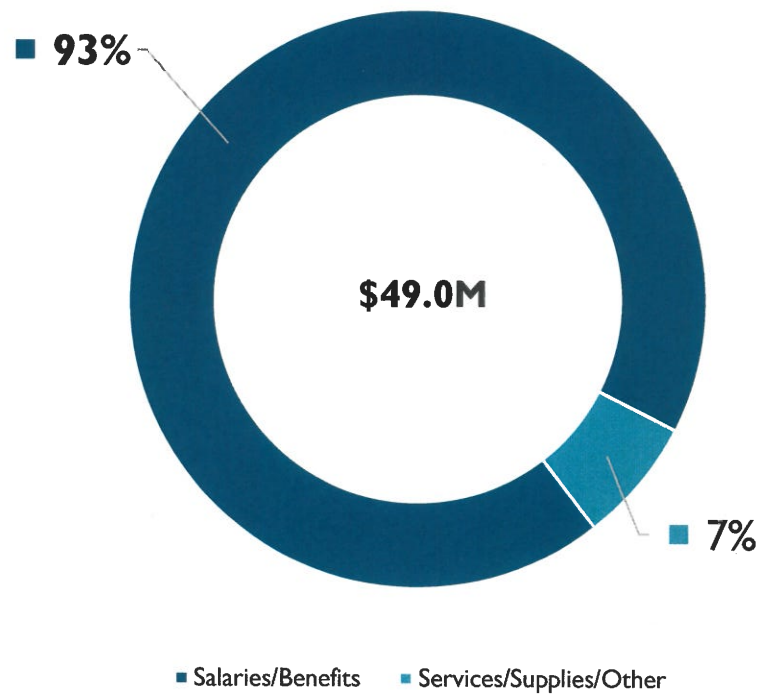
FY 2021-2022 Budget





# PERSONNEL

FY 2021-22 Budget



## ALLOCATED POSITIONS (AS OF 04/13/21)

Description	FTE	Vacancy
Attorney	103.1	6
Investigative	28	6
Victim/Witness	17	0
Administration and Support	78.5	16.5
<b>Total</b>	<b>226.6</b>	<b>28.5</b>

## DISTRICT ATTORNEY'S OFFICE

Seek Justice.

Serve Justice.

Do Justice.

### **Mission**

To seek justice and enhance public safety for all our residents.  
By fairly, ethically, aggressively and efficiently prosecuting those who violate the law, and by working to prevent crime.

## 2020 PERFORMANCE

### Statistics

1.15 Million residents

25 law enforcement agencies within 19 cities

Filed over 3,327 felony cases

Filed over 4,634 misdemeanor cases



## DIVISIONS AND UNITS

### Function

Superior Court Operations

Special Operations

Community Violence Reduction

Homicide

Family Violence

Juvenile

Victim/Witness

Bureau of Investigations

## 2021-22 SPECIALTY UNITS AND PROGRAMS

### **Specialty Units and Programs**

Conviction Integrity Unit

Cold Case Unit

Human Trafficking Unit

Hate Crimes Unit

## 2021-22 RACIAL EQUITY, SOCIAL JUSTICE, AND REDUCING INCARCERATION

### **Reducing Incarceration**

Youth Restorative Justice Diversion

Neighborhood Community Courts

Mental Health Diversion

Vera

Post Conviction Resentencing

# 2021-22 RACIAL EQUITY, SOCIAL JUSTICE, AND REDUCING INCARCERATION

## **Reducing Incarceration**

Sexual Assault Test Kits

Immigration Training

Implicit Bias Training

Training Oversight Committee

Community Academy



## CONTACT US



- Community Academy
- Application is on the website
- [www.contracosta.ca.gov](http://www.contracosta.ca.gov)



**COMMUNITY COURTS**

[bmauler@contracostada.org](mailto:bmauler@contracostada.org)

